
Appeal Decision

Site visit made on 7 October 2025 by E Clifford BA (Hons) MA

Decision by T Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th March 2026

Appeal Ref: APP/P1940/D/25/3370901

159 Abbots Road, Abbots Langley, Hertfordshire WD5 0BN

- 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 Ammar Nayar against the decision of Three Rivers District Council.
 - The application ref is 25/0819/FUL.
 - The development proposed is the construction of single storey rear extension, first floor side extension, flank first floor dormer and loft conversion including rear dormer and flank rooflights
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Decision

1. The appeal is allowed, and planning permission is granted for the construction of single storey rear extension, first floor side extension, flank first floor dormer and loft conversion including rear dormer and flank rooflights at 159 Abbots Road, Abbots Langley, Hertfordshire WD5 0BN in accordance with the terms of the application, ref 25/0819/FUL, subject to the conditions in the attached schedule.

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

3. I have taken the description of development from the Council's decision notice as it is more concise than that on the application form.

Main Issues

4. The main issues are the effect of the proposed development on:
 - a) the character and appearance of the streetscape; and,
 - b) the living conditions of the occupiers of the neighbouring property, no.161, having particular regard to outlook and light.

Reasons for the Recommendation

5. The appeal property is a two-storey detached dwelling. It has a crown roof, with catslide elements to the side elevation. To the front of the property is an entrance porch with a tiled roof, and an integrated garage which sits slightly forward of the main frontage. To the rear of the dwelling, the topography means that the rear garden slopes away significantly from the appeal property and there is an extant raised terrace to allow for access to the main garden.

6. The appeal property sits comfortably in a street scene comprised of a variety of architectural styles and dwelling sizes; a common unifying feature is the gables which feature on a number of properties along this stretch of road. It is set back from the highway beyond a mature hedge and driveway, a boundary style which is largely consistent along Abbots Road. The neighbouring property, no.161, sits slightly further forward in its plot than the appeal property and the topography of Abbots Road means that no.161 is set on a lower land level than the appeal property. Owing to the more traditional two-storey nature of no.161, there is little visual difference in the perceived height of the dwellings from the street scene.

Character and Appearance

7. The sloping topography of this section of Abbots Road means that the current perception of the appeal dwelling is that of subservience within the street scene and a perceived modest bulk. Whilst the proposed alterations would increase the bulk of the property, the resultant dwelling would remain proportional to the footprint of the host dwelling and would appear as a coherent form of development when viewed in the context of neighbouring properties and the wider street scene.
8. The proposed development would result in the enlargement of the existing crown roof, which are generally discouraged as per the guidance in Appendix 2 of the Three Rivers District Council Local Plan Development Management Policies Local Development Document (2013) (hereafter referred to as DMP LDD), which states that they can be perceived to exacerbate the depth of a property. However, in this example, the proposed gable frontage would partially disguise the extended crown roof and avoid a top-heavy appearance. The inclusion of a front gable within the proposed development demonstrates an overall understanding of the street scene, as gables feature prominently despite the architectural variance, and would allow the proposed development to sit comfortably and harmoniously within the established building line.
9. The DMP LDD guidance states that first floor extensions should leave, at a minimum, a 1m gap between the development and the adjacent property in high density areas, however high density is not defined. The guidance further specifies that this relates to first floor extensions above garages or previous ground floor extensions, which does not apply in this instance, as the proposed development would be built above an original part of the host dwelling. There is an existing gap of 0.9m between the appeal dwelling and no.157 Abbots Road. As the proposed development would be built above an extant portion of the original dwelling house, and the 0.9m gap is well-established, it is considered that the small variance in the distance would not have such a negative effect on the character and appearance of the area to be harmful. Given the established nature of the 0.9m gap, this would not result in a terracing effect, and the proposed development would thereby retain the detached appearance of the dwellings which forms a part of the character of the area.
10. The cumulative effect of the proposed development would be a respectful addition to the host dwelling and would not appear to overwhelm the building. The additional bulk of the development would still allow the host dwelling to sit comfortably within the streetscape, and the design responds well to the established character of Abbots Road.

11. The proposed development would therefore have an acceptable effect on the character and appearance of the area. It would comply with Policies CP1 and CP12 Three Rivers District Council Local Development Framework Core Strategy (2011) (Core Strategy) which require all development to contribute to the sustainability of the district and have regard to the local context and conserve the character of an area. Furthermore, the proposed development is in line with Policy DM1 insofar as it relates to the design criteria stipulated in Appendix 2 of the DMP LDD insofar as it is relevant having regard to the prevention of a terracing effect and appropriate mass and bulk.

Living Conditions

12. The side dormer window is a thoughtful and well-designed proposed addition to the appeal property which, as a result of the lack of side facing fenestration, assimilates visually well within the existing roofscape. Due to the staggered building lines along this stretch of Abbots Road, a significant proportion of the appeal dwelling can currently be viewed from the rear garden at no.161. However, the property also has a generous rear aspect afforded to it by virtue of its wide and deep garden giving it a spacious outlook, unencumbered by the presence of the appeal site. Furthermore, the significant depth of the garden and its orientation allows it to enjoy a good amount of sunlight and daylight. Thus, whilst the proposed dormer would introduce a small amount of additional bulk, the modest scale of the proposal would not amount to a harmful effect when considered in the context of the extant outlook and light experienced at no.161.
13. As a result of the extant bulk of the appeal property and no.161, the suggested 45-degree guideline in Appendix 2 of the DMP LDD cannot be adhered to as the intrusion already exists. The addition of the proposed rear extension, whilst still in breach of the guidance, would not result in any additional harm. The modest combined increase in the bulk of the appeal property as a result of the proposed development is not considered to be so significant that it would have a materially harmful effect on the amount of light experienced in this part of the neighbour's rear garden.
14. Overall, the proposed development would have an acceptable effect on the living conditions of the occupants of the neighbouring properties, namely no.161, having particular regard to outlook and light. It complies with Policy CP12 of the Core Strategy which requires development to protect residential amenity by taking into account, amongst other matters, privacy, and prospect. Furthermore, it respects the principal of the guidelines in Appendix 2 of the DMP LDD as far as it is relevant having regard to the prevention of a terracing effect and appropriate mass and bulk.
15. The Council has referred to Policy CP1 of the Core Strategy in relation to the living conditions of neighbouring occupiers. However, Policy CP1 relates to the requirements of development to contribute towards sustainability of the district and thus has in itself not been materially determinative in my assessment of this matter. Policy DM1 of the DMP LDD refers only to privacy and amenity space rather than outlook and light. Therefore, it has not been materially decisive in my recommendation however if it had been, my recommendation would have remained the same.

Conditions

16. A condition has been suggested by the Council which would require the proposed rooflights on either side of the appeal dwelling to be fixed shut. It would also require them to be fitted with obscuring glazing. The reason given is to prevent additional overlooking with respect of no.161. However, given the flush nature of the proposed rooflights, and their angle, these are unlikely to result in a significant increase in overlooking to either neighbouring property (nos.157 and 161). Therefore, I do not consider the condition to be necessary.
17. A condition has been suggested by the Council which would, under the Town and Country Planning (General Permitted Development) Order 2015, prevent the installation of any windows into the flank elevation facing no.161 Abbots Road. I consider that this condition would be reasonable in order to preserve the privacy of the occupiers of the neighbouring property and so I have imposed a suitably worded condition.
18. The Council have also suggested a pre-commencement condition relating to the protection of the existing trees and other greenery on the site for the reasons of understanding how those with Tree Preservation Orders (TPO) may be affected by the proposed development. I have no reason to disagree with the Council on this matter and so have imposed a suitably worded condition.

Conclusion and Recommendation

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

E Clifford

APPEAL PLANNING OFFICER

Inspector's Decision

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

T Law

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 drawing nos.: AL24/159AR/03 REV 01, AL24/159AR/09 REV 00, AL24/159AR/10 REV 00, AL24/159AR/11 REV 00, AL24/159AR/12 REV 00, AL24/159AR/13 REV 00, AL24/159AR/14 REV 00, AL24/159AR/15 REV 01.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing dwelling.
- 4) No development or other operation shall commence on site whatsoever until an Arboricultural method statement (prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction') has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials and site facilities on the site, tree protection measures and details including location and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees. Development shall be carried out in strict accordance with the approved method statement.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or similar openings shall be constructed on flank elevation facing no.161 Abbots Road.