
Appeal Decision

Site visit made on 16 August 2022 by G Sibley MPLAN MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2022

Appeal Ref: APP/J1915/D/21/3287520

42 Lower Green, Tewin AL6 0LA

- 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 Gordon MacLaren against the decision of East Hertfordshire District Council.
 - The application Ref 3/21/2260/HH, dated 27 August 2021, was refused by notice dated 11 November 2021.
 - The development proposed is described as 'clear polycarbonate roof and glazed wall panels and sliding doors to 2021 oak pergola.'
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Decision

1. The appeal is allowed and planning permission is granted for development described as 'clear polycarbonate roof and glazed wall panels and sliding doors to 2021 oak pergola' at 42 Lower Green, Tewin AL6 0LA in accordance with the terms of the application, Ref 3/21/2260/HH, dated 27 August 2021, 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: Existing and Proposed Floor Plans @ 1:100 @ A3 and Existing and Proposed Elevations @ 1:100.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the development on the character and appearance of the host dwelling and whether or not it preserves or enhances the character or appearance of the Tewin Conservation Area (CA).

Reasons for the Recommendation

4. The Tewin Conservation Area Appraisal and Management Plan (AMP) (adopted 2015) identifies that the significance of the CA is derived from the 16th to 20th century dwellings that extend around and out from a central triangular open space known as Lower Green. The dwellings are a mix of yellow brick estate dwellings and red brick farmhouses. No 42 is located off a private drive, relatively close to Lower Green. There are several groups of yellow brick estate

dwelling that have steep pitched roofs and whilst the appeal property is a modern building, it has been built with yellow bricks and a steep pitched roof. Accordingly, whilst the dwelling itself is not a listed or non-designated heritage asset, it does make a positive contribution to the significance of the CA, as a whole. Moreover, these terrace properties have a group value, and their consistent appearance is contributes positively contribution to the significance of the CA.

5. The dwelling is an end terrace property, and a shared parking area with garages is located next to the house. Between the garages and the house is a yellow brick wall which bounds No 42's garden and the pergola is visible above it. Given the siting of the dwelling at the end of a run of terrace dwelling set back away from the roadside, the pergola is well screened from Lower Green and the wider CA. To the north of the site is a Public Right of Way (PRoW) and whilst the dwelling is located a significant distance therefrom, the pergola is visible from it.
6. Fencing and minor outbuildings across the CA are often built from timber and as such, the use of timber does not appear out of character within the CA. Furthermore, there is timber panelling on the house itself and as a result, the limited use of timber is sympathetic with the existing material palette of the house. The pergola is a lightweight structure located on the flank wall of the house, and its limited form and the materials used do not draw focus away from the host dwelling. Additionally, given the limited height of the pergola, alongside the smaller side extension, there is a clear stepped reduction between each element of the house. This shows a clear cascade of subordination between the host dwelling, the extension, and the pergola. The enclosure of this structure would create a more substantial addition to the dwelling, however given the siting of the pergola behind a solid brick wall and because it would be subordinate in scale, the greater impact of the enclosed structure would not detract from the primacy of the house.
7. Whilst the pergola can be seen from the PRoW to the rear, the view into the CA in this location is the rear of the modern houses and some of these have themselves been extended. The top of the pergola can be seen above the boundary wall and the view from the front of the dwelling is the modern terrace houses and the associated garages. Given its limited scale, the infilled pergola would not significantly hinder or block either view across the CA. Moreover, the glimpsed view of an extension or addition to a dwelling would not necessarily appear out of character within this predominantly residential environment. Given that it is a single storey addition it does not detract from the prominence of the steep pitched roof. Furthermore, the limited scale and the proposed use of glazing would ensure that the yellow bricks remain the predominantly appreciated material associated with the dwelling as well as this group of terrace properties. As a result, the proposal would not detract from the features of the house or the group of terrace properties.
8. Therefore, the proposed development would not harm the character or appearance of the host dwelling and would preserve the character and appearance of the CA. The proposal would subsequently, accord with Policies Vill2, HOU11, DES4 and HA4 of the East Herts District Plan (2018). Overall, these policies expect extensions to be of a high standard of design and for the size, scale, mass, form, siting, design and materials of construction to be appropriate to the character, appearance and setting of the dwelling as well as

preserve or enhance the special character and appearance of CA's. Moreover, the proposal would accord with the general design and heritage policies of the National Planning Policy Framework (Revised 2021).

Conditions

9. Further to the timing condition it would be necessary in the interest of certainty that the proposal is carried out in accordance with the approved plans which set out sufficient detail of the proposals.

Conclusion and Recommendation

10. The proposed development would not conflict with the development plan and as such, for the reasons given above, I recommend that the appeal should be allowed subject to the conditions specified.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed, subject to the conditions listed above.

John Morrison

INSPECTOR