



# Appeal Decision

Site visit made on 23 June 2009

by **Phillip J G Ware BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

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**Decision date:**  
**20 July 2009**

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## Appeal Ref: APP/P1940/A/09/2103621

### 3 Anson Walk, Northwood, Middlesex HA6 2LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Mark Reynolds against the decision of Three Rivers District Council.
- The application Ref 08/2255/FUL, dated 19 December 2008, was refused by notice dated 17 April 2009.
- The development proposed is a double storey side and single storey rear extension with a roof conversion to create two dormers, with internal alterations and the creation of a new basement level.

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## Decision

1. I allow the appeal, and grant planning permission for a double storey side and single storey rear extension with a roof conversion to create two dormers, with internal alterations and the creation of a new basement level, at 3 Anson Walk, Northwood, Middlesex HA6 2LA in accordance with the terms of the application, Ref 08/2255/FUL, dated 19 December 2008, and the plans listed in the Annex to this decision, subject to the conditions set out in the Annex.

## Main issue

2. The main issue in this case is whether the proposal would preserve or enhance the character or appearance of the Moor Park Conservation Area.

## Reasons

3. The existing building is a two storey house with accommodation in the loft, reflecting the Arts and Crafts style although it was apparently built in the 1950s. It is brick faced, with a tiled roof with low eaves and two front dormer windows, together with a front gable. It is set well back into the site, with a landscaped front area – but is nevertheless clearly visible from the road. It is notable that there is a change of levels across the site, with no.1 set around 2 - 3 metres above the appeal site and no.5 at about 2 metres below it.
  4. The site is within the Moor Park Conservation Area, which includes a range of houses built in the 1920/30s set in spacious and verdant surroundings. There are also a number of newer properties, such as no.5 Anson Walk.
  5. A previous planning application, for the demolition of the existing house and the erection of a new dwelling, was refused for reasons related to the contribution made by the existing house, the scale of the proposal and the effect on neighbours' living conditions.
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6. In the case of the current proposal, the appellants have submitted a Method Statement showing that some 30% of the original walls of the dwelling would be demolished, largely at the rear of the ground floor. No application for consent for the demolition of the house has been submitted. On that basis, the majority of the existing dwelling, whose contribution to the Conservation Area is not in dispute, would be retained.
7. The current proposal includes a two storey side and rear extension along the western side of the house. Due to the changes in levels, part of the rear section would be located below the ground level. There would also be a range of other works to the property.
8. The Council's concern is stated to relate to the scale, bulk and design of the proposed extensions which would, it is stated, dominate the existing property. This would be contrary to policies C1 and GEN3 (and Appendix 2) of the Three Rivers Local Plan 1996-2011 (adopted 2002).
9. The main effect on the existing building and the wider area would result from the two storey side extension. However this extension would be staggered back from the existing front elevation and would be at a height below the main roof line. The appellant has stated that the width of the existing building is 16.7 metres and that the extension would be 8.1 metres wide. I do not consider it would be an over dominant feature or detract from the character of the property.
10. In terms of detailing, the new dormers on the extension would reflect those existing, and the materials would be sympathetic to the existing dwelling. The Council has not explained its concern over the design of the proposal, which I consider appropriate to its setting.
11. A reasonable distance would be maintained to the common boundary with no.1, and the proposal would preserve the open and spacious character of the Conservation Area. The scheme also includes a two storey rear extension of a significant depth, but this would not impact on the public perception of the area.
12. The Council has published the Moor Park Conservation Area Appraisal Guidelines, which include a number of criteria. However, from the evidence before me, it appears that these criteria – dealing with such matters as site coverage, basements and dormers – would be met.
13. Overall, I consider the proposal would preserve the character or appearance of the Moor Park Conservation Area. It would therefore not conflict with the Local Plan policies summarised above.

#### **Other matters and conditions**

14. The Council has stated that, in order to protect light and privacy, two storey rear extensions should not intrude into a 45 degree splay line taken from the rear of an adjoining dwelling. In relation to no.1 the Council notes that this guidance would be breached. However, given the significant difference in levels and the distance involved, I do not consider that the proposal would harm the living conditions of the residents of no.1.

15. In relation to the effect on no.5, I note that the new development would be a significant distance from the common boundary, and this boundary could be reinforced by landscaping. The Council considers that the 45 degree splay in the guidance would be respected, although the adjoining occupiers consider it would be breached. In any event, although I appreciate that no.5 is set forward and below the appeal premises, I do not consider there would be a significant effect on outlook or natural light to the adjoining property or its garden due to the distance involved. Nor do I consider that any overlooking to the neighbouring property would result from the works at first floor level, where the plans before me only show a first floor bathroom window and the removal of an existing flank window.
16. Turning to conditions, in view of the location of the property in a conservation area, I consider it necessary that the details of the window design should be submitted for approval and that the materials should match those on the existing building. In the interests of the amenity of the area, conditions should require landscaping and tree protection details. In order to prevent overlooking, it is necessary to require obscure glazing to flank windows and to control any future openings.
17. For the reasons given above I conclude that the appeal should be allowed.

*P. J. G. Ware*

Inspector

## Annex

### List of plans

This permission relates to the following plans:

7059 Rev A

7059 Rev C

4612\_AG(0)\_01F

4612\_AG(0)\_02G

4612\_AG(0)\_03C

4612\_AG(0)\_04

### Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) All new works and work of making good to the retained fabric of the building shall match the materials used on the existing building.
- 3) No development shall take place until details of the window design and 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. Development shall be carried out in accordance with the approved details.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed in the flank elevations and roof slopes of the building.
- 5) Before the first occupation of the development hereby permitted the bathroom windows at first floor level on the flank elevations shall be fitted with obscured glass and shall be permanently retained in that condition.
- 6) No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on or directly adjoining the land, and details of any to be retained, together with measures for their protection in the course of development.
- 7) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced

in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

- 8) No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on the site in connection with the development hereby approved until the tree protection scheme pursuant to condition 6 has been implemented.
- 9) No development or other operation shall commence on the site until a method statement has been submitted to and approved in writing by the local planning authority. This method statement shall include details of the removal of material from the site, the importation and storage of building materials on the site, the details and depths of underground service routes, methods of excavation details, in particular where they lie close to trees. Development shall be carried out in accordance with the approved method statement.