



Appeal Decision

Site visit made on 25 July 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9TH August 2024

Appeal Ref: APP/P1940/D/24/3344005

85 Baldwins Lane, Croxley Green, Hertfordshire, WD3 3LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Marcus Whyte against the decision of Three Rivers District Council.
 - The application Ref is 24/0073/FUL.
 - The development proposed is a hip to gable loft conversion and new dormer extension to rear roof.
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Decision

1. The appeal is allowed and planning permission is granted for a hip to gable loft conversion and new dormer extension to the rear at 85 Baldwins Lane, Croxley Green, Hertfordshire, WD3 3LT in accordance with the terms of the application, Ref 24/0073/FUL, 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: EXELE-01-A, EXELE-02-A, EXESL-01-A, EXGFP-01-A, PROELE-01-A, PROELE-02-A, PROELE-03, PROGFP-01-A and PROGFP-02-A.
 - 3) Unless otherwise specified on the approved plans, 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.
 - 4) The extension hereby permitted shall not be occupied until the proposed west facing flank window has been fitted with obscure glazing and no part of that window that is less than 1.7m above the floor of the room in which it is installed shall be capable of being opened. Once installed the window shall be retained in this condition thereafter.

Main Issue

2. There is one main issue which is the effect of the proposed hip to gable loft conversion and rear dormer on the character and appearance of the host dwelling, the semi-detached pair and the street scene of Baldwins Lane.

Reasons

3. The appeal dwelling is a semi-detached house on a busy mainly residential street characterised by traditional detached and semi-detached houses. Whilst the majority of dwellings were originally constructed with hipped roofs a noticeable number, including in the vicinity of the appeal dwelling, have undergone hip to gable conversions. Both hipped and gable ends are thus characteristic of the street.
4. The appeal dwelling and its attached neighbour retain hipped roofs, so that the proposed hip to gable conversion would unbalance the pair. However, a similar unbalancing is already characteristic of the street scene. Owing to the design of the appeal dwelling and its neighbour, with a prominent central projection with half hipped roof to the front, the main roof is set further back from the street and is less prominent in the street scene. The central projection would thus limit the visual effect of the hip to gable conversion, including the extended width of the ridge, on both the host dwelling and the semi-detached pair, including its unbalancing effect.
5. Taking account of the particular design of the appeal dwelling and in view of the existing gable ended dwellings, including hip to gable conversions, nearby I am satisfied that the proposed alteration would not materially detract from the character or appearance of the host dwelling or its semi-detached pair and would sit comfortably in the street scene of Baldwins Lane.
6. Guidelines in both Appendix 2 of the Council's Local Plan: Development Management Policies (DMP), 2013, and the Croxley Green Neighbourhood Plan 2017-2032 (CGNP), 2018, discourage hip to gable roof conversions owing to the unbalancing effect that it can cause. However, as reasoned above, in the case of the appeal dwelling and in the context of this part of Baldwin's Lane, I consider the effect to be acceptable.
7. The Council points out that other hip to gable conversions nearby may have been undertaken under permitted development rights but, owing to the scale of the rear dormer, the current proposal could not be constructed as permitted development. However, since the appeal dwelling retains its permitted development rights, it is likely that a similar conversion could be carried out in conjunction with a smaller dormer as permitted development. This is also a material consideration.
8. The proposed box dormer would occupy most of the rear roof slope and would not be a subordinate feature. Nevertheless, it would be clearly set in from either side of the dwelling, up from the eaves and below the ridge, thus ensuring it was distinct from the roof and complying with the specific requirements of Appendix 2 of the DMP. Although large, it would not be seen in the street view and would be of a comparable scale to other dormers on nearby dwellings, including on the rear roof of No 89 which is visible from the appeal site. Moreover, the existing single storey rear extension would avoid a top-heavy appearance to the appeal property. Overall, I therefore find that it would have a satisfactory effect on the character and appearance of the dwelling and surrounding area.
9. It is concluded on the main issue that the proposed hip to gable loft conversion and rear dormer would have no materially detrimental effect on the character or appearance of the host dwelling, the semi-detached pair or the street scene

of Baldwins Lane. It would therefore comply with Policies CP1 and CP12 of the Core Strategy, 2011 and Policy DM1 of the DMP. Taken together these expect all development to contribute to the sustainability of the district and exhibit high standards of design that have regard to the local context and conserve or enhance the character and quality of an area.

10. Turning to conditions, in addition to the statutory commencement condition I agree that the proposed development should be carried out in accordance with the approved plans and in materials that match those used in the existing building. These are necessary for the avoidance of doubt and to protect the character and appearance of the host dwelling and surrounding area. In addition, a condition requiring the window in the side flank of the loft conversion to be obscure glazed and top opening is necessary to protect the privacy of neighbouring occupiers.
11. However, I do not consider it necessary to condition the position of the proposed front rooflight since the distance between this and windows in the closest dwellings would be sufficient to avoid any loss of privacy. Moreover, it is not necessary to withdraw permitted development rights for additional windows or openings since any that were installed under permitted development rights would need to comply with the standard conditions which would ensure that neighbouring amenity was preserved.
12. For the reasons set out above and having regard to all other matters raised, including the objection of the Parish Council to the hip to gable conversion owing to its conflict with the CGNP which is addressed above, I conclude that the appeal should be allowed.

KE Down
INSPECTOR