
Appeal Decision

Site visit made on 19 March 2013

by **Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 March 2013

Appeal Ref: APP/J1915/D/13/2192833

The Pine Cottage, Ducketts Lane, Much Hadham, Hertfordshire, SG10 6JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr William Bird against the decision of East Hertfordshire District Council.
 - The application Ref 3/12/1715/FP, dated 7 October 2012, was refused by notice dated 19 December 2012.
 - The development proposed is to demolish an existing concrete single detached garage and incorporate an existing side extension into a new side extension with a 'cat slide' roof providing a utility room and toilet facilities at ground floor and bedroom at first floor level.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue in this case is the effect of the proposal on the openness of the rural area and the character and appearance of the Green Tye Conservation Area and the host building.

Reasons

3. The appeal property is an end of terrace house situated within the Rural Area beyond the Green Belt as defined by the East Herts Local Plan Second Review (LP). The property has previously been extended to the side and rear.
4. The Council contends that those extensions have increased the floor area of the original building by some 94% and that the current proposal would take the cumulative increase to around 136%. Whilst these figures are not supported by detailed calculations, nor are they disputed by the appellant and, based on the information available to me, the order of magnitude appears to be reasonable.
5. LP policy GBC3 allows for limited extensions to dwellings in the Rural Area Beyond the Green Belt subject to the provisions of LP policy ENV5. This policy presumes against extensions which, cumulatively with other extensions, disproportionately increase the size of the original dwelling. Whilst the policies do not quantify 'limited' or 'disproportionate' by reference to floor area, I consider that, by more than doubling the original floor area, the cumulative effect of the existing and proposed extensions would amount to a disproportionate increase in the size of the original building which would reduce the openness of the Rural Area. Therefore, the proposal would not comply with LP policies GBC3 or ENV5.

6. The Ducketts Lane part of the Green Tye Conservation Area is characterised by fairly formally arranged 20th century semi-detached houses on the west side of the lane and more traditional detached houses and the terrace including the appeal property on the east side.
7. Combined, the existing and proposed extensions would increase the width of the property by some 5m. This would double the original width of the house with the effect that the extension would no longer be subservient. Moreover, whilst the appellant has sought to reduce the bulk of the extension by the use of a 'cat slide' roof, the resulting built form, shallow pitched roof and the expanse of blank wall on the front elevation would not be characteristic of the area.
8. I recognise that the extension would be set back from the front elevation of the property and that existing vegetation would go some way to screening it. Nevertheless, its height and scale would make it clearly visible from Ducketts Lane and significantly more prominent than the existing garage it would replace.
9. As such, I consider that the proposal would have a harmful effect on the character and appearance of the Conservation Area and the host building. It would not, therefore, comply with LP policies ENV1, ENV5, EN6(a) or BH5. Together, these policies require extensions to unlisted buildings in Conservation Areas to achieve a high standard of design, complement the existing building and to be sympathetic to the character and appearance of the area.
10. Nor would it meet the aim of paragraph 131 of the National Planning Policy Framework (the Framework) which requires the desirability of sustaining and enhancing the significance of heritage assets to be taken into account.

Other Matters

11. I accept that the proposal would improve the standard of living accommodation provided by the property. However, it has not been satisfactorily demonstrated that the need for such improvements outweighs the harm identified above. In terms of the assessment required by paragraph 134 of the Framework therefore, whilst the impact would be less than substantial, the claimed public benefits are not sufficient to outweigh it.
12. The appellant has referred to the extension to 8 Duckett Lane. I have not been provided with the circumstances of that approval. However, based on the drawings supplied and what I saw on my site visit, it appears that the extension replaced an earlier single storey rear addition. The resulting increase in the size of the building does not, therefore, appear to be comparable with the cumulative effect of the existing and proposed extensions to the appeal property.

Conclusions

13. I have taken into account the other concerns expressed locally, but they have not led me to a different overall conclusion. There is nothing to indicate that the local plan policies referred to above are in conflict with the Framework.
14. For the reasons outlined above, the appeal should be dismissed.

Simon Warder

INSPECTOR