The Planning Inspectorate

Appeal Decision

Site visit made on 18 July 2017

by H Lock BA(Hons) DipTP MRTPI

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

Decision date: 03 August 2017

Appeal Ref: APP/N1920/D/17/3175687
3 Micklefield Way, Borehamwood, WD6 4LG

- 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 Richard Crook against the decision of Hertsmere Borough Council.
- The application Ref. 16/2405/HSE, dated 15 December 2016, was refused by notice dated 6 March 2017.
- The development proposed is to extend in size the existing loft conversion in the house to include a shower room.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal property and the terrace of which it forms part.

Procedural Matter

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Reasons

4. The appeal property is a mid-terraced house located in a residential area. Much of the surrounding estate appears to date from the same construction period, with shared characteristics in design, form and materials. The terrace of which the appeal property forms part is a more modern development, but it respects the general characteristics of the wider area.

5. The appeal property has a rear flat roofed dormer window that occupies much of the width of the roofslope and is sited close to the roof ridge. However, due to its reasonably modest depth and generous spacing above the roof eaves it does not appear unduly dominant. A significantly larger addition has been built on the rear roof slope of the attached property. However, whilst there are examples of large dormer windows dotted throughout the estate, these are not prevalent or characteristic, and generally intrude into otherwise unaltered roofscapes. With the exception of the attached property, there are no other similarly scaled additions within the immediate context of the appeal property.

6. The proposed dormer window would occupy much of the rear roofslope of the dwelling and it would appear as a dominant and disproportionate addition that would also harm the wider terrace as a result of the cumulative visual impact. Although only the rooflights would be visible from Micklefield Way, the rear roofslope is seen in gaps between buildings on the neighbouring Wetherby Road, and as such the adverse visual impact of the dormer on the dwelling and the terrace would be evident from outside of the site.

7. The appellant's grounds of appeal refer to an identical proposal on the estate being granted planning permission, but the property has not been identified. No detail has been submitted of the permission granted, or the circumstances of its approval. As the construction date of that example is not provided I cannot be sure that the planning policy framework against which that development was assessed is the same as in this appeal. Moreover, whilst there are other dormer windows on the estate, in the absence of any details it is unclear whether or not they were constructed as a result of express planning permission or the exercise of Permitted Development rights. As such, I do not find that these examples offer significant weight to the appeal proposal, particular as they are not prevalent in the area.

8. The Council's report indicates that there is no record of any planning history for the neighbouring dormer window, and I note the advice in the Council's Design Guide[1] (PDG) that the presence of nearby large and unsightly dormers built through permitted development legislation will not be considered as an acceptable reason to build similarly large dormers. In this context, it does not support acceptance of the appeal proposal.

9. I conclude that the proposal would adversely affect the character and appearance of the appeal property and the wider terrace in conflict with the overarching design aims set out in Core Strategy[2] Policy CS22; with Policy SADM30[3], which amongst other criteria seeks development which makes a positive contribution to the built environment, and results in a high quality design which respects, enhances or improves the visual amenity of the area by virtue of its scale, mass, bulk, height, and urban form; and with the general guidance on dormer windows in the PDG.

Conclusion

10. The National Planning Policy Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built environment. A core planning principle of the Framework is to always seek to secure high quality design, but for the reasons given above the proposal would not comply with this principle and would not be sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR

[1] Hertsmere Local Development Framework Supplementary Planning Document Planning and Design Guide Part E: Guidelines for Residential Extensions and Alterations 2006
[2] Hertsmere Local Plan Development Plan Document Core Strategy 2013
[3] Hertsmere Local Plan Site Allocations and Development Management Policies Plan 2016