



Appeal Decision

Site visit made on 28 January 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2021

Appeal Ref: APP/P1940/D/20/3262933 23 Lewes Way, Croxley Green WD3 3SN

- 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 Hannington against the decision of Three Rivers District Council.
 - The application Ref 20/1557/RSP, dated 30 July 2020, was refused by notice dated 25 September 2020.
 - The development is described as 'part retrospective – creation of habitable accommodation on second floor using hip to gable enlargements along with insertion of rear facing dormer window'.
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Decision

1. The appeal is dismissed.

Background and Procedural Matters

2. I have had regard to the site's planning history. That includes planning permission for the demolition of the garage at 23 Lewes Way ('No 23') and the construction of single storey and two storey front, side and rear extensions, a first floor rear extension and alterations to the roof to include an increase in the ridge height (Ref: 18/1680/FUL) ('approved scheme').
3. As the building works that are well underway on the site do not accord with the approved scheme, the partially retrospective application the subject of this appeal was submitted. Given that context, the Council considers that all the works are unauthorised and that the description of the development should be as set out at paragraph 7.1.2 of its delegated report, rather than as in the application form.
4. For my part, given the fallback of the approved scheme, and the Council's stance that any enforcement action would seek compliance with it, in this appeal I have considered the development as described in the application form, and as set out in my banner heading above, but having regard to cumulative impacts.

Main Issues

5. The main issues are the effect of the development on:
 - The character and appearance of the host property and the area; and
 - The living conditions of adjacent occupiers, with particular regards to outlook.

Reasons

Character and appearance

6. The properties in Lewes Way are typically detached or semi-detached two storey buildings in a similar style, often with a single storey section to one side. Whilst many, including No 2, have been extended, they almost all have a principally hipped roofed form. That roof form and their single storey sections, provide a visual gap between the properties above ground floor level. This contributes to a sense of rhythm and visual cohesion in the streetscene.
7. The hip to gable extension at No 23 is thus markedly at odds with the prevailing form of nearby development, including both adjacent properties. Whilst the gables are set well back from the road, that incongruous roof form is clearly apparent in the streetscene, including in views from Norwich Way. It also significantly reduces the roof level visual gap between No 23 and its neighbours.
8. To the rear, the scheme includes a large rectilinear dormer. As it is set only marginally below the raised ridge, and very slightly in from the new roof edges, it dominates No 23's roof. From the rear gardens of nearby properties that dormer and the gables give the property a bulk, a rectilinear form and a vertical emphasis which is wholly uncharacteristic of the immediate area, and which jars with its near neighbours.
9. There is a hip to gable extension at 17 Norwich Way, and one at 25 Norwich Way which was granted planning permission in 2017 and which includes a rear dormer larger than that here. However, those examples are on a different road a little way from this site, and neither provides good justification for allowing this harmful development in this otherwise harmonious area.
10. Amongst other things, Policies CP1 and CP12 of the Three Rivers Core Strategy 2011 ('TRCS') and Policy DM1 of the Three Rivers Development Management Policies Local Development Document 2013 ('TRDMP') set out the need for development to be of a high design quality and to respect local character and distinctiveness.
11. Appendix 2 of the TRDMP states that extensions should not be excessively prominent in relation to adjacent properties or the streetscene; that they should respect the roof form of the host and the streetscene; and that dormers should be subordinate to the main roof and set below the ridge and in from the sides. It also notes that where roof forms are uniform, hip to gable extensions can erode the group value of buildings in a street.
12. For the above reasons, notwithstanding the use of matching materials, the insensitive design of these roof alterations conflicts with those policies, and with the broadly similar approach at Policy CA2 of the Croxley Green Neighbourhood Plan 2017-2032 (2018). It also conflicts with the National Planning Policy Framework ('Framework') requirement for good design which is visually attractive and sympathetic to local character.

Living conditions

13. To the rear, 21 Lewes Way ('No 21') has a single storey extension, which finishes roughly level with the new two storey rear elevation of No 23, and which has patio doors leading onto its outdoor amenity space.

14. The cumulative impact of the hip to gable extension and the dormer, in addition to the approved scheme, adds significantly to the bulk of No 23. Whilst these roof level extensions are off-set to the side of No 21, given their bulk and elevated position they have a significant overbearing impact on that part of its amenity space closest to its patio doors. That impact is exacerbated by the lower ground level. Consequently, these extensions loom over no 21's outdoor amenity space and significantly detract from its value as a place for the occupants to sit outside and relax.
15. The property at 25 Lewes Way ('No 25') also has an outdoor space adjacent to its single storey rear projection. Whilst No 25 appears to sit at a slightly higher level than the appeal site, here the side faces of the roof alterations are closer to the boundary compared to No 21. Consequently, the overall impact on that outdoor space is broadly similar.
16. As the scheme harmfully impacts the living conditions in the adjacent properties, it conflicts with those parts of TRCS Policy CP12, and TRDMP Policy DM1 and Appendix 2, which require development to protect residential amenities having regard to matters including prospect and outlook. It also conflicts with the Framework's requirement to provide a high standard of amenity for existing and future users.

Other matters

17. The appellants state that they were advised by the Case Officer that a roof dormer extension would not require planning permission. Be that as it may, I have dealt with the scheme before me on its merits.
18. In its favour, once completed the development would provide improved living accommodation for the occupants of No 23.

Planning Balance and Conclusions

19. The scheme's limited benefits do not outweigh the significant harm that it causes to the character and appearance of the host property and the area, and to the living conditions of neighbouring occupants.
20. The scheme conflicts with the development plan and with the Framework when considered as a whole. Having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR