



Appeal Decision

Site visit made on 15 March 2022

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 April 2022

Appeal Ref: APP/N1920/D/21/3285860

24 Oakwood Avenue, Borehamwood WD6 1SR

- 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 Roskin against the decision of Hertsmere Borough Council.
 - The application Ref 21/1323/HSE, dated 23 June 2021, was refused by notice dated 28 October 2021.
 - The development proposed is a loft conversion with hip to gable extension, rear dormer and new window to left elevation.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed rear dormer window on the character and appearance of the area.

Reasons

3. The appeal relates to a semi-detached, two storey dwelling at one end of a group of six pairs on the southern side of Oakwood Avenue, a suburban residential street. The long rear gardens of dwellings on Cardinal Avenue adjoin the eastern side boundary of the site. A number of the neighbouring dwellings have been extended, particularly through rear and side extensions. There are also several dormer additions visible at Nos 8, 10, 12 and 16. The appellants also point to other rear dormers which exist to the opposite side of the street.
4. The pair at Nos 22 and 24 have been extended in a similar manner, with two storey side additions that have widened the roof but maintained the original hipped form. Along with similar ground floor extensions to the rear, the pair retains a great deal of symmetry. The proposal seeks a hip-to-gable extension to the side, along with a dormer window across the enlarged roof slope.
5. The Council has granted permission on 7 January 2022¹ for a revised proposal for the same hip-to-gable extension but with a smaller dormer window inset from the outer edge of the roof. This decision represents an implementable fall-back position for the appellants. Therefore, I have taken this decision into account as a significant material consideration.
6. It is clear that hip-to-gable extensions and rear dormer windows have become visible features of the dwellings to this side of Oakwood Avenue. The main difference, from my observations, is that other dwellings have not extended to

¹ Council Ref 21/2217/HSE

the side and then created a side gable, but have added the gable to the original side wall. As a result, the overall size of other rear roof slopes and dormers are narrower than would result from the appeal scheme before me.

7. My attention is drawn to the Hertsmere Planning and Design Guide Supplementary Planning Document Part E: Guidelines for Residential Extensions and Alterations (November 2006) (the PDG) which sets out that dormers should be as small as possible and, as a general rule, dormers taking up more than 60% of the roof face will be resisted.
8. Except for modest recesses from the ridge, eaves and sides, the dormer would extend to the full area of the proposed enlarged rear roof slope. Therefore, the dormer would cover considerably more than 60% of the enlarged roof slope, contrary to the PDG guidance. Its full-width span would result in a substantial massing at the roof level that would exceed that seen to nearby dwellings, and would appear as a full additional storey at the rear, rather than a proportionate addition to the main roof. This impression of an additional storey would be reinforced by the fact that four windows are proposed across the rear façade of the dormer. These would be set close together in a cluttered arrangement that would be neither in proportion with or aligned to the window pattern below. Overall, the size, form and detailing of the dormer would draw the eye and create a conspicuous, top heavy shape to the building.
9. This would also result in an unbalancing effect on the semi-detached pair. I accept this has occurred to other pairs nearby, but the effect in this case would be particularly jarring because the existing shared, symmetrical roof would no longer be legible across the two dwellings, due to the dormer occupying virtually the whole of the roof slope on one side of the pair.
10. I accept that the dormer would be subject to limited visibility from the street, and that the hip-to-gable element has separately been approved. However, the dormer would still be subject to views from several neighbouring gardens on Oakwood Avenue, from the nearest dwellings to the side on Cardinal Avenue and from dwellings to the rear on Elmwood Avenue. From these vantage points, the excessive overall scale of the dormer, in relation to the dwelling itself but also the pair and the wider roofscape, would be apparent.
11. In contrast, the approved dormer would occupy a smaller area, closer to the 60% coverage sought by the PDG and with more modest fenestration. This would enable the roof slope to still be seen, which in turn would avoid the impression of a full third storey to the rear of the dwelling, instead retaining legibility of the shared roof across the semi-detached pair. The approved dormer would also more closely reflect the scale of others on the same side of the street, and therefore would better integrate into the streetscape. Contrary to the appellants, I do not agree that the approved dormer would appear 'lopsided'; rather, it would align with the original body of the building and retain more vertical emphasis to the rear elevation in line with neighbouring dwellings. Consequently, the fall-back scheme would not present an equivalent or greater degree of harm to the character and appearance of the area than the appeal scheme, and it would not justify granting the appeal proposal.
12. Reference is made to a planning permission granted at Melrose Avenue. I am not provided with full details of this permission, but note the Council's reference to '*existing rear dormer windows of a similar scale to the proposed*', which suggests a specific site context upon which the Council placed weight.

Whilst Melrose Avenue is nearby to the appeal site, it is nonetheless a different street with its own context, which is not directly comparable or applicable to the appeal site. Ultimately, I have considered the appeal on its own planning merits and the site-specific evidence before me.

13. The appellants also argue that over time, more dormers are likely to be constructed, which will alter the roofscape of the street. However, I must base my decision on the current site context and specific evidence of the case. Therefore, I afford little weight to these comments which are ultimately speculative in nature.
14. For these reasons, I conclude that the proposed rear dormer window would be a conspicuous and incongruous addition that would significantly harm the character and appearance of the area. This would conflict with Policy CS22 of the Hertsmere Core Strategy (January 2013) and Policy SADM30 of the Site Allocations and Development Management Policies Plan (November 2016), which together seek to secure high quality design that complements the local character and makes a positive contribution to the built environment. There would also be conflict with the aforementioned guidance of the PDG, and with the design aims of the National Planning Policy Framework.

Other Matters

15. I recognise that the proposal would provide additional living and homeworking space for the appellants' family. However, this would be a mainly private benefit rather than a public one, and would be realised to a considerable extent by the scheme already approved. The public benefit of a larger home within the housing stock would be very limited, given I am not advised of a documented need for homes of five bedrooms within the borough.
16. The Council did not raise concern in respect of the effect on neighbours' living conditions in terms of overlooking. Although the windows would afford elevated views over the garden of No 22, this would be similar to views already possible from the first floor windows. Views towards the gardens of dwellings on Cardinal Avenue would be largely filtered by trees, with the windows a considerable distance further away. Given these site circumstances, I am content that the proposal would not cause material harm to the living conditions of neighbouring occupants. This would however be a neutral factor weighing neither for nor against the proposal.

Conclusion

17. For the reasons set out, therefore, I conclude that the appeal conflicts with the development plan, taken as a whole, and material considerations do not indicate that permission should nevertheless be forthcoming spite of this conflict. Therefore, the appeal should be dismissed.

K Savage

INSPECTOR