



Appeal Decision

Site visit made on 7 October 2020

by R.Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2020

Appeal Ref: APP/P1940/D/20/3252408

5 Pembroke Road, Moor Park HA6 2HP

- 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 Carter against the decision of Three Rivers District Council.
 - The application Ref 19/2405/FUL, dated 11 December 2019, was refused by notice dated 24 February 2020.
 - The development proposed is described as 'removal of existing part flat part pitched roof and replace with pitched and hipped roof with raised ridge including dormer windows to front and rear creating habitable accommodation on the second floor.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the Moor Park Conservation Area.

Reasons

3. No.5 Pembroke Road (No.5) is within the Moor Park Conservation Area (CA). I am therefore required to pay special attention to the desirability of preserving or enhancing the CA, in accordance with the statutory duty as set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Paragraph 193 of the National Planning Policy Framework (the Framework) states that great weight should be given to the conservation of designated heritage assets.
4. The Moor Park Conservation Area Appraisal (adopted 2006) (CAA) identifies that the character and appearance of the area derives from spacious and verdant low-density development. The houses originally built between the 1920s and 1950s are sited within spacious plots with open gardens and tree lined roads. I saw from my site visit that Pembroke Road is typical of the character of the CA, with substantial houses, of different styles, set on large plots.
5. No.5 is a large two-storey detached house, with a central hipped roof behind a parapet and two flat roofed wings which project slightly forward of the main building line. In respect of buildings which make a positive contribution to the CA, the CAA at paragraph 2.7 states "These buildings will be examples of

relatively unaltered buildings where their style, detailing and building materials are characteristic of the conservation area. Occasionally, more "individual" buildings of particular style or materials would also be considered to make a positive contribution." The parties do not agree as to exactly when the house was built, but it is agreed that it pre-dates the late 1950s when the original Estate Company was wound up. The flat roofed wings are thought to be later additions and predate the CAA which states "flat roofs reflect a form not in keeping with the traditional design of houses in Moor Park". Although not unaltered, in itself, No.5 is an "individual" building and the roof is a significant part of its architectural interest. I agree with the Council's Conservation Officer that it is 'characterful and distinctive,' and I find it makes a positive contribution to the character and appearance of the street scene and CA.

6. The proposed development would replace the existing roof with a duo pitched and hipped roof structure. The CAA considers roof forms should be duo pitched and I saw from my site visit that the style of houses on Pembroke Road includes examples of hipped and pitched roof forms. However, whilst designed to be simple in form, the new roof would extend the full width of the house, at around 0.9m higher than the ridge of the existing central section. This scale and mass would all but subsume the original roof form including the parapet detailing. Extending over the flat roofed wings, the mass of the roof would be closer to the road than existing, excessively prominent in the street scene, even in the context of the large neighbouring houses. Detailing, such as the dental course brickwork below the fascia, would not mitigate my concerns regarding scale and massing.
7. Whilst not an original feature, the centrally located chimney, rather than appearing unnecessarily large and incongruous, is an important part of the composition of the house, providing a strong symmetry to the house. The symmetry would be retained but, in combination with the roof, the removal of the chimney would result in the individual interest of the house, which makes a positive contribution to the CA, being lost.
8. Three modest dormers are proposed to the front roof slope, below the ridge level and set in either end of the proposed roof. The windows would be a similar size or smaller than those principal windows at first floor. The design, location of the dormers and the even spacing between the projecting wings and the dormers means they would appear appropriately proportioned and subordinate to the roof. In isolation, I find the dormers acceptable. The Council raise no issue with the proposed rear dormers and I have no reason to conclude otherwise.
9. The appellant has drawn my attention to local examples of large houses with different room forms and dormer windows. Despite the architectural variety within the area, I do not consider that these examples are directly comparable to the appeal scheme nor would they represent a compelling reason to find favour of a scheme that would cause the harm I have identified in this instance.
10. In relation to designated heritage assets, the Framework indicates that where there would be harm that is less than substantial, as in this case, it must be weighed against the public benefits of the proposal. Although less than substantial harm would arise in this case, considerable importance and weight must still be attached to it. This is necessary in order to reflect the statutory

duty of paying special consideration to the desirability of preserving or enhancing the character and appearance of Conservation Areas. In this case there is no evidence of any significant public benefit to outweigh the harm I identify.

11. I therefore find that the proposed development would fail to preserve or enhance the character and appearance of the Moor Park Conservation Area. Consequently, the development would be contrary to Policies CP1 and CP12 of the Three Rivers District Council Core Strategy (2011) (CS) and Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD (2013) (DMP). CS Policy CP1 provides an overarching approach to sustainable development, including the promotion of high-quality design that respects local distinctiveness. It would not provide the high standard of design sought by Policy CP12, which expects proposals to respect the distinctiveness of the surrounding area, including in respect of character, scale, height and massing.
12. DMP Policy DM1 applies the design criteria of Appendix 2 to ensure that development does not lead to a gradual deterioration in built environment quality. DMP Policy DM3 addresses the historic built environment. Amongst other things, it confirms that permission will only be granted if development is of a design and scale that preserves or enhances the character and appearance of the area.
13. Finally, the proposals would conflict with the Framework in so far as it requires development to be sympathetic to local character and to sustain and enhance the significance of heritage assets.

Conclusions

14. For the reasons given above, and having regard to all other matters raised, the appeal should be dismissed.

R. Jones

INSPECTOR