

Appeal Decision

Site visit made on 13 February 2017

by Ray Wright BA(Hons) DipTP MRTPI

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

Decision date: 06 March 2017

Appeal Ref: APP/N1920/D/16/3161566
35 Wetherby Road, Borehamwood, WD6 4LH

- 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 ANFU against the decision of Hertsmere Borough Council.
 - The application Ref 16/1370/HSE was refused by notice dated 16 September 2016.
 - The development proposed is 'erection of single storey side extension.'
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey side extension at 35 Wetherby Road, Borehamwood, WD6 4LH in accordance with the terms of the application, Ref 16/1370/HSE , dated 3 July 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: Site Plan, 001, 002, 003, 004, and 005.
 - 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 Council's 'Site Allocations and Development Management Policies Plan' (SADM) was adopted in November 2016 after the decision, the subject of this appeal, was made. This has resulted in the Policy SADM31 quoted in the Council's decision being re-numbered SADM30 in the adopted plan. I have taken into account these changes in this decision.

Main Issues

3. The main issues in this case are the effect on the living conditions of adjoining occupiers, having particular regard to 248 Theobald Street and the effect on the character and appearance of the area.
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Reasons

4. The appeal relates to a two storey dwelling fronting Wetherby Road, located on a corner plot with front and side garden areas. To the rear it is attached to 248 Theobald Street.

Living Conditions

5. One of the principles of the National Planning Policy Framework (Framework) is to seek a good standard of amenity for all existing occupiers of land and buildings. Policy SADM30 of the SADM sets out design principles and similarly indicates a development must have limited impact on the amenity of neighbours and its surroundings in terms of, amongst other matters, outlook. Further guidance is given in the Planning and Design Guides: 'Part D Guidelines for Development' 2013 and 'Part E: Guidelines for Residential Extensions and Alterations' 2006 (SPD's).
6. The proposed development is a single storey extension, which would be in line with a recessed section of the rear wall. The extension would have a limited height rising to around 2.8 metres and a width of 3 metres.
7. I recognise that the proposal would breach the Council's normal standard relating to a 45 degree line drawn from the rear of the adjoining property at no 248 Theobald Street. However, a gap of over 2 metres would be retained between the extension and the garden boundary with no 248. This boundary is defined by a high close boarded fence. While a conservatory is located to the rear of no 248, the side windows only rise a limited amount above the fence. To my mind, due to the form of the extension, its siting, and the relationship with the adjoining property, there would be a minimal impact on the outlook from the adjoining property in this case, and no material harm to the living conditions of the occupiers. As such, I find no conflict with the Framework, Policy SADM30 of the SADM or SPD's.

Character and Appearance

8. Due to its limited height and width the extension would represent a relatively low key addition to this dwelling.
9. While the extension would project forward of the house, to align with the front of the current porch, its scale and design would not overly disrupt the original form of the property and would still represent a subordinate addition. It would suitably integrate with the main building and, as proposed, remain in scale and proportion with it.
10. The road frontage of the site is bounded by a hedge which has close board fencing behind it where it encloses the main garden area. Consequently, the proposed extension would, currently, not be clearly visible from the public realm. Even if the hedge were to be removed in the future, to my mind, due to its position, size and form, it would not be an overly prominent or dominant feature on the plot or within the street scene.
11. I conclude the development would not be harmful to the overall character and appearance of the area. As such there would be no material conflict with the high quality design requirements of the Framework, Policy CS22 of the

Hertsmere Local Plan Core Strategy 2013 (CS), Policy SADM30 of the SADM or SPD's.

Conditions

12.The Council put forward 3 conditions should the appeal succeed. The standard commencement condition is required. To fully integrate the extension with the existing house and to ensure the details are appropriate for this location, it is important that suitable matching external finishes are used. Therefore, a condition requiring proposed external materials to match the existing is reasonable and necessary. A condition referring to the relevant plans is also required for certainty.

Conclusion

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

Ray Wright

INSPECTOR