



Appeal Decision

Site visit made on 2 September 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2020

Appeal Ref: APP/N1920/W/20/3253668

6 and 7 Deacons Close, Elstree WD6 3HX

- 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 Jerry Lipsey against the decision of Hertsmere Borough Council.
 - The application Ref 20/0040/FUL, dated 10 January 2020, was refused by notice dated 12 March 2020.
 - The development proposed is described as "Joint application for single storey front and rear extensions inc two storey side and rear extensions with increase roof space to allow for second floor habitable rooms".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development proposed on the character and appearance of the surrounding area; and,
 - The effect on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

3. Deacons Close is a residential cul-de-sac with significant variety in the styles of housing. The appeal site comprises a pair of semi-detached houses of broadly symmetrical appearance. Spacing between neighbouring houses varies, and due to the curve of the road the front building line is staggered.
4. The proposed extensions would add substantially to the bulk of the houses, including through the addition of large expanses of crown roofs that would be out of keeping with the wider street scene. The proposed crown roofs would be stepped down by a modest amount over the side extensions and would result in an incongruous and awkward appearance to the appeal properties. This would be out of character with neighbouring properties and in the wider Deacons Close street scene.
5. The side extensions would be built to within two metres of the boundary, contrary to guidance in the Council's adopted Planning and Design Guide for

Residential Extensions and Alterations (the PDG). While this is only guidance, it seeks to maintain significant separation between properties at first floor level where these exist, and to therefore maintain the character of the area. While the spacing between properties in Deacons Close varies, the appeal proposal would significantly reduce the separation to Nos 5 and 8, to the detriment of the wider street scene.

6. No 2 Deacons Close has a crown roof. However, that is a single detached house of different character to the appeal properties, so is not directly comparable to the appeal proposal. No 9 Deacons Close has a two-storey side extension similar to those proposed, but that property lies at the end of the cul-de-sac with no near neighbour beyond the extension, and therefore is different to the appeal proposal. The other approved extensions referred to are in other streets, and I do not have the details of why these were adjudged to be acceptable. I cannot therefore give these other permissions significant weight in determining this appeal.
7. The development proposed would therefore be harmful to the character and appearance of the surrounding area. It would conflict with Policies SP1 and CS22 of the Hertsmere Core Strategy 2013 (the CS), Policy SADM30 of the Hertsmere Site Allocations and Development Management Policies Plan 2016 (the SADM) and guidance in the PDG. Together these require, amongst other things, that new development be of a high quality design and appropriate in scale, appearance and function to the local context.

Living conditions

8. The houses sit forward of No 8 Deacons Close due to the staggered front building line of properties in the street. The proposed side extension to No 7 would cross a 45 degree line taken from the nearest first-floor window to No 8, contrary to guidance in the PDG. While there would be some loss of outlook from this window, the extension would be a peripheral feature and the occupier of No 8 has confirmed that they have no objection to the appeal proposal.
9. No 5 Deacon Close has several side windows facing the side elevation of No 6. The proposed side extension to No 6 would result in the facing elevation being significantly closer to these windows. The extension would reduce outlook from these windows and the extent of natural light to them. However, I have no evidence to show that these are the primary or only windows to habitable rooms. The Council states that the appeal proposal would not be harmful to the front or rear windows to No 5, and I see no reason to dispute this.
10. The appeal proposal would not therefore cause unacceptable harm to the living conditions of neighbouring occupiers. It would accord with Policies SP1 and CS22 of the CS, Policy SADM30 of the SADM and guidance in the PDG. Together these require, amongst other criteria, that development have limited impact on the amenity of the neighbours in terms of outlook and light.

Other Matters

11. The occupiers of both Nos 6 and 7 have young families for whom they wish to provide improved accommodation. I have considered this as part of my determination of the appeal, but national Planning Practice Guidance states that planning is concerned with land use in the public interest. The wishes of

the occupiers would not in this instance outweigh the harm that would result from the appeal proposal.

Conclusion

12. Therefore, for the reasons set out above, the appeal fails.

M Chalk

INSPECTOR