
Appeal Decisions

Site visit made on 8 September 2020

by O S Woodward BA(Hons.) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 November 2020

Appeal Ref: APP/N1920/D/20/3245682

13 Tilehouse Close, Borehamwood WD6 4AS

- 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 David Kaplan against the decision of Hertsmere Borough Council.
 - The application Ref 19/1810/HSE, dated 11 November 2019, was refused by notice dated 6 January 2020.
 - The development proposed is the conversion of the loft to a habitable room to include rear dormer with Juliet balcony and 3 front roof lights.
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Decision

1. The appeal is allowed, and planning permission is granted for the conversion of the loft to a habitable room to include rear dormer with Juliet balcony and 3 front roof lights at 13 Tilehouse Close, Borehamwood WD6 4AS, in accordance with the terms of the application Ref 19/1810/HSE, dated 11 November 2019, 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 approved plans Refs ELA/1 A, ELA/2 A, ELA/4 A, ELA/6 A, ELA/13 A, and ELA/18 A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. I have used the description of the proposed development used by the Council on the decision notice in favour of that of the original planning application form because it provides a more complete description of the proposed development.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area, particularly with regard to the proposed dormer.

Reasons

4. The appeal site is a semi-detached 2-storey house, constructed of bricks, and with a pitched roof with gable ends. It is part of a small estate of similar properties which line Tilehouse Close. It is also to the rear of a small collection

- of older properties of a different architectural style and character. The existing house contributes neutrally to its setting, being very similar in appearance to the neighbouring buildings along Tilehouse Close.
5. It is proposed to construct a dormer to the rear roof slope. It would be the only one of the other properties with a dormer extension on its rear roof slope. However, the dormer would remain subservient to the building due to being between the ridge and eaves of the rear roof slope, being set away from the gable ends, and by its size being proportionate to the rear roof slope and to the lower storeys of the house. A condition ensures that the materials would match those of the house. It would therefore be of acceptable appearance, despite breaching the Council's design guidance in the Planning and Design Guide SPD November 2006 (the SPD) in relation to the proportion of the roof face taken up by the dormer.
 6. The dormer would not be visible from 11 Tilehouse Close, apart from perhaps at very oblique angles, because No 11 presents its blank flank elevation to the appeal property. However, it would be visible from a few other neighbouring properties including the small collection of older properties to the rear, and from the street. It would not, though, be prominent in the street scene, due to its location to the rear, and subservience to the host dwelling. Because the dormer would be of acceptable appearance, the effect on the street scene would be neutral.
 7. Overall, the proposal would not harm the character and appearance of the building or the wider area, and it would comply with the relevant parts of Policy CS22 of the Core Strategy January 2013 which, amongst other criteria, seeks high quality design. It would also comply with Chapter 12 of the National Planning Policy Framework which, amongst other criteria, requires high quality design. It would fail to comply with the part of Policy SADM30 of the Site Allocations and Development Management Policies Plan November 2016 which requires that proposals be consistent with the SPD. However, it would comply with the thrust of the policy, which is to secure high-quality design which complements the character of the local area. As such, I am satisfied that the proposal would be consistent with the overall aims of the policy and the wider development plan.

Conditions

8. In addition to the standard time limit condition, a condition specifying the relevant drawings provides certainty. A condition requiring that the materials match the existing building is necessary in order to preserve the character and appearance of the area.

Conclusion

9. For the reasons above, I conclude that the appeal be allowed.

O S Woodward

INSPECTOR