



Appeal Decision

Site visit made on 28 February 2018

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Wednesday 14th March 2018.

Appeal Ref: APP/X1925/D/17/3192071

Rosemary Lodge, High Street, Hinxworth SG7 5HF

- 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 G White against the decision of North Hertfordshire District Council.
 - The application Ref 17/02495/1HH, dated 3 October 2017, was refused by notice dated 24 November 2017.
 - The development proposed is the erection of a garage and two-storey extension of an existing dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a garage and two-storey extension of an existing dwelling at Rosemary Lodge, High Street, Hinxworth SG7 5HF in accordance with the terms of the application, Ref 17/02495/1HH, dated 3 October 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A114293-17-01; Site Layout Plan; Existing Plan and Elevations; Layout Plan; Proposed Plans; Proposed Elevations and Garage Details.
 - 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.

Procedural Matter

2. The reason for refusal refers to Policies CGB4 and D2 of the proposed submission version of the Emerging Local Plan 2011-2031. Other than a commentary that the Emerging Local Plan has progressed to examination there is no indication whether these policies are the subject of any objections which remain to be resolved. Further, the Planning Officer's report indicates that they should be given little weight in the determination of this appeal. In any event, these policies reflect the current development plan concerning restricting the scale of extensions in rural areas and promoting design which is in keeping with the host dwelling.

Main Issue

3. It is considered that the main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal property was previously a detached annex building, built as a double garage, but was consented by a Certificate of Lawful Development to be occupied as a self-contained dwelling (Ref No. 11/0397/1EUD). It appears from the planning history that the property is now being occupied as pursuant to the planning permission granted by the Council (Ref No. 14/02754/1) and this consent included a condition withdrawing permitted development rights associated with dwelling houses. If the property is occupied pursuant to the planning permission then the erection of an outbuilding would require consent.
5. The property is not of any particular architectural merit being of utilitarian appearance and is described by the appellant as being of a chalet-style design with a steeply pitched roof. It is accessed via a private drive which also provides access to 2 large bungalows sited within extensive plots. These dwellings and the property are physically part of the built-up area of Hinxworth rather than being isolated buildings within the open countryside which surrounds the settlement. The access drive and these properties define the settlement's verdant and spacious eastern edge when viewed across the adjacent field from either the road or public rights of way. From these viewpoints the scale and bulk of the property means it already has a physical and visual presence.
6. The proposed development also includes the erection of a 2-storey side extension which, in part, would redevelop an existing wooden stable building and concrete surfaced areas. Policy 30 of the North Hertfordshire District Local Plan No. 2 with Alterations (LP) states that, in respect of dwellings anywhere in the countryside outside excluded or selected villages, the Council will, amongst other things, normally refuse proposals for their replacement or extension if a materially greater impact would result. Also, extensions will normally be refused if they result in a size, scale and design out of keeping with the original building and give the effect of a new building. Hinxworth is not a defined village for the purposes of this policy.
7. By reason of the proposed 2-storey extension's scale, the enlarged property dwelling would have a greater physical and visual presence because of the increased bulk. However, the design of the proposed extension would reflect the chalet-style of the property, including the steeply pitched roof and the comparable ridge and eaves heights. The proposed dormers would respect the general form of the enlarged property. The scale of the resulting property, particularly its footprint, would not be at variance with the 2 adjacent large dwellings. This footprint would include the stable building and concrete surfaced areas. However, if this appeal succeeds, it would be necessary for the external materials of the proposed extension, and garage, to match those of the property and this could be secured by a condition.
8. Although the presence of the enlarged property could be more noticeable from the north east because some of the boundary vegetation may need to be removed, overall it would not have a materially greater impact on the character

and appearance of the surrounding area when viewed from the road. From the public right of way, the enlarged property would be viewed in the context of the other built forms of development in this part of Hinxworth, including the dwellings fronting Homefield.

9. For these reasons and in this specific case, the design and scale of the proposed extension would not be so out of keeping with the original property to either give the effect of a new building or cause harm to the character and appearance of either the surrounding area or the host property.
10. There would be additional built development within the proposed curtilage of the property associated with the erection of the double garage. However, there would be sufficient separation between the proposed garage and enlarged property to maintain the spacious and verdant appearance of the eastern edge of the built-up area. When assessed as a whole, the appeal scheme would be appropriate to its context and would relate sympathetically to the property's location adjacent to the open countryside.
11. The property is located within the Hinxworth Conservation Area. No details of why the Conservation Area was designated have been provided but, from what was observed during the site visit, the heritage significance is particularly associated with the residential and other predominantly 2-storey buildings of traditional construction and materials, together with associated open spaces, fronting High Street and Chapel Lane. There is more recent residential development fronting Homefield which does not share the same characteristics. This difference of character equally applies to the property and adjacent dwellings. In any event, the Council has not identified that the proposed development would either harm the significance of this designated heritage asset or fail to at least preserve the character and appearance of the Conservation Area. There are no reasons for me to depart from the Council's assessment.
12. For the reasons given, it is concluded that there would be no unacceptable harm caused to the character and appearance of the host property and the surrounding area and, as such, it would not conflict with LP Policy 30 and the National Planning Policy Framework's (the Framework) core principle of securing high quality design.

Conditions

13. The Council has suggested a number of conditions in the event this appeal succeeds which have been assessed against the test in the Framework and the Planning Practice Guidance. For reasons of proper planning and the avoidance of doubt, a condition is necessary for the appeal scheme to be erected in accordance with the approved plans. A condition to control external materials is necessary for the reasons already given. Accordingly, and taking into account all other matters, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR