
Appeal Decision

Site visit made on 19 November 2019

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2019

Appeal Ref: APP/P1940/D/19/3235919

156 Greenfield Avenue, Carpenders Park WD19 5DQ

- 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 C Merutau against the decision of Three Rivers District Council.
 - The application Ref 19/0623/RSP, dated 2 April 2019, was refused by notice dated 31 May 2019.
 - The development proposed is described as 'retrospective application for rear dormer to facilitate loft conversion'.
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Decision

1. The appeal is allowed and planning permission is granted for a 'retrospective application for rear dormer to facilitate loft conversion' at 156 Greenfield Avenue, Carpenders Park WD19 5DQ in accordance with the terms of the application, Ref 19/0623/RSP, dated 2 April 2019, and the plans submitted with it.

Procedural Matter

2. At the time of my site visit, I saw that the development had commenced and was substantially complete. I also note that the application has been submitted retrospectively. I have dealt with the appeal on that basis.

Main Issue

3. The main issue is the effect of the proposed rear dormer window on the character and appearance of the host building and surrounding area.

Reasons

4. Greenfield Avenue is characterised by mid-twentieth century, detached bungalows, many of which have undergone alterations and extensions. Within this context I have observed a number of dormer windows to the front, side and rear of these properties including flat-roof dormers of varying sizes and materials. Additionally, I have noted the 2-storey flat-roof housing to the north of the appeal site. These developments contribute to the character and appearance of the area.
5. The host building has undergone modernisation with works appearing to be nearing completion. The roof has been adapted from a hip to gable form, re-tiled with grey concrete tiles, and had a number of rooflights inserted into the front roof slope. These changes have not drawn objection from the Council, and I have no evidence to reach a contrary conclusion.

6. Furthermore, a flat-roof dormer window has been erected to the rear roof slope, level with the ridge and eaves, and set in from either side by circa 600mm. This may be glimpsed from the front between the gaps in the housing. Additionally, it can be seen from the north on the return of Greenfield Avenue and its junction with Alva Way, albeit such views are relatively distant given its scale. The proposal is also visible from the private rear gardens of the neighbouring residential properties. It is viewed against the main roof and a backdrop of housing and trees.
7. I have considered the proposal in the context of the design criteria at appendix 2 of the Three Rivers District Council Development Management Policies Local Development Document adopted July 2013 (DMPLDD), regarding dormer windows. Policy DM1 of this document requires compliance with the design criteria. However, appendix 2 states that development may not comply with the guidance but still may be considered acceptable having been assessed on its merits. I find technical conflict with the design criteria. However, I consider that the use of dark, recessive materials to match the host building, largely mitigates its width, bulk, mass and design. Furthermore, I consider that it is reasonably in keeping with the other examples of similar dormer window structures in this area, and the flat-roof housing estate a short distance away.
8. I have not been able to see the property prior to the commencement of works. However, I have noted the appearance of a number of similar properties in the area and consider that the scheme, as a whole, has likely taken the opportunity to enhance the area's character through the renovation work that I have seen.
9. Therefore, for those reasons, the proposed development has not harmed the character and appearance of the host building and surrounding area. It does not conflict with the Council's adopted October 2011 Three Rivers District Council Core Strategy Policies CP1 and CP12, or the thrust of Policy DM1 and appendix 2 of the DMPLDD which amongst other aims seek high quality design.
10. I note that an alternative scheme has been granted planning permission, however, I do not have full details of this. Therefore, I can afford this limited weight. Additionally, concerns have been raised regarding the retrospective nature of the application, and other works beyond the appeal scheme. However, these matters are not relevant to my consideration of the development, which has to be assessed on its own planning merits. Furthermore, concern has been raised from the occupiers of 43 Alva Way regarding the impact on their living conditions with particular regard to loss of privacy. However, given the length of the rear gardens of the appeal site and No 43, I do not consider that any such detrimental impact has occurred.
11. The Council have requested conditions in relation to the implementation of the permission, the use of matching materials and carrying out works in accordance with the approved plans. However, given the advanced stage of works I do not find that such conditions are necessary.
12. For the reasons given above I conclude that the appeal should be allowed.

James Taylor

INSPECTOR