



Appeal Decision

Site Visit made on 19 April 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2021

Appeal Ref: APP/A1910/D/20/3259657

13 Clarence Road, Berkhamsted, HP4 3BQ

- 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 Finegan against the decision of Dacorum Borough Council.
 - The application Ref 20/01406/FHA, dated 5 June 2020, was refused by notice dated 13 August 2020.
 - The development proposed is loft conversion incorporating rear dormer window and front rooflights.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The site lies within the Berkhamsted Conservation Area (the CA). I find that the significance of the CA derives in part from the character of the buildings within it. In Clarence Road the houses appear generally to retain much of their original appearance, which contributes to the overall character of the CA. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, in accordance with the statutory duty set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The dormer window would be a large and bulky addition to the rear roof slope of the property, dominating the roofscape within this terrace of houses. While it would not occupy the full rear roof slope, its size would be such that there would be little of the roof slope retained, and as such it would be an incongruous and uncharacteristic feature in the area, harmful both to the character and the appearance of the CA.
5. The rooflights would be visible within the street scene and would be the only rooflights to the front roof slope of any house on this side of Clarence Road. They could be set flush to the surface of the roof and so would not therefore appear prominent in the street scene. However, they would result in the reduction in the consistent and largely unaltered original character of the terrace as seen from the street. As such, the introduction of rooflights to the front roof slope would result in additional harm to the character and appearance of the CA.

6. There is a rear dormer window to the neighbouring property, No 15, but this is much smaller than the proposed dormer and I have no information about the planning history relating to it. Accordingly, I can only give it limited weight in the determination of this appeal.
7. There are rooflights and a dormer window present on the front roof slopes of houses on the opposite side of Clarence Road. However, these houses generally have projecting front bays, some of which have substantial gable roofs. The roofscape of the houses on that side of the street is therefore busier than that of which the appeal property forms a part. These features therefore carry limited weight in my determination of the appeal.
8. The appeal proposal would consequently fail to preserve the character or appearance of the CA. The National Planning Policy Framework (the Framework) states 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
9. The greater harm would be from the rear dormer window, which would be a bulky and prominent feature visible in the surrounding area. The rooflights would be less prominent but more visible in the public street scene and would contribute additional harm. As the harm would be restricted to a single dwelling it would amount to less than substantial harm to the significance of the CA. The Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. No public benefits have been identified by the appellants, as they contend that the development would not be harmful to the significance of the CA. The appeal proposal would create a larger house, but this is principally a private benefit. Even when taken together with the presence of other dormers and rooflights in Clarence Road and the support for the proposals expressed by residents these considerations do not outweigh the harm to the significance of the CA.
10. Consequently, the appeal proposal would result in unacceptable harm to both the character and the appearance of the CA. It would conflict with the requirements of the Act and with Policies CS12 and CS27 of the Dacorum Core Strategy 2013. These policies require, amongst other criteria, that development positively conserve and enhance the appearance and character of conservation areas and integrate with the streetscape character.

Conclusion

11. There are no material considerations that indicate this appeal should be determined other than in accordance with the development plan. Accordingly, for the reasons set out above, the appeal fails.

M Chalk

INSPECTOR