



Appeal Decision

Site visit made on 14 May 2024

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2024

Appeal Ref: APP/J1915/D/24/3336308

74 Heath Drive, Ware, Hertfordshire SG12 0RJ

- 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 James Bellinger against the decision of East Hertfordshire District Council.
 - The application Ref 3/23/1567/HH, dated 11 August 2023, was refused by notice dated 13 November 2023.
 - The development proposed is the demolition of existing side garage, construction of new double storey and single storey side extension and front porch.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The amendments of the National Planning Policy Framework were published in December 2023 after the determination of the appeal application. These amendments do not alter the basis upon which this appeal has been assessed.

Main Issue

3. It is considered that the main issue is the effect of the proposed development on the character and appearance of the host property and the streetscene.

Reasons

4. The appeal scheme is a 2-storey semi-detached dwelling situated within a primarily residential area of similar types of dwellings. Along Heath Drive, the pairs of semi-detached dwellings are set back from the footways to the rear of front gardens which are landscaped and used for parking. Although of varying widths, there is generally a gap between the 2-storey flank walls of each pair of semi-detached dwellings, at least at first floor level, which contribute to the spacious appearance of the streetscene. The gaps between Nos 68/70 and 72/74 are wider because of the single storey garages to the side of these properties and make a positive contribution to the streetscene.
5. As identified by the appellant, some of the dwellings have been extended, including 2-storey side additions. However, although the properties identified by the appellant were visited during the site visit, the detailed planning circumstances of these other schemes have not been provided, including whether they were assessed against Policy HOU11 of the East Hertfordshire District Plan (DP). For this reason, these other schemes are given limited

weight in the determination of this appeal and the proposed extension has been assessed on its own circumstances.

6. DP Policy HOU11 refers to side extensions at first floor level ensuring appropriate space is left between the flank wall of the extension and the common curtilage with a neighbouring property. As a general rule, a gap of 1 metre will be the minimum acceptable and this is sought to safeguard the character and appearance of the streetscene and prevent a visual terracing effect.
7. The proposed development includes a 2-storey side extension which would replace an existing single storey garage. The proposed extension would be of a chamfered design and would occupy a larger footprint than the garage and the 2-storey flank wall would be adjacent to the shared boundary with 72 Heath Drive. By reason of the proposed extension's size, chamfered design and lack of setting back from the shared boundary, the concerns expressed by the Council about the resulting property appearing to be a cramped form of development are well founded. The overall scale of the proposed development would not appear to be subservient to the host property.
8. Further, because of the property being sited at a bend in the road, the massing of the proposed flank wall at first floor level sited adjacent to the shared boundary would be particularly noticeable in the streetscene above the garage of No. 72. Even without the potential for a terracing effect associated with a future side extension at No. 72, the width of the proposed extension would still materially erode the gap between the property and No. 72 at first floor level which would be detrimental to the spacious character and appearance of the streetscene.
9. In undertaking the assessment of the appeal scheme, the setting back of the first floor front elevation and lower ridge height of the proposed side extension have been considered alongside the potential to use matching external materials, the lack of objections from local residents and retaining a garage at ground floor level. However, these matters do not outweigh the failure of the resulting property to be satisfactorily assimilated into the character and appearance of the existing streetscene.
10. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the host property and the streetscene and, as such, it would conflict with DP Policy HOU11, including extensions being appropriate to the character, appearance and setting of the existing dwelling and surrounding area, and generally appearing as a subservient addition to the dwelling. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR