



Appeal Decision

Site visit made on 10 September 2024

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2024

Appeal Ref: APP/J1915/D/24/3345146

White Cottage, Aspenden Road, Buntingford, SG9 9PA

- 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 Ms Emma Bennett against the decision of East Hertfordshire District Council.
 - The application Ref is 3/24/0043/HH.
 - The development proposed is the demolition of garage and barn. Erection of two storey rear extension and single storey side extension with 8 rooflights. External alterations and alterations to driveway
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of garage and barn. Erection of two storey rear extension and single storey side extension with 8 rooflights. External alterations and alterations to driveway at White Cottage, Aspenden Road, Buntingford, SG9 9PA, in accordance with the terms of the application, Ref 3/24/0043/HH, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans, drawing Nos. 0401 B, 0402 B, 0404 B, 0405 B, 0406 B, 0407 B and 403 B.
 - 3) The exterior of the development hereby approved shall be constructed in the materials specified on the submitted application form and plans.

Main Issues

2. The main issues in this case are: i) the effect of the proposal on the character and appearance of the existing dwelling and streetscene; ii) the effect of the proposed 2-storey rear extension on the neighbouring property at No.12 Fairfield on outlook from its rear windows, and in terms of a sense of enclosure.

Reasons

3. White Cottage is a long building that has its main axis at right-angles to the road, on an east-west orientation. The first and major part of the dwelling is 2-storey, and it then drops down to a 'barn' which is single-storey. Beyond the barn and to the south is a double garage. Both the barn and the garage would

- be demolished. From Aspenden Road, the cottage has a tall narrow elevation, under a gabled roof.
4. Immediately to the north of the dwelling is the garden amenity space of No.12 Fairfield and immediately to the east is the garden amenity space of No.14 Fairfield. To the south of the site is a dense hedgerow and trees, which border the site and a new housing development known as 'Keepers Chase'. There is a large dwelling, that forms part of that development, within close proximity to the site. Aspenden Road is predominantly bordered by trees and rear gardens to the north and the Watermill industrial site to the west.
 5. The policies of the East Herts District Plan, adopted in October 2018, that are relevant to this case, are Policy HOU11 and Policy DES4. These policies will be known to the parties, and therefore need not be set out in full. Policy HOU11 dealing with extensions and alterations to dwellings, etc, sets out criteria against which proposals will be considered, dealing with size, scale, mass, form, siting, design and materials in relation to the existing dwelling. First-floor extensions should maintain appropriate space with the boundary with the neighbour, generally a space of 1m should be the minimum. Dormers should be limited in size and proportion so as not to dominate the roof.
 6. It is only the first part of Policy DES4 that is applicable here. This requires that development must be of high standard of design and layout to reflect and promote local distinctiveness, which should respect or improve upon the character of the site and the surrounding area, in terms of its scale, height, massing (volume, shape), orientation, siting, layout, density, building materials (colour, texture), landscaping, etc.
 7. I have already noted that the elevation of the existing cottage, facing the road, is tall and narrow; as such it is something of an anomaly in the area. The proposed single storey extension on its north side and the wider 2-storey extension at the eastern end would both give the frontage a more balanced form. The fact that the 2-storey extension is set well back from the road and has a lower ridge height ensures that it would be seen as subservient to the existing cottage. The external finishes of white render with black composite cladding and grey tiled roof, with a uPVC front door, black aluminium windows and doors, would provide a satisfactory blend of traditional and modern materials. I conclude that the proposals would not be harmful to the character and appearance of the existing dwelling, or the streetscene.
 8. Turning to the effect of the proposed 2-storey rear extension on the neighbouring property at No.12 Fairfield, the respective ground levels are of some importance. Ground level of No.12 is some 1.32m higher where its rear extension sits on the other side of the property boundary with the proposed 2-storey extension on the appeal site. The proposed 2-storey extension would be about 1.3m from the boundary, whilst No.12's rear extension is within close proximity to this boundary. The pitch roof of No.12's rear extension would be slightly higher than the ridge of the proposed 2-storey extension, so that the latter would have little greater effect on the outlook from the first floor rear windows of No.12 than its own extension. The proposed single storey extension, with a mono-pitched roof would have no deleterious effect on the private garden of No.12, nor would the totality of the proposed extensions to White Cottage bring a harmful sense of enclosure to that garden. There would be no overlooking or loss of privacy.

Conclusion

9. I have taken account of all other matters raised, including the concerns raised about construction works in close proximity to the shared boundary, and difficulty of clearing gutters and general maintenance. These are civil rather than planning matters. I have concluded that the appeal proposals would not be harmful to the character and appearance of the existing dwelling, or the streetscene, and that there would be no substantial harmful effect of the proposed 2-storey rear extension on the neighbouring property at No.12 in respect of outlook from its rear windows, or through a sense of enclosure. For these reasons I will allow the appeal.

Conditions

10. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested 2 conditions in the event that the appeal is upheld. These are that the development should be carried out in accordance with the plans and that the materials should be as specified on the application form and plans. These conditions are necessary for certainty and the avoidance of doubt, and to ensure the satisfactory appearance of the development.

Terrence Kemmann-Lane

INSPECTOR