
Appeal Decision

Site visit made on 31 October 2017

by Mrs J Wilson BA BTP MRTPI DMS

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

Decision date: 21st November 2017

Appeal Ref: APP/P1940/D/17/3180984

90 Roman Gardens, Kings Langley, Hertfordshire WD4 8LP

- 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 Miss Christine Evans against the decision of Three Rivers District Council.
 - The application Ref 17/0830/FUL, dated 18 April 2017, was refused by notice dated 15 June 2017.
 - The development proposed is a first floor level extension with retained space at ground floor level and internal alterations.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Miss Evans against Three Rivers District Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the area, and the safe movement and free flow of traffic on the highway.

Reasons

Character and appearance

4. The property is located on a modern estate occupying a position in the street scene where the gabled side elevation is angled towards the road. This means the corner of the building is prominent, particularly from the north-west. Whilst a number of properties in the area have been extended with similar first floor arrangements above ground floor parking spaces, they generally follow existing roof forms and integrate with the host buildings in a harmonious way.
5. The property has already been extended with a two storey side extension which is set back from the front elevation and has a ridge set lower than that of the main building. The current proposal would link to this extension in the space between the side elevation and the original house. Whilst the bulk of the addition would be in keeping with the property and its surroundings and would not overdevelop the site, the valley gutter and secondary pitched roof would appear as a separate, prominent, contrived and incongruous addition which

would be out of keeping with the main roof and the existing extension. This arrangement would detract from the appearance of the property and be at odds with, and harmful to, the prevailing form and design characteristics of dwellings in the area.

6. For these reasons, I conclude that the proposed development would materially harm the character and appearance of the area. The proposal would conflict with Policies CP1 and CP12 of the Three Rivers District Council Core Strategy (2011) (Core Strategy) and Policies DM1 and Appendix 2 of the Development Management Policies Local Development Document (2013) (LDD). Together these policies seek to protect and enhance the built environment, seek high standards of design in the local context, enhance the quality of the area and seek designs which do not detract from the character or appearance of the original property.

Highway safety

7. The dwelling is currently served by one car parking space. This provision would not change as a result of the development as the scheme features an open area beneath the new bedroom to retain the parking space. Whilst the space is substandard in its length, it is the same size as that agreed by the Council when the existing side extension was granted permission. The proposed extension would span the existing parking space and provide in excess of 3 metres width for the space to be satisfactorily accessed, so would not impede the use of this space. Similarly the method of accessing the space would remain as at present.
8. The parking requirement for a three bedroomed dwelling is 2 assigned spaces. However, Policy DM13 of the LDD provides for zone-based reductions to be made within a range of 50% - 75% of the indicative standard may be acceptable. This means that in this location the existing provision of 1 space for a three bedroom dwelling could be acceptable.
9. The appellant refers to a number of properties on Roman Gardens where extensions have increased the parking requirement but have only one parking space, and which the Council accepted was sufficient given the accessible nature of the location. On-street parking in Roman Gardens is also restricted to permit holders during the day with permits available to local residents. The Council have provided a car parking permit for the appellant for personal reasons, a matter to which I will return.
10. In the light of the retained parking provision, together with the circumstances outlined above, I conclude that the parking arrangements would not prejudice the safe movement and free flow of traffic on the highway. As such, the proposal would not conflict with those aspects of Policies CP1, CP10 and CP12 of the Core Strategy or Policies DM1 and DM13 and Appendices 2 and 5 of the LDD in so far as they relate to parking.

Other Matters

11. The appellant has outlined medical circumstances which require individual accommodation for her two children who currently have to share a bedroom. The proposal is supported by the Council's housing department and the extension is eligible for a Disabled Facilities Grant from the Authority and the provision of an on-street parking permit. Reference is also made to an

occupational therapy report, supported from the NHS Community Heath Trust along with support for the proposal from the appellants' Member of Parliament. I also note the appellants desire to modify her existing accommodation in order that she can remain in her own home and not place additional pressure on social housing in the district. In the best interests of both children, I agree these are matters which weigh significantly in favour of the development.

Planning Balance

12. I acknowledge and have considered very carefully the personal circumstances and the various benefits including the best interests of both children as outlined in the Planning Practice Guidance¹ that would arise for the appellant's family from the proposed extension. However personal circumstances will seldom outweigh the more general planning considerations as works of a permanent nature will remain long after the personal circumstances have ceased to be material. I do not consider that the personal circumstances in this case are sufficient to outweigh the harm arising from this particular design approach which would be caused to the area's character and appearance if the appeal were to be allowed.

Conclusion

13. For the reasons given and having had regard to all other matters raised, including the lack of objection from local residents and the Parish Council, the appeal should be dismissed.

Janet Wilson

INSPECTOR

¹ Paragraph: 028 Reference ID: 21b-028-20150901