
Appeal Decision

Site visit made on 10 October 2017

by John D Allan BA(Hons) BTP MRTPI

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

Decision date: 23 October 2017

Appeal Ref: APP/P1940/D/17/3179098

Brae Cottage, Trout Rise, Loudwater, WD3 4JY

- 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 Mrs J Gili-Ross against the decision of Three Rivers District Council.
 - The application Ref 17/0240/FUL, dated 7 February 2017, was refused by notice dated 4 April 2017.
 - The development proposed is the erection of a first floor side extension above existing flat roofed garage.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor side extension above existing flat roofed garage at Brae Cottage, Trout Rise, Loudwater, WD3 4JY in accordance with the terms of the application, Ref 17/0240/FUL, dated 7 February 2017, subject to the following 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: Site Location Plan at scale 1:1250 and Drg Nos 3061 1, 3061 1 A and 3061 2 B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Before the first occupation of the extension hereby permitted the first floor window to the dormer in the west flank elevation facing towards 'Upstream' shall be fitted with obscured glazing and fixed shut, apart from the left-hand light which shall be either fixed shut or side-hung opening, as shown on Drg No 3061 2 B. The window shall be permanently retained in that condition thereafter.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of Brae Cottage and the Loudwater Estate Conservation Area.

Reasons

3. The appeal property is a two-storey thatched dwelling located within the Loudwater Estate Conservation Area; a residential estate located on the undulating banks to either side of the River Chess and comprising mostly substantial dwellings in a variety of styles, designs and materials, all on spacious, landscaped plots and served by an informal network of narrow roads with grass verges.
4. The Loudwater Estate Conservation Area Appraisal June 2013 (CAA) identifies many features of special interest, one most notably being the numerous thatched houses peppered throughout the estate that were designed and built by the McNamara family, as well as the area's topography and sylvan setting, all identified as contributing to the conservation area's rural appeal.
5. The CAA recognises that Trout Rise exhibits properties of varying sizes and designs, including a sequence of McNamara houses, with Brae Cottage noted for having retained its original windows, thatched roof and chimneys; being also the subject of an Article 4 Direction that removes certain permitted development rights for works to its roof.
6. Brae Cottage has been altered in the past although the extent of which is the subject of some dispute between the appellant and the Council. The CAA describes past works to the property as '*some minor alterations*' and I note that its Appendix 1 lists Brae Cottage as a McNamara house for which plans survive, although these have not been provided as evidence. On the other hand, the appellant argues that Brae Cottage was originally a modest, 3-bed symmetrical dwelling that has been extensively altered to each side by two distinctly different two-storey additions. To the west side there is a further, single-storey wing including an integral garage, that is undeniably an addition, built with an unsympathetic flat roof and tiled dummy pitch to the front.
7. Regardless of its original form, Brae Cottage is a fairly substantial dwelling of irregular but largely pleasing form, save for the single-storey side addition which is incongruous in terms of its scale, proportions, materials and appearance and which negatively impacts the appearance of the dwelling when seen as a whole. Overall, given the recessed position of Brae Cottage in relation to Trout Rise, and the mature vegetation to the front of the site, which is typical for most plots, I find that the individual appearance of Brae Cottage comfortably reflects the diverse range of properties within the estate, including the variety of McNamara homes.
8. The proposal would effectively project the existing thatched roof form of Brae Cottage sideways, over the single-storey wing, repeating the use of front and rear dormers in matching style to those existing and including a similar dormer to the side roof slope. New fenestration at ground floor level to match that used throughout the existing building would replace some incongruous contemporary glazing to the rear. My impression is that the works would

appropriately match the form of the existing building whilst improving significantly upon the appearance of the side wing.

9. The Council is of the view that the roof would be cluttered with too many dormers to the front and rear. However, with 4 to the front and 3 to the rear, I saw that this would be comparable in number to many other properties nearby, and not at all uncharacteristic for the area, including upon other thatched buildings. The dormers would match the appearance of those already existing and would be well spaced and of appropriate size and scale, compliant with the Council's Design Criteria at Appendix 2 of the Development Management Policies Local Development Document, adopted July 2013 (DMPLDD), appearing appropriately subordinate to the main roof; below the existing ridge level; set in from either end of the roof; and set back from the planes of the front and rear walls. Whilst they would be prominent features of the design, they would be no more so than those already featured on Brae Cottage and would neither dominate nor clutter either of the roof slopes. Neither, despite suggestions by the Council to the contrary, is there any symmetry to the existing appearance of Brae Cottage that could reasonably be considered to be lost.
10. The existing chimney to the west side of the property is largely exposed to view. Whilst it would, for the most part, become engulfed by the extension, it would remain to project above the new ridge line, where its presence would still be obvious. As a feature, its external appearance would change, but it would not be lost and its new form would be similar to many other chimney features in the area, including again on other thatched properties.
11. Overall, I find that the works would be sympathetic to the appearance and form of Brae Cottage, which would continue to reflect the architectural and historic origins of the dwelling. In terms of both its scale and appearance, Brae Cottage would remain distinctive as an originally designed McNamara house, albeit altered from its very original form, the exact nature of which is unclear from the evidence which has been presented to me. The added benefit of improvements to the existing side wing lead me to conclude that there would be no harm to the character or appearance of Brae Cottage, which would continue to make a positive contribution to the street scene.
12. The extension would undeniably add bulk to the side of Brae Cottage which would result in some loss of space at first floor level between the side of the dwelling and the plot's side boundary. However, the property would remain comfortable on its plot, with ample spacing between it and the neighbouring property at 'Upstream' to the west, assisted in this regard by the hipped form of the roof, which would rake steeply away from the boundary. As such I detect no conflict with the objectives of Appendix 2 to the DMPLDD in this regard. Although direct sight of some trees to the rear would be obscured by the works, the strong and verdant backdrop to properties along this side of Trout Rise would remain as a dominant feature due to the continued rising gradient of the land in this direction, with mature trees clearly seen above the houses in the background. The dense vegetation to the front of the site and which runs along the common boundary with Upstream would be unaffected and overall, I am satisfied that the sylvan setting of Brae Cottage and the wider area would be unaffected by the proposal.

13. When considered in the round, I am satisfied that there would be no harm to the character or appearance of the Conservation Area, the significance of which as a heritage asset would be unaffected. There would therefore be no conflict with the objectives of the CAA, or with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) or DMPLDD Policies DM1 and DM3 insofar as they seek to achieve a high standard of design for development that respects local character and which preserves or enhances the character of a conservation area.

Conditions

14. I have imposed a condition specifying the relevant drawings as this provides certainty. To safeguard the character and appearance of the area it is necessary to ensure that the new works are carried out in materials to match the existing. To safeguard the living conditions at 'Upstream', a condition is necessary to control the glazing to be inserted into the side dormer window but I am mindful that a top opening light, as suggested by the Council, would not reflect the fenestration pattern used on the existing dwelling. Nevertheless, given the position of the neighbouring property's side garage and the height of its ridge, I am satisfied that, providing the glazing for the window is obscure, the window opening pattern shown on the plans, with only the left-hand light opening and hinged on its left-hand side, would ensure that there would be no prospect of any significant overlooking that would be harmful to the neighbours' living conditions. I attach a condition accordingly.
15. The Council has accepted that no trees would be directly affected by the proposal. I saw during my visit ample hardstand to the front of the property that would accommodate typical plant and materials necessary to enable the extension to proceed. I therefore see no justification to require details of tree protection measures to be provided.

Conclusion

16. For the reasons given, and in the absence of any other conflict with the development plan, I conclude that the appeal should be allowed.

John D Allan

INSPECTOR