

# 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**

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**Appeal Ref: APP/J1915/D/23/3329989**

**10 Spring View Road, Ware, Hertfordshire, SG12 9LB**

- 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 Mrs Funmi Watkins against the decision of East Hertfordshire District Council.
  - The application Ref 3/23/1132/HH, dated 13 June 2023, was refused by notice dated 8 August 2023.
  - The development proposed is the demolition of a single storey extension and erection of a two storey extension. Replacement of existing roof with a new second storey with pitched roof. Replacement windows and doors. Internal reconfiguration.
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## Decision

1. The appeal is allowed and planning permission is granted for the demolition of a single storey extension and erection of a two storey extension. Replacement of existing roof with a new second storey with pitched roof. Replacement windows and doors and internal reconfiguration at 10 Spring View Road, Ware, Hertfordshire, SG12 9LB in accordance with the terms of the application, Ref 3/23/1132/HH, dated 13 June 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: B.EX.0.1, 0.2, 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 3.4, 4.1, 4.2, D.PR.0.1, 2.1, 2.2, 2.3, 2.4, 3.1, 3.2, 3.3, 3.4, 4.1, 4.2.
  - 3) Prior to the commencement of above ground construction, details of the external materials to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Following approval, the development shall be carried out in accordance with the approved details.

## Main Issue

2. There is one main issue which is the effect of the proposed extensions and alterations on the character and appearance of the host dwelling and the surrounding area, including the street scene of Spring View Road.
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## Reasons

3. Spring View Road is a residential street with steeply sloping topography. The appeal dwelling and its neighbours are set on significantly higher ground, above other dwellings in the road. The appeal dwelling can be seen when entering the street, although it is partially screened by mature trees. The dwelling is a post war bungalow on a wide but shallow plot with the main garden being to the north-east side of the dwelling. It has been extended in the past, including a large and bulky box dormer which is clearly visible from Spring View Road on the north-east roof slope, and a single storey side addition beyond this which together give the dwelling a disjointed appearance. Nevertheless, the property appears more modest in scale than its closest neighbours, which are bulkier chalet bungalows, and than other dwellings on lower ground which are two storey houses. It is also different in its design, which is unremarkable.
4. The existing single storey addition and box dormer would be removed to which no objection is raised. The proposed extensions include the raising of the roof of the central part of the bungalow to form a first floor, partly within the roof space. The increase in ridge height would be some 1.6m which would not appear excessive in the context of the dwelling and its setting. Although the alterations would create a two storey dwelling, the prominent and characteristic front gable would be retained, the main entrance would be moved to the centre of the building and new windows would introduce interest and a more pleasing arrangement. The raising of the roof and associated alterations would therefore comprise a sympathetic and proportionate addition to the host dwelling.
5. The dormer and single storey extension would be replaced by a two storey, flat roofed extension. This would be some 1.8m deeper than the existing single storey addition, projecting some 5m from the original side wall. The roof height would be below the ridge of the enlarged central section. The Council considers that the scale and design of the proposed extension would be bulky and would dominate the host dwelling. However, the additional projection at ground floor would be modest and whilst there would be added bulk at first floor, this would be carefully designed as an innovative and contemporary addition that would enable two storey accommodation within a similar footprint and without an excessive increase in height above that of the existing bungalow.
6. Overall, the side extension would appear in keeping with the central element and not cramped on the large plot or overly dominant in the context of the enlarged bungalow as a whole. It would be finished in a horizontal timber cladding which would be sympathetic to its wooded setting and to which the Council raises no objection. Although large and despite being clearly visible from Spring View Road, I find that the two storey side extension, whilst introducing a clear change, would not detract from the character or appearance of the dwelling.
7. Whilst the proposed extensions would not be subservient, as is generally expected by Policy HOU11 of the East Herts District Plan (DP), 2018, the wording of the policy clearly anticipates circumstances, such as the appeal proposal, where more substantial additions and alterations would be in accordance with the objectives of the policy and hence acceptable. Likewise, a flat roof above ground floor is policy compliant where it represents an innovative design approach such that it complies with HOU11 (a).

8. Other proposed alterations include the addition of roof lights, the rendering and cladding of the central and south-west sections of the dwelling and the replacement of windows and doors with modern aluminium frames. The Council does not object to these changes, and I agree they would be acceptable, helping to raise the standard of design and promoting higher levels of sustainability. This would be in accordance with the objectives of the National Planning Policy Framework, 2023.
9. It is concluded on the main issue that the proposed extensions and alterations would have no materially detrimental effect on the character or appearance of the host dwelling and the surrounding area, including the street scene of Spring View Road. In consequence, they would comply with Policy HOU11 (a) and (c) of the DP. Taken together and amongst other things these expected extensions and alterations to be of a scale, mass, form, siting, design and materials that are appropriate to the character, appearance and setting of the existing dwelling and/or the surrounding area.
10. Turning to conditions, the Council suggests four conditions in addition to the statutory commencement condition. I agree that the development should be carried out in accordance with the approved plans for the avoidance of doubt and to preserve the character and appearance of the host dwelling and the surrounding area. In addition, since details of materials are not shown on the submitted plans and will differ from those used in the existing building, a condition is necessary to require details to be submitted and approved by the Council, prior to the commencement of above ground construction so as to protect the character and appearance of the surrounding area.
11. The Council also suggests a condition requiring details of proposed ground levels, slab levels and ridge heights to be submitted and approved. However, the upward extension would be over the existing ground floor and the slab level of the side extension relative to this is clearly shown on the approved drawings, as is the finished ridge height. I therefore consider that the proposed condition is neither necessary nor reasonable.
12. The Council also suggests a condition requiring a bat survey on the basis that the site is close to Ware Chalk Mine Wildlife Site which is understood to be identified primarily due to the bat population, bats being protected species. However, no details of the site, including its location and designation status, are provided in evidence and no comments were received from either Natural England nor the Herts and Middlesex Wildlife Trust both of whom were consulted on the proposed development. Moreover, the Council's delegated report concluded that the proposed development was not considered to have a detrimental impact on wildlife. I therefore have no evidence to suggest any potential effect on bats and hence no reasonable justification for requiring a bat survey. I shall not therefore impose the suggested condition.
13. For the reasons set out above and having regard to all other matters raised, including the representations of a third party regarding land stability and effect on trees, I conclude that the appeal should be allowed.

*KE Down*  
INSPECTOR