The Planning Inspectorate

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/21/3284322
2 Wilcon Way, Watford WD25 9FQ

- 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 Raj and Meena Kukadia against the decision of Watford Borough Council.
- The application Ref 21/01023/FULH, dated 29 June 2021, was refused by notice dated 19 August 2021.
- The development proposed is construction of a single storey extension of 4mt, including a bifold door and roof light, related internal alterations.

Decision

1. The appeal is allowed and planning permission is granted for construction of a single storey extension of 4mt, including a bifold door and roof light, related internal alterations at 2 Wilcon Way, Watford WD25 9FQ in accordance with the terms of the application, Ref 21/01023/FULH, dated 29 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: Site Plan – 210309-00-P0; Block Plan – 210309-01-P0; and Existing and Proposed Plans and Elevations – 210309-02-P2.

    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 are the effect of the proposed development on the character and appearance of the host dwelling and rear street scene, and on the living conditions of the neighbours at No.1 Wilcon Way with regard sense of enclosure.

Reasons

Character and appearance

3. No.2 Wilcon Way (No.2) is a 2-storey dwelling, with front roof dormer, sited in the middle of a short terrace of three dwellings (Nos.1 to 3 Wilcon Way) fronting St Albans Road. The building line of the terrace is staggered so that

No.3 Wilcon Way (No.3) is set further back from St Albans Road than its adjoined neighbours. No.1 Wilcon Way (No.1) benefits from a conservatory to the rear which extends around 2.5m from the rear elevation. The proposed single-storey extension to No.2 would be full width and project 4m from the rear elevation, but because of the staggered building line and existing conservatory only around 2.4m and 1.5m from its neighbours at No.1 and No.3 respectively.

4. The guidance at Section 8.5.1b of the Residential Design Guide (adopted 2014, amended 2016) (RDG) is that single-storey rear extensions should be subordinate to the original house and that they should not exceed a depth of 3m for a terraced house. Although a material planning consideration, the guidance in the RDG is just that. In the same paragraph the RDG recognises that the impact on the existing and neighbouring dwellings should be the principal consideration when determining the appropriate depth of an extension. The proposed 4m depth would clearly conflict with the RDG guidance but I find it of a scale proportionate to the host dwelling and its reasonably sized garden, and it would not extend significantly beyond the existing rear building line of the terrace.

5. The extension would be around 3m in height to its eaves with a shallow pitch roof to a maximum of around 3.3m in height. The roof would finish below the cill of the first-floor window and the rooflight has been sufficiently offset within the roofplane to ensure it wouldn't appear awkward relative to the rear elevation of the host dwelling.

6. The rear of No.2 and its neighbours can be seen from Wilcon Way and the parking area to the rear of the terrace. The gardens of Nos.1 to 3 are however surrounded by a high part brick, part timber panelled wall and therefore only the upper section of the extension and shallow pitched roof would be visible. The proposed extension would have bi-fold doors, brick work and fenestration to match the existing and would therefore appear a sympathetic addition to rear. It would be a modest addition viewed in the context of the conservatory extension to No.1 and would not appear particularly dominant or incongruous within the rear street scene.

7. Whilst in conflict with paragraph 8.5.1b of the RDG, the proposal would accord with Policies SS1 and UD1 of the Watford Local Plan Part 1 – Core Strategy 2006-31 (2013) (CS) and paragraph 130 of the National Planning Policy Framework (the Framework) because it would be of a high quality design, that respects and is sympathetic to local character and the surrounding built environment.

Living conditions

8. The neighbouring dwelling at No.1 has a conservatory extension that extends almost the full width of the rear elevation, but is offset slightly from the common boundary with No.2. This conservatory now benefits from planning permission. The proposed extension to No.2 would project around 1.5m from the rear building line of the conservatory and would be visible above the fence on the common boundary from both the conservatory itself and the garden.

9. I saw on my site that No.1's conservatory has large patio doors with its main outlook over the back garden. Further, because of its location at the end of the terrace, it also has a reasonably open aspect toward Wilcon Way. Therefore,

whilst the proposal would result in a degree of enclosure, No.1 would still be afforded a good level of outlook and the extension would not appear overbearing.

10. The appeal proposals would 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.'* However, the increase would not be to such a degree so as to cause harm to the living conditions of the occupiers of No.1. Consequently, it would accord with CS Policy SS1 which requires new development to protect residential amenity. It would also accord with the guidance at paragraph 130 of the Framework that new development creates places with a high standard of amenity for existing and future users.

Conditions

11. 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 those of the existing building is also necessary to ensure an appropriate appearance for the development.

Conclusion

12. 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