

Appeal Decision

Site visit made on 31 July 2023

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2023

Appeal Ref: APP/J1915/D/23/3320047

Longacre, High Elms Lane, Benington SG2 7DG

- 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 Nick Dobie against the decision of East Hertfordshire District Council.
 - The application Ref 3/22/2341/HH, dated 1 November 2022, was refused by notice dated 19 January 2023.
 - The development proposed is the remodelling of the existing property including the demolition and reconstruction of the existing roof form.
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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 house and the local area.

Reasons

3. Longacre is a detached house of modest 20th Century design, located on an extensive corner plot in the countryside well outside of the village of Benington. The area around the property is characterised by occasional residential dwellings, mainly of traditional rural design and scale, including a detached house opposite, across High Elms Lane, and a pair of semi-detached houses further along Whempstead Road. The next plot on High Elms Lane is occupied by a much taller house of more modern and unusual design, Larkins. That house has almost triangular side gables, with a deep plan and a tall roof providing accommodation at both first and second floor levels within the roof space.
4. The proposal would fundamentally change Longacre. The roof would be raised and extensions added to the front and rear, deepening the plan form and providing second floor level accommodation. The roof would change from a traditional pitched roof to a crown roof, with a flat roof section in the middle surrounded by pitched roof sections. A long, single storey, flat roofed swimming pool extension would be added at the back, next to the Whempstead Road boundary and behind a new side extension. A new double garage is also

proposed, but I understand that the Council raises no objection to this particular part of the proposal.

5. The alterations would make the house much bulkier and give it a much more modern appearance, with glazed gable features dominating the front elevation and extensive glazing to the rear. Policy HOU11 of the East Herts District Plan 2018 (DP) says that extensions should generally appear as subservient additions. There will be exceptions to this general stricture, however, where in the words of DP policies DES4 and GBR2, the proposal is of high standard of design and its size, scale, mass, form, siting, design and materials of construction are appropriate to the character, appearance and setting of the site and/or surrounding areas.
6. This is a large plot which should potentially be capable of accommodating a large house. A house of the proposed height, bulk and modern design would, however, stand out dramatically from the other, more modestly designed and scaled houses along this part of Whempstead Road. It would be prominent and dominant in views from both roads, especially in the months when deciduous trees and hedges have lost their leaves. The cumulative effect of the various changes would be a building that would fail to respect its rural context.
7. The appellant points to Larkins next door as an example of the varied size and design of houses in the locality. That house is itself somewhat exceptional in its design, form and scale, however, and does not sit comfortably with other houses in the area. It is set well away from Whempstead Road and has no material effect on the character of that road, as would the appeal proposal. I find that the existence of Larkins does not justify this particular proposal.
8. I note the appellant's argument that the swimming pool extension could be built as an outbuilding without the need for a planning application, under permitted development rights¹. I give this limited weight as a fall-back position as it has not been confirmed by a Lawful Development Certificate and I have seen no specific details. This would not be a determining factor for this appeal in any case. I also understand that a new planning application for a replacement dwelling of the same design as the appeal proposal has been submitted to the Council. I have not been advised of any decision on that application.
9. I conclude that the appeal proposal would unacceptably harm the character and appearance of the house and the local area. It therefore conflicts with the shared aim of DP policies HOU11, DES4 and GBR2 and the National Planning Policy Framework to secure a high standard of design that is appropriate to local character.
10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR

¹ Town and Country Planning (General Permitted Development)(England) Order 1995 (as amended)