



Appeal Decision

Site visit made on 5 December 2024

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 January 2025

Appeal Ref: APP/N1920/D/24/3347167

33 Peregrine Close, Watford, Hertfordshire WD25 9AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Wolfaardt against the decision of Hertsmere Borough Council.
 - The application Ref is 24/0179/HSE.
 - The development proposed is two storey rear and side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey rear and side extension at 33 Peregrine Close, Watford, Hertfordshire WD25 9AP in accordance with the terms of the application, Ref 24/0179/HSE, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the appeal property and surrounding area; and
 - the effect of the proposed development on the living conditions of the occupants of neighbouring properties.

Reasons

Character and appearance

3. The appeal site comprises an end-of-terrace property set within a garden plot. The dwelling is set back from the road behind a front garden, although both front and rear elevations are partially visible from the surrounding area. Surrounding properties are of a similar scale, design, period and plot position.
4. The proposed development would be set back from the front elevation of the property and its roof set down from the principal ridge level. From that perspective, there would be limited visibility of the extension from the front elevation.
5. I accept that the projection of the rear part of the extension may be greater than some nearby examples and the largely unaltered rear elevation of the terrace would change. However, I am satisfied that the proposed development would, in this instance, appear appropriately subservient to the host property and suitably reflect the design of the main house. This is in part due to the use of matching materials, the setback of the extension and set down nature of the roof levels. Moreover, the appeal property is positioned at the end of the cul-de-sac with only

limited visibility. Where seen, views would be at an angle and fleeting. The crown roof feature, normally resisted by the Council, would not be readily discernible from any public vantage point.

6. Overall, I conclude that the proposed development would be acceptable in this location, in accordance with the relevant provisions of Policies SP1, SP2 and CS22 of the Hertsmere Core Strategy (CS, 2013) and Policy SADM30 of the Site Allocations and Development Management Policies Plan (DMPP, 2016). These policies, in summary, seek to ensure high quality design in developments.

Living conditions

7. The proposed development would introduce built form where this does not currently exist, particularly at first floor level. I acknowledge that this would change the relationship between the appeal property and No 35. However, the eaves height of the proposed first floor addition would match that of the existing property, with the ridge level set well down. These measures, together with the setback of the first floor element away from the shared boundary and the appeal dwelling's end-of-terrace location, is such that the proposed development would not result in any harmful loss of daylight or outlook from neighbouring properties. In particular, outlook from the rear facing windows of No 35 would remain uninterrupted, over the property's own rear garden.
8. New windows serving habitable rooms would be installed in the rear elevation, However, these would face in the same direction as existing upper level windows. From that perspective, there would be no harmful increase in overlooking.
9. For the above reasons, I conclude that the proposed development would have an acceptable impact on the living conditions of neighbouring occupants at No 35. As such, the proposed development would accord with the relevant provisions of CS Policies SP1 and SP2 and DMPP Policy SADM30 which in summary and when taken as a whole, seek to ensure high quality design that protects the amenities of future users and neighbouring occupants.

Other Matters

10. The matter of whether part of the appeal site is currently in lawful use has been raised by the Council. Although the development may project into land which the Council considers is not currently curtilage, I have no reason to consider any harm would result by the part of that land occupied by the extension being in residential use as a result of the development.
11. The Council has referred, in its decision notice, to CS Policy CS25 and DMPP Policy SADM40. As these refer to parking and accessibility, for which there is no dispute, I do not consider them directly relevant to the scheme before me.

Conditions

12. I have imposed conditions on time limits and requiring compliance with the relevant plans in the interests of certainty. A condition requiring the external surfaces of the development to match the existing building is imposed in the interests of protecting the character and appearance of the area.
13. A condition requiring the submission of an Arboricultural Method Statement is required in the interest of the protection of trees given the proximity of the site to

several mature trees. This is pre-commencement to ensure that appropriate mitigation measures are in place before works commence.

Conclusion

14. For the reasons given, I conclude, having had regard to the development plan as a whole and all other relevant material considerations, that the appeal should be allowed subject to the conditions below.

A Price

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The external materials of the extension hereby permitted shall match those used in the existing dwelling.
- 3) The development hereby permitted shall be carried out in accordance with drawing nos: Location Plan; and 3596 PPL3 B.
- 4) Prior to commencement of development an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:
 - a) measures for the protection of any affected trees and hedges that are to be retained;
 - b) details of all construction measures within the 'Root Protection Area' of affected trees, specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstanding, roads and footpaths;
 - c) a schedule of proposed surgery works to be undertaken to affected trees and hedges.

The development shall be carried out in accordance with the approved details.