
Appeal Decision

Site visit made on 7 January 2022

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31ST January 2022

Appeal Ref: APP/Y1945/D/21/3281264

13 Holland Gardens, Watford WD25 9JN

- 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 Lenaghan against the decision of Watford Borough Council.
 - The application Ref 21/00885/FULH, dated 11 June 2021, was refused by notice dated 22 July 2021.
 - The development proposed is two storey front extension, part two storey, part single storey rear extension and hip to gable roof extension.
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Decision

1. The appeal is allowed and planning permission is granted for two storey front extension, part two storey, part single storey rear extension and hip to gable roof extension at 13 Holland Gardens, Watford WD25 9JN in accordance with the terms of the application, Ref 21/00885/FUL, dated 11 June 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawings referenced: Existing Floor Plans & Elevations – HG PA 01 Rev B; Proposed Floor Plans & Elevations - HG PA 02 Rev G; and Location & Site Plan – HG PA 03 Rev A
 - 3) The materials to be used in the construction of the external surfaces of the development shall match those used in the existing building.

Main Issues

2. The main issues in the appeal are the effect of the proposed rear extension on:
 - the character and appearance of the host dwelling and surrounding area.
 - the living conditions of neighbours at No.11 Holland Gardens, with regard sense of enclosure.

Reasons

Character and appearance

3. No.13 Holland Gardens (No.13) is a two-storey semi-detached dwelling on the south side of Holland Gardens. To the rear, it has a steep single pitch conservatory extension and it is proposed to demolish this and replace it with a part single, part two-storey rear extension. The guidance at Section 8.5 of the Council's Residential Design Guide (adopted in 2014, amended in 2016) (RDG) is that single storey rear extensions should not exceed 3.5m for a semi-detached dwelling and two-storey extensions are unlikely to be acceptable beyond 3m.
4. The proposed ground floor of the extension would project around 6.7m from the original elevation of No.13 with the first floor projecting around 4m. These respective projections are clearly in excess of the RDG guidance. The RDG is a material consideration, however, it is guidance. Exceeding the guidance should not necessarily result in an automatic refusal, it falls to assess the actual impact of exceeding the guidance along with the individual circumstances of the proposals.
5. No.13 forms one of a pair of semi-detached dwellings. Its adjoined neighbour at No.15 Holland Gardens (No.15) has a large two-storey flat roof extension that extends the full width of the dwelling broadly in line with No.13's existing conservatory. The proposed two-storey extension would also be full width and would extend slightly beyond the first-floor rear building line of No.15. The proposed flat crown roof would differ from its neighbour, but the overall scale and massing of the respective two-storey projections would be similar.
6. Although a flat roof would have matched No.15, the flat crown roof nonetheless would appear a sympathetic addition, subordinate to the proposed gable roof extension of the main part of the dwelling. A parapet wall is proposed at first-floor level on the party wall and above the height of the No.15's flat roof. Although visible from the rear gardens of both dwellings, it would not be particularly dominant and is not an unusual or uncommon feature at roof level between dwellings.
7. The proposed single storey extension would project around 2.7m from the two-storey extension, broadly aligning with the conservatory extension of No.15. It would have a flat roof, with lantern light, and in itself would have relatively modest proportions and depth, retaining a good sized rear garden. In combination, the proposed single and two-storey extensions would increase the bulk and massing to the rear of No.13. However, they would remain subordinate to the original dwelling and would improve the appearance and balance of the composition of the rear elevation of the semi-detached pair. In this regard, the proposals would be consistent with the guidance at Section 8.2 of RDG that extensions should respect the character and scale of the host building.
8. I saw on site that other dwellings on the south side of Holland Gardens have been extended to the rear. Although mostly at ground floor, there is a variety of size and form of rear extension. The appeal proposals would be viewed from the gardens within this context and I am not persuaded that they would cause an erosion to the character and appearance of the area.

9. Whilst I have found that the appeal proposal is not in accordance with Section 8.5 of the RDG, I have found no harm to the character and appearance of the host dwelling or area. The proposal would not therefore be in conflict with Policies SS1 and UD1 of the Watford Local Plan Part 1 – Core Strategy 2006-31 (2013) (CS) or Section 12 of the National Planning Policy Framework (the Framework) which collectively seek to ensure high quality design that reflects, or is sympathetic to, local character.

Living conditions

10. No.11 Holland Gardens is a two-storey semi-detached dwelling that is separated from No.13 by the side access to both dwellings. The front building line of No.11 is set slightly forward, but to the rear it benefits from a ground floor extension that extends roughly in line with No.13's existing conservatory. The proposed two-storey extension to No.13 would project around 1m beyond this ground floor extension and consequently well beyond the original two-storey rear elevation the dwelling. Because of this projection, the extension would be visible from the rear of No.11. However, I saw on my site visit that the nearest first-floor window is to a bathroom, a non-habitable room, which is obscure glazed. In combination with the good separation distance (of a minimum 2m) afforded by the side access, this means that, although the extension will be visible from the bathroom and would, to a degree, increase the sense of enclosure, it would not appear overbearing or oppressive.
11. The common boundary between Nos.11 and 13 splays slightly towards No.11 and although the depth of the proposed single-storey extension would be greater than that of No.11, it means that the outlook from the back of the house would remain principally towards the garden and, to an extent, towards the existing close boarded fencing. No.11 also benefits from a long rear garden and whilst visible, the proposals would not significantly affect the amenity provided by that space.
12. I conclude that the appeal proposals would result in an increase in the sense of enclosure but not to such an extent to cause harm to the living conditions of the occupiers of No.11. Whilst there would be some conflict with the guidance in Section 8.4 of the RDG that there should be no increase in the sense of enclosure experienced within a habitable room or garden, the proposals would accord with the aims of CS Policies SS1 and UD1 which seek to secure well-designed development with regard to the amenity of neighbouring residents. They would also accord with the guidance at paragraph 130 of the Framework that developments create places with a high standard of amenity for existing and future users.

Conditions

13. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty and precision. A condition requiring the use of materials matching that of the existing building is also necessary to ensure an appropriate appearance for the development.

Conclusion

14. For the reasons given above and subject to the conditions set out in this decision, I conclude that the appeal should be allowed.

R. Jones

INSPECTOR