



Appeal Decision

Site visit made on 9 August 2022

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th September 2022

Appeal Ref: APP/J1595/D/22/3301201

7 Ellison Close, Hunsdon, Herts SG12 8FG

- 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 Steve Lynch against the decision of East Herts Council.
 - The application Ref 3/22/0300/HH, dated 10 February 2022, was refused by notice dated 14 April 2022.
 - The proposed development is erection of single storey ground floor rear extension and erection of first floor side extension.
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Procedural Matter

1. The Council included the 'partial garage conversion and new ground floor side window opening' in the description of the development. As this more accurately describes the development I will use this in my decision below.

Decision

2. The appeal is dismissed in respect of the first floor side extension.
3. The appeal is allowed and planning permission is granted for single storey ground floor rear extension, partial garage conversion and new ground floor side window opening at 7 Ellison Close, Hunsdon, Herts SG12 8FG, in accordance with the terms of application ref: 3/22/0300/HH dated 10 February 2022 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted, which for the avoidance of doubt only relates to the single storey ground floor rear extension and partial garage conversion and new ground floor side window opening, shall be carried out in accordance with the following approved plans: 001/P3 (site location plan); 003/P3 (site plan); 010/P3 (existing plans); 011/P3 (existing roof plan); 040/P3 (existing elevations); 050/P4 (proposed site plan); 100/P5 (proposed ground floor plan); 101/P4 (proposed roof plan); 400/P5 (proposed elevations).
 - 3) The materials to be used in the external surfaces of the development shall be as specified on the submitted application forms / plans or such other materials, details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Main Issue

4. The main issue is the impact on the character and appearance of the host dwelling and wider street scene.

Reasons

5. The appeal site is located within a small cul-de-sac development of recently constructed dwellings of contemporary design. Whilst there is some variation in terms of the size, design and appearance of the dwellings, they provide a distinctive group of well designed, harmonious buildings. They generally comprise one and a half or two storeys, with some common features such as pitched roofs and attached single storey elements to the side.
6. The dwelling on the appeal site is one of three identical properties located on the north side of the cul-de-sac. They all have pitched roofs with attached flat roof garages with parapet edge, set back from the front elevation. The first floor accommodation is set partly within the roofspace such that the dwellings are of one and a half storey appearance.
7. The proposed first floor side extension would be above the existing garage and thus set back from the main elevation of the dwelling, with slightly lower ridge height and would be of a design and appearance that would reflect the simple pitched roof form of the host dwelling. However, notwithstanding the above, it would add considerable bulk to the dwelling when viewed in the street scene, appearing as a competing element to the host dwelling.
8. It would also result in the loss of the existing parapet edged, flat roofed garage which is a particular feature of this small group of three dwellings. The uniform appearance of the single and one and a half storey elements of this group, created by the dwellings and their attached garages, provides a pleasant rhythm and pattern to the existing group that would be harmfully disrupted by the proposed first floor addition.
9. I note that some of the other dwellings in the close have attached pitched roof garages. However, these generally appear as separate elements, albeit attached to the main dwelling by flat roofed links, to full two storey dwellings and thus do not appear as a dominant or competing element.
10. The Appellant has provided a number of local examples of first floor and two storey extensions within the local area; however, I have considered the appeal proposal in the light of the particular site circumstances having regard to the distinctive design of the host dwelling and the group of which it is a part. I do not therefore find these examples to be comparable.
11. I therefore find that the proposed first floor extension would be harmful to the character or appearance of the host dwelling and wider street scene. It would thereby conflict with Policies VILL1, HOU11 and DES4 of the East Herts District Plan (2018) which seek a high standard of design and layout that promote local distinctiveness, are of a size and scale that are appropriate to the character of the dwelling and surrounding area and generally appear as a subservient addition to the dwelling. In addition, I find that the proposal would not contribute towards achieving well designed places nor would it result in the creation of high quality, beautiful and sustainable buildings and would therefore fail to satisfy the National Planning Policy Framework.

12. However, I concur with the Council's view that the single storey rear extension and partial garage conversion would be sympathetic to the host dwelling. The extension would continue the form and height of the parapet roof of the garage roof to which it would be attached thus appearing as a complementary addition. The proposed side opening would not introduce any unacceptable overlooking. I therefore find no conflict with the above DP policies in respect of these elements of the proposal.

Conclusions

13. I find that the proposed first floor side extension would be unacceptable for the reasons set out above.
14. However, I find that the single storey rear extension and partial garage conversion would be acceptable. As these elements are physically severable and separate elements of the overall development I intend to issue a split decision. In respect of these elements conditions to relate to the approved plans and to require matching materials are necessary in the interests of proper planning and visual amenity.
15. I therefore conclude that this appeal should be dismissed in part and allowed in part.

P Jarvis

INSPECTOR