



Appeal Decision

Site visit made on 8 April 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 MAY 2025

Appeal Ref: APP/P1940/D/25/3361169

9 Ashridge Drive, South Oxhey, Hertfordshire WD19 6TQ

- 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 Mariusz Dlugosz against the decision of Three Rivers District Council.
 - The application Ref is 24/1790/RSP.
 - The development proposed is described as “part retrospective: construction of single storey front extension, single storey rear extension, first floor rear extensions including Juliet balcony and new roof, construction of rear dormer including rooflight, front rooflights; alterations to external materials including provision of external render insulation, alterations to fenestration, construction of dropped kerb, vehicular crossover and driveway”.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issue

3. The above description of development is taken from the decision notice since the appellant agreed to it being changed during the life of the application. I am satisfied that it accurately describes the development to which the appeal relates. In addition, the Council have approved, as part of previous schemes, the front and single storey rear extensions, the rear dormer and the vehicular cross over. Therefore, and with regard to the Council’s reasons for refusal, my recommendation focusses on the first-floor rear extension and specifically its effect on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal building is a two-storey end of terraced dwelling that has been extended to the rear. The surrounding terraced buildings appear to be largely original with only a few instances of modest rear dormers. The primacy of their rear elevations is retained. Resultantly, the surrounding character is pleasantly uniform which contributes positively to the character and appearance of the area.
5. The eaves of the first storey extension have been reduced to sit in line with the existing dwelling. This is an attempt to reduce the height of the first floor to appear separate from the dormer. However, the combination of the width of the extension along with the retained close proximity of the dormer window would result in a bulky

elevation obscuring the original dwelling. The resultant rear elevation would present as a harsh and blocky facade which would still result in the appearance of one extension due to the scale of the dormer and the minimal gap between it and the eaves. Whilst the proposed works would be relatively minor, the accumulation of extensions would relate poorly with the building and would result in a complete degradation of the rear elevation's original qualities. Moreover, and when viewed against the surrounding dwellings, it would be seen as a large and obtrusive addition which would detract from the uniformity of the area.

6. Three alternative options of a first floor extension have been posed by the appellant. Some of which include an extension which is larger in length and height than the proposed. I remain to be convinced, based on what I have seen, that such schemes would fall under the allowances of the permitted development regime. It is further not for me as part of this appeal to establish such definitively. I also have no detailed information to suggest that one of the proposals has a real prospect of being implemented. Nevertheless, none of these alternative schemes have been submitted to be considered at appeal, or as part of the scheme before me which I have considered on its own merits.
7. The proposal would result in unacceptable harm to the character and appearance of the area. Consequently, it would conflict with Policy CP12 of the Local Development Framework Core Strategy (2011), Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (2013) and the National Planning Policy Framework 2024 which, amongst other things, seek to ensure that development proposals are of a high-quality design and standard.

Other Matters

8. It is not sufficiently clear that the proposed development is the only way of meeting the increased internal space requirements of the incumbent family. I therefore attach moderate weight to this personal need. I understand that the appellant seeks to improve the energy efficiency of the property, however only minimal information has been advanced thereon and, resultantly, it can attract only limited weight.
9. Any communication concerns the appellant has with the Council during the handling of the planning application are for the main parties to establish and resolve outside of the appeal process. The Council have not raised the effect of the proposal on neighbours' living conditions as a contentious issue and I have no reason to disagree. However, a lack of harm would be neutral in any balance and not be sufficient to outweigh the harm to the character and appearance of the area.

Conclusion and Recommendation

10. For the reasons given above the appeal scheme would not comply with the development plan and I have been given no other compelling reason, taking into account other material considerations advanced, to deviate therefrom. I therefore recommend that the appeal should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR