
Appeal Decision

Site visit made on 17 February 2020

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 2 March 2020

Appeal Ref: APP/Y1945/D/19/3242004
34 The Thrums, Watford WD24 6DJ

- 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 Khan against the decision of Watford Borough Council.
 - The application Ref 19/01040/FULH, dated 6 September 2019, was refused by notice dated 4 November 2019.
 - The development proposed is a first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension at 34 The Thrums, Watford WD24 6DJ in accordance with the terms of the application, Ref 19/01040/FULH, dated 6 September 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: 1:1250 scale site plan; SHT No. 1; SHT No. 2.
 - 3) The development hereby permitted shall not be occupied until the partly obscure-glazed bedroom windows shall have been constructed in accordance with details shown on the approved plan. The windows shall thereafter be retained in the approved form.
 - 4) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
 - 5) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.
 - 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed in the extension.

Application for costs

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

Main Issue

3. The main issue in this appeal is the effects of the proposal on the surrounding area and neighbours.

Reasons

4. The appeal relates to this semi-detached 2 storey house which is located within an area of similar houses. The house sits at a corner of 2 runs of houses, on an almost triangular plot which is much wider at its rear. The house has been extended on the ground floor at the rear with a 6m deep extension.
5. The proposal would result in a first-floor extension over part of the existing single storey extension. It would be 3.5m deep and would be set off the common boundary with the attached neighbour at No 36. The proposal would have a hipped roof with a flat section at its highest part.
6. The Council refer to their normal standards which are designed to ensure that neighbours are not unduly affected by such extensions. These relate to preventing harmful overlooking. Whilst the proposed first floor extension would be closer than the minimum set out in the standards, the appellant has included obscure glazed windows within the proposed bedrooms which would prevent or severely limit the potential for overlooking. I also note that the rear garden boundary contains a number of evergreen trees which form a dense barrier here. The appellants have included within their documents, examples of other cases where the Council has accepted the use of obscure glazing to bedrooms so that undue overlooking would not occur. With these points in mind, I conclude that the proposal would not give rise to harmful overlooking.
7. The proposed first floor extension would have a hipped roof of the same angles as the existing roof. The flat section would mean that it would be lower than the ridge of the existing house and the width of the extension would be less than the existing house. In these terms, I consider that the extension would appear subordinate to the existing house. In relation to the presence of the flat roof, whilst this is not a feature on the original house, evidence submitted by the appellant shows that it is a feature that the Council has accepted on other properties nearby. Given that the proposal would not be in a highly visible location, I consider that it would have no overriding harmful effect on the character of the locality.

Conditions

8. I have taken account of the advice in the Planning Practice Guidance in relation to the use of conditions and I have noted the Council's suggested conditions. I shall include a condition which identifies the approved drawings so that there is certainty about the planning permission. In order to protect neighbours from overlooking, I shall also include conditions which control the construction of any additional windows and also prevents the use of the flat roof as a terrace/sitting out area.

Conclusion

9. For the reasons set out above, the appeal is allowed.

S T Wood

INSPECTOR