
Appeal Decisions

Site visit made on 16 May 2023

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 21 June 2023.

Appeal Ref: APP/Y1945/D/23/3315115

57 Ridge Lane, Watford, Hertfordshire WD17 4SX

- 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 Neilus McCarthy against the decision of Watford Borough Council.
 - The application Ref 22/01128/FULH, dated 20 September 2022, was refused by notice dated 10 November 2022.
 - The development proposed is the erection of a two storey side extension, single and two storey rear extension and loft conversion with rooflights.
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Appeal Ref: APP/Y1945/D/23/3320058

57 Ridge Lane, Watford, Hertfordshire WD17 4SX

- 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 McCarthy against the decision of Watford Borough Council.
 - The application Ref 23/00031/FULH, dated 17 January 2023, was refused by notice dated 10 March 2023.
 - The development proposed is erection of a two storey side extension, single and two storey rear extension and loft conversion with roof lights.
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Decisions

1. The appeals are dismissed.

Procedural Matters

2. Although there are some variations in the appeal schemes, including the proposed height of the roof ridge, the general scale and form of the proposed side, rear and roof extensions are similar for both schemes. Accordingly, these appeals are capable of being jointly assessed.
3. The Council's reasons for refusing the first appeal application (Ref APP/Y1945/D/23/3315115) included reference to loss of light to the rear garden of 59 Ridge Lane. However, as part of the second appeal application (Ref APP/Y1945/D/23/3320058) the appellants submitted an Overshadowing Assessment and this resulted in there not being an objection based upon loss of light. Accordingly, these appeals have been assessed on this basis.

Main Issues

4. It is considered that the main issues are the effects of the proposed developments on (a) the character and appearance of the host property and

the streetscene and (b) the living conditions of the occupiers 59 Ridge Lane by reason of outlook.

Reasons

Character and Appearance

5. These appeals are concerned with the enlargement of a detached 2-storey dwelling situated within a predominantly residential area. The dwellings within the surrounding area are a mix of 2- and 3-storey detached and semi-detached properties. The dwellings are set back from the road to the rear of landscaped gardens also used for parking. There is generally a gap between the dwellings, particularly at first floor level. The road slopes and the ground level of the dwellings is staggered with the property at a lower level than 59 Ridge Lane.
6. As identified by the appellants and observed during the site visit, some of the other dwellings adjacent to the appeal property have been altered, including Nos. 55b, 55c, 59, 61 and 65. Although the detailed planning circumstances of these other dwellings have not been provided, their contribution to the character and appearance of the streetscene has been considered.
7. By reason of the proposed side extension's width, it would not appear a disproportionate addition to the host property with an appropriate gap maintained between the proposed flank wall and the shared boundary with No. 55c. Further, its height would appear subservient to the property albeit it is proposed to increase the property's ridge height. Overall, this element of the appeal schemes would generally accord with the guidance contained in the Council's *Residential Design Guide* (RDG) which also refers to an extension complementing the size, shape and character of the existing property as well as being subordinate to it.
8. From Ridge Lane, because of the staggered ground levels of the other dwellings the proposed increased height of the property's roof would not cause harm to the character and appearance of this streetscene. The increased height of the enlarged property would not appear inconsistent with the adjacent dwellings. Further, the hipped roof form, the projecting front gable with its pitched roof and the porch would be retained which are characteristic of other dwellings of similar design fronting Ridge Lane.
9. However, the depth of the resulting roof extension would be seen from the road and, as a consequence, it would appear a bulky addition, principally because it would incorporate the proposed 2-storey rear extension. From what could be observed, the resulting roof would be significantly larger and bulkier than the other dwellings of a similar design which front the road albeit, as identified by the appellants there are some dwellings with large roofs fronting the road. Although there would be some harm caused to the character and appearance of the streetscene from the increase in the bulk of the property's roof, this alone would not be a reason for these appeals to fail.
10. At the rear, a combination of 2-storey and single storey extensions are proposed. The appellants claim that the extent of the proposed single storey element would be similar to what could be erected as permitted development under the prior approval process. Further, the proposed 2-storey extension would be no more than 3 metres in depth adjacent to the shared boundary with No. 59 and, as such, this would echo the maximum depth referred to in the

RDG. In addition, the overall depth of the proposed 2-storey would be similar to other rear extensions which were observed during the site visit.

11. Although individually the elements of the proposed rear extensions could be acceptable, cumulatively with the alteration in the size of the roof, the overall scale of the appeal schemes would represent a significant and bulky increase in the size of the host property. Cumulatively, the proposed developments would not be subservient additions to the host property and would not represent a high quality of design. There would be a conflict with the guidance in the RDG concerning extensions being subordinate to the dwelling and also respecting the character and scale of the host property.
12. On this issue, it is concluded that the proposed developments would cause unacceptable harm to the character and appearance of the host property and the streetscene and, as such, there would be a conflict with the guidance contained in the RDG and Policies QD6.2 and QD6.4 of the Watford Local Plan (WLP) which require development to be of a high quality design.

Living Conditions

13. By reason of its siting adjacent to the shared boundary with No. 59, the occupiers of this neighbouring property would inevitably have an outlook towards the flank walls of the proposed rear extensions. However, from what could be observed, the openings which would be affected by the proposed developments within the side elevation of No. 59 serve non-habitable rooms and, in at least one case, have obscured glazing. The primary openings associated with habitable rooms, including the kitchen, are within the rear elevation of No. 59 and have an outlook towards the landscaped part of the garden and would not have an outlook towards the proposed extensions.
14. Although part of the wider amenity space, the open area to the side of No. 59 is not part of the rear landscaped garden area. Instead, it is partially occupied by a shed and is used for external storage. By reason of siting and the character of this part of the garden, the proposed developments would not give rise to an adverse increase in the sense of enclosure for the occupier of the type referenced in the RDG as part of the consideration of neighbourliness.
15. It is concluded that the proposed developments would not cause unacceptable harm to the living conditions of the occupiers of 59 Ridge Lane by reason of a loss of outlook and, as such, they would not conflict the National Planning Policy Framework which requires a high standard of amenity for existing and future users. WLP Policy C8.4 referred to in the Council's decision notices relates to managing air quality and is not of direct relevance to this issue.

Conclusion

16. Although the proposed developments would not cause unacceptable harm to the living conditions of the occupiers of No. 59 by reason of loss of outlook, this matter is outweighed by the unacceptable harm which would be caused to the character and appearance of the host property and the streetscene. Accordingly, it is concluded that these appeals should be dismissed.

D J Barnes

INSPECTOR