

Appeal Decision

Site visit made on 15 November 2021

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2021

Appeal Ref. APP/J1915/D/21/3281810
34 Temple Fields, Hertford SG14 3LS

- 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 Adam Pieris against the decision of East Hertfordshire District Council.
 - The application ref. 3/21/1371/HH, dated 19 May 2021, was refused by notice dated 14 July 2021.
 - The development proposed is described on the application form as “*Raising roof to accommodate new first floor*”.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. In the planning policies section of the Delegated Officer Report there is mention of an “Adopted Neighbourhood Plan” which I have taken to be the Bengoe Neighbourhood Area Plan. The parties have not sought to rely on this document and it is plain that the most relevant policies of the development plan are to be found in the East Herts District Plan (EHDP) October 2018

Main issues

3. The main issues are firstly, the effect of the proposed development upon the character and appearance of the locality and secondly, whether sufficient provision for vehicle parking would be available for the enlarged dwelling.

Reasons

4. The appeal concerns a small and low bungalow at the end of a terraced and staggered row of 5 such fairly modest single-storey properties. The site lies towards the northern outskirts of Hertford in a suburban area and the surroundings are residential in character.
 5. The principle of extending the property and adapting it meet the changing needs of the owners is not at issue and I accept that householder extension schemes will inevitably make more efficient use of a site, thus moving towards optimising its potential. However, the National Planning Policy Framework (the Framework) also advises that good design is a key aspect of sustainable development; so, development should add to the overall quality of the area and be visually attractive as a result of good architecture and sympathetic to
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local character. I consider that the appeal proposal is ill-judged in these important respects.

6. The locality is given a sense of place and a degree of local distinctiveness on account of this part of Temple Fields being purposely planned with separate terraced blocks of residential development to single-storey (nos 34-42), 2-storey (nos 28-32 and nos 44-48) and 3-storey (the flats at nos 35-45) designs, being arranged alongside communal open spaces and car parking areas. The 2-storey house at no. 44 is separated by a pathway from the bungalow at no. 42 and their proximity to each other does not materially dilute the distinct identity of those different terraced groups.
7. Whilst no. 34 could be said to be tucked away on a corner plot, it still remains clearly visible on the approach along the communal pathways in Temple Fields close by, including the one that passes in between the front of the appeal property and the front elevation of the opposing 2-storey terraced block (nos 28-32) to join Watermill Lane North. Given the proximity of the appeal bungalow to Watermill Lane North, it is also prominent from various public vantage points along that road.
8. Whilst the 2-storey house which would result from adding the proposed new first floor may closely resemble the 2-storey terraced houses opposite and there are buildings of different height in the wider locality, I agree with the Council that it is the properties in the same low single-storey row as the appeal property which provide the relevant context in which the site is experienced.
9. Given its scale, size, siting, height and design, the lack of other similar abrupt changes in height within this or the other terraced rows nearby and the coherence of the row of properties which the site forms part of, the proposed development, in adding considerable bulk and mass at a high level, would appear incongruous and visibly at odds with the scale of the adjoining bungalows. That the development would be seen to overpower the row of adjoining bungalows would be emphasized by the new eaves line of no. 34 being well above the roof ridge of no. 36 and by the tall southern flank wall projecting out at the front owing to the advanced position of no. 34 in the staggered alignment. It would not frame the end of the terrace in manner that would be compatible with the immediate context and surroundings of the site.
10. The use of identical bricks, mortar and roof tiles is noted but this would not overcome the adverse visual effects of the scheme I have identified.
11. Permitted development rights available under the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended can represent a fallback and a material consideration when considering the planning merits of the scheme. However, the enlargement of a dwelling consisting of the construction of one additional storey above bungalows of this type can only be pursued as permitted development if the prior notification and neighbour consultation procedures have been properly followed. The outcome of such procedures cannot and should not be predicted at this stage.
12. I find on the **first main issue** that the proposed development would harm the character and appearance of the locality. As the development would not be an example of a high standard of design and layout that reflects and promotes local distinctiveness and would have a size, scale, mass, form, siting and

design that would be inappropriate to the setting of the existing dwelling and the character and appearance of the surrounding area, there would be conflict with the aims of Policies DES4 and HOU11 of the EHDP. There would also be a failure to adhere to the overarching design themes of the Framework insofar as they relate to achieving well-designed places.

13. Policy TRA3 of the EHDP says that vehicle parking provision associated with development proposals will be assessed on a site-specific basis. The Council, using its Updated Vehicle Parking Standards, arrives at a requirement for 2 off-street vehicle parking spaces for the resulting 3-bedroom dwelling in this location. I have assumed that the existing one-bedroom dwelling would generate a requirement for one off-street vehicle parking space. Whilst I have taken these standards into account, it is important to note that like many other nearby dwellings, no. 34 has no on-site parking spaces as such. This is consistent with the original concept and layout of the development hereabouts.
14. The appellant has provided more details about the existing local parking arrangements – the communal car park and additional lay-by style parking spaces in Temple Fields and the availability of on-street parking along Watermill Lane North – all of which I saw on my site visit. Given the pedestrian gate in the back garden and the communal pathway in front of no. 34, both of which lead directly on to Watermill Lane North only a very short distance away, it is undoubtedly most convenient for the occupiers of no. 34 to park on that road. I saw that this road is relatively wide and lightly trafficked and has ample space available for additional safe parking. It could certainly accommodate the vehicle parking provision generated by this scheme without giving rise to any concerns about parking capacity and highway safety.
15. I find on the **second main issue** that sufficient provision for vehicle parking would be available for the enlarged dwelling looking at the site-specific circumstances of this case. There would therefore be no conflict with the aims of Policy TRA3 of the EHDP.

Conclusion

16. My finding on the first main issue is decisive to the outcome of this appeal. There is conflict with the development plan. The harm cannot be mitigated by the imposition of planning conditions and it is not outweighed by other material considerations. For the reasons given above and taking into account all other matters raised, including the representations relating to the adjacent property and from the Town Council, I conclude that this appeal should not succeed.

Andrew Dale

INSPECTOR