



Appeal Decision

Site visit made on 30 September 2022

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 04 November 2022.

Appeal Ref: APP/J1915/D/22/3303349

5 Oaklands Drive, Bishops Stortford CM23 2BZ

- 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 R & H Nagra against the decision of East Herts Council.
 - The application Ref: 3/22/0681/HH dated 28 March 2022, was refused by notice dated 10 June 2022.
 - The application is for proposed demolition of existing garage and erection of part single storey, part two storey side extension to existing house.
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Decision

1. The appeal is allowed and planning permission is granted for proposed demolition of existing garage and erection of part single storey, part two storey side extension at 5 Oaklands Drive, Bishops Stortford in accordance with application ref: 3/22/0681/HH dated 28 March 2022 subject to the conditions as follows that include a condition suggested by Highways:
 - i) The development hereby permitted shall begin not later than three years from the date of this decision.
 - ii) The materials to be used in the construction of the external surfaces of the development shall match those used in the existing building.
 - iii) The development hereby approved shall be carried out in accordance with the following approved plans: OKD-GA-002, OKD-SI-903, OKD-EL-502-A
 - iv) The storage of materials associated with the construction of this development should be provided within the site curtilage and not interfere with the functioning of the public highway.

Main Issues

2. The main issue is the impact of the proposal upon the character and appearance of the area.

Reasons

3. The appeal property is a large L shaped detached two storey house within the cul de sac of Oaklands Drive. The street rises uphill as it reaches the end of the cul de sac and number 5 is located just prior to the turning head of the road near its upper end. The property is a dark red brick double fronted house that

itself is raised slightly above the road and is set back with driveway and lawned garden to the front. The house has a symmetrical hipped roof with low eaves and a two storey hipped rear element protruding into the generous rear garden. The garden is reached through a brick arch feature that links the existing garage to the main house.

4. Oaklands Drive itself is compromised mainly of similar large scale suburban houses in either dark red or buff brick materials some with hipped roofs and some with full gables. Most properties are three bays in width but some have been extended and appear larger. Most properties have generous gardens to the rear.
5. The proposal before me seeks permission to demolish the existing flat roof garage and construct a two storey side extension that would contain bedrooms to the first floor and an integral garage and dining room to the ground floor. It would be set back by around 0.5m from the front elevation and would obtain a set down in its ridge height so as to appear subservient to the principal house. The proposed first floor side extension would be split into two distinct and fully hipped elements with a small area of flat roof bridging the centre between them.
6. This flat roof area would be set between the two hipped roofs at first floor at around eaves level and would contain two skylight type windows giving light into a hallway on the first floor. To the rear a single storey extension would protrude a short distance from the rear elevation of the existing house and extend the kitchen/dining area with bi-fold doors onto the rear garden.
7. Although the extensions would represent make what is a large house even larger, I consider that the proposal does meet the requirements of Policy HOU11 of the East Herts District Plan to be subservient through its set in, set back and set down in its ridge height. Moreover, I do not consider that there would be a harmful impact upon the streetscene through the bulk of the extension being located primarily to the rear.
8. Although the Council's policy would not generally support flat roof elements to extensions and they ultimately find harm through the flat roof element of the proposed design, I consider that, in this instance, this device is a sensible means of breaking the massing of the proposal down. Through this flat roof element being located behind the twin hipped roofs of the extension it would appear very recessive and would reflect traditional designs of large houses whereby the flat roof element is hidden low into the roof and not on top of it, where it would undoubtedly be more apparent and harmful.
9. As such I consider the element of flat roof would not be overly visible from the streetscene and that it would reflect traditional design aesthetics in ensuring the proposal could maintain fully hipped pitched roofs. Rather than this element reflecting overdevelopment of the plot therefore I consider it is more a product of the need for the extension to be subservient and it enables this subservience to be achieved successfully.
10. The rest of the extension is actually relatively modest when compared to the footprint of the main house and I therefore conclude that the proposal before me does represent a sensible and sensitive design solution that accurately reflects the overall character and appearance of the principal house and the area as a whole. Where concessions to scale are required, such as the flat roof,

they are well embedded within the roof form and would not in any way dominate the extension or alter its overall character.

11. In light of this I consider that the proposal is in compliance with Policies HOU11, DES4 of the East Herts District Plan as well Policy HDP2 of the Bishop's Stortford Town Council Neighbourhood Plan for the Silverleys and Mead Wards and that the overall design of the proposal is acceptable.

Conclusion

12. For the reasons given above, and taking into account of all other matters raised, I allow the appeal subject to the conditions set out above.

A Graham

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Dwg No 2606/1A dated July 2021.
- 3) Development shall not commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include the following:
 - a) Proposed finished levels
 - b) Means of enclosure/boundary treatments
 - c) Hard surfacing, other hard landscape features and materials
 - d) Existing trees, hedges, or other soft features to be retained
 - e) Planting plans, including specifications of species, sizes, planting centres, number, and percentage mix.
- 4) Prior to first occupation, the dwelling hereby approved, shall be provided with an electric vehicle charging point in accordance with the guidance in Approved Document S 2021. The charging point shall be fully wired and connected ready for your first use and retained for occupant use thereafter.
- 5) Prior to occupation of the dwelling, the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
- 6) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 7) The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans has been provided. The vehicle parking area and associated turning area shall be retained in this form at all times.
- 8) Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.
- 9) Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for the dwelling, for sustainable transport, approved by Essex County Council.
- 10) Any redundant access width shall be suitably and permanently closed incorporating the reinstatement to full height of the highway verge / footway / kerbing immediately the proposed new access is brought into first beneficial use.