



Appeal Decision

Site visit made on 5 October 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 November 2020

Appeal Ref: APP/P1940/W/20/3244325

8 Armitage Close, Loudwater WD3 4HL

- 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 & Mrs Scammell against the decision of Three Rivers District Council.
 - The application Ref 19/1616/FUL, dated 22 August 2019, was refused by notice dated 1 November 2019.
 - The development proposed is described as demolition of existing bungalow and garage building and construction of relocated two storey detached house.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing bungalow and garage building and construction of relocated two storey detached house at 8 Armitage Close, Loudwater, WD3 4HL in accordance with the terms of the application, Ref 19/1616/FUL, dated 22 August 2019, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is whether the development proposed would preserve or enhance the character or appearance of the Outer Loudwater Conservation Area.

Reasons

3. The appeal site falls within the Outer Loudwater Conservation Area (the CA). The National Planning Policy Framework requires that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
4. The Council's Conservation Area Appraisal 2007 (the Appraisal) notes that the original settlement developed as large detached houses in spacious plots developed along the banks of the river. Later developments included house extensions towards the boundaries that put the rural and sylvan feel of the properties at risk, but in most cases this has been controlled effectively. The Appraisal specifically notes that properties on Armitage Close are all on lightly wooded, spacious plots.
5. The site lies adjacent to rolling arable farming land identified as the predominant feature of the Loudwater Lane North sub-area in the Appraisal. It is in this context that the appeal site is visible from Loudwater Lane, as one of

several properties that are nestled within a wooded setting at the edge of the settlement. The significance of the CA therefore derives in part from its spacious plots, the wooded setting and, in this sub-area, its relationship to the arable land.

6. The appeal property is one of eight houses on Armitage Close, of which the last three are bungalows of common character and appearance in the street scene. The other houses in the street are two-storey properties of a variety of styles and design approaches. Haywood Copse, a small gated development of three large two-storey houses, is accessed from the top of Armitage Close, near the junction with Loudwater Lane. The rear of the houses on Haywood Copse can be glimpsed from within the appeal site through the boundary planting. The Wheelhouse is also accessed from the top of Armitage Close, and is a large two-storey house located in a prominent location adjacent to Loudwater Lane.
7. The development proposed would be a more prominent feature than the existing and neighbouring bungalows in the street scene due to its greater height and location at the end of the cul-de-sac, facing along the road. However, it would be set down from street level with a valley roof that would limit the overall visual impact. There would be paired two-storey projections to the front elevation of the proposed house. These would be set down from the main ridge line and would be similar to forward projections to other houses in Armitage Close.
8. The house would be substantially wider than any neighbouring property but the appeal site is wide enough to accommodate the proposed house without it appearing cramped and it would preserve the spacious character of the plot. The house would also be partly screened by the established landscaping that would be retained on site. It would be set well back from the street, creating a deep front garden characteristic of the houses in Armitage Close. The proposed boundary wall would generally be modest in height along the street frontage and not a prominent feature of the site. The brick piers flanking the site entrance would be topped with decorative finials and more prominent in the street scene. However, they would be separated by a sizable gap and would not result in harm to the character of the Armitage Close street scene.
9. The proposed house would be symmetrical in form, with extensive glazing to the front and rear elevations. The extent of glazing is similar to the glazing to the front elevations of the houses in Haywood Copse. The fronts of these houses are not visible from Armitage Close, but the proposed house would be sited at the end of the cul-de-sac and would directly address the approach along the street. In this context, the singular appearance of the appeal proposal would not be harmful to the street scene. The proposed house would serve as a bookend to Armitage Close without appearing unduly prominent or dominant due to the difference in site levels, landscape screening and valley roof.
10. In the longer views from Loudwater Lane the proposed house would be more prominent due to its greater height and width. However, it would still be viewed as a single dwelling, nestled in amongst the surrounding trees. In this regard, the proposed house would not be out of keeping or out of scale with other properties that can be seen in the same views and would not be harmful to the rural character of the area.

11. The appeal proposal would therefore preserve the character and appearance of the CA. It would accord with Policy DM3 of the Three Rivers Development Management Policies 2013. That policy states, amongst other things, that in a CA development will only be permitted if the proposal is of a design and scale that preserves or enhances the character or appearance of the area.

Conditions

12. I have had regard to the conditions suggested by the Council and, where necessary, altered these to better reflect national Planning Practice Guidance.
13. I have imposed standard conditions relating to the commencement of development and confirming the approved plans. These are for the sake of certainty.
14. A condition requiring approval of the external materials of construction is necessary to ensure that the house would appear acceptable in the street scene and wider CA.
15. A landscape and biodiversity plan is required in this instance to deliver biodiversity enhancements, which are appropriate given the extent of trees in the area and the appeal site's edge of settlement location with open fields adjacent. To ensure that the effect of the development is acceptable, this must be submitted and approved prior to any development occurring on site.
16. As the site lies in a CA and there are mature trees on and around the site that contribute to its character, a condition requiring their retention and agreement of details of how they would be protected during construction is appropriate. To ensure that the protection measures are complied with at all times, the details must be submitted and approved prior to commencement on site.
17. As the appeal proposal is for a replacement dwelling, it is appropriate to require that energy efficiency measures be included in the development, as detailed in the submitted Energy Statement.
18. The boundary wall details shown on the submitted plans differ between plans 3309.PL4.CR.B and 3309.PL5.B, and confirmation of their appearance in the street scene is required. Details of the hardstanding are also required to ensure that its appearance is acceptable, and that surface water does not drain into the highway.

Conclusion

19. For the reasons set out above, the appeal succeeds.

M Chalk

INSPECTOR

Schedule of 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: 3309.PL1, 3309.PL2.SP.B, 3309.PL3.CR.B, 3309.PL4.CR.B, 3309.PL5.B and 3309.PL6.
- 3) Prior to the commencement of above ground works, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.
- 4) Prior to commencement of the development, a Landscape and Biodiversity Plan detailing how biodiversity will be incorporated within the development scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall include details of native-species and/or fruit/nut tree planting, as well as the location of any habitat boxes/features to be installed. The development shall be carried out in accordance with the approved Plan.
- 5) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.
- 6) The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement prepared by P3R Engineers submitted as part of the application are incorporated into the approved development.
- 7) Notwithstanding the details submitted on the approved plans specified in Condition 2, details of the proposed hard surfacing and boundary and retaining walls shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. The development shall thereafter be carried out in accordance with the approved details.