



Appeal Decision

Site visit made on 25 July 2022

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2022

Appeal Ref: APP/P1940/D/22/3294130

120 Whitelands Avenue, Chorleywood WD3 5RG

- 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 P Cheema and Ms S Singh against the decision of Three Rivers District Council.
 - The application Ref 21/2396/FUL, dated 11 October 2021, was refused by notice dated 8 December 2021.
 - The development proposed is a garage conversion and alterations to existing roof, loft conversion including increase in ridge height, hip to gable roof enlargement and front dormer window, front rooflights, part single, part two storey rear extension, front porch and alterations to fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for a garage conversion and alterations to existing roof, loft conversion including increase in ridge height, hip to gable roof enlargement and front dormer window, front rooflights, part single, part two storey rear extension, front porch and alterations to fenestration in accordance with the terms of the application Ref 21/2396/FUL, dated 11 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01, 02, 03, 04C, 5D and 06.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building, except where otherwise stated on the application form and in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.
 - 4) The first floor bedroom windows hereby permitted in the north-western and south-eastern flanks shall be fitted with purpose made obscured glazing and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall be permanently retained in that condition thereafter.

Preliminary matter

2. The description of the proposed development stated on the planning application form is not sufficiently clear because it includes an undefined symbol and does not mention raising of the roof. It has therefore been necessary for me to use the description given on the Council's decision notice instead. The appellants have used this revised description in their appeal submissions and have not raised any problems with its use.

Main issue

3. The main issue is the effect of the proposal on the character and appearance of the building and Whitelands Avenue.

Reasons

4. Whitelands Avenue is a sloping residential street with a varied mix of bungalows and houses. No 120 is a hipped roof bungalow sitting within a row of detached dwellings including similar bungalows but also gable fronted and 2 storey properties, some of which have substantial roof extensions. The appeal proposal most significantly includes an increase in roof height, hip to gable roof extensions and the replacement of an existing front dormer window with 2 larger dormer windows.
5. The Council's objection relates to these roof extensions and alterations, which it considers would make the building top-heavy, with a disproportionate roof. Appendix 2 of the Local Plan Development Management Policies (DMP) advises that increases in roof heights will be assessed on their own merits and are unlikely to be supported where roofs are of a uniform style, height and appearance.
6. Although the increase in height would mean that No 120 would be slightly taller than the next house up the hill, No 122, the existing roofs on this side of the street do not rise smoothly with the slope. Just down the street the roof of another house has recently been extended so that it is taller than its neighbours. Within this varied context the proposed minor increase in roof height would not stand out as being incongruous or harmful in the street scene.
7. The proposed hip to gable extensions and dormer windows would also add to the bulk of the new roof but would not be out of scale or character on Whitelands Avenue, where there are other gables and front dormers. Appendix 2 of the DMP discourages hip to gable extensions on semi-detached houses or areas where roof forms in the street are uniform. Neither of these circumstances apply here and the proposed asymmetrical shape of the gables would help to minimise bulk. Appendix 2 furthermore advises that front dormers may not always be appropriate in the street scene. In this case, however, front dormer windows are already part of the street's established character. These dormers would be set within the roof slope, well down from the ridge and away from the roof's edges, so that they would not dominate or otherwise harm the appearance of the roof or the building.
8. I conclude that the proposal would not harm the character or appearance of the building or Whitelands Avenue. It therefore accords with the aims of Core Strategy Policies CP1 and CP12, DMP Policy DM1, DMP Appendix 2, Chorleywood Neighbourhood Development Plan 2020-2035 Policy 2 and the

National Planning Policy Framework, to secure a high standard of design that has regard to local context and seeks to make a positive contribution to the street scene.

9. I have taken account of all other matters raised. In particular, the extended roof would not stretch beyond the backs of next door properties and the proposals would not unduly affect neighbours' outlook. Potential overlooking from the proposed side windows at first floor level could be dealt with by condition, as set out below. Finally, any potential damage to the highway verge is a matter for the local highway authority.
10. I impose a condition specifying the relevant plans to provide certainty - including where relevant the revision letters stated on the plans supplied by the Council. A condition requiring the use of matching materials, with allowance for variations as stated on the application form, is necessary to safeguard the character and appearance of the area. A condition requiring obscure glazing of first floor side windows is necessary to protect neighbours' privacy. The Council has suggested a further condition restricting normal permitted development rights for new side windows in order to protect neighbours' privacy. This is not necessary due to the provision in the Town and Country Planning (General Permitted Development) Order 1995 which requiring obscure glazing and limiting openers for new first floor side windows.
11. For the reasons set out above, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR