



Appeal Decision

Site visit made on 4 May 2021 by Thomas Courtney BA(Hons) MA

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2021

Appeal Ref: APP/J1915/D/21/3268935

The Old Granary, Lane End, Green End, Ware, SG12 0NX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr T. Percival against the decision of East Hertfordshire District Council.
 - The application Ref 3/20/2169/HH, dated 31 October 2020, was refused by notice dated 7 January 2021.
 - The development proposed is the raising of roof, addition of dormers and single storey extension to existing garage to provide annexe.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are
 - Whether the use of the proposed annexe would accord with the Council's Housing Policies;
 - The effect of the development on the character and appearance of the area; and
 - The effect of the development on the living conditions of the neighbouring occupants of 'Mulberry House', having particular regard to outlook and light.

Reasons for the Recommendation

4. The appeal site accommodates a two-storey dwelling known as 'The Old Granary' and a pitched roof garage which also serves as a home office. The site is situated within a small rural settlement characterised mostly by large detached dwellings of varying design, traditional cottages and farm buildings.
 5. The existing outbuilding is set-back from the road and lies to the north west of the host property, its northern side elevation abutting the southern boundary fence of the neighbouring property known as 'Mulberry House'. The appeal
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property and outbuilding sit within a relatively large plot with open countryside to the west.

Use of the annexe

6. Policy HOU13 of the East Herts District Plan (the 'Local Plan') sets out that the scale of an annexe should not dominate the existing dwelling and the accommodation should be the minimum level required to support the needs of the occupant.
7. The Council has accepted that the annexe building would be located close to and be well related to the main dwelling, being accessible by way of a short pathway. The proposal would therefore fulfil the requirements of part (a) of Policy HOU13.
8. The appellant has submitted that the scale of the annexe is necessary in order to accommodate the needs of an elderly relative. It has been highlighted that the needs of the future occupier would be supported by the extended family and they would be able to assist with childcare for the extended family. Furthermore, it is contended that the space has been designed to provide sufficient space for arts, crafts and hobbies, as well as to allow a degree of independence.
9. I accept it is reasonable to allow for the expectation that the proposed lounge would be used as a ground floor bedroom in the future, but I am not satisfied this justifies the significant scale of the annexe. The overall size of the accommodation for a single person appears excessive, particularly given the not unreasonable expectation of a definable inter-relationship between the accommodation and the occupation and use of the annexe in connection with the main dwelling. The provision and formation of two first-floor double bedrooms only serves to strengthen the conclusion of disproportionality given the indicated sole occupancy.
10. I therefore find the development would conflict with part (b) of Policy HOU13 which states that residential annexes will be permitted where they provide the minimum level of accommodation required to support the needs of the occupant.

Character and appearance

11. The character of the area is defined by low-density housing set amongst warehouse-like farm buildings, large gardens, and modest pitched outbuildings and garages. The area has a bucolic atmosphere reinforced by a pleasant sense of spaciousness between buildings.
12. The proposed enlargement of the outbuilding would result in a considerably large annexe with two first floor bedrooms. Whilst I acknowledge that the plot is spacious and the development would be designed with sympathetic materials, I find that the scale of the resultant annexe would be excessive in light of its considerable depth and height. Given its size, it would not appear sufficiently subservient to the host property and instead would be read as a new separate dwelling. In my view, it would appear as an obtrusive and bulky structure which would visually compete with the host dwelling.
13. Furthermore, the proposed annexe would feature prominently within the street scene given its scale and the resultant height of the roof. It would reduce the

visual gap between the host property and the neighbouring Mulberry House, and thus adversely impact the streetscene and open character of the area.

14. Policy HOU13 of the Local Plan sets out that the scale of an annexe should not dominate the existing dwelling. However, in this instance the development would be out-of-scale with the adjacent host dwelling and would appear bulkier than other outbuildings in the vicinity. It would also erode the sense of spaciousness which typifies the area.
15. I therefore find the development would harm the character and appearance of the surrounding area and conflict with policies GBR2, HOU11 and DES4 of the Local Plan which together seek to ensure proposals are well designed and contribute positively to the character and appearance of the surrounding area in which they lie. It would also conflict with Policy HOU13 of the Local Plan.

Living conditions

16. Given the positions and orientations of the buildings, the enlarged annexe would marginally reduce the amount of light received by the patio area to the rear of Mulberry House. However, having had regard to the proposed height of the roof and the distance between the annexe and the rear windows of Mulberry House, I do not find these windows would suffer any significant loss of light as contended by the Council. The minimal reduction in light to the rear patio, therefore, would not unacceptably harm the living conditions of the neighbouring residents.
17. Similarly, the development would not appear so obtrusive from the rear elevation and garden of Mulberry House that it would unacceptably disrupt the outlook or living conditions of the occupiers. The common boundary features numerous mature trees and bushes which would contribute to an adequate amount of screening.
18. Overall, I conclude there would be no unreasonable impact on the living conditions of the neighbouring occupiers of Mulberry House with regards to loss of light or outlook. The development therefore accords with policy DES4 of the Local Plan which aims to ensure proposals are well-designed and do not harm the amenity of occupiers of neighbouring properties.

Planning Balance and Recommendation

19. Although I find the proposal would not harm the living conditions of the neighbouring occupiers, this does not outweigh the conflict with the Council's Housing Policies and the harm the development would cause to the character and appearance of the area.
20. For the reasons given above and having had regard to all other matters raised, I conclude that the proposed development would conflict with development plan taken as a whole, and recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

21. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR