



Appeal Decision

Site visit made on 28 April 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 June 2025

Appeal Ref: APP/P1940/D/24/3353278

16 The Readings, Chorleywood, Hertfordshire WD3 5SY

- 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 Dhimesh and Kam Patel against the decision of Three Rivers District Council.
 - The application Ref is 24/0875/FUL.
 - The development proposed is the demolition of existing shed and construction of new annexe with associated land levels changes, platform and metal balustrade.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing shed and construction of new annexe with associated land levels changes, platform and metal balustrade at 16 The Readings, Chorleywood, Hertfordshire WD3 5SY in accordance with the terms of the application, Ref 24/0875/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matter

2. The National Planning Policy Framework (the Framework) was updated on 12 December 2024. However, the sections pertinent to this appeal have not changed to such an extent as to affect the matters raised by the main parties. It has not therefore been necessary to seek their views, and the revised version has been taken into account in this decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. 16 The Readings (No 16) is a large two-storey detached dwelling located within a spacious plot with an irregular shape. The host dwelling is significantly set back from The Readings and, due to changes on land levels, it sits on lower ground than this road. The site is enclosed by generous soft-landscaping and lies at the end of The Readings, a predominantly residential cul-de-sac comprising of two storey detached dwellings which are normally set back from the road.
5. The Readings is parallel to Solesbridge Lane. There is a strip of land containing mature trees and vegetation between both roads, which provides both street scenes with a verdant character. Solesbridge Lane, which in this location normally

accommodates large, detached two storey dwellings set back from the highway verge, is located on lower ground than The Readings.

6. The proposal seeks to construct a detached annexe with roof accommodation within the front garden of No 16. The annexe and the main dwelling would share a common access, parking and garden space, which suggests that there would be shared living activity between the existing house and the annexe. Despite the provision of first floor accommodation, the proposal would not appear disproportionately large within the plot given the scale of the host dwelling. As such, the proposal would integrate with the function of the host dwelling.
7. While the annexe would sit on higher ground than Solesbridge Lane due to the different land levels, it would be set in from this lane and therefore would not appear conspicuous in this street scene. Despite its leafy character, Solesbridge Lane is not void of development, and normally the dwellings within both sides of the road are perceived nestled amongst trees and other vegetation. Likewise, the strip of green infrastructure would filter views towards the annexe from Solesbridge Lane. Consequently, the proposal would sit comfortably within its receiving context and would not appear at odds with the character of the area.
8. In light of the above, the proposal would have an acceptable effect on the character and appearance of the area. It would accord with Policies CP1 and CP12 of the Core Strategy 2011, with Policy DM1 of the Development Management Policies Local Development Document 2013, and with Policy 2 of the Chorleywood Neighbourhood Plan Referendum Version. Amongst other things, these policies support development that protects the built-up environment, is of high-quality design, has regard to its local context and makes a positive contribution to the street scene.

Conditions

9. The Council provided a list of suggested conditions, which I have considered with regard to the tests set out in the Framework and the Planning Practice Guidance. Where appropriate, I have adjusted the wording of the conditions to improve precision and enforceability.
10. In addition to the standard time limit condition, I have attached a condition to define the permitted plans to provide certainty.
11. A condition requiring the implementation of tree protection measures is necessary, with a pre-commencement trigger, to ensure that trees are protected during the construction works.
12. I have imposed conditions requiring the submission of details of external materials and landscaping in the interests of protecting local character. To protect the living conditions of neighbouring residents, it is necessary to include conditions requiring the installation of obscure-glazed and non-opening windows below 1.7m in height and removing permitted development rights for the installation of additional windows above ground floor level. The removal of these permitted development rights would be appropriate in this instance given the relationship with neighbouring properties and it would therefore meet the tests set out in the Framework.

13. The Council has suggested a condition precluding the use of the annexe as an independent dwelling. However, the description of development is precise in describing that the proposal comprises an annexe and therefore a condition limiting the use to that proposed would not be necessary.

Conclusion

14. For the reasons given above the appeal should be allowed.

P Terceiro

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: E-001, P-100, P-101, P-102, P-103, P-104, P-105, P-106, P-107, P108, P-109, P-110, P-111, P-112.
- 3) The development hereby permitted shall be carried out in accordance with the details outlined in the Arboricultural Impact Assessment and Method Statement, Tree Constraints Plan and Tree removal Plan.

The protective measures, including fencing as shown on the Tree Protection Plan within the Method Statement, shall be undertaken in full accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

- 4) No development above ground level shall take place until a plan showing details of the species, location and planting size/height of the new tree(s) to be planted within the site has been submitted to and approved in writing by the local planning authority.

The planting of the tree(s) shall be carried out in accordance with the approved details before the end of the first planting and seeding season following first occupation of any part of the annexe or completion of the development, whichever is sooner.

Immediately following their planting, if a tree dies, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

- 5) No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 6) Before the first occupation of the development hereby permitted, the first-floor window in the north elevation shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window shall be permanently retained in that condition thereafter.
- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings other than those expressly authorised by this permission shall be constructed in the first-floor north elevation of the building hereby approved.