



Appeal Decision

Site visit made on 4 February 2020

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 February 2020

Appeal Ref: APP/N1920/D/19/3239581
203 Merry Hill Road, Bushey WD23 1AP

- 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 R Madha against the decision of Hertsmere Borough Council.
 - The application Ref 19/1194/HSE, dated 30 July 2019, was refused by notice dated 27 September 2019.
 - The development proposed is demolition of existing detached garage and construction of two storey side extension and part single part two storey rear extension to include 4 roof lights and erection of new detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing detached garage and construction of two storey side extension and part single part two storey rear extension to include 4 roof lights and erection of new detached garage at 203 Merry Hill Road, Bushey WD23 1AP in accordance with the terms of the application, Ref 19/1194/HSE, dated 30 July 2019, 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: MH203-02-1002B, MH203-02-1003B.
 - 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.
 - 4) The extension hereby permitted shall not be occupied until the first floor windows in the side elevation serving the main bedroom have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which they are being installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.
 - 5) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Procedural Matter

2. The description of development above has been taken from the Council's decision notice and the appeal form. As it is used by both main parties, I am

satisfied that no injustice would be caused by basing my assessment on the revised description.

Main Issue

3. The main issue is the effect on the character and appearance of the area.

Reasons

4. The appeal property is a 2 storey dwelling located in a residential area characterised by houses and bungalows that vary to a degree in size and style. The site is on a corner and the extension would project towards Wren Crescent.
5. The extension would be no taller and would be less than half the width of the existing house. Whilst seen from the adjacent roads, a significant part of the back garden would remain undeveloped, thereby helping to ensure the proposal would not appear too large for the site. Also, given the variety of nearby buildings, the size of the proposal would be compatible to the area.
6. By reason of its height and depth, the proposed extension would partially screen views from the road of the other parts of the rear elevation. Consequently, the double gable feature would not be prominent in the street scene and would not appear oppressive or severe. I saw other hipped roofs in the vicinity and so the proposal would not appear incongruous in this regard. Also, given the variety of house designs, the proposal would not cause an imbalance to the appeal property that would be uncharacteristic to the area.
7. As such, I conclude that the proposal would not be harmful to the character and appearance of the area. In this regard, it would accord with policies SP1 and CS22 of the Hertsmere Development Plan Document Core Strategy 2013, policy SADM30 of the Hertsmere Local Plan Site Allocation and Development Management Policies Plan 2016, the Hertsmere Local Development Framework Supplementary Planning Document – Planning and Design Guide Part E 2006 and the National Planning Policy Framework. These all aim, amongst other things, to ensure development responds positively to its surroundings.

Conditions

8. I have considered the planning conditions forwarded by the Council. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. A condition relating to the materials is necessary in order to ensure the satisfactory appearance of the development. To prevent an unacceptable loss of privacy, conditions are imposed preventing the use of the extension's flat roof as a balcony or roof garden and requiring obscure glazing to first floor windows facing the adjoining property. Obscured glazing to windows facing the road is not required as they would not be close to other properties. Where required, I have amended the wording of the conditions for reasons of precision.

Conclusion

9. For these reasons, I allow the appeal as set out in the formal decision above.

Jonathan Edwards

INSPECTOR