

Appeal Decision

Site visit made on 30 November 2021

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2021

Appeal Ref: APP/X1925/W/21/3276631

10 Girons Close, Hitchin SG4 9PG

- 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 Birju Patel against the decision of North Hertfordshire District Council.
 - The application Ref 21/01017/FPH, dated 29 March 2021, was refused by notice dated 20 May 2021.
 - The development proposed is described as: 'double story extension in place of the current double garage. This double story extension will also extend at the back of the current garage footprint to marry the length of the current annex. - Second story addition on top of the annex'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Government published the revised National Planning Policy Framework on 20 July 2021 (the Framework). The main parties have had an opportunity to comment on the significance of the changes.
3. The parties have referred to policies contained within the emerging North Hertfordshire District Council Local Plan 2011-2031 (the emerging LP). Given the stage of preparation and the degree of consistency with the Framework, I attach significant weight to the emerging policies. Notwithstanding this, the starting point for determining this appeal remains the North Hertfordshire District Council – District Local Plan No.2 with Alterations 1996 (saved policies 2007) (DLP).
4. A single storey extension is shown on the gable of the host property that would extend the existing kitchen to the full depth of the main house. This would then create a family lounge and dining room. This is not listed on the description on the application form, but is nonetheless shown on the determined drawings. Thus, it forms part of the proposed development.
5. A revised (mansard) roof design has been submitted with the appeal after the decision by the Council was made. I have not taken this into consideration as it has not benefitted from a full consultation exercise undertaken by the Council. In determining this appeal, I have therefore only considered the plans that formed the basis of the Council's refusal of planning permission.

Main Issues

6. The main issues of the proposed development are:

- i. the effect on the character and appearance of the appeal site and surrounding area; and,
- ii. the effect on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

7. The appeal site comprises a detached house, which is located at the head of a cul-de-sac. The Council has only raised concerns surrounding the element of the proposed development that would include the part two and part first floor extensions over the existing garage and the residential annexe. I have dealt with the appeal on this basis.
8. Whilst there is no specific policy objection to the principle of a residential extension, I note that the appeal scheme would extend the full width over the existing garage and residential annexe, which already has a notable width when compared to the main house, albeit single storey in form and appearance. Despite the single storey additions on each gable end, the host dwelling contributes towards a positive feature of the wider street scene. Additionally, whilst the proposed development comprises two storey and first floor elements this still results in an overly large addition to the host dwelling relative to its existing proportions.
9. The adverse effect of the proposal is accentuated through the lack of subordination, particularly its increased ridge height, significant gable end. Additionally, the resultant footprint of this element of the proposed development would be considerable, and excessive when compared to the main dwelling, resulting in the proposed development having an overly dominant visual relationship with the main house. These factors would diminish and unbalance the character and appearance of the host dwelling to the detriment of the wider street scene.
10. For all of these reasons, the proposed development would significantly harm the character and appearance of the appeal site and surrounding area. This would be contrary to the design, character and appearance aims of saved DLP Policies 28, 57; emerging LP Policy D1, D2 and the requirements of the Framework.

Living conditions

11. I note the concerns raised from the occupiers of 12 Sorrell Garth, which are not listed in the Officer Report. Nonetheless, given the distance that would be maintained between the properties, I do not consider that any issues of dominance would occur from the proposed development. Additionally, whilst noting the comments in relation to the windows in the proposed gable end, I am confident that any potential adverse issues could be controlled through the imposition of suitably worded conditions, to secure obscure glazing or to provide assurances over the floor levels with respect to the high-level windows. Overall, I am satisfied that the occupiers of No 12 would not experience any significant harm to their living conditions.
12. Adjacent to the site is 11 Girons Close, which is in proximity of the host dwelling and it would by virtue of its location on the cul-de-sac, face a section of the proposed development. As identified, the proposed development would

amount to a significant amount of built form, which would be a short distance from No 11. Whilst the proposed development would not appear to extend closer to the road than the existing garage/annexe, it would involve the creation of an additional storey with a large gable end and a ridge height that is a significant increase on the existing ridge on the main house.

13. Due to the substantial bulk and massing that would be introduced and the modest distance between the site and No 11, I consider that the proposed development would be harmful to the occupiers of No 11, with particular regard to their outlook and dominance. Furthermore, given the orientation of No 11, I am not satisfied that the proposed development would not result in any loss of sun light to front facing habitable room windows at first and second floor, especially in the late afternoon / early evening.
14. For all of these reasons, the proposed development would significantly harm the living conditions of neighbouring occupiers, particularly those present at 11 Girons Close. This would be contrary to the amenity aims of saved DLP Policies 28, 57; emerging LP Policy D2, D3 and the requirements of the Framework.

Other Matters

15. The Council have made comments in the Officer Report regarding an extant permission. However, little detail surrounding the planning background has been provided in this respect. In any event, as I am dismissing the appeal for other reasons, I have not needed to consider this matter further.

Conclusion

16. For the reasons given, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR