



Appeal Decision

Site visit made on 1 November 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 November 2024

Appeal Ref: APP/P1940/D/24/3351097

4 Penrose Avenue, Carpenders Park, Hertfordshire WD19 5AD

- 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 S Patel against the decision of Three Rivers District Council.
 - The application reference is 24/1007/RSP.
 - The development proposed is the erection of a single storey side to rear extension, front porch, loft conversion, side and rear roof extension and rear roof dormer; two front dormers.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a single storey side to rear extension, front porch, loft conversion, side and rear roof extension and rear roof dormer; two front dormers at 4 Penrose Avenue, Carpenders Park, Hertfordshire WD19 5AD in accordance with the terms of the application Ref 24/1007/RSP subject to the conditions set out in the schedule to this decision.

Procedural matter

2. At the time of the site visit, various works were underway on-site. I saw that the building under construction was larger than the dwelling shown as existing on the submitted plans. I also observed that works had taken place that were over and above those identified in the description of development. For the avoidance of doubt, I have assessed the proposal as it is shown on the drawings before me because it was on that basis that the Council refused planning permission.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The appeal property is a detached single storey dwelling in a predominantly residential area within which bungalows of varying style, type and size predominate. It occupies a prominent corner plot with the front of the dwelling facing Penrose Avenue and Oxhey Lane at a slightly higher ground level just beyond the side boundary of the site. I saw that several properties close to the site had been altered and extended including those to which the appellant has referred and provided photographs and background details. There is,

therefore, some variety to the existing built form in the local area to which the site belongs.

5. The Council has recently granted planning permission for a single storey side to rear extension, a front porch and conversion of the garage to habitable accommodation together with accommodation in the roof space served by a rear dormer and roof lights. It has also issued prior approval for an 8-metre deep, single storey rear extension with a flat roof. The proposal before me would be broadly similar in size to the approved schemes at ground floor level.
6. Above, the appeal scheme would introduce a new roof with hipped ends across the extended dwelling within which the living space would be served by 2 front and a single rear dormer together with roof lights. To my mind, the finished dwelling would be well proportioned with appropriately sized window openings, a sense of balance to its front façade and consistency to its largely hipped roof. While the new roof would include a crown element, this would be limited and no greater in extent than has previously been approved. The absence of a new side dormer would reduce the scale of the upper building compared to an earlier scheme that was recently refused planning permission at appeal. The new front dormers would each be modest in size and evenly spaced across the roof slope to reinforce the general symmetry to the principal façade. Overall, the appeal scheme would be a proportionate addition and in keeping with the qualities and character of an individually designed dwelling.
7. Compared to the approved schemes and the dwelling shown as existing on the submitted plans, the proposal would result in a significantly larger property with an extended front elevation. The expanse of front roof slope, coupled with a continuous long ridge line and the introduction of 2 dormers would combine to emphasise the scale and bulk of the finished dwelling when seen from Penrose Avenue. The additional built form would also cause No 4 to gain some prominence in the local street scene. Nevertheless, the completed dwelling would stand comfortably within its generous plot. It would not draw the eye from the road as overly large, bulky or conspicuous in the streetscape. As such, the proposal overcomes the objections raised to the earlier development proposals that were dismissed at appeal.
8. On the main issue, I conclude that the proposed development would be in keeping with the character and appearance of the host building and the local area. It does not, therefore, conflict with Policies CP1 or CP12 of the Council's Core Strategy, nor Policy DM1 or Appendix 2 of its Development Management Policies Local Development Document. These policies aim to ensure that new development has regard to the local context; respects the character of the property, particularly its roof form; and that extensions are not excessively prominent in relation to adjacent properties and the general street scene. It would also comply with the National Planning Policy Framework, which states that new development should, amongst other things, be sympathetic to local character and add to the overall qualities of an area.

Conditions

9. Although works were underway at the appeal property at the time of my site visit, it was unclear whether these were specifically in relation to the appeal scheme. Therefore, I have imposed the standard time limit condition. I have also imposed a condition specifying the relevant drawings and to require that the development be carried out in accordance with them as this provides

certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require matching external materials unless indicated otherwise on the approved plans.

10. The Planning Practice Guidance states that conditions restricting the future use of permitted development (PD) rights will rarely pass the test of necessity and should only be used in exceptional circumstances. Such circumstances apply in this instance because the introduction of further windows or openings above ground floor could lead to a loss of privacy through overlooking of the neighbouring property. For this reason, a condition is imposed that removes PD rights for additional windows or other openings above ground level.

Conclusion

11. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin no 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: Refs 2023218.TS.PA104 Revision P03, 20232185.3PA.109 Revision P03, 2023218.TS.5PA103 Revision P04, 2023218.TS.PA101a Revision P02, 2023218.TS.5PA102 Revision P03, 2023218.TS.5PA102b Revision P04, 2023218.TS.5PA105 Revision P03.
- 3) Unless specified on the approved plans, the materials to be used in the construction of the external surfaces of the development hereby permitted and the making good of the retained building shall match those used in the existing building.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows or other openings other than those expressly authorised by this permission shall be constructed above ground floor level on the elevations of the extensions hereby permitted.