



Appeal Decision

Site visit made on 22 May 2024

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 4th June 2024

Appeal Ref: APP/P1940/D/24/3341873

9 Ashridge Drive, South Oxhey, Hertfordshire, WD19 6TQ

- 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 Mariusz Dlugosz against the decision of Three Rivers District Council.
 - The application Ref 23/1577/RSP, dated 12 September 2023, was refused by notice dated 12 February 2024.
 - The development proposed is Part Retrospective: construction of single storey front extension, single storey rear extension, first floor rear extensions including Juliet balcony and bay windows; construction of rear dormer including Juliet balcony and rooflights, front rooflights; alterations to external materials including provision of external render insulation, alterations to fenestration, insertion of air conditioning unit; construction of dropped kerb, vehicular crossover and driveway.
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Decision

1. The appeal is dismissed.

Main issues

2. I consider that the main issues in this case are its effect on the character and appearance of the area and on the living conditions of neighbouring residents by reason of noise.

Reasons

3. 9 Ashridge Drive is a two storey end of terrace house in an established residential area characterised in the immediate vicinity by relatively modest terraced houses of a similar scale. Some of the works the subject of this appeal, including the single storey rear extension, the first floor projections and the dormer window, have been carried out.
4. The relevant policies in this case include policy CP12 of the Core Strategy (adopted October 2011) (the Core Strategy) and policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) (the DMPLDD). These relate to design and the quality of the built environment and, among other things, set out that extensions should respect the existing character of the building and the local context and not lead to a gradual deterioration in the quality of the environment. DMPLDD policy D9 relates, among other things, to noise pollution. The supporting statement advises that a noise impact assessment might be required in noise sensitive areas.

5. I note that the Highway Authority raises no objection to the proposed vehicle crossover and see no reason to disagree with this.

Character and appearance

6. The Council raises no objection to the front extension or the rooflights and I see no reason to disagree with this.
7. The proposal includes several elements, some of which have already been constructed and have been the subject of an enforcement investigation. The single storey rear extension and rear dormer are the full width of the original house. They are physically joined to the first floor rear projections and therefore amount to one single physical structure.
8. The rear dormer is flush with the original rear elevation with very little of the eaves remaining and its southeast flank wall is carried up from the original main flank wall. The set down from the main roof ridge is minimal. I consider that the dormer in itself is excessive in size, and appears overbearing and out of proportion with the modest scale of No. 9 and the adjoining terrace.
9. Although the two first floor rear projections over the single storey extension are relatively modest in terms of their projection, their width, height, boxy design, flat roofs and large area of glazing appear bulky and out of proportion with the original house and out of keeping with its character.
10. The combination of the large dormer and first floor projections has resulted in a bulky, top-heavy form of development which is not subservient to the original house. The cumulative effect of these elements together with the extensive glazing at first floor level and in the dormer, and the proposed Juliet balconies would be detrimental to the character of the existing house because of their excessive scale and mass. They would be out of proportion with both the house itself and other properties in the street.
11. The rendered finish of the external insulation at ground and first floor level would be acceptable in the context of the original house and the wider surroundings. However, its use for the dormer emphasises the appearance of the latter as an extension to the dwelling rather than a subservient element within the roof slope in materials to match the roof tiles. The rear dormers on nearby properties which were visible during my visit were generally constructed of materials to match the roof and appear more subservient.
12. I have taken account of the extent to which various elements of the development could be constructed under permitted development rights. However, the single storey extension, the first floor projections and the dormer amount to a single structure which falls outside those rights. It is located to the rear and is not readily visible from public views in the street, though it is visible from numerous surrounding properties. I consider that, notwithstanding the limited public views of it, its size, form and mass are so out of proportion with the original house and the terrace that it fails to respect the existing character of the building and the local context.
13. I conclude that the development as a whole would be harmful to the character and appearance of the original house and the surroundings, contrary to policy CP12 of the Core Strategy and policy DM1 and Appendix 2 of the DMPLDD.

Living conditions

14. The Council considers that a noise assessment is required in respect of the proposed air conditioning unit and its impact on the living conditions of the occupiers of the neighbouring property, No.7. While I accept that the proposed unit is relatively minor, there is potential for such a unit to cause disturbance through noise. I consider that in the absence of a report, it has not been satisfactorily demonstrated that there would be no loss of residential amenity at No.7.
15. I conclude that, in the absence of a noise assessment report, the proposal is contrary to DMPLDD policy D9.
16. For the reasons given above, the appeal is dismissed.

PAG Metcalfe

INSPECTOR