



Appeal Decision

Site visit made on 26 September 2022

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 23 November 2022

Appeal Ref: APP/J1915/D/22/3307112

12 Campbell Close, Buntingford, Hertfordshire SG9 9BY

- 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 Guy Gerrard against the decision of East Hertfordshire District Council.
 - The application Ref 3/22/0596/HH, dated 18 March 2022, was refused by notice dated 8 September 2022.
 - The development proposed is the erection of a first floor side extension and continuation of existing roofline, rear ground floor extension and rear dormer to existing roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the host property and the streetscene.

Reasons

Character and Appearance

3. The proposed development includes the erection of a rear roof extension and a first floor extension above a garage of a 2-storey dwelling situated within a primarily residential area. A single storey rear extension is also proposed but this is not the subject of an objection from the Council and there are no reasons to disagree with this assessment.
4. As noted by the appellant, there are variations in the design of the dwellings fronting Campbell Close. However, a number of the dwellings, including the appeal property, possess a 2-storey main element and a side addition which originally incorporated a garage with accommodation above within the roofspace. The ridge height of the side additions is lower than the 2-storey element of the dwellings and, in some cases, includes a dormer window within the front roofslope. These dwellings are of similar design and choice of external materials, including projecting 2-storey front gables with render and timber detailing at first floor level. By echoing the form and design of the other dwellings, the property makes a positive contribution to the streetscene and, although at the end of a cul-de-sac, can be seen from public viewpoints.

5. By reason of scale, form and height, the proposed first floor extension would not be a subservient addition to the property when viewed from the road and, as such, it would fail to respect the character and appearance of the near-by dwellings and the streetscene. This unacceptable harm would be accentuated by the loss of the dormer window within the front roofslope and, as indicated on the drawings, the timber detailing associated with the front gable. The appeal scheme would not represent a high standard of design and layout which reflects and promotes local distinctiveness and, as such, it would be contrary to Policy DES4 of the East Herts District Plan (DP)
6. At the rear, the proposed roof extension would be of a scale which would occupy the majority of the existing roofslope and would be a visually dominant addition. However, the appellant identifies that the scale and siting of the proposed extension would accord with the permitted development associated with a dwelling house and this matter is given significant weight as a fallback position. Although in isolation this may be a fallback position, the proposed rear dormer is part of the wider alterations to the property. When the scale of these extensions is assessed cumulatively, they would not appear subservient additions to the property and, as such, the appeal scheme would be contrary to DP Policy HOU11 which also includes other design criteria for extensions and alterations to dwellings.
7. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the host property and the streetscene and, as such, it would conflict with DP Policies HOU11 and DES4.

Other Matters

8. The occupiers of neighbouring properties have objected to the proposed development, principally because of claims about overlooking from the rear dormer thereby causing a loss of privacy. The Council's assessment was that no unacceptable harm would be caused to their living conditions because of the separation distance between the neighbouring dwellings and the property.
9. Within settlement some degree of overlooking between dwellings can be expected. There is already an outlook from the property towards the neighbouring rear elevations and gardens. The proposed dormer would afford a similar outlook towards the neighbouring properties and there would not be a significant change in the level of privacy afforded to these occupiers.
10. In making this assessment the potential for the rear dormer to be erected as a fallback position has been given moderate weight because there would be a similar outlook if permitted development rights were to be exercised. Accordingly, there are no reasons to disagree with the Council's assessment concerning overlooking and loss of privacy. Further, the impact on the potential value and sale of the neighbouring properties are not material planning considerations which affect the determination of this appeal. However, these matters do not outweigh the unacceptable harm which has been identified and it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR