



Appeal Decision

Site visit made on 24 February 2022

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2022

Appeal Ref: APP/P1940/W/21/3274036

Cool Bananas, Bridle Lane, Loudwater WD3 4JH

- 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 and Mrs Hunter against the decision of Three Rivers District Council.
 - The application Ref 21/0315/FUL, dated 11 February 2021, was refused by notice dated 15 April 2021.
 - The development proposed is Single-storey rear extension and side extension, insertion of roof dormer windows, alterations to fenestration, insertion of rooflights, alterations to external materials, replacement of roof tiles, construction of outbuilding and new patio paving and steps.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Outer Loudwater Conservation Area (CA).

Reasons

3. The appeal property comprises a two-storey detached dwelling that occupies a spacious and prominent corner plot along Bridle Lane. The appeal property is located within the Outer Loudwater CA.
4. Outer Loudwater CA has been designated because it forms the attractive and distinctive setting for Loudwater based on the well-wooded valley bordering the River Chess and incorporating low density residential development.
5. The appeal property falls within Sub-Area 2 of the Outer Loudwater CA. This identifies that all the detached houses are large and substantial and sit on generously sized plots. The wide spacing between nearly every house is emphasised by plot boundaries being well away from each house. All houses have been individually, architect-designed and built in the 1930's and 1950's.
6. Consequently, the significance of the CA is largely derived from its setting, and the quality and mainly traditional architecture of its dwellings, the layout of these and associated landscaping.
7. Whilst the appeal property has been subject to some extensions and alterations, overall, it retains its traditional form and appearance. Most notably, this includes traditional fenestration and the use of white render along the ground floor

elevations and a contrasting brown tile roof with similar hanging tiles featured along its first-floor elevations. This arrangement is similar to other dwellings of the same style and period in the CA. Therefore, the host property positively contributes to the significance of the CA.

8. The proposal includes a package of extensions and alterations, including a dormer along the north-east roof slope of the property, the insertion of rooflights and new patio paving and steps. In my view, due to their scale, design and location, these works would be consistent with the appearance of the host property.
9. The single-storey side extension would replace an existing slightly smaller store of a similar form in broadly the same location. Along the southern boundary of the site the new single-storey outbuilding would broadly occupy the same location as an existing timber structure. Both these additions would be modest in scale and the proposed white rendered finish for them would be consistent with the appearance of the ground floor of the host property.
10. Although the proposed single storey rear extension features a roof lantern. The lantern would be recessed from the edges of the roof of the extension and relatively low in height and therefore proportionate to the size of the extension. Because of its 'frameless' design, the lantern would largely comprise glazing which would complement the frameless windows within this extension and along the ground floor of the dwelling. Overall, this extension would infill an existing recessed area and would appear as a subordinate but contemporary and complementary addition to this traditional property.
11. Whilst the proposed first floor rear projecting window would not be readily visible from the public realm, because of its height, form and appearance this does not reflect existing first-floor windows and therefore introduces an uncommon feature which would undermine the traditional design of the dwelling.
12. A pair of dormers are proposed along the north-west roof slope. Relative to the host roof, these dormers would be set in from the sides, lower than its ridge and designed to be setback from its eaves. Therefore, these dormers would be of a subordinate scale. The use of white render along the side cheeks and front of these dormers would be minimal and is already used along this dwelling and therefore would be acceptable. However, these dormers incorporate a link which would be an uncharacteristic feature giving the dormers an atypical elongated appearance. This would detract from traditional design of the host property.
13. More significantly, the proposal seeks to replace the existing brown roof tiles and hanging tiles along the upper parts of the front elevation of the host dwelling with grey slate variants. Given the traditional appearance of the brown tiles which are consistent with other similar styled dwellings in the area, the use of grey slate would be inappropriate for the appeal property. The scheme includes the removal and replacement of the existing hanging tiles along the rear elevation of the building in favour of a white render finish to match the ground floor. Consequently, these alterations would significantly undermine the architectural integrity and appearance of the original design and would fail to uphold the architectural character of the area.
14. For the above reasons, elements of the proposal, namely the proposed first floor rear window, the link between the dormers along the north-west roof and the replacement of the existing roof and hanging tiles with grey slate and the

replacement of some of the hanging tiles with white render, would cumulatively have a significant erosive effect on the traditional appearance of the host property to the detriment of the character and appearance of the CA. This would harm the significance of the CA. I attach considerable importance and weight to the desirability of avoiding any such harmful effect in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. The harm the proposal would cause to the significance of the CA would be less than substantial. Paragraph 202 of the Framework states that where a proposal would lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimum viable use.
16. Whilst the appellant has referred to health and safety concerns in relation to the existing tiles falling off the building, there is nothing to suggest that this matter could not be addressed by means other than the proposal. Therefore, I attach very limited weight to any such health and safety benefits.
17. Having special regard to the desirability of conserving the heritage asset. As set out in the Framework¹ that despite finding the harm to be less than substantial, I still attach significant weight to this. Such harm can be outweighed by public benefits. However, the benefits in this instance do not outweigh the less than substantial harm that I have identified.
18. The proposal therefore fails to preserve or enhance the character and appearance of the Loudwater Estate CA. Accordingly, I find conflict with the aims of Policies CP1 and CP12 of the Core Strategy, adopted 17 October 2011 which when read together seek to secure high quality design in developments and the protection of historic environments, and Policy DM3 of the Development Management Policies Local Development Document (LDD), which amongst other things states that applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment. In light of this, the proposal conflicts with similar aims of Policy 1 of the of the Chorleywood Neighbourhood Plan (2020) ('NP') and Policy 2 of the NP which along with other matters requires developments to maintain local distinctiveness.
19. The Council's reason for refusal also refers to Policy DM1 of the LDD. This Policy largely relates to new residential development and dwelling subdivision and therefore is not directly relevant to the proposal.

Conclusion

20. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal
INSPECTOR

¹ Paragraph 199