



Appeal Decision

Site visit made on 23 November 2021

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9TH December 2021

Appeal Ref: APP/P1940/D/21/3280854

82 Raglan Gardens, Oxhey Hall WD19 4LL

- 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 Tommy Walsh against the decision of Three Rivers District Council.
 - The application Ref 21/1367/FUL, dated 23 May 2021, was refused by notice dated 22 July 2021.
 - The development proposed is removal of garage and workshop. Proposed double storey side and single storey rear extension, replacement of all windows to grey aluminium, new pitched roof to porch canopy and removal of outer chimney.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property, local area and the Oxhey Hall Conservation Area (the CA).

Reasons

3. Raglan Gardens is characterised by its rows of two storey semi-detached, white rendered hipped roof houses. These houses demonstrate considerable unity of design in form and detail, which contribute considerably to the significance of the CA. The CA is a heritage asset to which I have a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and I must pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
4. The appeal property is one of these two storey semi-detached houses that, along with most houses in the area appears to have undergone minimal alteration and to retain much of its original appearance and character. This also appears to be true of most of the houses within the local area and the CA where a uniformity of design is a characteristic of the CA.
5. The proposal is for a two storey side extension, a single storey rear extension, replacement windows and alteration to porch roof. From the material submitted for the purposes of this appeal, the only part of the

proposal that is at issue is the first floor side extension, and it is accepted by all parties that the rest of the proposed development is accepted as having no effect on the character or appearance of the host dwelling, local area or the CA. I find no reason to demur from this conclusion.

6. The proposed first floor part of the side extension would be approximately 1.2 metres wide. It would be set back from the front elevation of the host dwelling but would align with its rear elevation. It would have a crown roof design that would be the same height as the projecting front part of the host dwelling. This would partly infill the gap between the appeal property and the neighbouring semi-detached pair at No.80 and No.78 Raglan Gardens.
7. The appellant has drawn my attention to other similar approved first floor side extensions to very similar properties at No.'s 56, 60 and 72 Raglan Gardens. Whilst these differ slightly from each other in terms of set back from the main elevation, as well as roof design and detailing, they do give a clear indication of the effect of such development on the character and appearance of their host dwellings, local area and the significance of the CA.
8. Similar to these implemented extensions on neighbouring properties, I find that the proposals width and set back at first floor level would be in keeping with the character and appearance of the host dwelling and would not result in an infill in the gap between semi-detached pairs. However, I find that the proposed crown roof form would not match the hipped roof of the host dwelling and would be visually discordant and incongruous within the context of the host dwelling and the local street scene. The proposal would, therefore, be harmful to the character and appearance of the appeal dwelling, that of the local area and would result in harm to the significance of the CA.
9. For these reasons, I find that the proposed development would be contrary to Policies CP1 and CP12 of the Three Rivers Core Strategy (2011), Policies DM1 and DM3 of the Three Rivers Development Management Policies Local Development Document (2013) and Sections 12 and 16 of the National Planning Policy Framework (2021) (the Framework), which collectively seek to ensure that development is of high quality design, a key aspect of sustainable development, and are sympathetic to local character, having due regard to the importance of preserving or enhancing heritage assets.
10. Although I find the harm to the CA would be considered less than substantial, in accordance with the Framework, great weight should be given to the conservation of those assets. I address the balance against public benefits in my conclusions below.

Planning Balance and Conclusion

11. Whilst the proposal would result in a larger property with improved amenity for its occupiers, these are primarily private benefits. I must give considerable importance and weight to the effect on the significance of the CA and weight to the effect I have identified on the host dwelling and the

local area. Overall, I consider that these benefits do not outweigh the harm I have identified.

12. For the reasons given above and having regard to all other matters raised, I consider that the appeal should be dismissed.

Victor Callister

INSPECTOR