



Appeal Decision

Site visit made on 21 March 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd April 2023

Appeal Ref: APP/P1940/D/23/3315746

142 Oaklands Avenue, Oxhey Hall, Hertfordshire WD19 4LQ

- 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 Taylor against the decision of Three Rivers District Council.
 - The application Ref 22/2012/FUL, dated 27 October 2022, was refused by notice dated 29 December 2022.
 - The development proposed is described as a first floor rear extension, and a single storey front porch extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the area, including whether it would preserve or enhance the character or appearance of the Oxhey Hall Conservation Area ('the OHCA').

Reasons

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing their character or appearance. The National Planning Policy Framework ('Framework') sets out that great weight should be given to the conservation of designated heritage assets, such as conservation areas, and that harm to their significance requires clear and convincing justification.
4. As set out in the Oxhey Hall Conservation Area Appraisal 2007, the OHCA is a typical, planned, 'Metroland' estate. It generally comprises detached or semi-detached houses, which are set back from the highway behind trees and often landscaped front gardens, on large plots. Notwithstanding some individuality, the buildings, particularly their front elevations, are fairly regularly-proportioned, with repetitive design themes, such as hanging tiles, exposed timbers, bay windows, and ornamental glass and brickwork.
5. I observed that the semi-detached pairs close to the appeal site have a regular pattern of similar narrow, two storey rear sections, which project directly back from their principal rear faces, and which mostly have a gabled roof.

6. All these characteristics, along with a common palette of facing materials, including masonry, render and timber, give the area a well-ordered, and attractive, sense of cohesion.
7. The Council raises no objection to the proposed porch and single storey rear extension. Given their height and size, and the presence of similar features in the area, I agree that they would not harm the character and appearance of the host property or the area.
8. Turning to the proposed first floor rear extension, its maximum roof height would be lower than that of the host. However, it would be deeper and wider than its existing, characteristic, first floor rear projection, and it would extend beyond the host's principal flank wall. As a result, the extension would appear rather detached from the host property, with poor integration at roof level, and the resultant dwelling would have a rather complex and disjointed form.
9. Moreover, the extension's form including its gabled roof, its width including its layout beyond the host's principal side elevation, and its depth, would be at odds with the fairly regular pattern of two storey rear projections in this row.
10. The extension's rearward siting would, to a degree, temper its impact on the streetscene, but it would still be visible in the gap between No 140 and the host. In that view, and from nearby houses and their rear gardens, for the above reasons, it would harm the character and appearance of the host property and the area.
11. In their statement, the appellants have provided photographs of other first floor and two storey extensions along Oaklands Avenue, but I have no other details including their planning history or, if they were permitted, the policies that were in place at the time. However, on the basis of the limited evidence before me, most of those appear rather more integrated with their respective host property than would be the case here.
12. The scheme would conflict with Policies CP1 and CP12 of the Three Rivers Core Strategy 2011, and Policy DM1 and Appendix 2 of the Three Rivers Development Management Policies Local Development Document 2013 ('TRDMP'). Amongst other things, and in general terms, these set out that development shall protect and enhance the built environment; shall have regard to the local context; and shall respect an area's distinctiveness with regard to matters such as character, scale, massing and roof form.
13. In harming this typical part of the OHCA, the scheme would fail to preserve or enhance the character and appearance of the OHCA as a whole. It would therefore also conflict with TRDMP Policy DM3 which states that within conservation areas development will only be permitted if it is of a design and scale that preserves or enhances the character or appearance of the area.
14. The harm to this designated heritage asset is a matter to which I attribute great weight. However, as the harm caused to it would be 'less than substantial', in accordance with the Framework, I am required to weigh it against the public benefits of the proposal.
15. In its favour, the proposal would provide the existing, and any future, occupants with additional space, and therefore improved living conditions. However, that benefit would be largely private, relating to the enjoyment of the house by its occupants. Therefore, I find no public benefits that would outweigh

the harm that I have identified. The proposal would thus also conflict with the Framework.

16. For these reasons, and having regard to all other matters raised, including representations by interested parties, the appeal is dismissed.

Chris Couper

INSPECTOR