



Appeal Decision

Site visit made on 16 January 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30.01.2024

Appeal Ref: APP/P1940/D/23/3332386

123 Harrow Way, Carpenders Park, Hertfordshire, WD19 5EP

- 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 Shahzad Aslam against the decision of Three Rivers District Council.
 - The application Ref 23/1098/FUL, dated 30 June 2023, was refused by notice dated 1 September 2023.
 - The development proposed is a small 3.326 sqm infill to the existing single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a small 3.326 sqm infill to the existing single storey rear extension at 123 Harrow Way, Carpenders Park, Hertfordshire, WD19 5EP in accordance with the terms of the application Ref 23/1098/FUL, dated 30 June 2023 and in accordance with the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile of those of the existing building;
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plan: 23007-A-002.

Main Issue

2. The main issue in this case is the effect of the proposed development on the living conditions of the occupiers of Number 121 Harrow Way, with regards to outlook.

Reasons

3. The appeal property is a semi-detached bungalow with a dormer extension and a ground floor extension to the rear. It is set back from the road behind a parking area and has a longer garden to the rear.
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4. The appeal property is located in a residential area characterised by the presence of semi-detached bungalows set back from the road behind short gardens and/or parking areas and with longer gardens to the rear.
5. The presence of grass verges, gardens and street trees combines with the low height of dwellings and views over and around them to trees beyond, to provide for a green and spacious local character.
6. As noted above, the appeal property has a ground floor rear extension. This projects along the rear boundary with Number 121 Harrow Way before stepping in towards the end of the extension. The proposal would effectively infill this short stepped-in area.
7. The area to be in-filled is small and currently comprises a small gap between the blank wall of the single storey rear extension and a tall boundary hedge. I find that infilling this gap would have little if any discernible impact upon the outlook from No 121 – a small existing area of blank wall would simply appear a little closer.
8. The proposal would be no taller than the existing extension which, due to its single storey height and flat roof, appears neither tall nor prominent in its surroundings.
9. In the above regard, I am mindful that the occupier of Number 121 has written to confirm that he has no objection to the proposal. Further and not unusually, given that many bungalows in the area have been extended to the rear, the occupier of No 121 also states an intention to extend his property in a similar manner to the proposed development.
10. Taking all of the above into account, I find that the proposed development would result in a modest addition in keeping with the host dwelling and that it would appear neither obtrusive nor overbearing when seen from No 121.
11. The proposal would not harm the living conditions of the occupiers of Number 121 Harrow Way, with regards to outlook and would not be contrary to the National Planning Policy Framework; to the Council's Core Strategy (2011) Policies CP1 and CP12; or to the Council's Development Management Plan (2013) Policy DM1, which together amongst other things, seek to protect residential amenity.

Conditions

12. I have considered the conditions against the tests set out in Paragraph 56 of the Framework. A condition specifying the approved plans is necessary for the avoidance of doubt and in the interests of proper planning.
13. A condition controlling external surfaces is necessary in the interests of local character.

Conclusion

14. For the reasons given above, the appeal is successful.

N McGurk

INSPECTOR