
Appeal Decision

Site visit made on 15 November 2016

by Mike Hayden BSc DipTP MRTPI

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

Decision date: 7 December 2016

Appeal Ref: APP/Y1945/D/16/3157024
123 Hempstead Road, Watford WD17 3HF

- 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 B. Gill against the decision of Watford Borough Council.
 - The application Ref 16/00540/FULH, dated 15 April 2016, was refused by notice dated 13 June 2016.
 - The development proposed is two storey rear and side extension, replacement roof with roof lights and two dormer windows to the rear, alterations to existing front elevation including raising of front gable and aligning section of external wall at first floor with wall at ground level incorporating new partial dormer window and alteration to fenestration to front elevation, all following demolition of garage building.
-

Decision

1. The appeal is allowed and planning permission is granted for a two storey rear and side extension, replacement roof with roof lights and two dormer windows to the rear, alterations to the existing front elevation including raising of the front gable and aligning the section of external wall at first floor with the wall at ground level incorporating a new partial dormer window and alteration to fenestration to the front elevation, all following demolition of the garage building at 123 Hempstead Road, Watford WD17 3HF in accordance with the terms of the application, Ref 16/00540/FULH, dated 15 April 2016, 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: CHQ.15.11649-01, CHQ.15.11649-02 and CHQ.15.11649-03.
 - 3) The materials to be used in the construction of the external surfaces of the extensions and alterations hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues in this appeal are the effects of the proposed development on:
 - the character and appearance of the site and the surrounding area; and on
 - the living conditions of the occupiers of the neighbouring properties at 121 and 125 Hempstead Road, with particular regard to outlook, daylight and sunlight, and privacy.

Reasons

Character and Appearance

3. The appeal property is a detached, two storey house, situated on a large plot on the western side of Hempstead Road. It is set well back from the street, behind a mature hedge and a deep front garden. Hempstead Road is characterised by similarly well proportioned, detached properties on spacious plots set back from the street within maturely landscaped gardens. Spacing between buildings varies, but in many cases houses occupy much of the plot width. Dwellings display a variety of designs, with hipped, gabled, mansard and crown roofs. Complementary brick and tile facing materials, together with a consistent building line and eaves height provide a degree of architectural uniformity to the street scene.
4. The proposed extensions would alter the design and appearance of the appeal dwelling. I note in particular that the roof would change from part mansard and gabled to a hipped crown roof and the house would extend across the width of the plot at two storeys to within 1 metre (m) of the side boundaries. However, neither of these changes would be uncharacteristic of other properties in Hempstead Road. The resulting dwelling would present a balanced and well-proportioned front elevation to the street, with a central projecting gable. The hipped roof and eaves height would complement the adjoining properties at 121 and 125 Hempstead Road, both at the front and rear. Materials are proposed to match those on the existing dwelling, which could be secured by condition and would blend with the palette of materials seen along the street.
5. I acknowledge that the proposed extensions would substantially increase the overall size of the house. However, the property sits on a substantial plot, which is capable of accommodating the scale of building proposed, without compromising the essential qualities and character of the area. The resulting dwelling would be separated by a gap of 2m from the house at no. 121 and a gap of around 4.5m at first floor level from no. 125. The introduction of a hipped roof would also add to the space between the properties. The presence of other similarly designed and proportioned houses along the street, such as the extended dwelling at 117 Hempstead Road, illustrate that the appeal property as proposed to be extended would not be out of place within the street scene overall.
6. I have considered the degree to which the proposed extensions reflect the design principles set out in the Watford Residential Design Guidance (2014) (the RDG). I note the emphasis on extensions respecting the character and scale of the host building, including the expectation of a 1m set back from the front elevation to achieve a subordinate design. However, in this case, the package of proposed extensions and alterations would create a new house design, which I have found to be acceptable in terms of its relationship with other properties in the street. The design of the main façade with its projecting gable and the 1.5m set back from the front elevation of no. 121 would avoid a "terracing effect" along this part of the street.
7. Although paragraph 8.5.2 of the RDG suggests that two-storey rear extensions beyond 3m in depth are unlikely to be acceptable, this appears to be principally a concern in relation to the effect on the living conditions of neighbours, which I consider below. However, in terms of its effect on character and appearance, the same paragraph of the RDG also notes that exceptions to this guideline

could include detached houses with larger gardens. In this case, the size of the proposed extensions and the scale of the resulting dwelling would not appear out of scale with the dimensions of the appeal plot or its neighbours.

8. I also note the Council's concern about the dormer windows proposed on the rear elevation. However, they would be modestly proportioned in relation to the size of the roof and appropriately positioned within the roof slope, in line with guidance in paragraph 8.12.3 of the RDG. Although they would be flat rather than pitch roofed, the submitted plans suggest this would harmonise with the proposed crown roof.
9. On this basis, I conclude that the proposed development would not cause unacceptable harm to the character and appearance of the appeal site or the surrounding area. Consequently, the proposal would accord with Policy UD1 of the Watford Local Plan Core Strategy (2013) (the Core Strategy), which expects new development to respect and enhance the character of the area. It would also be consistent with paragraph 58 of the National Planning Policy Framework (the Framework), which seeks to ensure that developments reflect the identity of local surroundings.

Living Conditions

10. The proposed rear extension would extend around 4.5m from the rear wall of the existing house at two storeys in height. I acknowledge this would exceed the 3m guideline in the RDG. However, the rear wall of the two storey part of the house at no. 121 projects around 1m beyond the existing rear wall of no. 123. As such the rear extension to the appeal property would project approximately 3.5m beyond the first floor rear facing windows of no. 121. The submitted plans show that as a result the rear extension would not interfere with a 45 degree angle of view from the first floor rear facing windows of no. 121. The RDG indicates that compliance with the 45 degree rule ensures that adequate levels of daylight and sunlight can be maintained. This also suggests that the outlook from the first floor windows of no. 121 would not be unduly harmed.
11. At ground floor level, the proposed extension would project around 1m beyond the rear wall of the single storey extension to no. 121. Therefore, daylight and sunlight to and outlook from the main south-west facing windows serving the ground floor habitable rooms of no. 121 would be largely unaffected. I did note that the extensions would affect both outlook from and daylight to the windows in the north-west facing side wall of no. 121. However, given that these are secondary windows, the overall loss of daylight and harm to outlook for the occupier of no. 121 would not be unacceptable.
12. With regard to the effects of the rear extension on the living conditions of the occupiers of no. 125. Whilst the extension would project 4.5m beyond the rear wall of no. 125, it would be around 4.5m away. As a result the 45 degree rule would be satisfied in respect of daylight and sunlight to and outlook from the rear facing habitable room windows of no. 125.
13. I have also considered the effect of the rear extension on sunlight to and the outlook from the rear gardens and terraces of nos. 121 and 125. However, the rear terrace no. 121 lies to the south of the appeal property and as such sunlight to it would not be affected by the proposed extension. Although the extension would be to the south-east of the rear garden terrace to no. 125, the submitted plans suggest that it would not affect sunlight to no. 125 much after

mid-day. Whilst the proposed extensions would be visible from the rear gardens of no. 121 and 125, both properties benefit from long gardens and an open aspect to the rear. Therefore, any increased sense of enclosure which may be experienced at the side of the rear terraces of nos. 121 and 125 as a result of the proposed rear extension, would not significantly affect the overall outlook from and sense of space within the back gardens of both properties.

14. Finally, I note concerns have been raised about the potential for loss of privacy for adjoining properties arising from the proposals. However, there are no upper floor windows shown in the side elevations of the proposed extensions. Although ground floor side facing windows are proposed any overlooking would be limited by boundary enclosures. Therefore, there would be no loss of privacy to habitable room windows to nos. 121 and 125. Windows facing to the rear would only overlook the end of the neighbouring gardens, which would constitute a normal relationship between adjoining residential properties.
15. Accordingly, I conclude that the proposed development would not cause unacceptable harm to the living conditions of the occupiers of the neighbouring properties at 121 and 125 Hempstead Road, with particular regard to outlook, daylight and sunlight, and privacy. Consequently, it would comply with Policies UD1 and SS1 of the Core Strategy which seek to protect residential amenity and would accord with paragraph 17 of the Framework, which seeks to secure a good standard of amenity for all existing occupants of land and buildings.

Other Matters

16. Concerns have been raised about the potential loss of trees and increase in parking and traffic. However, no trees in the front and rear gardens of the appeal property or neighbouring properties appear to be threatened by the proposed side and rear extensions. Whilst I recognise that the increased size of the property could accommodate a large family, any additional car parking associated with the domestic use of the property should be acceptable in a residential area.

Conditions

17. I have considered which planning conditions are required having regard to the tests contained in the Planning Practice Guidance (PPG) and the conditions suggested by the Council. I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. I have also included a condition requiring the external materials on the extension to match those of the existing house in order to respect the appearance of the host property and the street. I note the request by the Highway Authority for a condition requiring a construction management plan, but do not consider this is necessary as the appeal site provides adequate space for the storage of materials and parking of construction vehicles for a development of the size proposed.

Conclusion

18. For the reasons given above and taking account of all other matters, I conclude that the appeal should be allowed, subject to the conditions specified.

M Hayden

INSPECTOR