



Appeal Decision

Site visit made on 1 August 2023

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th September 2023

Appeal Ref: APP/J1915/D/23/3324238

Camps Hill Bungalow, North Road, Hertford SG14 1NE

- 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 Ms Georgina McGrath against the decision of East Herts District Council.
 - The application Ref 3/23/0146/HH, dated 26 January 2023, was refused by notice dated 31 March 2023.
 - The proposed development is single storey rear extension, front extension; increase in roof height to accommodate loft conversion incorporating 5 dormer windows and two skylight windows; alterations to front and side fenestration.
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Procedural Matter

1. The Appellant has provided the 'missing' side elevation as referred to by the Council. A number of other documents were also provided, including the Design and Access Statement and Appellant's response to neighbour concerns which were omitted as part of the documents supporting the originally submitted scheme. All these have been taken into account in this appeal decision.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues are the impact on (a) the character and appearance of the host dwelling and wider area and (b) the living conditions of the occupiers of the adjoining properties, in respect of light and privacy.

Reasons

4. The appeal site comprises a single storey detached dwelling set in a rectangular shaped plot. A similar single storey dwelling, Hillside, lies to the west. The flank elevation of the dwelling on the appeal site lies on the common boundary between the two properties. The dwellings are set back a similar distance from the site frontage behind gravelled drives with the front and rear elevations roughly in line with each other, though Hillside has been extended to the front by a large single storey addition. There is a small rear extension to the appeal dwelling which is also located on the common boundary.
5. The site address is given as North Road, but I note that the narrow lane to the front of the appeal site appeared to be known as Camps Hill and is also a public footpath. Vehicular access to the site was gained from Sele Road to the south.

Character and appearance

6. The proposed extensions would be significant in size extending around 5 metres in depth to the rear across the whole width of the existing bungalow incorporating a new roof over the extended dwelling. The resulting extended roofspace would enable the provision of first floor accommodation and would involve the formation of a central flat 'crown' roof.
7. It would seem that this roof form has been incorporated to seek to minimise the increase in height of the roof and as there would be no change to the eaves height, it could be described as a chalet bungalow. Nevertheless, it would introduce a bulky roof of an uncharacteristic design, which, when viewed in the street scene and along the public footpath of Camps Hill, would appear as an incongruous addition. Whilst viewing the property 'face on' the increase in roof height and crown roof shape would not be particularly noticeable, the proposed large front gable extension, which would add considerable bulk forward of the front elevation of the existing dwelling, would be an unduly prominent and detracting feature.
8. I saw on my site visit that the property to the east is of greater scale than the existing modest bungalow on the appeal site and its neighbour, Hillside, to the west. However, that property sits on lower ground with the nearest element being a single storey garage. It is also of a different design with pitched roofs. I also saw that there is a large extension to the rear of Hillside which, whilst noting that it is not readily viewed in the 'face on' street scene, is visible within the wider area and in particular from the edge of the bridge over the railway to the west of the site. However, it is also designed with a pitched roof, albeit of a ridge height higher than its host dwelling. It seems to me that it is likely that the proposed crown roof of the appeal scheme would be visible in this view and would appear at odds with this overall character of predominantly pitched roofs.
9. The Appellant has referred to a number of other sites within Hertford where crown roofs have been introduced. However, whilst these may have been found to be acceptable in the context of those individual sites, there appeared to be no such roof forms within the immediate context of the appeal site. In any event, I have judged its impact having regard to the particular site characteristics.
10. I therefore find that the proposal would be harmful to the character and appearance of the host dwelling and wider area. It would thereby conflict with Policies HOU11 and DES4 of the East Herts District Plan (2018) which seek to ensure that development is of a high standard of design to reflect and promote local distinctiveness, that respects or improves upon the character of a site and that extensions to dwellings that, in addition to being of a size, scale, mass, form, siting, design and materials appropriate to the character, appearance and setting of the existing dwelling and surrounding area, should also generally appear as a subservient addition to the dwelling.
11. In respect of the latter factor, it seems to me that in schemes such as that proposed, whereby the whole dwelling is effectively being remodelled, the issue of 'subserviency' has little general relevance. Notwithstanding that, there remain conflicts with the other elements of the relevant policies.

Living conditions

12. As indicated above, the proposal would result in an additional depth and height of building abutting the common boundary with Hillside. That property is located close to the boundary with rear facing windows and patio area immediately to the rear, the nearest part of which is covered with a pergola.
13. The proposal would result in the flank elevation of the dwelling on the appeal site being increased in depth by around 4 metres and a much larger flank gable wall introduced on the boundary. Whilst Hillside is set a short distance from the common boundary the proposed flank wall would nevertheless introduce a dominating feature very close to rear facing windows and the patio area. The pergola would have the effect of somewhat reducing the light received to the window it adjoins, but it appeared to have a translucent roof to minimise these impacts. Due to its position, height and solid nature the flank wall would be likely to have a much greater overbearing impact and reduce the amount of light received.
14. In terms of any possible 'tunnelling' effect I consider that this would be limited given the separation distance of the proposed extension from the existing rear extension to Hillside. In terms of any potential loss of privacy, whilst the proposal would result in new first floor windows, this would not introduce a significantly greater level of overlooking than currently exists.
15. I note the concerns of the other adjoining neighbour at Arrowhead. In terms of any overlooking from the proposed flank windows, this could be addressed via condition to secure non-opening lower sections and use of obscure glazing. With regard to the potential overbearing and overshadowing impact, I consider that the separation distance would be sufficient to mitigate any such impact, notwithstanding the difference in levels.
16. Overall, I find that the proposal would have a harmful effect on the living conditions of the occupiers of Hillside in terms of overshadowing and overbearing impact. The proposal would thus conflict with EHDP Policies HOU11 and DES4 which seek to ensure that detrimental impacts on the amenity of neighbouring properties are avoided.

Other Matters

17. The Appellant has referred to a recent permission for a lawful development certificate relating to a rear extension, side/rear extension, front porch and rear detached outbuilding.¹ The related approved plans have not been provided but I note that the Appellant acknowledges that the scheme is not directly comparable in terms of height and scale, albeit adds more footprint. In particular, it would not appear to include a raised roof and / or crown roof design, therefore it seems to me that it is not directly comparable to the scheme before me.
18. The Appellant has also suggested that other designs for a chalet bungalow have been considered but not progressed for various reasons. Whilst I do not consider that the introduction of accommodation at first floor level to create a chalet bungalow would necessarily be unacceptable, I do find for the reasons set out above, that the appeal scheme before me would have harmful impacts and thereby not accord with the policies of the development plan.

¹ Council ref: 3/23/1223/CLPO

19. I also acknowledge that the appeal scheme would result in the upgrading of the existing property and provide enhanced living accommodation for the Appellant's family. However, these benefits are not sufficient to outweigh the harm identified above.
20. I have taken into account the policies of the National Planning Policy Framework (the Framework) but find that the appeal proposal would conflict with its policies in that it would not achieve good design as it would not be visually attractive or sympathetic to local character and the surrounding built environment.

Conclusions

21. I therefore conclude that this appeal should be dismissed.

P B Jarvis

INSPECTOR