



Appeal Decision

Site Visit made on 22 June 2021

by **Graham Wyatt BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th July 2021

Appeal Ref: APP/X1925/D/21/3270152

6 Cubitt Close, Hitchin SG4 0EL

- 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 K Haer against the decision of North Hertfordshire District Council.
 - The application Ref 20/02902/FPH, dated 9 December 2020, was refused by notice dated 25 January 2021.
 - The development proposed is described as a “proposed ground floor rear conservatory”.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council has referred to policies in the emerging Local Plan. However, the Council has not provided information on the extent and content of any unresolved objections to the plan, nor how these may affect the policies to which it has referred. Therefore, whilst I have had regard to them, these policies carry limited weight.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site sits within a small cul-de-sac within a larger estate that is generally residential in character and contains a variety of style and size of property. The proposal seeks to erect a conservatory to the rear of the main dwelling.
5. The existing dwelling is larger than the other properties in the cul-de-sac, and indeed most of those that are in the vicinity of the appeal site. The property has benefitted from previous planning permissions to extend the building, which includes an existing conservatory attached to the rear of the dwelling. Although I acknowledge that the proposal seeks to remove the existing detached conservatory from the site, the proposed development nonetheless is much larger and adds additional bulk onto a building that has already been extensively enlarged.
6. Therefore, the existing building is quite large in comparison to its plot size and the extension of the dwelling through the proposed conservatory would only serve to exacerbate the overall massing of the dwelling. This would result in an

unsympathetic addition that would be generally harmful to the host property and the character and appearance of the area, and would be clearly visible from surrounding dwellings.

7. Thus, the development would harm the character and appearance of the area. It would be in conflict with Policies 28 and 57 of the North Hertfordshire District Local Plan 1996 and paragraph 127 of the National Planning Policy Framework, which seek, amongst other things, house extensions are sympathetic to the existing dwelling.

Other Matters

8. I note the appellant's desire to create a space with light and air for his elderly father to utilise. However, whilst acknowledging the benefits that would result in this respect, these are not sufficient to outweigh the harm that I have identified.
9. Representations were made by a neighbour raising additional concerns. However, given my findings on the main issues, it is not necessary to consider these matters in detail.

Conclusion

10. Thus, for the reasons given above, I conclude that there are no material considerations of such weight as to indicate that a decision be taken other than in accordance with the development Plan. Therefore, the appeal is dismissed.

Graham Wyatt

INSPECTOR