



Appeal Decision

Site visit made on 5 December 2025

by **K E Down MA(Oxon) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal Ref: APP/J1915/D/25/3374464

4 Scotts Close, Ware, Hertfordshire, SG12 9JJ

- 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 Adam Reynolds against the decision of East Hertfordshire District Council.
 - The application Ref is 3/25/1307/HH.
 - The development proposed is demolition of conservatory, new two storey side, two storey rear and front porch extension, fenestration alterations and new glazed front dormer.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed extensions and alterations on the character and appearance of the host dwelling and the surrounding area, including the street scene of Scotts Close; and secondly, the effect of the proposed two storey rear extension on the living conditions of occupiers of nearby dwellings and in particular 5 Scotts Close with respect to outlook, privacy and light.

Reasons

3. The appeal dwelling, (No 4) is a modern, detached house set in a small cul-de-sac of similar houses and chalet bungalows. The topography falls from the junction of the cul-de-sac with Scotts Road, down towards the appeal property. There is also a noticeable difference in level between the north and south sides of the street with houses on the south side being at a noticeably higher level than the bungalows opposite. The ground continues to rise sharply behind the houses, resulting in steeply terraced gardens.
4. No 4 is the last house in the cul-de-sac and its plot is broadly triangular in shape. It is set at an angle on its plot without a significant front boundary to the street. The dwelling is similar in design to 5 Scotts Close, which is set on a slightly forward building line. On its other side and wrapping round two boundaries is Scotts Hill Cottage with that dwelling set generally to the rear and its access and garaging to the front.
5. The appeal dwelling has been extended in the past through a first floor extension above the integral garage and a single storey rear conservatory which had been removed at the time of my site visit. Planning permissions for single storey side

and two storey rear extensions were granted in 1979 and 2022 respectively. Neither have been implemented and are understood to have lapsed.

6. The proposed two storey side extension would have a staggered building line to the front to reflect the angled side boundary of the plot. There would be pinch points at the corner of each of the two staggered sections where the distance to the boundary would be about 1m, with the distance between the boundary and most of the front elevation being greater. Nevertheless, whilst I find a stepped elevation acceptable in principle, the restricted space around the extension, resulting from its width and siting combined with the shape of the plot, would result in an overly cramped effect that would substantially close the gap between the dwelling and the garage of Scotts Hill Cottage. Overall, this would be out of keeping with the relatively spacious character of the close.
7. To the rear, the combined width of the existing first floor and proposed two storey extensions would result in a rear elevation at first floor that was about twice the width of the original dwelling. The design, with the proposed two storey rear extension at one end of the elevation and the extended section with only the stepped roof profile to break up the extended rear elevation would exacerbate the impression of an overly wide and poorly proportioned side addition.
8. I accept that the extension would replace an existing outbuilding and that a side extension has been permitted in the past. However, these are both single storey and therefore have a different and less imposing presence. In consequence, I do not find that they weigh significantly in favour of the proposed side extensions.
9. Turning to the rear extension, in itself this would have an acceptable appearance with the set down, hipped roof profile providing subservience and echoing that on the front elevation. Its depth would be proportionate and although it would occupy much of the width of the original rear elevation, in the context of the dwelling as a whole and in view of the set in from the side elevation, this would be acceptable.
10. A modest, fully glazed dormer is proposed in the front roof slope. This would provide outlook from a viewing deck accessed from the master bedroom. The dormer would be set well into the roof slope and in the context of other front dormers in Scotts Close, including several with flat roofs, I find it acceptable. The full glazing would make it a contemporary addition, but this would not render it unsympathetic to local character or history. Moreover, the National Planning Policy Framework advises that in such circumstances appropriate innovation or change should not be prevented or discouraged.
11. The Council does not raise an objection to most of the proposed alterations to the front elevation including the construction of a new porch, a new glazed curtain wall at first floor and the alteration of the ground floor and removal of the first floor window bays. I agree these would be acceptable.
12. However, the Council does raise concerns regarding the more modern appearance of the proposed metal finishes and painted render. These would comprise proposed dark aluminium window frames, zinc cladding on the porch and between ground and first floor windows on one section of the proposed side extension and a painted render finish to this section of the side extension.
13. As set out above, in a street where there is already some variety, I do not find the proposed contemporary finishes unacceptable. Despite the fact that they are not

seen on other dwellings, where window frames are mostly white U-PVC and cladding is a mixture of white U-PVC or wood effect, they would not be out of place on the proposed altered host dwelling as a whole or materially detrimental to the character or appearance of the street. The Council in particular raises the zinc cladding as being out of character. However, in view of the variety of cladding seen elsewhere and the limited amount and position of that proposed, which would be consistent with the approach seen on other properties where it is used to highlight small areas, I do not find this unacceptable.

14. It is concluded on the first main issue that whilst the proposed rear extension, the porch, dormer and external alterations would be acceptable, the two storey side extension, owing to its scale and position, would have a materially detrimental effect on the character and appearance of the host dwelling and the street scene of Scotts Close. In consequence, it would conflict with Policies HOU11 and DES4 of the East Herts District Plan (LP), 2018, and Policy W2 of the adopted Ware Neighbourhood Plan.
15. Taken together and amongst other things, these expect new development to be of a high standard of design and layout so as to reflect local distinctiveness. In particular, extensions to dwellings should be of a size, scale, mass, design and siting that is appropriate to the character, appearance and setting of the existing dwelling and the surrounding area, with extensions generally expected to appear as subservient additions. Side extensions at first floor and above should ensure appropriate space is left between the extension and the curtilage boundary with another property to safeguard the character of the street scene.
16. Turning to the effect of the proposed two storey rear extension on the living conditions of occupiers of 5 Scotts Close, this property is set to the west of the appeal dwelling and on a slightly forward building line. Like No 4 it has a steeply sloping garden. There is a patio area to the rear of the dwelling and on a level with it. This is the most accessible part of the garden and the logical place for sitting out. It is currently surrounded by the steeply rising garden to the south, the dwelling itself to the north and by the close boarded fence between it and the appeal dwelling. It appears to be set on land lower than No 4 and the patio already feels somewhat hemmed in by the higher structures surrounding it. However, there is a more open outlook to the west and south-west above the boundary fence.
17. The proposed two storey rear extension, despite being set in from the side elevation of the appeal dwelling and having a set down roof would intrude into this open outlook. Its rearward projection, although acceptable in terms of character and appearance, would be sufficient to make the patio feel noticeably more penned in and to loom over it, making it a less inviting area for sitting out. The effect would be exacerbated by the rising land to the south, its limited size and the widest part being close to the shared boundary. The effect of the proposed extension would therefore be materially harmful to the living conditions of occupiers of No 5.
18. In terms of loss of light, no daylight/sunlight survey has been carried out, but the Council is satisfied that any loss of light would not result in material harm to the living conditions of occupiers of No 5. I would not disagree. Nevertheless, there would be likely to be some overshadowing of the patio and rear windows at No 5

at certain times of the day, particularly earlier and later in the year. This would only serve to exacerbate the penned in and gloomy character of the area.

19. The appellant points out that a two storey rear extension was permitted in 2022 and although this was shallower it was not set in from the side elevation of the appeal dwelling and the roof was more dominant. It is suggested that this would have had a similar impact on the rear patio at No 5. Plans showing the approved scheme have been submitted but I have limited other evidence. What is clear from the evidence is that the previous extension was both shallower than the one now proposed and its most rearward section was single storey. The appellant states that a similar arrangement could have been incorporated into the current scheme. However, it appears that the Council did not consider that alterations such as this would overcome its objections to the proposals as a whole and did not seek them. In any case, I have reached my findings having judged the appeal proposal before me on its own merits.
20. Third parties raise concerns regarding loss of privacy as a result of overlooking from first floor windows in the side elevation facing No 5 and from the proposed dormer serving the viewing deck. However, the first floor side facing windows which would serve bathrooms are shown on the submitted plans as having obscure glazing, and only opening above 1.7m above floor level. This would avoid any overlooking of No 5. In terms of the dormer, this would overlook the street and front elevations of dwellings opposite. Since these areas can already be seen from windows in No 4 and other dwellings and from the street itself, I do not consider that there would be any material increase in overlooking or loss of privacy.
21. It is concluded on the second main issue that although the proposed extensions and alterations would not result in a material loss of privacy at neighbouring dwellings, the proposed two storey rear extension would have a materially harmful effect on the living conditions of occupiers of No 5 owing to loss of outlook, exacerbated by some loss of light. In consequence, it would conflict with Policy DES4 of the LP which expects new development to avoid significant detrimental impacts on the amenity of occupiers of neighbouring properties, and to ensure that their environments are not harmed by, amongst other things, overshadowing.
22. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR