



Appeal Decision

Site visit made on 6 October 2020

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2020

Appeal Ref: APP/P1940/D/20/3250936

48 Oakleigh Drive, Croxley Green, Rickmansworth, Hertfordshire WD3 3EF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
 - The appeal is made by Mr Jermaine Morrison against the decision of Three Rivers District Council.
 - The application Ref 20/0328/PDE, dated 13 February 2020, was refused by notice dated 18 March 2020.
 - The development proposed is a single storey rear extension (depth 6 metres, maximum height 4 metres and eaves height 3 metres).
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for the erection of a single storey rear extension at 48 Oakleigh Drive, Croxley Green, Rickmansworth, Hertfordshire WD3 3EF in accordance with the terms of the application Ref 20/0328/PDE, dated 13 February 2020, and the plans submitted with it, pursuant to Article 3(1) and Schedule 2, Part 1, Class A.

Main Issue

2. The main issue is the effect of the development on the living conditions of the occupiers of 46 Oakleigh Drive with particular regard to outlook.

Reasons

3. The appeal property is a semi-detached dwelling located on the south-east side of Oakleigh Drive which is in a residential area of Croxley Green. The attached adjoining property has a conservatory structure at the rear which projects around 1.4 metres. The rear gardens to both properties are at a lower land level than the slab level of the dwellings themselves.
4. The Council have set out that generally single storey rear extensions to semi-detached properties should have a maximum depth of 3.6 metres. The proposed extension would project a maximum of 6 metres from the main rear wall of the dwelling and would be around 4.6 metres beyond the conservatory at No.46.
5. Whilst the proposal would be a maximum of 4 metres in height, this height is taken from the lowest land level point which is much lower than the floor level

of the adjacent conservatory. The net impact of this is that the proposal would not be seen as a four-metre high wall along the boundary. Furthermore, the proposal has a flat roof section which would then drop down to an eaves height of three metres, which would further lessen the impact of the extension.

6. Taking all of these factors into account, and given its juxtaposition in relation to sunrise through to sunset, I consider that the extension would not have a significant impact on the living conditions of the occupiers of No.46 either in terms of outlook or loss of light.
7. In addition to the above, I have also taken into account the effect of the development on the occupiers of 50 Oakleigh Drive. I saw that No.50 has a single storey rear extension albeit that this is not to the same projection as the appeal proposal. That said, I consider that the appeal proposal would not have any significant impacts in respect of loss of light, outlook or privacy to the occupants of No.50.

Conditions

8. The Council has suggested a condition which would prevent the installation of any windows or dormer windows in the flank elevations or roof slopes of the extension. However, given the nature of the proposed development I consider that such a condition is not necessary.

Conclusion

9. Taking all matters into consideration, for the reasons given above, I conclude that the appeal should be allowed and prior approval is granted.

Chris Forrett

INSPECTOR