
Appeal Decision

Site visit made on 17 January 2017

by Julia Gregory BSc (Hons), BTP, MRTPI, MCMI

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

Decision date: 06 February 2017

Appeal Ref: APP/P1940/D/16/3161323

9 Quickley Lane, Chorleywood, Hertfordshire, WD3 5AB

- 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 Davison against the decision of Three Rivers District Council.
 - The application Ref 16/1176/FUL, dated 6 January 2016, was refused by notice dated 28 July 2016.
 - The development proposed is a two storey side extension and alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and alterations at 9 Quickley Lane, Chorleywood, Hertfordshire, WD3 5AB in accordance with the terms of the application, Ref 16/1176/FUL, dated 6 January 2016, 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: 15069/1, 15069/2 and 15069/3C.
 - 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.
 - 4) Before the first occupation of the extension hereby permitted the window on the first floor east flank elevation shall be fitted with obscure glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window shall be permanently retained in that condition thereafter.
 - 5) Before the first occupation of the extension hereby permitted the rooflight in the west roofslope shall be positioned at a minimum internal cill height of 1.7m above the internal floor level. It shall be permanently retained in that position thereafter.
 - 6) Before the first occupation of the extension hereby permitted, a scheme including the provision of one bat box and a landscaping scheme incorporating bat friendly planting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with a timetable approved by the Local Planning Authority and shall be retained thereafter.
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Main Issues

2. The main issues are the effect on the character and appearance of the area including the settings of the Chorleywood Common Station Estate and Chorleywood Common Conservation Areas; and the effect on any bats that may be living in the area.

Reasons

Character and appearance

3. No 9 is one of a pair of semi-detached two storey dwellinghouses on a short stretch of four pairs of dwellings in Quickley Lane. The dwellings are sited on land much higher than the carriageway. The footway serving these properties is on the higher land rather than next to the carriageway. Properties on the opposite side of Quickley Lane near the site are well set back from the highway on lower land within the Station Estate Conservation Area. The Chorleywood Common Conservation Area boundary adjoins the end of Quickley Lane.
4. The National Planning Policy Framework (the Framework) identifies that the significance of a heritage asset can be harmed or lost through development within its setting. The Three Rivers Development Management Policies Local Development Document (DMP) Policy DM3 specifies that permission will not be granted for development which affects the setting, character, appearance of or views into or out of that conservation area.
5. I acknowledge that the extension would significantly increase the width of the property. Nonetheless, the extension by maintaining the height of the main roof and incorporating a catslide front roof design, similar fenestration and materials, including wavy edged timber cladding at first floor, would reflect the design of the existing pair. This would avoid the whole composition looking unbalanced. The front dormer window would be set in from the front projecting extension. Because of this and its small size, it would not have a significant or harmful effect on the overall design.
6. Furthermore, there are trees within the frontages of the properties so that the pair cannot be readily viewed in combination. Instead, the design composition, would, sitting amongst the four pairs of dwellings well back from the footway, have a neutral effect on the character and appearance of the area.
7. Although symmetry would be affected by extending No 9 when No 11 is not similarly extended, the eye would not be readily drawn to this when walking close to the site.
8. There is an established hedgerow at the top of the steep bank onto Quickley Lane and so although there are currently significant gaps between properties to their boundaries, these are not significant to the setting of the conservation areas because of the screening effect of the hedgerow, and also because of the difficulty in seeing up to the set back properties from public vantage points below.
9. The Council has not indicated any points from which views are a particular concern and having viewed from both conservation areas where closest to the site, and also looked out from the front boundary of the property, I am satisfied that the setting of neither would be adversely affected.

10. Although the extension would be set on much higher land to the nearby conservation areas, and appreciating that landscaping and topography is part of their significance, the development would not harm that significance.
11. For the reasons that I have already given, in all the circumstances, I conclude that the development would not harm the character and appearance of the area including the settings of the Chorleywood Common Station Estate and Chorleywood Common Conservation Areas. I conclude therefore that the development would not conflict with Policies CP1 and CP12 of the Core Strategy, or policies DM1, DM3 or Appendix 2 of the DMP.

Bats

12. When considering planning applications the Framework indicates that the aim should be to conserve and enhance biodiversity. The application was accompanied by a Preliminary Roost Assessment which did not find any direct evidence of any roosts but did not rule out the possibility and recommended a further survey.
13. A Bat Emergence Survey has been carried out on 28 July 2016 which found no evidence of bats roosting in the building. There was evidence of bats foraging in the garden and nearby. There is no suggestion that bats would be adversely affected directly by the extension. Nonetheless, since there would be some small loss of garden area which is used for foraging, I consider that some measures based on the report should be undertaken in the interests of biodiversity.
14. On that basis, I conclude therefore that policies CP1 and CP9 of the Core Strategy and Policy DM6 of the DMP would not be contravened.

Conditions

15. I have considered the conditions suggested by the Council and have made slight alterations where necessary in the interests of complying with the provisions of the Framework.
16. Plans should be specified by condition in the interests of the proper planning of the area and for the avoidance of doubt. Matching materials are required in the interests of the character and appearance of the area. Conditions in respect of obscure glazing and/or cill height positioning are necessary to ensure privacy for the occupiers of neighbouring properties.
17. I have simplified the requirements for a bat box and planting, specifying instead a scheme to be submitted and approved to the Council, based on the suggestions of the appellant.

Conclusions

18. For the reasons given above I conclude that the appeal should be allowed.

Julia Gregory

Inspector