
Appeal Decision

Site visit made on 22 November 2016

by Richard Aston BSc (Hons) DipTP MRTPI

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

Decision date: 09 December 2016

Appeal Ref: APP/N1920/D/16/3160769

9 Beech Drive, Borehamwood, Hertfordshire WD6 4QU

- 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 & Mrs Miron against the decision of Hertsmere Borough Council.
 - The application Ref 16/1460/HSE, dated 21 July 2016, was refused by notice dated 19 September 2016.
 - The development proposed is conversion of loft into habitable rooms with rooflight to front elevation and window to side elevation, 3 rear facing dormers, hip to gable roof alterations and small hip to end of gable.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the host property and area.

Reasons

3. The appeal property is a two storey semi-detached dwelling located in a row of similar properties. Beech Drive contains a variety of pairs and groups of similarly designed dwellings and it was evident from my site visit that a number of properties have been altered and extended. These include substantial ground and first floor side extensions at No. 11 and others within the group. A hip to gable and flat roof rear extension is in place at Nos. 21 and 10, opposite the appeal site, although in both cases the gable is set in from the side boundary by the width of a single garage.
 4. In my view, one of the prevailing characteristics of the dwellings is the presence of gable walls at first floor level with hipped roofs above. Although some of the extensions are close to the side boundary the hipped roofs provide a sufficient gap that, at such a height, prevents what would otherwise be a harmful terracing effect. Nos. 7 and 5 have steeply pitched gables close to the side boundary, but these are seen as a distinct and separate pair within the street and are not read as part of the group that the appeal property belongs to.
 5. Part E of the Planning Design Guide 2006 ('PDG') states that hip to gable conversions will normally be refused if it would unbalance the appearance of a pair of semi-detached houses, unless a similar extension exists on the attached
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dwelling and subject to the effect on the streetscene and character of the property. No. 11 is not wholly identical to the appeal property but it has not been subject to such an extension.

6. The introduction of a further gable at roof level and designed with a token small hip would result in an unsympathetic variation to the roof form of the host property, the pair and the wider group. When combined with the considerable expanse of additional roof that would be created, the proposal would have an unbalancing effect that would dominate the appearance of the host property and be unduly dominant within the streetscene.
7. Furthermore, it would diminish the contribution that the roof scape of this group and the pair makes to the character and appearance of the street and in its context it would not represent a high quality of design. Whilst I am mindful that there are limited examples where only one half of a semi-detached dwelling has benefitted from such an extension, those that I saw served to confirm my concerns in relation to the effect on the character and appearance of the pair and area.
8. For these reasons, the proposal would harm the character and appearance of the host property and the prevailing character and appearance of the area. It would conflict with Policy SADM31 of the Site Allocations and Development Management Policies Plan 2015, Policy CS22 of the Hertsmere Local Plan Core Strategy 2013, Part D of the Hertsmere Local Plan Planning and Design Guide 2013 and the PDG. Amongst other things and when read as a whole, these support development that makes a positive contribution to the environment and is of a high quality design that respects, enhances or improves the visual amenity of the area.
9. I find these policies are consistent with the National Planning Policy Framework ('the Framework') which states that good design is indivisible from good planning and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Therefore the proposal would also conflict with the design objectives of the Framework.
10. The Council raise no objections to the rooflights or rear dormer windows and on the evidence before me, I have no reason to disagree. Therefore I share the Council's view that these elements of the proposal would not conflict with the PDG insofar as it requires dormers windows to be as small as possible and generally located to the rear, forming subservient additions to the roof.

Other Matters

11. I note that a first floor rear extension has been previously approved on the host property but could not be constructed for structural reasons. However, although I have not been provided with the full details, that would appear to have been of a substantially different form and design. It is not therefore directly comparable to the proposal before me and does not alter my view in relation to the main issue.
12. I also note that pre-application discussions appear to have taken place with officers and that the proposal is a revised design. However, the Council's administration and determination of the application is not a matter for me to address as part of this appeal.

13. Although reference is also made to the effect of extensions that could be built without planning permission¹, the appeal before me follows the refusal of an application for planning permission. I am required to determine the proposal on its own merits and in accordance with the development plan, unless material considerations indicate otherwise. Having done so and found conflict with it, the intentions behind such changes or the effects do not alter or are necessary to my conclusions on the main issue.

Conclusion

14. For the reasons set out above, the proposal would conflict with the development plan, when read as a whole and the Framework. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR

¹ The Town and Country Planning (General Permitted Development) (England) Order (as amended).