



Appeal Decision

Site visit made on 13 October 2020

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2020

Appeal Ref: APP/N1920/W/20/3248277

12 Homefield Road, Radlett, Hertfordshire WD7 8PY

- 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 Eytan Hallside & Mrs Chloe Hallside against the decision of Hertsmere Borough Council.
 - The application Ref 19/1867/FUL, dated 15 November 2019, was refused by notice dated 16 January 2020.
 - The development proposed is the demolition of existing dwelling and the erection of new dwelling and associated landscaping works.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing dwelling and the erection of new dwelling and associated landscaping works at 12 Homefield Road, Radlett, Hertfordshire WD7 8PY in accordance with the terms of the application, 19/1867/FUL, dated 15 November 2019 subject to the conditions in the schedule to this decision letter.

Procedural Matters

2. The appeal proposal has been described in three different (but similar) ways between the application form, the Councils' decision notice, and the Appellants' appeal form. Notwithstanding that, I have adopted the original application form description as this accurately describes the proposal before me.
3. The Council have also referred to The Radlett Plan (2019 – 2036) (RP) in their officers' report which is a Neighbourhood Plan. As I understand it, it is due to go to referendum in May 2021 as progression through to it being made has been delayed owing to the Covid 19 pandemic. Whilst I cannot give this document full weight, I have taken it into account in my decision.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site is located on the south side of Homefield Road, which is situated in a residential area of Radlett. At my site visit I saw that there are several properties which exhibit similar design characteristics. However, there are also properties which differ significantly. This is partially as a result of the

- construction of replacement dwellings and partially due to varying degrees of extensions and alterations to the original properties.
6. The section of street where the appeal property is located has a well-defined building line to the street with the properties having long rear gardens which contribute greatly to the spacious feel to the area.
 7. The appeal dwelling would sit slightly further forward than the existing dwelling as a result of its two projecting elements. However, this forward projection of the building line would not be significant and given the distance between the road and the dwelling itself would not result in any harm to the streetscene.
 8. The proposal would result in an increase in the width of the built form on the plot when compared to the existing situation, with a distance of around 1.72 metres from its western boundary.
 9. The Council has referenced their draft Planning and Design Guide Supplementary Planning Document - Part D: Guidelines for High Quality Sustainable Development. Whilst this document advocates a distance of two metres between developments and their side boundaries, it is not clear whether this is an adopted document which severely limits the weight I can attach to it.
 10. Notwithstanding that, I observed several properties on Homefield Road and the surrounding area which were built up close to their respective side boundaries. I am also conscious that the RP sets out in its design code that there should be sufficient space between dwellings. Given that the appeal development would still leave a reasonable gap to the side boundary, to the extent that it would not appear cramped within the plot, it would therefore accord with the objectives of the RPs design code.
 11. In addition to the above, it is clear that the replacement dwelling would also have a much larger footprint than the existing property. The RP also seeks to address this by allowing for an increase in plot coverage on the basis that it is not significantly greater than the prevailing development to ensure the design is not cramped or that it would appear as an over-development of the site.
 12. From the evidence before me, the overall plot is approximately 969 square metres in size and the appeal proposal would have a footprint of around 170 square metres. On this basis the dwelling would cover around 17.5% of the plot. Whilst this could be considered to be at the upper end of the plot coverage rates in the immediate area, it would not be excessive relative to the overall plot size.
 13. Turning to the design of the roof, despite the assertions of the Council, there are a number of properties with crown roofs in the area, including on Homefield Road. One of these, No.20, was clearly visible from the rear garden of the appeal premise. There are also numerous other crown roof properties in the area, which the Appellant has drawn my attention to. As such, it is clear to me that such a form of development is a characteristic of the area in general. To that end, I find this style of roof as being an acceptable design in the streetscene.
 14. Taking all of these factors together, the proposal will result in a marked change when compared to the existing dwelling and its appearance in the streetscene. However, even when all of these features are combined, the resultant dwelling

would not give rise to any harm to the character and appearance of the streetscene or the wider area.

15. For the above reasons the development would not harm the character and appearance of the area and would accord with Policies SP1, SP2 and CS22 of the Hertsmere Local Plan Development Plan Document Core Strategy (2013) and Policy SADM30 of the Site Allocations and Development Management Policies Plan (2015) which amongst other matters seek to ensure that proposals are sustainable development and achieve a high quality design which is appropriate in scale and appearance to the local context. It would also accord with the overarching aims of the National Planning Policy Framework.

Other matters

16. I have also had regard to the issues raised in the consultation responses to the proposal including matters relating to privacy, sunlight and drainage matters. However, none of the matters raised provide for a compelling reason why planning permission should not be granted.

Conditions

17. The Council has suggested a number of conditions that it considers would be appropriate. I have considered these in light of the Planning Practice Guidance (PPG). For clarity and to ensure compliance with the PPG, I have amended some of the Council's suggested wording.
18. Other than the time limit condition restricting the implementation of the permission to within 3 years of the original permission date, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty.
19. In the interests of the character and appearance of the area conditions are required in respect of the external materials of the development and details/implementation of hard and soft landscaping, including tree protection measures.
20. The Council has also suggested conditions in respect of surface water drainage, refuse and recycling storage, and the prevention of the removal of retained trees. However, given that the proposal is for a replacement dwelling I consider that none of these conditions are necessary to make the development acceptable in planning terms.
21. With the exception of the tree protection measures it is not necessary for any of these to be pre-commencement conditions. However, it is necessary for the tree condition to be pre-commencement as it relates to measures required during the construction process.

Conclusion

22. Taking all matters into consideration, I conclude that the appeal should be allowed.

Chris Forrett

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: drawing Nos. 001; 002; 003, 004 and 006.
- 3) No development above slab level shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling have been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.
- 4) Prior to the first occupation of the dwelling full details of the hard and soft landscaping to the site shall be submitted to and approved in writing by the local planning authority. The approved hard landscaping shall be completed prior to the first occupation of the dwelling, whilst the soft landscaping shall be completed prior to the end of the first planting season following the first occupation of the new dwelling.
- 5) No development shall take place (including any demolition works) until a scheme for the protection of the existing trees to the rear of the proposed dwelling has been submitted to and approved in writing by the local planning authority. This scheme shall include tree protection measures and a construction method statement. The approved tree protection measures shall be implemented in full prior to any site works and shall be retained as such until the completion of the building works.