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# Appeal Decision

Site visit made on 3 August 2016

**by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC**

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

**Decision date: 10 August 2016**

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**Appeal Ref: APP/X1925/D/16/3149371**

**62 Mercia Road, Baldock, Hertfordshire, SG7 6RZ**

- 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 and Mrs Deshmukh against the decision of North Hertfordshire District Council.
  - The application Ref 15/03218/1HH, dated 22 December 2015, was refused by notice dated 9 February 2016.
  - The development proposed is first floor side extension.
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## Decision

1. The appeal is allowed and planning permission is granted for first floor side extension at 62 Mercia Road, Baldock, Hertfordshire, SG7 6RZ in accordance with the terms of the application Ref 15/03218/1HH, dated 22 December 2015, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: DP 720/01 RevA, DP 720/02 and DP 720/03.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

## Main issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

## Reasons

4. 62 Mercia Road is a two storey semi-detached house in a modern residential estate. It is one of three similar pairs on the southwest side of the road with linked garages and has a single storey rear extension. The surroundings are characterised by similar pairs of semis and a variety of other house styles and forms. However, due to the random layout of short cul-de-sacs, the orientation of most of the houses to the road and to each other and the spacing between them differs widely and no two streets are the same. The three pairs have the most uniform and regular pattern of all the houses in the immediate vicinity.
5. Policy 28 of the North Hertfordshire District Local Plan Saved policies 2007 is relevant in this case. It requires residential extensions to be sympathetic to the

existing house in terms of height, form and other details. It also sets out a number of criteria for extensions, including that side extensions at first floor or above will normally be refused if they are less than one metre from the boundary where it adjoins a residential property to the side. The National Planning Policy Framework (the Framework) encourages high quality design, but advises Councils against being unduly restrictive when considering development forms or styles.

6. The proposal is for a first floor extension above the garage, which appears to have been converted to living accommodation, and above part of the single storey rear extension. Its front wall would be on the same building line as that of the converted garage and slightly in front of a vertical line from the apex of the main roof. It would be set well back from the main front wall of the house and the general building line of the other semis on this side of the street.
7. In my opinion, the proposal would be sympathetic to the existing house because it would be relatively modest in size. It would not be readily visible from viewpoints along most of the street because of its set back and because the roof would be considerably lower than the ridge of the main house.
8. The side extension would be directly on the side boundary. This would not be strictly in accordance with the requirements of policy 28. However, the requirement for a set away is not substantiated in the policy and I have no reasoned supporting text for it before me. The available width of the plot is relatively narrow and a one metre reduction in the width of the first floor would result in a considerable reduction in the usefulness of the internal space.
9. In this context, I consider that the proposal would not have an unacceptable effect on the character of the street, particularly as it would only be visible from viewpoints close to or directly in front of the house. Even if, as the Council suggests, the neighbouring property were extended in a similar fashion, any terracing effect would be limited to those viewpoints because of its set back from the road and this small group would not lose its identity as separate semi-detached houses.
10. I conclude that the proposal would not harm the character and appearance of the existing house itself nor the wider area. It would not be contrary to policy 28 and would be consistent with the advice in the Framework.
11. For the reasons given above and having regard to all matters raised, the appeal is allowed.

### **Conditions**

12. I have considered the conditions put forward by the Council, having regard to the tests set out in the Framework. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. A condition relating to the materials to be used is necessary and reasonable in order to ensure the satisfactory appearance of the development.

*PAG Metcalfe*

INSPECTOR