
Appeal Decision

Site visit made on 26 January 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2024

Appeal Ref: APP/J1915/D/23/3333684

7 Postwood Green, Hertford Heath, Hertfordshire, SG13 7QJ

- 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 Domenico Rocco against the decision of East Hertfordshire District Council.
 - The application Ref 3/23/1443/HH, dated 26 July 2023, was refused by notice dated 21 September 2023.
 - The development proposed is a first floor, single storey and rear extension, front porch extension, alterations to façade, roofing and fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor, single storey and rear extension, front porch extension and alterations to façade, roofing and fenestration at 7 Postwood Green, Hertford Heath, Hertfordshire, SG13 7QJ in accordance with the terms of the application, Ref 3/23/1443/HH, dated 26 July 2023 , subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:00-200 P02, 00-201 P01, 00-202 P01, 00-210 P01, 00-211 P01, 00-212 P01, 00-213 P01, 98-001 P01, 98-002 P01, 98-200 P01, 98-201 P01, 98-202 P01, 98-210 P01, 98-211 P01, 98-212 P01, 98-213 P01.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those set out in the original application, ref. 3/23/1443/HH, including on the application form.
 - 4) The rooms served by the first floor flank windows hereby permitted shall not be occupied until the windows have been fitted with obscure glazing to a minimum degree of obscurity level three, and no part of those windows that is less than 1.7m above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscure glazing shall be retained thereafter.
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Main Issue

2. There is one main issue which is the effect of the first floor side and rear extension on the character and appearance of the host dwelling and the surrounding area.

Reasons

3. The appeal dwelling is a wide, two storey post war house on a generous plot. It is of unremarkable design with a single storey attached garage to one side and a small projecting flat roofed porch. To the rear it has undergone various single storey side and rear extensions which do not align, giving the dwelling a disjointed appearance.
4. The Council raises no objection to the single storey front extension, including the porch, or to the alterations to external materials including fenestration. Neither does it object to the element of the first floor side extension which adjoins the side wall of the original dwelling. In view of other extensions and alterations to similar dwellings in the street, I agree that these parts of the proposed development would be acceptable.
5. The Council notes that there are inconsistencies between the proposed plans and elevations in that the first floor windows do not match. I have considered these inconsistencies which appear to relate to the position of the small first floor windows in the proposed front elevation. These appear to be minor positional variations. Most noticeably, one window is shown in plan to sit symmetrically above the porch. However, this is not reflected on the elevation where it is offset. Nevertheless, this arrangement does not materially detract from the character or appearance of the dwelling. I therefore find that whilst the arrangement shown on the plan view is more logical; either would be acceptable and the differences are not therefore material.
6. Turning to the first floor rear extension and that part of the first floor side extension which wraps round the dwelling, the Council does not object to the overall depth which would sit over replacement ground floor extensions. I agree this would not be excessive. The proposed rear building line at first floor would match that seen at No 6 and would be similar to other two storey rear extensions visible from the appeal site.
7. Nevertheless, the first floor rear extension would increase the width of the dwelling with a seamless addition to the side. The proposed elevation would be symmetrical. It would incorporate two rear facing gables that finished below the height of the main ridge and incorporated contemporary glazing, together with a flat roofed section between the gables that would sit at eaves level. In my view, although enlarged and altered, the proposed extension would not detract from the character or appearance of the dwelling but would rather update it in a sympathetic way. The extension would be well proportioned, notwithstanding its width, and would give the dwelling a more balanced and cohesive appearance.
8. In opposing the flat roof element at first floor eaves level, the Council refers to Policy HOU11 c) of the East Herts District Plan (DP), 2018. This resists flat roofs above ground floor as being visually undesirable other than in exceptional circumstances. However, I consider the flat roof to be an integral element of the overall design which enables a pleasing, contemporary appearance without

overwhelming the roofscape or rear elevation of the dwelling. I therefore consider it to represent an innovative design approach which would comply with Policy HOU11 c).

9. Turning to the surrounding area, the rear of the dwelling faces Hertford Heath Park. This is separated from the appeal site by a close boarded fence some 2m high and, in the park, a belt of trees. Thus, the extensions would be substantially screened from the park. Even if the trees were to be removed, the fence and distance between the park and the rear elevation would be sufficient to ensure that the extensions were not overbearing or otherwise harmful to the character of the village.
10. It is concluded on the main issue that the proposed first floor side and rear extension would be of a size, scale and design that would not detract from the character or appearance of the host dwelling or the surrounding area and in combination with the other proposed extensions would be acceptable. In consequence, the proposed extensions would comply with Policies VILL1, DES4 and HOU11 of the DP. Taken together these expect development, including extensions, to be of a high standard of design that is appropriate to the character, appearance and setting of the existing dwelling and/or surrounding area such that they are in keeping and relate well to their location and, in the case of extensions, generally appear as a subservient addition.
11. Turning to conditions, the Council suggests three conditions in addition to the statutory commencement condition. I agree that the development should be carried out in accordance with the approved plans and in materials that match those set out in the original application in order to provide certainty and to protect the character and appearance of the host dwelling and the surrounding area. In addition, a condition requiring the first floor flank windows serving bathrooms to be obscure glazed and partially non opening is necessary in order to protect the living conditions of neighbouring occupiers with respect to privacy.
12. For the reasons set out above, and having regard to all other matters raised, including concerns raised by a third party regarding overlooking from the Juliet balconies, I conclude that the appeal should be allowed.

KE Down
INSPECTOR