



Appeal Decision

Site visit made on 14 June 2022

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 July 2022

Appeal Ref: APP/J1915/D/22/3296701

18 Park Avenue, Bishops Stortford, CM23 3EZ

- 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 and Mrs Charles against the decision of East Herts District Council.
 - The application Ref 3/21/1970/HH, dated 23 July 2021, was refused by notice dated 11 February 2022.
 - The development proposed is a first-floor side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the streetscene.

Reasons

3. The appeal property is a semi-detached dwelling, which is situated in a residential area, comprising of houses that are mixed in terms of their scale, age and appearance. The appeal property is set back from the highway and the existence of trees and other vegetation along this section of Park Avenue provide a verdant and leafy character to the streetscene.
4. The proposal is to construct a first-floor side extension that would enable the upstairs accommodation to be enlarged and reorganised to provide a larger bedroom at the front with an en-suite and a relocated bathroom. The extension would be constructed close to the shared side boundary with the neighbouring dwelling at number 16 Park Avenue, which (according to the Council) was itself extended at first-floor level in the mid 1970's. The extension at number 16 is built up to the side boundary with the appeal property. However, the Council points out that it pre-dates the current District Plan.
5. Policy DES4 of the adopted East Herts District Plan (DP) requires (amongst other things) new development to be of a high standard of design that respects the character of the area. In addition, Policy HOU11, which specifically relates to house extensions, states that extensions should generally appear as being subservient to the main dwelling and that side extensions at first-floor level should ensure that appropriate space is left between the flank wall of the extension and the common curtilage with the neighbouring property. It states that the separation distance of 1 metre should be the minimum.

6. A requirement for high quality design is also embodied in Policy HDP2 of the Bishops Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley (NP). I consider that the policies of the DP and the NP are consistent with the provisions of The National Planning Policy Framework 2021 (The Framework), which also requires planning policies and decisions to add to the overall quality of the area, be visually attractive and sympathetic to local character.
7. In reaching my decision, I have taken into account the mixed character and appearance of the area and I observed at my site visit the variety of spacings between the sides of dwellings at first-floor level. Nevertheless, gaps between dwellings at first-floor level are a positive and important part of the area's character. I also noted that the recent first-floor extension at number 20 Park Avenue, which has been referenced by the parties, has retained a gap of 1 metre, or thereabouts, between the wall of the extension and the side boundary of the plot.
8. I have also given weight to the fact that the proposed extension would obscure the plain blank rear wall of an existing rear/side extension on the appeal property. However, in my opinion, the proposed extension would create an unacceptable terracing effect that would be harmful to the appearance of this part of the streetscene. Therefore, the proposal would conflict with the provisions of the Development Plan and with The Framework, as referred to above.

Conclusion

9. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR