



Appeal Decision

Site visit made on 29 September 2020

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2020

Appeal Ref: APP/N1920/D/20/3253002

99 Cowley Hill, Borehamwood WD6 5NA

- 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 Justin Slagel against the decision of Hertsmere Borough Council.
 - The application Ref 20/0136/HSE, dated 28 January 2020, was refused by notice dated 1 April 2020.
 - The development is proposed rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for proposed rear extension at 99 Cowley Hill, Borehamwood WD6 5NA, in accordance with application ref: 20/0136/HSE, dated 28 January 2020 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) The material to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building;
 - 3) The development shall be carried out in accordance with drawing numbers: 1234-LOC; 1234-203A; 1234-204A; 1234-01B; 1234-200B.

Main Issues

2. The main issues are the effect of the proposal on:
 - i) the character and appearance of the surrounding area; and
 - ii) the living conditions for the occupants of 101 Cowley Hill, having particular regard to outlook.

Reasons

Character and appearance

3. The appeal building represents a detached dwelling on a generous parcel of land. Based on the evidence before me, the house has been previously extended in a fairly substantial manner, including large ground floor extensions. Despite this, the building sits comfortably within its plot and the rear elevation remains a pleasing composition.

4. The proposal would replace an existing ground floor rear extension. It would be a larger addition, however, it would be single storey with a flat roof. Accordingly, the overall composition of the rear of the property would not substantially change as a result of the addition. As a consequence, the proposal would not be visually dominant or subsume the existing house. Instead, it would be a modest addition that would be subordinate in scale to the existing building. Despite the cumulative additions therefore, I am satisfied that the proposed extension would not represent an overdevelopment of the site.
5. I therefore conclude that the proposal would not harm the character and appearance of the surrounding area. Accordingly, it would comply with Policies SP1, SP2 and CS22 of the Hertsmere Local Plan Development Plan Document Core Strategy (2013) (CS), Policy SADM30 of the Hertsmere Local Plan Site Allocations and Development Management Policies Plan 2016 (DMPP) and guidance contained within The Planning and Design Guide SPD (SPD). Taken together, and amongst other things, these promote the presumption in favour of sustainable development with high quality design.

Living conditions

6. The proposed extension would increase the built form that runs parallel with the north western boundary. However, it would be set in from the boundary and would be of a modest height. The neighbouring property, 101 Cowley Hill, is itself set away from the shared boundary and, due to rising land levels, it is located at a demonstrably higher level than the appeal site. The combination of these matters ensure that the proposal would not result in an excessive form of enclosure when viewed from the neighbouring property. Accordingly, the proposal would not compromise outlook.
7. I therefore conclude that the proposal would not harm the living conditions for the occupants of the neighbouring property. Consequently, the proposal would comply with Policies SP1, SP2, CS16 and CS22 of the CS, Policy SADM30 of the DMPP and guidance contained within the SPD. Taken together, and amongst other things, these promote the presumption in favour of sustainable development which has a limited impact on the amenity of neighbours in terms of outlook.

Conditions and Conclusion

8. In light of my findings set out above, conditions are necessary in the interests of clarity and precision to establish the time limit for commencing development, require materials to match the existing building, and to specify the approved drawing numbers.
9. Subject to these, the appeal should be allowed and planning permission should be granted.

Martin Chandler

INSPECTOR