



Appeal Decision

Site visit made on 12 August 2025

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2025

Appeal Ref: APP/J1915/D/25/3368064

5 Elm Road, Bishop's Stortford, Hertfordshire CM23 2SS

- 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 Paul Buzzing against the decision of East Herts Council.
 - The application Ref is 3/25/0166/HH.
 - The development proposed is a single storey rear extension with attached garage and first floor extension with new roof over, internal and external alterations.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by the appellant against the Council and is the subject of a separate decision.

Preliminary Matter

3. The appellant submitted amended drawings with their appeal documentation with revisions to the design, comprising a rear extension of a significantly reduced depth and with a mono-pitched roof as opposed to a flat roof, as well as excluding the garage. Due to the fact that the appeal is determined through the Householder Appeal Service, there is no facility for the relevant parties to be reconsulted on this. Consequently, I cannot ascertain the views of either the District Council or the Town Council on the revisions, neither would any other third parties be aware of such changes either. Therefore, having regard to the 'Wheatcroft principles' I consider that with such a significant change in the design, it would not be appropriate for me to accept the revised drawings, and I have determined the appeal on the basis of those that were before the Council at the time it made its decision.

Main Issue

4. The main issue is the effect of the single storey flat roof extensions upon the character and appearance of the area.

Reasons

5. Whilst fronting Half Acres, the appeal site and the rear of the host dwelling itself is highly visible within Elm Road which is a residential street comprising a wide variety of building types and forms with modern development immediately to the west of

the appeal site; and with a double garage with accommodation over at Gowar Cottage to the east.

6. The existing dwelling is on land that slopes up in a south westerly direction and whilst essentially single storey in nature, has some basement accommodation that utilises the change in levels across the site.
7. The proposed development is extensive and would provide first floor accommodation within a large roof space and an extended ground floor, in addition to basement/lower ground floor extensions, with the latter being within a flat roof form of construction and also including a garage, to be accessed via Elm Road. The rear elements would be the most publicly visible and should be sympathetic to the primary frontages along the road. I noticed on my site visit, that whilst the architecture is varied, roof forms tend to be pitched as opposed to flat, and by virtue of its raised position, design and depth, I consider that the single storey flat roof extensions would appear prominent and awkward additions to the dwelling and street scene.
8. It was quite clear that the existing dwelling is in dire need of renovation and also that the appellant is frustrated by the amount of time it has taken him to get to this stage without having obtained full planning permission. However, I have not been provided with the details of the applications highlighted within the planning history, and ultimately it is for me to determine the appeal on its merits.
9. I am not aware that a Certificate of Lawfulness has been issued for any permitted development, however it is debatable as to which elevation is the principal elevation, bearing in mind that the Elm Road elevation is more publicly exposed than that fronting Half Acres. Nonetheless, I am sure a solution can be reached which enables the appellant to renovate and extend the property to a high standard, although it is not for me to comment on how to go about this. I do, however, acknowledge that no objections from neighbours had been received with regard to the proposal, and that the Council raised no objection to the proposal in respect of the impact that it would have upon the living conditions of local residents.
10. I therefore conclude that the proposal, as it stands, would have a harmful effect upon the character and appearance of the area, and is contrary to Policies HOU11 and DES4 of the East Herts District Plan (2018), which together stipulate that proposals for extensions and alterations to dwellings will be considered against a number of criteria, including that they are of a size, scale, mass, form, siting and design that is appropriate to the character, appearance and setting of the existing dwelling and the surrounding area; and that all proposals must be of a high standard of design and layout to reflect and promote local distinctiveness.

Conclusion

11. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR