



Appeal Decision

Site visit made on 25 May 2021

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2021

Appeal Ref: APP/Y1945/D/21/3270375
234 Horseshoe Lane, Watford, WD25 7JQ

- 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 A Hussain against the decision of Watford Borough Council.
 - The application Ref 20/01239/FULH dated 6 November 2020, was refused by notice dated 21 December 2020.
 - The development proposed is demolition of existing first floor rear extension and side garage. Installation of a new hipped to gable habitable roof with rear dormer, addition of new front pitched roof feature and the erection of a part two storey, part single story side and rear extension. New roof over porch and window bays.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing first floor rear extension and side garage, installation of a new hipped to gable habitable roof with rear dormer, addition of new front pitched roof feature and the erection of a part two storey, part single story side and rear extension. New roof over porch and window bays at 234 Horseshoe Lane, Watford, WD25 7JQ in accordance with the terms of the application ref: 20/01239/FULH, dated 6 November 2020, subject to the following conditions:
 - 1) The development to which this permission relates must be begun not later than the expiration of three years, beginning with the date of this decision;
 - 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: PL20/234HL/02 and PL20/234HL/01 unless previously agreed in writing by the Local Planning Authority;
 - 3) No additional windows shall be inserted into the side facing elevations of the development without having first been submitted to and approved in writing by the Local Planning Authority;
 - 4) Prior to their installation or utilisation on site details, including the colour, of all external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be maintained for the lifetime of the development.

Main Issues

2. The main issue is the impact of the proposal upon the character and appearance of the host and neighbouring properties and surrounding area.

Reasons

3. The appeal site is a detached dwelling in a residential area which benefits from a wide plot. The property has already been extended, single storey and part first floor, to the rear. The appeal proposal is stated, by the Council, to be a resubmission which is similar to approved application ref: 19/00407/FULH. The main changes sought are summarised within paragraph 2.1 of the Council's report along with a comparison between approved and proposed elevations. There are several elements to the appeal proposal and the Council's assessment, and refusal reason, appears to be based upon concern with the proposed hip to gable end roof form creating a large crown roof, the proposed rear dormer and the two storey side extension.
4. At the time of my site visit I noted that Horseshoe Lane is primarily comprised of semi-detached properties however, the appeal site stands in a row of detached properties up to Orchard Avenue as well as there being a small block of four apartments opposite. The properties along Horseshoe Lane are varied in terms of both overall style and materials as well as having a variety of roof forms. The detached dwellings adjacent all have varied roof styles and the neighbouring properties benefit from crown roofs which I did not find were unduly prominent within the street scene.
5. The Residential Design Guide Supplementary Planning Document 2014 (amended 2016) (SPD) is a material consideration however, it is guidance. Exceeding the guidance should not necessarily result in automatic refusal, it falls to assess the actual impact of exceeding the guidance with regard to its overarching aims and objectives. The Council's delegated report states that the proposal is contrary to SPD guidance 8.12.3, relating to dormer windows, and 8.5.2 relating to the depth of the two storey side extension. I have not been supplied with copies of the paragraphs referred to within the Council's report. The Council have not, therefore, evidenced the issues raised stating non-compliance with unsupplied guidance with no assessment as to the actual impact of the proposal in not complying with the stated guidance. The refusal reason only states non-compliance with paragraphs 8.2 and 8.3 of the SPD.
6. Based upon the evidence and plans before me I do not find an issue with the dormer as proposed taking into account the overall proposed roof structure. It does not dominant the proposed roof. The two storey side extension would extend 6m deep beyond the original rear elevation but matches the depth of the existing ground floor extension and there is a staggered building line. Whilst the roof of the side extension could be redesigned I do not find it would result in such an incongruous feature as to warrant refusal. The most prominent elevation is the Eastern elevation due to the appeal site standing forward of no. 232 but despite this I find that the visual impact of built form being introduced at first floor level to be limited with the existing views through the site being already limited by trees to the rear boundary. In addition a two storey side extension has already been approved, though noted not to be the same depth, which would have broadly similar impacts visually from the street scene. Furthermore, the Council raise no reason for refusal relating to neighbouring amenity which is usually one of the main reasons for controlling the depth of extensions.
7. At the time of my site visit I stood in the garden of the appeal site and noted the crown roof at no. 236 Horseshoe Lane. The Council are noted to not have

undertaken a site visit but I found that standing in the appeal site revealed that the overall bulk and scale of this no. 236 is notable, as is the similar roof structure next door at no. 238. Whilst their form is not prominent within the street scene, which limits the impact of the proposal upon the appearance of the area, they are more prominent from rear views. The presence of similar roof forms immediately adjacent to the appeal site means that they are part of the character of the area and the massing would be consistent with the properties adjacent as required within paragraph 8.3 of the SPD.

8. The proposal would essentially maintain the massing of the host dwelling with, overall, a minimal increase in height as a result of squaring up the roof. The flat roof element would be consistent with the highest part of the existing ridge and would be set back behind the street facing roof slope which is appropriate to the original building. The flat roof characteristic of the crown roof would not be readily apparent from the street scene. The proposed rear building line would not exceed that of neighbouring properties.
9. The properties from no. 232 onwards are noted to be smaller in scale, however, submitted plans show a part elevation of the proposal against no. 232 in the context of the street scene. The proposed side extension would be lower than the main bulk and massing of the proposal, would be stepped back from the front at first floor level and shares a similar eave height to no. 232. This step down in bulk, combined with the separation maintained between the properties and the single storey element to the front of the proposed side extension, I find would allow the proposal to integrate appropriately. Overall I do not find that the proposal would present as dominant or bulky nor of detriment to the character and appearance of the host dwelling or surrounding area. I do not find the proposed extensions excessive nor do I find that they fail to respect the roof design and character of the property or surrounding area.
10. The proposal would be consistent with Watford's Local Plan Part 1 Core Strategy 2006 – 31 (adopted January 2013) (CS) Policy UD1 which seems to ensure that new development should respect and enhance the local character of the area. The proposal would also be consistent with SPD guidance contained within paragraphs 8.2 and 8.3 regarding respecting the character and scale of the host building, the street scene and the scale and character of the properties within the street as a whole.

Other Matters

11. I note that objections were received during the consultation for the original application. I have already dealt with character, appearance and massing within this decision letter. The Council have not raised concern with regard to overshadowing or loss of privacy within their assessment (6.4 of the Council's report) nor are such matters included within the refusal reason and I have no evidence before me to conclude differently.
12. I note comments regarding photographs of the site being prior to their extension, however, as part of this appeal I have visited site and viewed as it stands following the existing extension. Structural matters are controlled by Building Regulations and I have no evidence before me to suggest the proposal would cause structural impact to neighbouring properties especially given modern construction and foundation techniques.

Conditions

13. The Council have not suggested any conditions in the event the appeal is allowed but the appellant has made suggestions which I have considered. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required in order to control and define the development which is granted consent. A condition controlling the insertion of new windows in side elevations is required to protect the amenity of neighbour occupiers with regard to overlooking and privacy.
14. A condition requiring the materials to be approved is required to ensure a satisfactory finish. I have timed this as a condition requiring approval prior to installation on site, and not a pre-commencement condition, to allow some works to commence on site within a reasonable time without the delay of waiting for condition approval before commencing work at all.

Conclusion

15. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR