
Appeal Decision

Site visit made on 25 January 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 03 February 2017

Appeal Ref: APP/N1920/D/16/3163302
34 Grange Road, Elstree WD6 3LY

- 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 P Kotecha against the decision of Hertsmere Borough Council.
 - The application Ref 16/1587/HSE, dated 12 August 2016, was refused by notice dated 10 October 2016.
 - The development proposed is a two storey side and rear extension and new outhouse.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's decision notice did not set out the reasons for planning permission being refused. I have therefore interpreted the Council's putative reasons for refusal from the officer report. These are the effect of the development on the character and appearance of the street scene and the living conditions of neighbouring residents and future occupiers.

Main Issues

3. The main issues are the effect of the development on i) the character and appearance of the host property and wider street scene; ii) the wellbeing of trees in the rear garden of the host property and iii) the living conditions of existing residents and future occupiers having particular regard to outlook and light.

Reasons

Character and Appearance

4. The appeal site is a semi-detached dwelling situated within a large residential estate of two storey houses and bungalows in various architectural styles.
 5. The dwelling has forward projecting bay windows serving main front rooms with a single storey garage in a recessed position to the side. The adjoining dwelling is similarly designed which provides the pair with a sense of symmetry. Whilst the proposed two storey extension to the side and front of the property, which would be very large, would disrupt this symmetry, the wider street scene is comprised of a variety of dwelling forms and designs. The loss of symmetry would not therefore interrupt any strong sense of uniformity or visual rhythm along the street.
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6. Notwithstanding this, the side and front extension would be constructed level with the bay windows in the main front elevation and significantly forward of the adjacent bungalow at No 36 Grange Road. The extension would therefore appear as an imposing and excessively dominant structure, that would not respect the scale of the original dwelling and would visually jar with the smaller scale of its neighbour in what is a prominent part of the street scene.
7. I conclude, for this reason, that the proposal would result in harm to the character and appearance of the host dwelling and wider street scene. Accordingly it would conflict with Saved Policies H8 and D21 of the Hertsmere Local Plan 2003 (LP), Policy CS22 of the Hertsmere Core Strategy 2013, Policy SADM31 of the Site Allocations and Development Management Policies Plan 2015 (SADM), the Council's Planning and Design Guide 2006 (PDG) and the National Planning Policy Framework (the Framework) insofar as they seek to promote good design that respects the character of its surroundings.

Trees

8. The proposed outbuilding would be situated in very close proximity to two tall mature trees. The Council acknowledges that the trees in question may have 'veteran' status and that if the development were to proceed a condition to secure tree protection measures would be sought.
9. It seems to me that the trees have significant visual amenity value. However from the information before me and my visit it was unclear whether the proposed outbuilding would be sited outside the relevant root protection areas. To conclude on this matter, I am therefore not persuaded that the proposed siting of the outbuilding would safeguard the trees in question and therefore avoid harm to visual amenity.

Living Conditions

10. The proposed two storey rear extension, though relatively large would be significantly set in from and to the north of the side boundary with No 32. It would also leave undeveloped a substantial amount of garden to the rear of No 34. The extension would not therefore result in significant overshadowing or loss of daylight to those gardens.
11. The proposed single storey rear extension would however adjoin the boundary with No 32 and the appellant does not dispute that it would breach a line drawn at 45 degrees from the nearest ground floor window in the rear elevation of that property. This arrangement would therefore conflict with rule of thumb guidance in the PDG intended to assess the impact of new extensions on outlook and light. Taking into consideration an existing single storey extension to the rear of No 32, the proximity of the proposed extension would significantly enclose visibility from the aforementioned rear window in No 32 which would result in an overbearing impact on outlook and harm to daylight for residents of that property.
12. Drawing the above considerations together, whilst the proposal would not result in unacceptable living conditions for the future occupants of No 34, the proposed single storey rear extension would cause harm to the living conditions of existing residents at No 32 having particular regard to outlook and light. It would therefore conflict with Saved Policy H8 of the LP, Policy SADM31 of the

SADM, the PDG and the Framework which seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Other Matters

13. The appellant has referred to various properties in the locality that he regards as having implemented similar proposals to that proposed in this case. However from my visit it was apparent that Nos 21 and 36 Grange Road are bungalows and that No 14 Bishops Avenue is situated in a street corner location. These properties are quite different in form or context, compared to the appeal site and not therefore comparable to the circumstances of the current proposal. I noted from my visit that the house at 1a Lodge Avenue projects forward of the adjacent bungalow, however I have not been provided with any background information regarding this case. In any event this development is some distance from the appeal site and would not justify the harm I have identified above.
14. The appellant argues that the proposed development would enhance the value of his property. Whilst this may be the case, this is a matter of private interest to which I cannot give any weight in favour of granting planning permission.

Conclusion

15. For the above reasons and having had regard to all other matters raised, I conclude that the appeal should not succeed.

Roy Merrett

INSPECTOR