

# 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**

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## **Appeal Ref: APP/N1920/D/23/3332700**

### **9 Three Valleys Way, Bushey, Hertfordshire, WD23 2FF**

- 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 Mylarapu against the decision of Hertsmere Borough Council.
  - The application Ref 23/1154/HSE, dated 8 August 2023, was refused by notice dated 4 October 2023.
  - The development proposed is a first and second storey side extension and front extension to the garage.
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## **Decision**

1. The appeal is dismissed.

## **Procedural Matter**

2. The appeal property has been the subject of a number of recent planning applications. Of these, an application<sup>1</sup> for a single-storey front and first storey side extension (revised application) was partly allowed at appeal<sup>2</sup>. This was for a different form of development to that the subject of this appeal.

## **Main Issue**

3. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

## **Reasons**

4. The appeal property is a modern three storey townhouse with an attached garage. It is located in a residential area characterised by the presence of two and three storey townhouses and semi-detached dwellings with short gardens to the front and longer gardens to the rear.
5. The garage to the side of the dwelling is accessed via a courtyard, which is connected to Three Valleys Way via a covered access, the roof of which is attached to the appeal property's garage.
6. During my site visit, I observed that, whilst the townhouses are tall with short front gardens, the presence of street trees and an attractive sustainable

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<sup>1</sup> Reference: 22/0057/HSE.

<sup>2</sup> Reference: APP/N1920/D/22/3299868.

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drainage feature combines with gaps between terraces and pairs of dwellings, to provide for a sense of spaciousness and greenery.

7. The proposal would extend the appeal property to the front and side, converting the garage to residential accommodation and adding two stories above.
8. Whilst the roof would be set slightly lower than that of the host dwelling, the proposed development would step forward of the main front building line of the terrace, bringing the front of the proposed extension level with the front of the existing bay to the host dwelling's ground and first stories.
9. I find that this proposed forward projection would appear awkward and out of keeping with the rhythmic and uniform appearance otherwise provided by the terraced row's building line and regularly spaced ground and first floor bays. Further, the height and flat front of the proposed extension would draw attention to itself as an incongruous feature, stepping forward of the building line and in its plainness, appearing unlike any other significant gable frontage along this part of Three Valleys Way, where gables, lean-to roofs and porches provide common features.
10. The harm arising from the above would be exacerbated as a result of the proposal largely filling the gap above ground floor level between the appeal property and Number 11 Three Valleys Way. This gap currently provides for open views above the roof of the garage and courtyard access and in so doing, it makes a significant contribution to the area's spacious qualities.
11. I find that the proposed development would not only severely erode this gap, to the detriment of spaciousness, but would also result in an unfortunate terracing effect to a significant height, whereby the height and length of the built form would appear overwhelming – again to the detriment of the area's identified spacious qualities.
12. Also, the overall scale of the proposal, noting in particular its three storey height and its significant width - which would be wider than the host dwelling at higher levels - together with its stepping forward, would result in it failing to appear as a subservient extension. Rather, the proposed extension would draw attention to itself as an awkward, bulky and unduly dominant addition.
13. In addition to all of the above, the proposed fenestration would result in a column of three windows rising above one another in between the host property's gable and the proposed extension's gable. I find that these windows would appear unduly 'squeezed' in and would appear awkward, unbalanced, intrusive and out of keeping with the otherwise regularly spaced fenestration across the existing terrace.
14. Taking all of the above into account, I find that the proposed development would harm the character and appearance of the area, contrary to the National Planning Policy Framework; to Hertsmere Core Strategy (2013) Policies SP1 and CS22; to Hertsmere Site Allocations and Development Management Policies Plan (2016) Policies SADM12 and SADM30; and to the Council's Supplementary Planning Document: Planning and Design Guide (2006), which together amongst other things, seek to protect local character.

### **Other Matters**

15. The appellant, in support of the proposal, draws attention to other planning decisions elsewhere. However, there is no evidence before me to demonstrate that these decisions relate to proposals so similar to the appeal before me as to provide for direct comparison and in any case, notwithstanding this, I have found that the proposed development would result in significant harm. This harm is not something that is altered or mitigated by other decisions relating to other development proposals elsewhere.

### **Conclusion**

16. For the reasons given above, the appeal does not succeed.

*N McGurk*

INSPECTOR