
Appeal Decision

Site visit made on 12 October 2020

by Chris Couper BA (Hons) DiP TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14/10/2020

Appeal Ref: APP/N1920/W/20/3250466
8 Park Road, Radlett WD7 8EQ

- 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 Lulu Bernard against the decision of Hertsmere Borough Council.
 - The application Ref 20/0149/HSE, dated 3 February 2020, was refused by notice dated 13 March 2020.
 - The development proposed is a new conservatory to an existing outbuilding in the rear garden.
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Decision

1. The appeal is allowed and planning permission is granted for a conservatory to an existing outbuilding in the rear garden at 8 Park Road, Radlett WD7 8EQ in accordance with the terms of the application ref 20/0149/HSE, dated 3 February 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 065/EX/001, 065/EX/002, 065/EX/100, 065/EX/103, 065/PL/200, 065/PL/203 Rev A, and 'new conservatory view'.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the area, including whether it would preserve or enhance the character or appearance of the Radlett North Conservation Area.

Reasons

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
4. The appeal site, and much of its surroundings, is within the Radlett North Conservation Area ('RNCA'). According to the Radlett (North) Conservation Area Appraisal 2010 ('CAA'), it falls within Character Zone 3. This area typically contains varied late nineteenth or early twentieth century traditional properties of varied style, in a spacious setting, often on landscaped plots. To

the rear of the plots on the northern side of Park Road is Malt Lane. The CAA describes this as a sunken narrow footpath, which follows an ancient land boundary and historic route, and which has the appearance of a rural lane. These features all contribute to the area's significance.

5. Towards the end of 8 Park Road's garden is a fairly large, roughly 'L' shaped, timber outbuilding, which benefits from a Certificate of Lawful Development ('CLD'). Whilst the proposed conservatory would increase the footprint of that outbuilding, as it would be glazed, it would be largely transparent. Additionally, it would be no higher than the eaves of the existing outbuilding. Consequently, it would add very little mass or bulk to the structure.
6. As the conservatory would fill in a gap, with a wider and taller part of the existing outbuilding to the rear, it would be barely visible, if at all, from Malt Lane. It would not harm the character of that historic route. Given its materials, scale and siting, the conservatory would also have very little impact on the dominance of the host property.
7. The Council's decision refers to Policy CS14 of the Hertsmere Core Strategy 2013 and Policy SADM29 of the Hertsmere Site Allocations and Development Management Policies Plan 2016. In general terms, they require development to be high quality and, taking account of conservation area appraisals, to be sensitively designed to conserve and enhance the historic environment; and having regard to cumulative impacts, not to harm conservation areas. For the above reasons, the scheme would not conflict with those policies.
8. Having paid special regard to the statutory test, and having given great weight to the conservation of the RNCA in accordance with the National Planning Policy Framework ('Framework'), I conclude that the significance of this designated heritage asset would not be harmed.

Conditions and Conclusion

9. Turning to the matter of conditions, I have considered those suggested by the Council and other parties against the Framework's tests. I have imposed the standard time limit condition and, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans.
10. However, given that the existing outbuilding is largely surfaced with timber, and that the conservatory would be glazed, the Council's suggested condition requiring matching materials is unreasonable. As the use of the outbuilding, which benefits from a CLD, is not before me, I have not imposed the Parish Council's suggested condition preventing its occupation as a separate dwelling.
11. For the above reasons, the scheme would not harm the character or appearance of the host property or the area; and it would not conflict with the development plan. Having regard to all other matters raised, the appeal is therefore allowed.

Chris Couper

INSPECTOR