



Appeal Decision

Site visit made on 13 January 2025

by **Andrew Dale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3rd February 2025

Appeal Ref. APP/J1915/D/24/3350565

The Heights, Galloway Road, Bishop's Stortford CM23 2HS

- 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 Kola Motajo against the decision of East Hertfordshire District Council.
- The application ref. is 3/24/1219/HH.
- The development proposed is: "Single storey side and front extensions. Two storey rear extension. Alterations to fenestration and dormer window and erection of photovoltaic panels. New patio and associated landscaping."

Decision

1. The appeal is dismissed.

Preliminary matters

2. A revised National Planning Policy Framework (Framework) was published on 12 December 2024. The new 2024 version does not however differ from the previous version insofar as it relates to the main issue in this appeal. The cases of the main parties will not therefore be prejudiced by my reference to the new version. I have proceeded on this basis.
 3. I established at my site visit that the correct spelling of the appellant's surname, as used in the heading above, appears on the application form, not the appeal form.
 4. The description of the proposal in the heading above is taken from the Council's decision notice and the appeal form. It is more precise than the one provided on the application form.
 5. Drawing no. 2002 200 Revision C (Elevations) was submitted with the appeal. Since it simply includes the 2-storey rear extension as it would appear on the east elevation of the dwelling, I have taken it into account. Still, the material finishes to the side walls of this extension shown on that drawing do not seem to tally with the section on drawing no. 2002 200 Revision B (Elevations/Section) and, unlike that section drawing, do not show an external door to the new utility room in the west elevation to tally with the ground floor plan on drawing no. 2002 101 Revision B. These unfortunate discrepancies do not however go to the heart of the proposal.
 6. The Council had no objections to the single-storey side and front extensions, the alterations to fenestration and dormer window, the photovoltaic panels, the new patio and associated landscaping. I see no reason to reach a different view.
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Main issue

7. The main issue is therefore the impact of the proposed 2-storey rear extension upon the character and appearance of the host dwelling.

Reasons

8. The Heights is a detached 2-storey house with further rooms in the roof space. It occupies a sizeable and elevated plot at the north-western end of Galloway Road. Set at an angle to the rear boundary and the houses on Robert Wallace Close beyond, its rear elevation is largely hidden away from the public realm. That elevation is however noticeable in private views from some of the dwellings at the lower, southern end of Robert Wallace Close.
9. The proposed 2-storey rear extension would enlarge a ground floor utility room and a first floor en suite, replacing one of the 2 existing rear dormer windows. It would be 1.553m in depth and 4.744m in width and be topped by a flat roof.
10. Situated within the settlement limits of Bishop's Stortford, the principle of extending the house is not at issue.
11. However, Policy HOU11 (a) of the East Herts District Plan 2018 (EHDP) expects all proposals for extensions and alterations to dwellings to be appropriate to the character, appearance and setting of the existing dwelling. Moreover, criterion (c) of that policy states that flat-roofed extensions, except those on the ground floor, will be refused as visually undesirable other than in those exceptional circumstances where the character of the original dwelling allows a flat-roofed design to be appropriately incorporated, or it represents a sustainable or innovative design approach. This policy is clearly relevant to my assessment of the appeal scheme regardless of the size of the 2-storey rear extension proposed.
12. Despite undergoing recent extensions, the original character of The Heights remains substantially intact. There is a subsidiary gabled 2-storey advanced bay to the front. The principal 2-storey sections of the original and extended property are covered by fully hipped roofs. This presents a very clear and characterful roof form which is followed by the 2 existing rear roof dormers. This means that the shape, pitch and style of roof in any 2-storey extension to the house will be of particular importance. I consider that the character of the existing dwelling makes it exceedingly difficult for a 2-storey flat-roofed extension to be appropriately incorporated, even though a similar flat-roofed design would be employed for the single-storey side and front extensions and the retained, rebuilt dormer.
13. The proposed 2-storey rear extension would be lower than the 2-storey host building. Even so, building in the manner proposed would produce a significant and bulky section of flat roof and a direct and awkward clash of roof forms. Moreover, having regard to the flat roof's size, degree of projection and height above the level of the retained and rebuilt adjacent dormer window, comparisons with the design approach which would be adopted for that rebuilt dormer are misplaced. The development would appear as an incongruous flat-roofed 2-storey rear addition rather than as a dormer window set unobtrusively into the roof slope. In addition, cladding the wide rear upper face of this extension in lead would depart too far from the slate finish to the main roof of the host property behind.

14. I consider that the Council's main concerns about this part of the proposal were justified. The proposed 2-storey rear extension's design, materials, roof form and lack of coherence with the host building would be disrespectful of and inappropriate to the character and appearance of the existing dwelling. The end result would be visually undesirable.
15. I have not read or seen anything that would point to the 2-storey rear extension following a sustainable or innovative design approach so as to amount to exceptional circumstances. The scheme would depart from criterion (c) of EHDP Policy HOU11 and fail to comply with the more general design considerations in criterion (a) of that policy concerning form, design and materials of construction.
16. I find on the main issue that the proposed 2-storey rear extension would harm the character and appearance of the host dwelling. As the development would be disrespectful of and inappropriate to the character and appearance of the existing dwelling and would not be of a high standard of design and layout that reflects and promotes local distinctiveness, there would be conflict with the aims of EHDP Policies DES4 and HOU11 and Policy HDP2 of Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards (1st Revision) 2021-2033.
17. The Framework advises that good design is a key aspect of sustainable development; so development should add to the overall quality of the area, be visually attractive as a result of good architecture and sympathetic to local character and establish or maintain a strong sense of place. I consider that the appeal scheme is ill-judged in these important respects.
18. The Council had no objections in relation to neighbouring residential amenity and parking. I see no reason to disagree on those matters and I have noted that the fitting of photovoltaic panels would accord with development plan policies on climate change mitigation. Still, my finding on the main issue is decisive to the outcome of the appeal. There is conflict with the development plan. The harm cannot be mitigated by the imposition of planning conditions and it is not outweighed by other material considerations.
19. For the reasons given above and taking into account all other matters raised by all the parties, I conclude that this appeal should not succeed.

Andrew Dale

INSPECTOR