



Appeal Decision

Site visit made on 22 August 2024

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2024

Appeal Ref: APP/J1915/D/24/3341046

Bluebell Cottage, Hare Street, Buntingford, SG9 0DY

- 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 James Gladding against the decision of East Hertfordshire District Council.
 - The application Ref is 3/23/2260/HH.
 - The development proposed is demolition of existing conservatory and chimney, erection of part single/part two-storey rear extension incorporating roof lantern, rear roof lights and terrace at first floor. Alterations to roof to include dormer windows to front and rear, alterations and insertion of fenestration, construction of boundary walls, raised rear patio, external steps, and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing conservatory and chimney, erection of part single/part two-storey rear extension incorporating roof lantern, rear roof lights and terrace at first floor. Alterations to roof to include dormer windows to front and rear, alterations and insertion of fenestration, construction of boundary walls, raised rear patio, external steps and landscaping at Bluebell Cottage, Hare Street, Buntingford, SG9 0DY, in accordance with the terms of the application Ref 3/23/2260/HH, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PL001 rev A; PL010; PL011; PL012; PL020; PL021; PL100 rev C; PL101 rev D; PL02 rev C; PL200 rev D; and PL201 rev E.
 - 3) The materials to be used in the external surfaces of the development hereby approved shall be as specified on the planning application form.
 - 4) Notwithstanding the approved drawing and prior to the first use of the first-floor terrace, the timber privacy screen as shown on drawing PL201 Rev E shall be installed to a height no less than 1.8m. The screen shall then be retained as such at all times throughout the life of the development.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of both the existing dwelling and the surrounding area.

Reasons

3. The appeal property is a detached dwelling, which is situated facing Hare Street within a rural location on the outskirts of Buntingford. The area is characterised by a mixture of houses that adjoin open countryside. The dwellings vary in terms of their age, scale and appearance and there is no common architectural character.
4. The existing dwelling is relatively modest in scale and it includes previous additions, including a glazed conservatory and an open-sided canopy, which covers an existing terrace/patio area. I also observed during my site visit that a relatively large rear extension has constructed on the neighbouring dwelling, Lavender Cottage. The Council states that this was approved in 1977.
5. The proposal is for various alterations and extensions, as described in the heading above. They would add significantly to the scale and volume of the building, particularly at the rear. The Council argues that the proposed single/two-storey rear extension would be out of scale with the existing dwelling, because of its depth. It argues that it would not appear subservient and it would be out of proportion in relation to the existing dwelling.
6. Policy GBR2 of the East Herts District Plan 2018 (DP) seeks to maintain the rural area beyond the Green Belt and requires alterations and extensions to buildings to be appropriate in size, scale, mass and form in relation to the existing site and its surroundings. In addition, Policies DES4 and HOU11 of the DP require the design of new development to be of a high standard and for extensions to dwellings to appear as subservient additions.
7. I have stated above that the proposal would add significantly to the scale and volume of the building and I accept that the rear extension, particularly the single-storey element, would not appear as a subservient addition. In that regard, the proposal would conflict with Policies GBR2 and HOU11 of the DP.
8. However, whilst there is a conflict with the LP, other material considerations must also be considered. Although the extension at Lavender Cottage was approved in 1977 and consequently determined under different planning policies, the enlarged property remains part of the character and appearance of the area, particularly given its close physical relationship with the appeal property.
9. The appeal proposal would extend out at the rear a comparable distance with the extension at the neighbouring dwelling, and it would also replace an area that already includes the existing conservatory, covered canopy and hard surfaces patio/terrace area. These currently detract from the property and give it a somewhat disjointed appearance.
10. Furthermore, the proposed rear extension would not be highly visible from public viewpoints, given that views from Hare Street are largely screened by existing hedgerows or by Lavender Cottage. In addition, the proposal would not encroach beyond the existing garden of the dwelling and, therefore, the open countryside setting of the property would be retained. In my opinion,

these material considerations outweigh the conflict with the LP and I conclude that the proposal would not have an unacceptably harmful effect on the character or appearance of both the existing dwelling or the surrounding area.

11. I note that the Council has not objected to the remainder of the other works, (including the proposed dormer windows) despite expressing some concerns over the proposed boundary walls. I have no reason to disagree with the Council's assessment of these other works, which I also find acceptable.

Conditions

12. The Council has suggested conditions in the event of the appeal being allowed. I have imposed the standard conditions relating to the time period in which to commence the development and the list of approved plans. To ensure a satisfactory external appearance, a condition is also imposed requiring the use of the external materials that have been specified on the planning application form.
13. The Council has also suggested that a condition be imposed requiring the installation and retention of privacy screening on the edge of the first-floor roof terrace. I consider this to be reasonable and necessary in order to protect the privacy of the occupants of the neighbouring dwelling.

Conclusion

14. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR