



Appeal Decision

Site visit made on 24 August 2020

by Conor Rafferty LLB (Hons), AIEMA, Solicitor

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2020

Appeal Ref: APP/P1940/D/19/3242562

45 Renegan, Astons Road, Moor Park HA6 2LB

- 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 and Mrs A Dewji against the decision of Three Rivers District Council.
 - The application Ref 19/1355/FUL, dated 15 July 2019, was refused by notice dated 11 September 2019.
 - The development proposed is described as 'two storey front extension; part single storey/two storey side extension, increase in eaves height to create full two storey dwelling, extension to basement, installation of balconies, alterations to fenestration detail and erection of a detached garage - resubmission of refused scheme 19/0786/FUL'
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr and Mrs Dewji against the Council. This application is the subject of a separate decision.

Appeal Procedure

3. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

4. The effect of the proposal on the character and appearance of the host dwelling and whether the proposal would preserve or enhance the character or appearance of the Moor Park Conservation Area.

Reasons for the Recommendation

5. The appeal site comprises a detached dwelling and garage located in a sizeable plot on Astons Road within the Moor Park Conservation Area (CA). The special architectural and historic interest of the CA is derived from houses built in the period from 1920/1930 to 1950, set back in spacious surroundings. The immediate area of Astons Road is residential in nature being dominated by large, individually designed, houses on generous plots. As noted in the Conservation Area Appraisal there is evidence of recent

development along Astons Road and there are a range of styles present, from the original "Metro Land" style to more recent neo-classical designs.

6. Although the entrance drive to the appeal property is from Astons Road, it has little visual relationship with the other properties on that street due to its position in the plot and the presence of mature boundary vegetation. It is situated at the end of a run of houses on Old Gannon Close, which generally appear to date from the 1980s onwards, and the dwelling relates more in style and age to those properties than the imposing dwellings on Astons Road.
7. It is agreed between the parties that the appeal property currently makes a neutral contribution to the CA and I agree on account of its limited prominence and the fact that the design is not reflective of the prevailing pattern. Nonetheless, it retains a traditional feel, particularly from the front elevation which is dominated by an imposing gable feature. The varied rooflines, the presence of the steep pitched roof, cladding, timber framed windows and minimal use of glazing combine to create a rustic character, with the attached garage continuing this predominant style. The south-facing elevation is more balanced in its appearance with symmetrical fenestration set below an imposing roof with centrally placed dormer window and projecting bays at basement level. The combined effect is of a well-proportioned and carefully planned individual dwelling. Whilst it may not be reflective of the prevailing style of the CA it is attractive in its own right.
8. The proposal relates to a two-storey front extension, part single storey/two storey side extension, increase in eaves height to create full two storey dwelling, extension to basement, installation of balconies, alterations to fenestration detail and erection of a detached garage, which would involve significant remodelling of the appeal property. Although it would increase the footprint of the current dwelling and introduce additional built form through the detached garage, due to the size of the appeal site the proposal would retain acceptable plot coverage and building line width and would be of an acceptable distance from the boundary. As such, the special visual quality of the CA would be retained in this regard.
9. Nonetheless, the character of the existing property and therefore the overall nature of the appeal site would be significantly altered. The two storey front extension would replace the steep pitched roof and cladding. A significant amount of glazing would also be introduced at both ground and first floor level, particularly on the front elevation, along with additional balconies and skylights. The timber framed windows would be replaced for aluminium frames throughout the entire dwelling. While the appellant has argued that the front extension would add balance and symmetry to the property it would nonetheless remove the defining gable feature and varied roof profile, changing the fundamental design of the dwelling and would introduce a somewhat monolithic profile with an extremely wide frontage, a very deep side profile and a correspondingly shallow roof profile. The combined width and depth, without any alteration in roof height across the main section of the building to break up the mass, would result in a bulky and unattractive profile which isn't reflective of the domestic scale of the existing dwelling or surrounding buildings.

10. From the rear elevation, the removal of the side chimney would be apparent. The raising of the eaves to create a true first floor level featuring significant glazing and the introduction of the two storey side extension would result in a more prominent dwelling from this viewpoint. Therefore, while the plot coverage would remain acceptable from a footprint perspective, the proposal would add large overall bulk to the dwelling.
11. As a result, proposed dwelling would be distinctly monolithic in its profile and the interest and variety brought by the existing roofline, the timber clad gable and the distinct rear elevation would be largely eroded. The existing style of the property would not be respected and I find that the form, mass and scale of the new dwelling would represent poor design for the reasons given. Accordingly, it would fail to comply with the aims of policy CP12 of the Three Rivers District Council Local Development Framework Core Strategy, adopted October 2011 (the CS) which seeks to secure a high quality of design that has regard to local context. It would also conflict with the aims of paragraph 127(b) of the National Planning Policy Framework (the Framework) which states that planning should ensure that developments are attractive as a result of good architecture. I recognise that views of the property are limited, but the requirement for good design applies to all development and the fact that the property is currently screened from view does not amount to a reason to allow poor design.
12. In failing to respect the character or appearance of the appeal site, the proposal would cause visual harm to a section of the CA, a designated heritage asset. However, it is acknowledged that at present the appeal site makes a neutral contribution to the CA, largely due to the screening at the site and the positioning of the dwelling, the proposal would only be visible from a limited section of the CA. However, although the style of the dwelling is not reflective of the older "Metro Land" dwellings within the CA it is an attractive property which respects the pattern of having individually designed houses on substantial plots. Well-designed dwellings are a feature of the area and the erosion in design quality would fail to preserve or enhance the character and appearance of the CA, notwithstanding the limited public views. Given the concealed location, this would equate to 'less than substantial' harm in accordance with the National Planning Policy Framework (the Framework). Nonetheless this harm must still be given considerable importance and weight.
13. Paragraph 196 of the Framework specifies that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The appellant contends that it would represent a high standard of design, incorporate landscape improvements and provide heightened environmental performance. For the reasons given I find the design would not be of high quality and any benefits of landscaping would be largely private as opposed to having wider public benefit. Even if landscaping was held to be a public benefit that matter would not outweigh the harm, particularly when considering the weight to be given to the conservation of these assets.
14. I have been provided with a copy of two appeal decisions relating to 35 Astons Road¹. I note that in the provided appeal decisions previous alterations and

¹ APP/P1940/E/10/2126337 and APP/P1940/A/10/2125672

extensions were evident at No. 35 such that the character of the house had already been fundamentally changed. This is not the case at the appeal property, where it appears as a coherent singular form of development which has retained its original styling. In any event, the appeal proposals provided related to a demolition and rebuild, rather than extensions as is the case before me and the Inspector in that case was satisfied that the new dwelling was well designed. For the reasons given I reach a different finding in this case.

15. Reference has also been made to other examples of modern style development and similar roof profiles within the surrounding area. However, the specific nature of the appeal site at present has been a key element of my recommendation and I am not aware that those specific circumstances were replicated elsewhere. While consistency in decision making is important, this appeal is decided on its own site-specific circumstances and reference to other development nearby does not outweigh the harm identified above.
16. For all of those reasons I find that the development would have a significantly adverse impact on the character and appearance of the host dwelling, would represent poor design, and would fail to preserve or enhance the character or appearance of the CA. Accordingly, it would fail to comply with Policies CP1 and CP12 of the Three Rivers District Council Local Development Framework Core Strategy, adopted October 2011 and Policies DM1 and DM3 of the Three Rivers District Council Local Plan Development Management Policies Local Development Document, adopted July 2013

Other matters

17. The appellant has referred to the fact that extensions and alterations to the proposed dwelling could be erected under permitted development rights. However, no evidence has been submitted on the detail of such extensions or as to the likelihood of these being built, such that there is no greater than a theoretical possibility that the development might take place. Limited weight is therefore attached to this fallback position.

Conclusion and Recommendation

18. Having had regard to all matters raised, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be dismissed.

C Preston

INSPECTOR