



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: 02 October 2023

Appeal Ref: APP/J1915/D/23/3323078

17 Roseley Cottages, Eastwick, Harlow CM20 2QU

- 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 George Nainan against the decision of East Herts District Council.
 - The application Ref 3/23/0418/HH, dated 26 February 2023, was refused by notice dated 28 April 2023.
 - The proposed development is additional first floor extension to rear bedroom (original bedroom approved on application 3/22/1661/HH; we are seeking additional approval floor increased size).
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Procedural Matter

1. The Council has described the development as "First floor rear extension, insertion of first floor side window and alterations to first floor rear fenestration". This more accurately describes the whole development.

Decision

2. The appeal is allowed and planning permission is granted for first floor rear extension, insertion of first floor side window and alterations to first floor rear fenestration at 17 Roseley Cottages, Eastwick, Harlow CM20 2QU under ref: 3/23/0418/HH dated 26 February 2023 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) This permission shall relate to the following approved plans: 1:1250 (site location plan), 1:500 (block plan) and DB/GN/100/Rev.I (existing and proposed plans).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing dwelling.
 - 4) The proposed first floor window opening in the side (west) elevation as indicated on drawing ref: DB/GN/100/Rev.I shall be permanently fitted with obscure glazing to a minimum degree of obscurity level 3 and non-opening up to 1.7 metres from the finished floor level of the room it serves.

Main Issue

3. The main issue is the impact on the character and appearance of the host dwelling and wider area.

Reasons

4. The appeal site comprises a modern semi-detached property located in a small cul-de-sac of similar properties. It lies on the northern edge of the small village of Eastwick which itself is located in open countryside to the north west of Harlow. There is an existing single storey extension to the rear and side of the dwelling.
5. Permission was granted in October 2022 for a single storey side extension and first floor rear extension incorporating rear Juliet balcony, first floor side window and alterations to existing single storey flat roof at the property.¹ The current appeal scheme is similar to this approved scheme but proposes a larger first floor rear extension.
6. The proposed first floor extension would be above the single storey rear addition and extend across much of the width of the dwelling. It would be about 1 metre wider than the first floor element permitted under the above permission but would have the same depth. Whilst this would result in a larger addition, it would not be readily visible from the street scene or from any public viewpoint within the wider area. The increased size of extension would add more bulk to the dwelling but not to such a significant degree as to be unacceptable. The ridge would not extend above the main ridge height and, overall, I consider that the scale and mass of the proposal would remain appropriate to the host dwelling and be subservient in appearance.
7. The increased size of the first floor extension would bring it closer to the attached neighbouring property but this would not be significantly more harmful when compared to the approved scheme.
8. I therefore find that the proposal would not be harmful to the character and appearance of the host dwelling and wider area. It would thereby accord 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 are of a size, scale, mass, form, siting, design and materials appropriate to the character, appearance and setting of the existing dwelling and surrounding area, and should also generally appear as a subservient addition to the dwelling.

Conclusions

9. Conditions to ensure that the development accords with the approved plans and that the materials used in the construction of the external faces of the extension match those of the host dwelling are necessary in the interests of proper planning and visual amenity. A condition to ensure that the new first floor side window is obscurely glazed and non-opening is also required to protect the privacy of the occupiers of the adjoining dwelling.
10. I therefore conclude that this appeal should be allowed and planning permission granted.

P B Jarvis

INSPECTOR

¹ Council ref: 3/22/1661/HH