



Appeal Decision

Site visit made on 17 July 2019

by Ian McHugh Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 August 2019

Appeal Ref: APP/P1940/D/19/3222654
73 Valley Road, Rickmansworth, WD3 4BL

- 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 Duggal against the decision of Three Rivers District Council.
 - The application Ref 18/2247/FUL, dated 9 November 2018, was refused by notice dated 15 January 2019.
 - The development proposed is the partial demolition of existing dwelling and erection of two storey and single storey front, side and rear extensions, loft conversion including increase in ridge height and provision of side and rear dormer windows and alterations to external materials and fenestration detail.
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Decision

1. The appeal is dismissed.

Main Issue

These are:

2. The effect of the proposal on the character and appearance of the existing dwelling and on the streetscene; and
3. The effect of the proposal on the living conditions of the occupants of neighbouring dwellings, with particular regard to overlooking from the proposed first floor rear balcony

Reasons

Character and Appearance

4. The appeal property is a detached, two storey dwelling, which is situated in a residential area. In the vicinity of the appeal site, a distinctive characteristic of the area is relatively large detached houses that occupy large plots. The dwellings are generally set-back from the road frontages and as a result, the area has a spacious appearance. The majority of dwellings have been individually designed and they each have their own unique character and appearance. The appeal property is constructed of brick with a tiled hipped roof. It has a projecting gabled feature at the front and it is typical of the period in which it was built.
 5. The proposal is multi-faceted, as described in the heading above. As a result, the appearance, scale and proportions of the dwelling would change substantially.
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6. Policy CP12 of the Council's adopted Core Strategy 2011 (CS), seeks to ensure (amongst other things) that new development is of a high standard of design. In addition, Appendix 2 to Policy DM1 of the adopted Development Management Policies Local Development Document 2013 (DMP) states that extensions should respect the character of the existing dwelling and not be excessively prominent. Further detailed guidance relating to the size of extensions and distance to boundaries is also given.
7. The proposed extensions would accord with some of the guidance contained in Appendix 2 of Policy DM1 of the DMP, in terms of distances from boundaries and the roof height of the front gable features. However, the proposal would, as a whole, appear somewhat piecemeal and disjointed, due the many different elements. It would also result in a disproportionate addition to the existing dwelling, because of its increased roof height and its overall bulk and depth.
8. In addition, despite the side extension being set-in from the side boundary, as required by Appendix 2 of Policy DM1, I consider that increase in width of the dwelling would partly erode the current spacious appearance of the dwelling on the site, which would be harmful to the streetscene.
9. The appellants have drawn my attention to other extended properties in the local area. However, I have dealt with the appeal proposal on its own merits.
10. Accordingly, for the reasons given above, I consider that the proposal would be unacceptably harmful to the character and appearance of both the existing dwelling and the streetscene. It would, therefore, conflict with the provisions of the Development Plan, as referred to above.

Living Conditions

11. The proposal includes a first floor rear balcony, which would be accessed from a bedroom. Although the balcony would be relatively small, the Council considers that it would pose a threat to the privacy of the occupants of the dwellings on either side at numbers 71 and 75 Valley Road (numbers 71 and 75). As such, the Council states that the proposal would conflict with Policy CP12 of the CS and with Appendix 2 of the DMP. These state that development should protect residential amenity and prevent overlooking.
12. At my site visit, I viewed the appeal proposal from the rear gardens of both numbers 71 and 75. I consider that there would be some threat to the privacy of the occupants of these properties, and in particular to the occupants of number 71 when they are sitting on their rear patio area. The effect on number 75 would be less, because of the greater separation distance between the balcony and the site boundary.
13. However, I consider that the threat to privacy could be mitigated by the erection of screening on the sides of the proposed balcony. This could be required by a suitably worded planning condition were the development to be acceptable in all other respects. Accordingly, I do not find against the proposal for this reason.

Conclusion

14. For the reasons given above in relation to character and appearance, it is concluded that the appeal should be dismissed.

Ian McHugh

INSPECTOR