



Appeal Decision

Site visit made on 1 August 2023

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2023

Appeal Ref: APP/P1940/D/23/3323041

Stamhus, Troutstream Way, Loudwater, Hertfordshire, WD3 4LB

- 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 Morgan against the decision of Three Rivers District Council.
 - The application Ref 23/0190/FUL, dated 25 January 2023, was refused by notice dated 29 March 2023.
 - The development proposed is a detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for a detached garage at Stamhus, Troutstream Way, Loudwater, Hertfordshire, WD3 4LB in accordance with the terms of the application, Ref 23/0190/FUL, dated 25 January 2023, 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 plan: 1100/P3/1.
 - 3) Before any building operations above ground level hereby permitted are commenced, details and samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out and maintained in accordance with the approved details and samples.

Reasons

2. The main issue in this appeal is whether the proposal would preserve or enhance the significance, character and appearance of the Loudwater Estate Conservation Area (CA). Paragraph 199 of the National Planning Policy Framework (2021) (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to its conservation. I have also had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The development plan includes policies CP1 and CP12 in the Council's Core Strategy (2011) and policies DM1, DM3 and Appendix 2 in its Development Management Policies Local Development Document (LDD) (2013). Together, these seek to ensure that development is of a high quality that conserves and enhances heritage assets.

3. The significance of this CA derives from the development of the Loudwater House estate mostly between the 1930s and late 1950's with large, mainly arts and crafts style dwellings of individual design, set in large, plots within a leafy woodland setting.
4. The appeal dwelling is a large, detached house which appears to be of a later date than most of the surrounding dwellings and appears to have been more recently extended and remodelled with a white rendered exterior and a contemporary character and appearance. It is set back from the road behind a high hedge with a large front garden and drive. The proposed double garage would be sited forwards of the dwelling to one side of the drive. It would have a hipped roof with an overhanging eaves detail and a small window in the side elevation facing the road.
5. When seen in the approach along the road from both directions it would be very well screened by the high hedges along the front and side boundaries and would only be seen from within and immediately outside the site. From there, its siting to the side of the drive and set back from the road would further reduce its impact and it would not be unduly dominant in the street scene. The size, scale and height of the proposed building would not be excessive and it would be subordinate to this large house. Its hipped roof design would reflect that of the prominent two storey projecting feature in the central part of the front elevation of the house. The overhanging eaves detail would reflect those of the property and many of the dwellings on the estate. The proposed brickwork and plain roofing tiles would also reflect the dominant materials of the estate.
6. Although the Council says that the existing site frontages are generally free of built form and that detached garages are an uncharacteristic feature along Troutstream Way with no other examples other than in the wider part of the CA, at my site visit I noted several other examples in this part of the CA. Dove Cottage, next door but one to the north east of the appeal site has a double garage set back from the dwelling that is more visible across its open frontage than the proposal would be. The adjacent property to the south east of the appeal site at Cherry Tree has a large, attached garage block which projects forward of the dwelling. Appleton and Five Trees, which are both located at the western end of Troutstream Way only a short distance from the appeal site, also have detached garages on plots that have more open frontages than the appeal site. Others I noted include those at Little Petherick and at Troutstream Hall. Whilst I am unaware of the planning status of these examples, most are more visible than this proposal would be and yet most of those sit comfortably within their plots and the street scene. It is clear to me that whilst many of the houses would not have been built originally with detached garage blocks, others were or have had them added at a later date without causing harm to the character or appearance of the dwelling or the area.
7. In this context and given the well screened siting of the proposal, its modest size and appropriate design, I am satisfied that it would not be uncharacteristic of the CA and would preserve and enhance its character and appearance, in accordance with the policies referred to earlier. In addition to the standard commencement and compliance with the plans conditions, a condition requiring details and samples of external materials is necessary in the interests of the CA. The Council's suggested condition that would restrict the garage to be incidental to the enjoyment of, and ancillary to, the dwelling would not meet

the tests for conditions in the Framework as it is unnecessary because the creation and use of a separate and independent unit would require planning permission.

Conclusion

8. For the reasons given above, I conclude that the proposed development would preserve the significance and would not result in harm to the character or appearance of the Loudwater CA. It would therefore accord with the development plan and there are no material considerations that would outweigh that. The appeal should be allowed.

Sarah Colebourne

Inspector