
Appeal Decision

Site visit made on 29 April 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd June 2025

Appeal Ref: APP/J1915/D/25/3361276

8 London Road, Hertford Heath, Hertfordshire SG13 7RH

- 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 Sean O'keefe against the decision of East Hertfordshire District Council.
 - The application Ref is 3/24/1888/HH.
 - The development proposed is described as the 'demolition of existing single storey outbuilding, removal of existing conifer hedging, and erection of single storey rear extension and single storey outbuilding with glazed link, including the provision of a new patio and courtyard area.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of Number 6 London Road (No.6) with particular regard to outlook.

Reasons for the Recommendation

4. The rear garden of this mid-terraced property is angled and therefore partly extends to the rear of the neighbouring property resulting in a particularly small rear space serving No.6. A tall conifer hedge and fencing provides a boundary between the two properties. The appeal site benefits from an existing outbuilding situated alongside part of the boundary.
5. The proposal would introduce development along the entire boundary with No.6 albeit partly stepped in to create a courtyard that would act as a buffer. Nevertheless, the development would still create a substantial bulk to the rear of the property. The extension would be taller and have a greater footprint than the existing outbuilding. The looming effect of the height, proximity and run of the extension would appear overbearing to users of the rear space of No.6 and the outlook experienced from the ground floor rear windows. The scale of the proposed development would thus garner a strong sense of enclosure for the occupiers of No.6 where the existing situation is already poor.
6. The proposal would therefore harm the living conditions of the occupiers of No.6 contrary to Policy DES4 of the East Herts District Plan 2018 which is concerned

with avoiding detrimental impacts to the amenity of neighbouring occupants among other things.

Other Matters

7. The extension would not be as tall as the conifer hedge in parts, but it would be the cause of the above harm on its own merits and the hedge would be removed as part of the totality of the works in any case. Whilst the stepping in of the glazed aspect of the extension would provide some alleviation, this, nor revisions from a previously refused scheme, would be sufficient to overcome the harms I have found.

Conclusion and Recommendation

8. For the reasons given above, the appeal scheme would conflict with the development plan and there are no sufficiently weighty material considerations to indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR