

Appeal Decision

Site visit made on 11 November 2020

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2020.

Appeal Ref: APP/P1940/D/20/3258443
Bentley, Violet Way, Loudwater WD3 4JP

- 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 Richard Graham against the decision of Three Rivers District Council.
 - The application Ref 20/0929/FUL, dated 14 May 2020, was refused by notice dated 27 July 2020.
 - The development proposed is the 'replacement of existing front porch in poor condition with new front porch'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the host dwelling and the Loudwater Estate Conservation Area (CA) within which it sits.

Reasons

3. The appeal relates to a large detached property which is set within substantial grounds. I understand that the appeal dwelling dates from the 1930s and whilst some extensions have been added, the facade largely retains a traditional character and attractive proportioning. A modest hipped roof porch of a simple design, including narrow windows with vertical emphasis and a narrow double door arrangement, sits in a broadly central position on the front elevation. The scale, form and detailing of the porch responds well to the existing fenestration arrangement to the front elevation of the appeal dwelling. Although set back from the roadside, the frontage of the dwelling makes a positive contribution to the overall character and appearance of the CA.
4. The proposed porch would not be significantly larger than the existing porch. However, its roof, although hipped, would be deeper as it would include a significant overhang. The window frames would be finished in aluminium with an anthracite finish and with thicker bars, they would have a noticeably different emphasis and appearance than the windows to the main front elevation of the dwelling. In addition, the proposed porch would be served by a single, much wider composite door of a contemporary design.
5. In light of the above, the proposed replacement porch would be of a strikingly modern design. To my mind, it would not sit comfortably against the

traditional character and appearance of the host dwelling and its fenestration arrangement. As such, it would appear as unsympathetic and incongruous feature.

6. As I have explained, the dwelling is set back within substantial grounds. Nevertheless, the dwelling and its porch can be clearly seen from the public domain through the vehicular entrance to the property. On this basis, the unsympathetic addition would have a negative impact, albeit limited, on the overall character and appearance of the street scene. To this end, it would fail to preserve the character and appearance of the CA within which it sits.
7. The harm to the CA as a heritage asset would be 'less than substantial' as directed by the Planning Practice Guidance. However, I attach considerable importance and weight to the statutory duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
8. The National Planning Policy Framework explains 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. It goes on to say that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.

Other considerations

9. The Appellant has not suggested that the proposal would offer any public benefits. However, the Appellant does advance that the porch would provide additional living space. In my view, a porch does not amount to living space but in any event, it would not be a significantly larger space than the existing porch. The Appellant also asserts that the proposed porch would not compromise the garden space of the host dwelling and it would not harm the living conditions of the occupiers of nearby dwellings in any way. However, these are neutral factors in the overall planning balance. I also note the Appellant's suggestion that the proposed porch would increase security and thermal efficiency, but I see no reason why a more sympathetically designed porch could not deliver similar benefits.

Overall Conclusion

10. I conclude that the proposed replacement porch would harm the character and appearance of the host dwelling and it would fail to preserve the character or appearance of the CA. As such, it conflicts with policies CP1 and CP12 of the adopted Three Rivers District Council Core Strategy and policies DM3 and Appendix 2 of the Council's adopted Development Management Policies Local Development Document; which collectively promote high quality design appropriate to its context and seek to preserve or enhance the character or appearance of Conservation Areas.
11. The arguments advanced by the appellant do not outweigh this identified harm and policy conflict and therefore the appeal does not succeed.

David Fitzsimon INSPECTOR