



Appeal Decision

Site visit made on 8 October 2021

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 9th February 2022

Appeal Ref: APP/J1915/D/20/3255151

4 The Willows, Amwell Lane, Stanstead Abbots SG12 8DG

- 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 Will Turner against the decision of East Herts Council.
 - The application Ref 3/20/0611/HH, dated 20 March 2020, was refused by notice dated 18 May 2020.
 - The development proposed is a loft conversion with insertion of dormer window and insertion of window to front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with insertion of dormer window and insertion of window to front elevation at 4 The Willows, Amwell Lane, Stanstead Abbots SG12 8DG, in accordance with the terms of the application, Ref 3/20/0611/HH dated 20 March 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P9153/03A (site plan), P9153/01B (existing elevations), P9153/02C (proposed elevations) and P9154/OS (location plan).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The Council's second reason for refusal of permission was on the basis that it lacked sufficient information regarding the proposal to properly consider the application due to inconsistencies with the submitted plans. New plans were subsequently submitted with the appeal by the appellant. These did not materially alter the proposal, but corrected the initial drafting errors.
3. In considering whether to accept the amended drawings I have had regard to the "Wheatcroft Principles". As the development is unaltered the alterations are not substantial, and the development is not so changed that to accept the revised drawings would deprive those who should have been consulted of the opportunity of such consultation. Accordingly, I have formally considered the additional drawings in my determination of the appeal.

4. The appeal was consequently transferred out of the Householder Appeals Service and consultation with the Council was then carried out on the amended plans in accordance with Part 2 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009. Thus, in light of the above considerations, the new plans satisfactorily overcome the second reason for refusal of permission.
5. The description of development in the heading above has been taken from the decision notice and appeal form, rather than the planning application form, as it more accurately describes the proposed development.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

7. The site lies within a row of residential development along Amwell Lane. Property design in the vicinity is diverse, and there are several examples of dormer windows. Trees, hedgerow and verges contribute a verdant appearance to the lane.
8. The host property is a large building which is divided into four dwellings. The appeal site forms one of the rear quarters of the building. The appeal proposes the siting of a dormer window within the rear half of the building's pitched roof. This would be set down from the ridge and in from the eaves, giving it a subservience to the roof slope.
9. The main views of the dormer would be those available from outside the adjacent dwelling, "Jansus", and elevated views from the riverside path across the road. Given the number of similar developments in the area the dormer would assimilate acceptably into the existing street scene. Its set back position and subservience within the roof would limit its effect on the area's character and appearance. Moreover, the host dwelling is substantial in size and therefore the bulk and mass which the proposal would add within views of the building would be minimal in proportional terms. Furthermore, the roadside and other vegetation would additionally provide some screening of the proposal for much of the year.
10. Thus, the proposal would have an acceptable effect on the character and appearance of the area. It consequently complies with Policy HOU11 of the East Herts District Plan (2018) (the DP), which requires development proposals to be of a size and siting that are appropriate to the character, appearance and setting of the existing dwelling and/or the surrounding area. Further compliance exists with Policy DES4 of the DP, which states that proposals will be expected to respect or improve upon the character of the site and the surrounding area in terms of scale and siting.

Conditions

11. I have imposed a condition specifying the approved plans because it creates certainty for all parties.

12. A condition in respect of materials is necessary in order to protect the character and appearance of the area, in accordance with the design provisions of Policy DES4 of the DP.

Conclusion

13. There are no material considerations that indicate that the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

C Beeby

INSPECTOR