



Appeal Decision

Site visit made on 11 February 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2020

Appeal Ref: APP/Y1945/D/19/3236910

79 Loates Lane, Watford WD17 2PA

- 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 Minesh Patel against the decision of Watford Borough Council.
 - The application Ref 19/00781/FULH, dated 4 July 2019, was refused by notice dated 16 August 2019.
 - The development proposed is described as the 'proposed loft conversion with rear dormer and front roof lights'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed rear dormer window on the character and appearance of the host building and the Estcourt Conservation Area (ECA).

Reasons

3. Policies UD1 and UD2 of Watford's Local Plan: Part 1 – Core Strategy 2006-31, Adopted 30 January 2013 (CS) set out that development should respect and enhance the local character of the area and recognise and respond to features of historic value. This includes conserving and where appropriate enhancing conservation areas. Furthermore, Policy U18 of the Watford District Plan 2000 (Adopted December 2003) – Written Statement (DP) sets out that unacceptable development in the conservation area will be resisted. Policy U17 considers the setting of conservation areas, and as the proposal would be located within the ECA, I do not consider it to be relevant.
4. In support of the development plan policies, the Watford Borough Council: Residential Design Guide Adopted 2014, Amended 2016 (RDG) provides guidance for dormer window design. The proposed dormer window would have a significant mass and width. It would be sited very close to the eaves and ridge of the rear roof slope. As such, the proposal would not comply with the RDG. Furthermore, the proposal would generate a greater vertical emphasis and appear as an incongruous addition to the host building given its modest two-storey proportions.
5. The Estcourt Conservation Area Character Appraisal – Adopted December 2015 helps to establish the significance of this heritage asset. In part, the

significance of the ECA is derived from the consistency of architectural form and two-storey brick terraces. I have observed the two examples of similar large, flat roofed, box dormers at 63 Loates Lane and 8 Duke Street. However, these examples are not typical of the wider area. Furthermore, they are not within the same block of housing as the appeal site which lies between Loates Lane, Duke Street, Prince Street and Sutton Road. In this group there are no comparable developments and the block appears to be architecturally well preserved. Furthermore, the dormer windows within the ECA are otherwise modest and well proportioned, subservient to the two-storey form.

6. Whilst not visible from the front, some limited glimpsed views can be found from neighbouring public roads and alleyways. Furthermore, the dormer would be clearly visible from neighbouring property within this block of housing.
7. The National Planning Policy Framework (the Framework) sets out the importance of good design and the need for the protection of heritage assets. Paragraph 127 requires development to add to the overall quality of the area, be visually attractive as a result of good architecture and be sympathetic to local character and history. Furthermore paragraph 130 sets out that development should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area, considering any supplementary planning documents.
8. In addition, the Framework sets out at paragraph 193 that when assessing the impact of a proposed development on the significance of a designated heritage asset that great weight should be attached to the asset's conservation. This reflects the statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.
9. Given the limited public viewpoints of the proposal and its modest scale within the overall area of the ECA, I consider that the harm to the significance of the designated heritage asset would be less than substantial. Paragraph 196 of the Framework sets out that where proposals would lead to less than substantial harm to the significance of the asset, the harm should be weighed against the public benefits of the proposal. I have had regard to the appellant's suggested public benefits. However, I have no evidence that the development is necessary in order for the dwelling to be appropriately maintained or remain viable as a dwelling. No public benefits have been presented that outweigh the harm previously identified.
10. Therefore, in conclusion the proposed rear dormer window would harm the character and appearance of the host building and the ECA. There are no public benefits to outweigh the less than substantial harm to the designated heritage asset. As such, the proposal would be contrary to Policies UD1 and UD2 of the CS, Policy U18 of the DP, guidance within the RDG and sections 12 and 16 of the Framework.
11. For the reasons given above I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR