



Appeal Decision

Site visit made on 11 February 2025

by **C Housden BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 February 2025

Appeal Ref: APP/P1940/D/24/3354108

65 Heysham Drive, South Oxhey, Watford WD19 6YH

- 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 Ms Ylaine Solomon against the decision of Three Rivers District Council.
 - The application Ref is 24/0817/RSP.
 - The development proposed was originally described as “extend over the side extension housing a bathroom and reduce existing front dormer – change to flat roof”
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the proposed development differs between the application form and the decision notice. The description in the decision notice has included several acts of development which have already been granted planning permission under Ref 23/1095/RSP. I have been provided a copy of these approved plans and the decision notice. From my site visit, it was clear that works in relation to this permission had commenced and were well advanced.
3. In the interest of clarity and conciseness, I have taken the description of development from the application form which adequately describes the proposal and does not contain acts of development which already benefit from planning permission.
4. I also understand the pitched roof dormer window that is in-situ on the front roof slope is subject to enforcement investigations. I have however, dealt with the appeal on the basis that planning permission is being sought for a flat roofed dormer, along with the side roof extension, which is reflected in the description of development and the submitted plans.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the area.

Reasons

6. The area predominantly comprises two-storey residential properties with a consistent style arranged in short terraces and pairs of semi-detached houses. Corner plots are either open or in some cases contain a pair of pitched roof, single storey, end-of-terrace properties joined together by a brick linkage. These properties appear subordinate and readily distinguishable from the rows of two-storey houses they

adjoin. The corner plots help to retain the visual separation and space between rows of housing. The area is generally flat and benefits from grass verges and hedges. Overall, the area has a suburban character.

7. No 65 Heysham Drive is one of the single storey properties situated in a corner plot between Heysham Drive and Foxgrove Path. Whilst No 65 has been subject to extensions, it is still identifiable as a subordinate end-of-terrace property set in a corner plot. Separation between the housing in Heysham Drive and Foxgrove Path is still apparent in this corner plot and No 65 contributes to the character and appearance of the area in this regard.
8. The proposed roof extension would follow the existing ridge and extend the gable roof across the single storey flat roof side extension. This would add excessive bulk and width to the property above the ground floor level, and in doing so would detrimentally alter the character and appearance of No 65 as a corner plot property. Instead, No 65 would appear as an unacceptably dominant feature in the street, particularly when viewed in the context of the other nearby single storey properties. The extension would also have the effect of detrimentally eroding the separation and open space created by the corner plot between Heysham Drive and Foxgrove Path which would be harmful to the character and appearance of the area.
9. The Council has confirmed in its officer report that they raise no objection to the front dormer extension. This is due to the dormer being set subordinately within the roof slope and being reduced in size compared to the previously consented dormer under permission 23/1095/RSP. I have no reason to disagree with this reasoning.
10. Nevertheless, whilst I may not find material harm on this issue, I have still found harm to the character and appearance of the host dwelling and wider area from the roof extension, and as such the appeal cannot be viewed in a positive light.
11. For the reasons I have given, the proposed development would harm the character and appearance of the host dwelling and the area. Consequently, the proposal would conflict with Policies CP1 and CP12 of the Three Rivers District Council Core Strategy Local Development Framework (2011) and Policy DM1 of the Three Rivers District Council Development Management Policies Local Development Document (2013). These policies seek to ensure that development achieves a high standard of design and does not lead to a deterioration in the quality of the built environment.

Other Matters

12. The appellant has highlighted examples of dormer extensions within Carpenders Park. As these extensions are located within a different area, they are not directly comparable to the context of the appeal proposal. Furthermore, I do not know the circumstances under which they were constructed or their status with regard to planning permission.
13. I have also been provided with some details regarding extensions approved by the Council at 46 Heysham Drive. These cases are not directly comparable as No 46 is a two-storey semi-detached property rather than a single storey end-of-terrace property. As such, a comparison between these properties is of limited relevance in this instance.
14. The appellant has also referred to a previous historic planning permission at the property which has now lapsed. I do not have the details before me of this permission

and whether the circumstances are comparable to the appeal proposal. As such a comparison is of limited relevance in this instance.

15. In any case, I have considered the appeal before me on its individual planning merits and the presence of these examples of other extensions and lapsed permission do not persuade me that the appeal proposal is acceptable or otherwise justify the harm that I have identified in respect of the scheme.
16. The appellant suggests that an extension could be carried out under permitted development, but I have little evidence to demonstrate this. I am therefore unable to conclude that this offers a realistic or probable prospect and consequently it does not represent a legitimate fallback position. It is open to the appellant to apply under Sections 191 or 192 of the Town and Country Planning Act 1990 to establish what could be constructed under permitted development. Any such determination would be unaffected by the outcome of this appeal. I have considered the appeal on the basis of what is proposed and its consequent effects.

Conclusion

17. For the reasons given above, the proposal would conflict with the development plan as a whole and material considerations do not indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

C Housden

INSPECTOR