



Appeal Decision

Site visit made on 19 October 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2022

Appeal Ref: APP/P1940/D/22/3301317

Holly Trees, Trout Rise, Loudwater, WD3 4JR

- 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 Steve Wright-Browne against the decision of Three Rivers District Council.
 - The application Ref 21/2869/FUL, dated 17 December 2021, was refused by notice dated 5 April 2022.
 - The development proposed is part demolition of existing dwelling and rebuild, including single storey front, two storey front, side and rear extensions and internal alterations. Detached garage to include single storey rear extension with terrace above, fenestration changes to front elevation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's decision notice refers to the absence of information relating to trees and decking. However, notwithstanding my decision below, there is nothing before me to lead me to conclude that these are not matters that could have been addressed via appropriate conditions, should the appeal have been successful.
3. A previous application¹ for a similar scheme to that the subject of this appeal was withdrawn. Permission was previously granted² for the substantial demolition of the existing dwelling and rebuild (subsequently amended and renewed).
4. Taking the above into account, the appellant states that the proposal has previously been approved by the local planning authority. I note that the previous approvals pre-date the National Planning Policy Framework (NPPF), the Chorleywood Neighbourhood Plan and the Loudwater Conservation Area appraisal.

Main Issue

5. The main issue in this case is the effect of the proposed development on the character and appearance of the Loudwater Conservation Area.

¹ Reference: 21/2132/FUL.

² References: 07/1077/FUL; 08/1072/FUL; 11/1203/FUL.

Reasons

6. The appeal property is an Arts and Crafts style detached two storey dwelling located within the Loudwater Conservation Area. It is located on a large garden plot which slopes significantly from the front of the house down to the rear of the garden.
7. Loudwater Conservation Area is characterised by the presence of detached dwellings within large garden plots, where trees, planting and gardens provide for a significant sense of greenery. Further, much of the Loudwater Conservation Area's significance derives from the presence of Arts and Crafts dwellings, which present an attractive range of period features and materials.
8. The appeal property itself presents various attractive Arts and Crafts features, including a catslide roof, exposed rafter feet, traditional materials and an asymmetrical form. As such, it makes a significant positive contribution to the significance of the Loudwater Conservation Area.
9. The proposal would result in the loss of the appeal property's roof structure and its replacement with a roof of increased ridge height and massing, fundamentally altering the form and scale of the host property. Further losses of the historic fabric of the appeal property would result from major changes to the front, rear and side elevations of the dwelling. Defining features, including the characterful appearance of the catslide roof, the sprocketed eaves and the exposed rafters would be lost.
10. Further to the above, the proposal would introduce a large, prominent glazed area to the front elevation, the modern appearance of which would fail to relate to the more traditional window proportions synonymous with the Arts and Crafts vernacular.
11. Taken together, the proposed changes would substantially increase the overall size of the dwelling. The changes would fail to appear subservient to the host property but would rather overwhelm and fundamentally alter its appearance.
12. Additionally, the proposed garage would appear prominently due to its large size and its location high up within and towards the front of, the appeal site. This and a lack of a more traditional Arts and Crafts appearance in keeping with the qualities of the appeal property would result in it drawing undue attention to itself as an unsympathetic addition.
13. Taking all of the above into account, I conclude that the proposed development would fail to conserve the appearance of the Loudwater Conservation Area. Having regard to paragraph 202 of the National Planning Policy Framework (the Framework) and to Planning Practice Guidance, I consider that the harm to the character and appearance of the Conservation Area would be less than substantial. This needs to be balanced against any public benefits the development may bring.
14. In this respect, whilst I recognise that the proposal is intended to improve the appellant's living environment, there is no substantial evidence to demonstrate that there are any benefits that would amount to such public benefits that they would outweigh the harm identified.

15. The proposal would fail to conserve the character and appearance of the Loudwater Conservation Area contrary to the National Planning Policy Framework; to Core Strategy³ Policies CP1 and CP12; to DMP⁴ Policies DM1 and DM3; to the Loudwater Conservation Area Appraisal (2013); and to Policies 1 and 2 of the Chorleywood Neighbourhood Development Plan (2020), which together amongst other things, seek to protect local character.

Other Matters

16. In support of the proposal, the appellant refers to other developments elsewhere. However, there is nothing before me to demonstrate that the circumstances relating to these other developments are so similar to the proposal before me as to provide for direct comparison. Notwithstanding this, I have found that the proposal would result in harm and this is not a factor mitigated to any significant degree by the presence of other developments elsewhere.

Conclusion

17. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

³ Reference: Three Rivers District Council Local Development Framework Core Strategy (2011).

⁴ Reference: Three Rivers District Council Local Plan Development Management Policies Local Development Document (2013).
