



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/20/3252520

6 Thornhill Road, Moor Park HA6 2LN

- 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 S Patel against the decision of Three Rivers District Council.
 - The application Ref 20/0475/FUL, dated 2 March 2020, was refused by notice dated 29 April 2020.
 - The development proposed is described as 'a rear infill dormer addition (between existing pair of rear facing gables).'
-

Decision

1. The appeal is allowed and planning permission is granted for development described as 'a rear infill dormer addition (between existing pair of rear facing gables)' at 6 Thornhill Road, Moor Park HA6 2LN in accordance with the terms of the application, Ref 20/0475/FUL, dated 2 March 2020, and the plans submitted with it, 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: 1881.LP.01, 1881.EX.01, 1881.EX.02, 1881.EX.03, 1881.EX.04, 1881.EX.05, 1881.EX.06, 1881.EX.07, 1881.EX.08, 1881.EX.09, 1881.P.01, 1881.P.02, 1881.P.03, 1881.P.04, 1881.P.05, 1881.P.06, 1881.P.07, 1881.P.08 and 1881.P.09.
 - 3) Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Procedural Matter

2. The description of development in the banner heading above is taken from the planning application form, as it is more precise than the decision notice, and I therefore find no reason to change it.

Main Issue

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

Reasons

4. The appeal property is within the Moor Park Conservation Area (CA) where there is a statutory duty under S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. This duty is echoed in Policies CP1 and CP12 of the Three Rivers District Council Core Strategy (October 2011) (CS) and Policy DM3 of the Development Management Policies Local Development Document (July 2013) (DMP).
5. 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 residential development. The houses originally built between the 1920s and 1950s are sited within spacious plots, with open gardens and tree lined roads.
6. No.6 Thornhill Road (No.6) is a large, detached house in a large plot typical of the prevailing character of the CA. It has a catslide roof form with three gable features to the front elevation, elements that are clearly visible from the road. I agree the house makes a positive contribution to the character and appearance of the CA.
7. To the rear are two gable projections and three dormers and the proposed dormer would be located in the valley between the two gables. Although extending the outer roof line of the gables, the dormer would sit below the main ridge of the catslide roof and would be set back from the gables. It would therefore be sympathetic to the proportions of the roof comfortably infilling the space. Its finish in vertically hung tiles to match the existing dormers and the size of the window, similar to those at first floor, means the proposed dormer would not be a dominant or incongruous addition to the rear elevation.
8. The Council refer to the CAA where it seeks to retain buildings erected up to 1958 which is when the original Estates Company was wound-up. However, the proposed rear dormer involves an alteration, rather than demolition. Further, the planning history shows that there have been extensions and alterations to No.6 since the late 1980s. It is not therefore one of those relatively unaltered houses which the CAA highlights as contributing more to the CA.
9. The CAA includes guidance concerning roofs commenting that flat roofs, or flat sections to a pitched roof, is not a form in keeping with the traditional design of houses in Moor Park. Although comprising a crown roof, because of its location close to the ridge of the existing roof, the flat element would not be particularly discernible from the garden of No.6 and there are limited public views of the rear of the house. I also saw on my site visit that the individual designs of the houses in the area vary, including their roof forms. Whilst not currently a feature of No.6, a crown roof in the proposed location would not harm the architectural composition of the house.
10. Overall, there would be a neutral effect on No.6 and the spacious and verdant character of the CA.
11. Accordingly, and for the reasons given, it is concluded that the proposed development would preserve the character and appearance of the Moor Park Conservation Area and, as such, it would not conflict with CS Policies CP1 and CP12 and DMP Policies DM1 and DM3 and Appendix 2. In addition to heritage

considerations, these policies require development to be of a high standard of design, including having regard to local context and conserving the character, qualities and amenity of an area.

Conditions

12. The Council has suggested conditions should this appeal succeed, and I have assessed these against the tests contained in the National Planning Policy Framework and the National Planning Practice Guidance. In addition to the standard time implementation condition, in the interests of proper planning and for the avoidance of doubt, a condition is necessary requiring the appeal scheme to be constructed in accordance with the approved drawings. To ensure that the appeal scheme successfully integrates within the existing built form of development it is necessary for the external materials to match those of the existing property, unless specified on the approved plans.
13. As I saw no trees on my site visit close to the proposed rear dormer extension, a condition requiring tree protection measures is not necessary. Due to its design and the distance from the boundaries of the plot, a condition removing permitted development rights for new windows or openings in the dormer extension is not necessary in the interests of the amenities of neighbouring properties.

Conclusion

14. For the reasons set out above, and taking all other matters into account, I conclude the appeal should be allowed.

R. Jones

INSPECTOR