



Appeal Decision

Site visit made on 27 March 2019

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 August 2019

Appeal Ref: APP/N1920/D/19/3222164

15 Newberries Avenue, Radlett WD7 7EJ

- 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 John Andrew Thomas Patten against the decision of Hertsmere Borough Council.
- The application Ref 18/2258/HSE, dated 19 November 2018, was refused by notice dated 25 January 2019.
- The development proposed is single storey side & rear and first floor side extensions and new front porch.

This decision is issued in accordance with Section 56(2)(a) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 10th July 2019.

Decision

1. The appeal is allowed and planning permission is granted for single storey side & rear and first floor side extensions and new front porch at 15 Newberries Avenue, Radlett WD7 7EJ in accordance with the terms of the application, Ref 18/2258/HSE, dated 19 November 2018, 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: Proposed Plans 179.5-PLK-02 Rev A.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revising, revoking and re-enacting that Order with or without modification), no windows, doors or other openings other than those expressly authorised by this permission shall be constructed.

Application for costs

2. An application for costs was made by the appellant against Hertsmere Borough Council. This application is the subject of a separate Decision.

Procedural Matter

3. The stated applicant on the application form is a Mr Andrew Patten whereas the stated applicant on the appeal form is a Mr John Patten. The appellant has confirmed these persons to be variants of the appellant's full name. For the avoidance of doubt, this decision refers to the appellant's full name.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area.

Reasons

5. The appeal site is located on Newberries Avenue, which is a residential road predominantly comprising of large detached properties in generous plots. The properties are mostly set back from the road along a fairly uniform building line, although with some there is a greater degree of staggering to the rear of the houses due to their varied depth and prevalence of large rear extensions. The appeal site is typical of Newberries Avenue; comprising a large detached property with rear extensions, with a slight rear set-back from its adjacent neighbours.
6. The proposal is for a two storey side extension, single storey rear extension and a front porch.
7. The side extension would be set back from the front elevation building line, its roof materials and design would match with the host dwelling and it would be less than half its width. The side extension would therefore be proportionate in height and width with the host dwelling. Further, the degree of separation between houses on Newberries Avenue is varied, with several examples of minimal gaps between the sides of houses. The extension would therefore not result in the loss of any separation significant to local pattern or character.
8. The proposed porch would project across the doorway on the front elevation and would have a pitched roof. It is small in scale and proportionate to the size and architectural features of the host dwelling. The porch would not appear out of character with the area, which features a variety of porch designs and scales.
9. The host dwelling has an existing two storey rear extension which extends across half the width of the rear elevation, and a further single storey extension. I observed that the immediately adjacent dwellings feature significant two storey rear extensions; creating a stagger which leaves the extended part of the appeal site level with its neighbours and the original part set-back. Whilst the host dwelling is already extended and the proposed single storey rear extension would extend across the full width of the rear elevation and form a wrap-around with the side extension, it would not appear out of scale with surrounding houses.
10. Since the rear extension would integrate with the existing extensions to form a cohesive design, its depth and mass would remain subservient to the host dwelling whilst maintaining the character of the built context.
11. The proposal would result in a large cumulative extension to the host dwelling, however, for the reasons given above the proposed extensions would have an acceptable impact on the dwelling individually and when taken as a cohesively designed whole. The Design Guide Supplementary Planning Guidance (DG SPG) referred to in Policy SADM30 of the Site Allocations and Development Management Policies Plan 2016 (SADMPP) contains advice in respect of side, rear and porch extensions, as well as wrap-around extensions. The proposal complies with the design aims which the DG SPG seeks to achieve.

12. For these reasons, the proposal would not result in any unacceptable harm to the character and appearance of the host dwelling and surrounding area. It would therefore accord with the Framework as well as Policy SADM30 of the SADMPP, Policies SP1 and CS22 of the Core Strategy 2013 and the guidance contained in the DG SPG insofar as they relate to character and appearance. These policies seek, amongst other things, to ensure sustainable and high quality design which respects and contributes to local character.

Conditions

13. I have had regard to the conditions suggested by the Council. I have imposed a condition specifying the approved plans as this provides certainty. I have imposed a condition restricting permitted development rights in relation to new window or door openings to preserve the living conditions of the occupiers of nearby dwellings.

Conclusion

14. For the reasons given above, the proposal would not result in any unacceptable harm to the character and appearance of the host dwelling and surrounding area. It would comply with the relevant policies of the Development Plan and having regard to all matters raised, I conclude that the appeal should be allowed.

Kim Langford Tejrar

INSPECTOR