



Appeal Decision

Site visit made on 6 March 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 April 2024

Appeal Ref: APP/Y1945/D/23/3334806
107 Tolpits Lane, Watford, WD18 6NT

- 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 Aijaz Beigh against the decision of Watford Borough Council.
 - The application Ref 23/00903/FULH, dated 3 October 2023, was refused by notice dated 27 November 2023.
 - The development proposed is an upper storey rear extension at first floor level to extend back from the rear wall by 3.0m. The proposed extension roof is a hipped roof and extends across the full width at the back of the property. The proposal also includes the addition of a front porch.
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Decision

1. The appeal is allowed in part and planning permission is granted for the addition of a front porch at 107 Tolpits Lane, Watford, WD18 6NT in accordance with the terms of the application, Ref 23/00903/FULH, dated 3 October 2023, subject to the conditions below:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as it relates to the addition of a front porch: Proposed Plans (Proposed area shown in yellow hatch).
 - 2) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. For clarity, permission is only granted for that part of the proposed development referred to under the decision above.
 3. The appeal is dismissed in so far as it relates to "an upper storey rear extension at first floor level to extend back from the rear wall by 3.0m. The proposed extension roof is a hipped roof and extends across the full width at the back of the property."
 4. The Council has no objection to the proposed front porch.
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Main Issue

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

Reasons

6. The appeal property is a two-storey semi-detached brick-built dwelling. It is set back from the road behind a garden and parking area and has a longer garden to the rear. The dwelling has a large rear dormer.
7. The appeal property is located in a residential area characterised by the presence of similar two storey terraced and semi-detached brick-built dwellings set back from the road behind short gardens and/or parking areas and with longer gardens to the rear.
8. During the course of my site visit, I observed that many dwellings have been altered and/or extended. However, such changes tend to appear in keeping with the host dwelling and similarities in housing design, the use of similar building materials, a uniform set-back of dwellings and a regular development pattern all combine to provide the area with an attractive sense of uniformity.
9. Opposite the appeal property, there is a large area of public space, comprising grassland and trees and this, together with the presence of gardens and parking areas, provides for a green and spacious character. This spaciousness and greenery is especially apparent to the rear of Tolpits Lane in this location, where rear gardens back onto neighbouring rear gardens.
10. The proposed development would introduce a two storey rear extension across the width of the rear of the dwelling and its hipped roof would project well above the base of the dormer. This would create an awkward juxtaposition, whereby the proposed extension would appear to jut directly in front of and fail to harmonise with, the existing dormer.
11. Consequently, rather than appear as a subordinate addition to the dwelling, the proposed two storey extension would jar severely with the appearance of the host dwelling. Further, I find that the harm arising from this would be exacerbated as a result of the height of the proposal, whereby its awkward relationship with the host dwelling would be widely visible from a variety of locations across the garden area to the rear of the host property.
12. Taking all of the above into account, I find that the proposed rear extension would harm the character and appearance of the area, contrary to the National Planning Policy Framework; to Watford Local Plan 2021-2038 Policies QD6.2 and QD6.4; and to the Watford Residential Design Guide (2016), which together amongst other things, protect local character.

Conditions

13. I have considered the conditions suggested by the Council against the tests set out in Paragraph 55 of the Framework. A condition specifying the approved plan, insofar as it relates to the development hereby permitted, is necessary for the avoidance of doubt and in the interests of proper planning.
14. A condition controlling materials is necessary in the interest of local character.

Other Matters

15. In support of the proposal, the appellant refers to other developments elsewhere. However, there is nothing before me to demonstrate that any of these examples are so similar to the proposal before me as to provide for direct comparison.
16. Notwithstanding this and in any case, I have found above that the proposed development would result in significant harm and this is not a factor that is mitigated by the presence of other developments elsewhere.

Conclusion

17. For the reasons given above, the appeal succeeds insofar as it relates to a front porch but it does not succeed in respect of "an upper storey rear extension at first floor level to extend back from the rear wall by 3.0m. The proposed extension roof is a hipped roof and extends across the full width at the back of the property."

N McGurk

INSPECTOR