



Appeal Decision

Site visit made on 2 September 2019

by M Chalk BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2019

Appeal Ref: APP/N1920/D/19/3231831

20 Studio Way, Borehamwood, Hertfordshire WD6 5NN

- 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 & Mrs I Neary against the decision of Hertsmere Borough Council.
 - The application Ref 19/0481/HSE, dated 23 March 2019, was refused by notice dated 22 May 2019.
 - The development proposed is two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are
 - the effect of the proposed development on the character and appearance of the property and wider area
 - the effect of the proposed development on the living conditions of neighbours, with particular regard to outlook from 22 Studio Way

Reasons

Character and appearance

3. The property is an end-terrace dwellinghouse located on a residential street. There is a space to the side of the house which currently provides access to the main entrance, with gated access to the rear garden. The property has previously been extended with a conservatory to the rear.
4. The spacing to the side of this property appears typical of end of terrace houses in the immediate vicinity of the appeal site. Similar spacing exists at the side of 14 at the other end of this terrace, as well as to the side of 25 immediately opposite the appeal site. These preserve the sense of spaciousness within the street scene.
5. The proposed extension would significantly reduce the space between the side elevation of the property and the boundary. It would be a substantial addition to the side of the house, with only a modest reduction in height from the ridge line to the original house resulting in a bulky and cramped form of development out of keeping with the character of the property and the wider area.

6. The proposal is therefore harmful to the character and appearance of the property and the wider area, contrary to policies SP1, CS22 and CS25 of the Hertsmere Local Plan Development Plan Document Core Strategy January 2013 (the CS), policies SADM30 and SADM40 of the Hertsmere Local Plan Site Allocations and Development Policies Plan November 2016 (the SADP) and guidance in Hertsmere's Planning and Design Guide Supplementary Planning Document November 2006 (the SPD). Taken together these seek to ensure that new development is of high quality design, makes a positive contribution to the built environment and complements the particular local character of the area in which it is located. This is consistent with the National Planning Policy Framework (the Framework) and the design approach of national policy.

Living conditions

7. The proposed extension would reduce the space between the flank elevation of the appeal property and the adjacent terraced properties at the corner of Studio Way and Ealing Close, the rear of which face the appeal site. The extension would lie directly adjacent to the boundary between the properties and present a blank elevation towards the neighbouring properties.
8. While there is an alleyway to the rear of these neighbour properties along the side boundary of the appeal site, the rear garden of 22 Studio Way extends up to the shared boundary with the appeal site. The extension would be a particularly dominant and overbearing presence when viewed from the garden of 22, resulting in harm from loss of outlook due to its height and the lack of separation.
9. The proposal is therefore contrary to policies SP1, CS22 and CS25 of the CS, policies SADM30 and SADM40 of the SADP and guidance in the SPD, which taken together seek to ensure that new development is not harmful to the living conditions of neighbours. It would also be contrary to design criteria in the Framework requiring that development achieve a high standard of amenity for existing and future users.

Other matters

10. The Council has raised no objection to the principle of development in this location, and I agree that the principle of development is acceptable. However, the limited economic and social benefits, including the effective use of land and improving the living accommodation of the host property, do not outweigh the harm identified above.
11. I have had various approvals for extensions in the same street and elsewhere in Hertsmere brought to my attention. I viewed the referenced sites on Studio Way¹ during my site visit and have considered all the evidence submitted with this appeal. I have not been provided with detailed information about the Potters Bar appeal decision, or of the design of the development at 10 Studio Way. Furthermore, the Studio Way permissions were granted before the adoption of the current Hertsmere Local Plan, and the developments at 29 and 37 Studio Way were of significantly different designs to the appeal proposal. Based on this, I consider that significant weight cannot be attached to them in determining this appeal. In any case, each decision must be taken on its own merits, which is what I have done.

¹ At 10, 29 and 37 Studio Way

Conclusion

12. For the reasons set out above, I dismiss the appeal.

M Chalk

INSPECTOR