



Appeal Decision

Site visit made on 3 July 2024

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 August 2024

Appeal Ref: APP/J1915/D/24/3342761
25 Hampden Hill, Ware, SG12 7JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Rodrigo against the decision of East Herts Council.
 - The application Ref is 3/23/2486/HH.
 - The development proposed is a first-floor side extension above garage, single-storey rear extension, garage conversion, replace garage door with new front window and brickwork, and brick up side door.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the streetscene.

Reasons

3. The appeal property is a semi-detached two-storey dwelling, which is situated in a small residential cul-de-sac. In the vicinity of the site, the dwellings vary in terms of their size and appearance. It is also clear that other properties have been extended and altered. The extensions include two-storey/first-floor side additions.
4. The proposal is to construct a first-floor flat-roofed extension above an existing attached flat-roofed garage. In addition, the proposal includes a single-storey rear extension that would be constructed across the full width of the dwelling and garage. The garage would be converted into a kitchen and other works include the replacing the garage door with a window and the bricking up of a side door.
5. Policy DES4 of the East Herts District Plan 2018 seeks (amongst other things) to ensure that the design of new development is of high quality. In addition, Policy HOU11 states that flat -roofed extensions will be refused, other than in exceptional circumstances. The Council refers to Policy W2 of the Ware Neighbourhood Plan, which also requires high quality design and for development to enhance local character.
6. The above policies are consistent with the provisions of paragraph 135 of the National Planning Policy Framework 2023 (The Framework), which states

- (amongst other things) that development should add to the quality of the area and be visually attractive.
7. The appeal proposal has two main elements, the single-storey rear extension and the first-floor addition above the garage. With regard to the single-storey rear extension, I consider that this would be acceptable in terms of its scale and design. It would only be visible from other rear gardens and there would be no adverse impacts on the occupants of neighbouring properties.
 8. However, although the first-floor extension would be set-back from the road and its flat roof would contribute to the subordinate appearance of the extension, I consider that it would be a discordant and incongruous addition to the property, because of its roof design. The extension would also be clearly visible from Hampden Hill and, therefore, it would have an adverse impact on the streetscene.
 9. The Council has stated that the proposal would create a terracing effect, which would be harmful. However, there would still be a gap remaining at first-floor level between the side wall of the extension and the side wall of the neighbouring property. Consequently, the proposal would not create a terrace. Nevertheless, that does not outweigh my concerns expressed above regarding the flat-roofed design.
 10. In reaching my decision, I have considered the fact that there are other extensions visible along Hampden Hill, including at numbers 28, 31 and 35. However, the design of these extensions, which include pitched-roofs do not adversely affect the character or appearance of the host dwellings in the same way.
 11. Consequently, I consider that the first-floor extension would be unacceptably harmful to the character and appearance of both the existing dwelling and the streetscene. It would, therefore, conflict with the relevant Development Plan policies and with The Framework, as referred to above.
 12. I have given consideration as whether I could issue a split-decision. However, as both the extensions involve the existing garage structure, I have decided against this.

Conclusion

13. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR