



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: 08 April 2022

Appeal Ref: APP/N1920/D/22/3290833

19 Oakroyd Avenue, Potters Bar EN6 2EH

- 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 David Campbell against the decision of Hertsmere Borough Council.
- The application Ref 21/1740/HSE, dated 31 August 2021, was refused by notice dated 26 November 2021.
- The development proposed is a rear dormer and 2 no side Velux windows.

Decision

1. The appeal is allowed and planning permission is granted for a rear dormer and 2 no side Velux windows, at 19 Oakroyd Avenue, Potters Bar EN6 2EH, in accordance with the terms of the application, Ref 21/1740/HSE, dated 25 August 2021, and subject to the following 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: Existing elevations (EXE001); Existing ground floor plan and roof plan (EXP001); Proposed ground floor plan and loft floor plan (PRP001); Proposed block plan and roof plan (PRP002); Site location plan (SIT001); Planning statement (25 August 2021); Proposed elevations (PRE001 Revision A) (17 November 2021).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Application for costs

2. An application for an award of costs has been made by Mr David Campbell against Hertsmere Borough Council. This is the subject of a separate decision.

Preliminary Matter

3. The Council states that its decision was based upon the proposed elevation drawing PRE001, received 31 August 2021. A later drawing, PRE001 Revision A, was put to the Council during the course of the application, but this was not accepted as an amendment to the scheme. However, the appellant has confirmed that he wishes to have this drawing considered as part of the appeal. The drawing shows the proposed dormer window height lowered by some 150mm, with no other substantive changes. Having regard to the *Wheatcroft*¹

¹ ¹ Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]

principles, I am satisfied that the amendment introduced by this drawing is not substantially different to the previous plans and no party would be prejudiced by my considering the appeal on the basis of this revised plan.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the Royds Estate Conservation Area (RECA).

Reasons

5. The RECA is characterised by distinctive interwar houses designed and built by Edward Hicks, a prolific builder of the era. The significance of the conservation area stems from its planned layout, the mix of house types but uniformity of style and the low density, classic suburban plots with landscaped front and rear gardens. The RECA is subject to an Article 4 Direction (2015) which removes permitted development rights in respect of various forms of development, including alterations and extensions to the roof.
6. The appellant questions the significance of the conservation area, pointing out that the house types which characterise the RECA were cheaply constructed widely across Hertsmere, with Mr Hicks being an excellent salesman who sold six types of dwelling from a brochure. Nonetheless, the Royds Estate is designated as a conservation area, and having visited it, I find that the layout of the estate and design of the dwellings are positive contributors to its heritage significance, whilst the wider estate holds evidential value as an example of larger scale housebuilding of the time.
7. The appeal dwelling is a 'Type A' house, a semi-detached bungalow. It has a tall, hipped roof with a long front gable projection and a wide, flat roofed extension to the rear, and retains characteristic roofline features such as the freestanding chimney stack to the outer wall and shared central stack. The proposed flat-roofed dormer window would be located on the rear roof slope. It would be set visibly below the main ridge line and above the eaves line. It would also be set in from the centre line of the roof and would not extend into or otherwise alter the existing hip to the side. The Council's concern is that the dormer would be too large and have a jarring effect on the roof space. Concern is also raised in respect of the proposed rooflights to the side hip of the roof.
8. I saw that dormer windows have been added to several nearby dwellings, including Nos 5, 9, 11, 13, 15 and 23. Several of these appear to have involved hip-to-gable extensions, with the dormers extending to the full width of the enlarged rear roof slopes. The appellant has also indicated that rear dormers are common to dwellings on the opposite side of the street. I was unable to observe these in full from a rear garden, but I saw a number of side gables and dormer edges to dwellings on the northern side of the street.
9. Given this context, a rear dormer extension would not, in principle, form an uncharacteristic addition to the roofscape of the street. Moreover, viewed in comparison to neighbouring dormers, the proposed dormer would be narrower in width and considerably smaller in overall scale. Indeed, the appellant indicates that the dormer would occupy 52% of the area of the rear roof slope, less than the 60% guideline set out in the Council's Planning and Design Guide Supplementary Planning Document (Part E: Guidelines for Residential Extensions and Alterations) (November 2006) (the PDG).

10. Having regard to the plans, the dormer would be proportionate to the roof and the dwelling as a whole. The appellant has addressed the Council's concern with the height of the dormer by lowering it from 150mm under the main ridge to 300mm. This would be more in keeping with the positioning of neighbouring dormer windows. The dormer would also have sufficient clearance from the edges of the roof on all other sides so as not to appear oversized or top heavy. I acknowledge that the RECA Design Guide (October 2014) discourages flat roofed dormers, but this is the established style to neighbouring dwellings, and so would be acceptable in this instance. Overall, it would integrate with the pattern of rear dormer extensions across the roofscape of the street and would not be prominent from the public realm, with the positive architectural features to the front of the dwelling unaffected.
11. The side rooflights would be conservation style, sitting flush with the roof slope. They would be modest features that would not alter the original hipped shape of the roof or be prominent in views from the street. I saw several examples of side and front rooflights to neighbouring dwellings and whilst I acknowledge the Council's guidance discourages rooflights in these positions, I am content that, given the surrounding context, they would not have a harmful effect on the dwelling or the wider conservation area.
12. For these reasons, I conclude that the proposal would preserve the character and appearance, and heritage significance, of the RECA. No conflict would therefore arise with Policies CS14 or CS22 of the Hertsmere Core Strategy (January 2013) or Policies SADM29 or SADM30 of the Site Allocations and Development Management Policies Plan (November 2016), which together require development to conserve or enhance the historic environment of the Borough and to secure high quality design. Neither would there be conflict with the related guidance of the PDG or the design and heritage policies of the National Planning Policy Framework.

Other Matters

13. The dormer would not be of a size or position that would lead to an overbearing effect or sense of enclosure to a neighbouring property. The rear facing window would afford elevated views over the gardens of Nos 17 and 21; however, both gardens are already subject to views from the dormers to Nos 15 and 23 respectively. Moreover, the recessed position of the dormer and ground floor extensions to both neighbouring properties would limit views of the closest parts of the garden where neighbours are likely to spend the majority of time sitting out. Therefore, I am satisfied that the proposal would not cause material harm to the living conditions of neighbouring occupants.

Conclusion

14. For these reasons, I conclude that the appeal should be allowed, subject to conditions specifying the relevant drawings, to provide certainty, and requiring external surface materials to match the existing dwelling in order to preserve the character and appearance of the RECA.

K. Savage

INSPECTOR