
Appeal Decision

Site visit made on 31 January 2023

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th February 2023

Appeal Ref: APP/Y1945/D/22/3309693

23 The Thrums, Watford, Hertfordshire WD24 6DJ

- 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 Javed Akhtar against the decision of Watford Borough Council.
 - The application Ref 22/00833/FULH, dated 24 June 2022, was refused by notice dated 23 August 2022.
 - The development is retrospective - planning application for a single storey 4m depth rear extension. (Completed).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description.
3. The Council Officer's report describes the development as retrospective. It is clear from the evidence provided and my site visit that the single storey rear extension had been constructed. I shall determine the appeal on this basis accordingly.
4. Since the determination of the application the Council has adopted the Watford Local Plan 2021-2038 (October 2022) (LP). The Council has advised that Policy UD1 of the Watford Local Plan Core Strategy 2006-2031 has now been replaced by Policies QD6.2 and QD6.4 of the LP. I have therefore considered the development against the relevant policies of the LP.

Main Issues

5. The main issues are the effect of the development on:
 - (i) the character and appearance of the host property and the area; and
 - (ii) the living conditions of the occupiers of the neighbouring properties at Nos. 21 and 25 The Thrums with particular regard to light and outlook.

Reasons

Character and appearance

6. The appeal property consists of a two storey semi-detached dwelling with a single storey and two storey extension and outbuilding at the rear. It is located in a mature well-established residential area characterised by semi-detached and terraced properties set back from the road behind a front garden/driveway. Although there is some variation, the surrounding semi-detached properties are relatively evenly spaced, of comparable scale and form, with gabled tiled roofs.
7. The development entails the retention of the single storey rear extension that projects out about 4m from the rear elevation resulting in a cumulative extension of about 7.3m from the rear of the original property. The single storey rear extension extends across the full width of the dwelling and would be set down with a flat roof with a maximum eaves height of about 2.5m, following the removal of a small mono-pitched tiled roof running along the edge of the existing single storey rear extension.
8. The appeal property is on a relatively spacious plot and as such the extension does not appear overlarge, relative to the overall plot size. The scale and form of the single storey extension nevertheless still results in a significant addition relative to the main property. As such, although set down, the single storey extension results in additional bulk at the rear of the main dwelling that is out of character with the more modest form and appearance of the host building.
9. The consequential harm is not in my view sufficiently resolved by the limited effect of the extension on the street scene. In any case, the single storey extension is visible at the rear from the surrounding properties. I therefore consider that the single storey rear extension, by virtue of its scale, siting and design, fails to achieve an appropriate degree of subordination to the host property and detracts from the architectural integrity of the host property. As such, I consider that the single storey rear extension results in an incongruous and out-of-keeping addition that causes unacceptable harm to the host property and the area.
10. I have considered the appellant's arguments that the design and layout of the single storey rear extension has been carefully considered in order to minimise any adverse impacts on the host property and the area. However, whilst the use of matching materials and fenestrations assist in integrating the development with the host property and the area, these aspects do not overcome the adverse effects outlined above.
11. Consequently, I conclude that the single storey rear extension does have a harmful effect on the character and appearance of the host property and the area. It is contrary to the overall aims of Policies QD6.2 and QD6.4 of the LP and the Council's Residential Design Guide 2016. These policies and guidance, amongst other things, seek to ensure that development and residential extensions are of a high quality design that complement the host property, relate well to the local context and make a positive contribution towards the local character and identity of the area. In addition, the single storey rear extension does not accord with the National Planning Policy Framework that developments should seek to secure a high quality of design (paragraph 126) that are sympathetic to the local character (paragraph 130).

Living conditions of the occupiers of the neighbouring properties

12. The single storey rear extension is located adjacent to the two storey semi-detached properties at Nos. 21 and 25 The Thrums (Nos. 21 and 25), to the south-west and north-east of the site, respectively.
13. The adjacent unextended properties at Nos. 21 and 25 have a ground floor living room and kitchen leading out to a small patio area and enclosed garden areas at the rear. The rear extension projects out along the common shared boundaries with Nos. 21 and 25 and is separated from the rooms and gardens at the rear of the adjacent properties by a high close boarded fence running between the properties.
14. Whilst I accept that there is some impact from the development, given the modest overall scale, design and layout of the development, set down with a flat roof, together with the boundary treatment, the separation distance between the properties and the orientation of the buildings, I consider that the single storey rear extension does not result in significant loss of light to the main habitable rooms and gardens at the rear of Nos. 21 and 25, nor significantly dominate the views to cause an overbearing effect and an unacceptable sense of enclosure at the rear of Nos. 21 and 25.
15. The outlook at the rear of Nos. 21 and 25 is already toward the high boundary fence and the brick side elevation of the two storey extension at No. 23 and the appeal site is separated by the existing garden areas at the rear of Nos. 21 and 25, together with a pedestrian accessway between Nos. 23 and 25.
16. Consequently, I conclude that the single storey rear extension does not result in an unacceptable impact on the living conditions of the occupiers of the neighbouring properties at Nos. 21 and 25 The Thrums with particular regard to light and outlook. It is consistent with the overall aims of Policies QD6.2 and QD6.4 of the LP and the Council's Residential Design Guide 2016. These policies and guidance, amongst other things, seek to ensure that development and residential extensions make a positive contribution to high quality design and do not adversely affect the level of amenity enjoyed by the occupiers of neighbouring properties.

Other Matters

17. I have considered the appellant's comments regarding the family's personal circumstances and the benefits to the family arising from the additional accommodation for the appellant's family. I have considerable sympathy for the appellant's circumstances. However, the courts have generally taken the view that planning is concerned with land use in the public interest. Although personal circumstances can sometimes justify a personal or temporary permission, that would not be appropriate here where a permanent structure is intended. As such these are matters to which I can attach only moderate weight in making this decision.
18. I have noted the other developments in the area drawn to my attention by the appellant. However, the various single storey rear extensions built at the rear of the properties in the surrounding area relate to a different scale and form of development and have different locational characteristics to the

appeal scheme. In any event, each proposal falls to be assessed primarily on its own merits and I am unaware of the full circumstances associated with these other cases. I therefore accord them limited weight as precedents in this case.

19. I note the appellant's comments regarding the various benefits arising from the proposal including the scheme's high quality design and meeting the needs of the appellant's family. While I have given them some weight, these benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

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

David Troy

INSPECTOR