



Appeal Decision

Site visit made on 7 January 2025

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2025

Appeal Ref: APP/N1920/W/24/3347364

11A Beaumont Gate, Radlett, Hertfordshire WD7 7AR

- 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 O East of St Albans City Football Club against the decision of Hertsmere Borough Council.
 - The application reference is 23/1719/FUL.
 - The development proposed is the conversion of loft to create additional office space at 3rd floor level to include rear dormer and insertion of 4x front rooflights.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of loft to create additional office space at 3rd floor level to include rear dormer and insertion of 4 x front rooflights at 11A Beaumont Gate, Radlett, Hertfordshire WD7 7AR in accordance with the terms of the application, reference 23/1719/FUL, and the plans submitted with it.

Preliminary Matter

2. The development for which planning permission is sought has been carried out, and I was able to see the rear dormer and front rooflights in place at the time of my visit.

Main Issue

3. The main issue is the effect of the rear dormer on the character and appearance of the area.

Reasons

4. The appeal relates to a two-storey office building, towards the centre of a terraced block of offices. The building is finished in red brick, and has a pitched roof of brown tiles. It lies between Radlett railway station, at the rear of the building to the west, and a residential area to the east. A flat-roofed dormer has been erected which occupies almost the full width of the rear roof slope. It is set in from the party walls on both sides by around 12.5cm and occupies, by the Council's calculation, around 90% of the roof face.
5. Planning permission has been granted previously for two other developments at No 10 with rear dormers. In July 2021 permission was granted for a scheme with two small rear dormers (LPA Ref: 21/1094/FUL). In February 2024 a scheme incorporating a single rear dormer (LPA Ref: 23/1718/FUL) was approved; this was a partially-retrospective permission based in part on reducing the width of the as-constructed dormer which is the subject of this appeal, so that it would be set in just over 50cm from the party walls and occupy around 75% of the roof slope.

6. I have been directed to two parts of the Council's *Planning and Design Guide Supplementary Planning Document*; Part D, *Guidelines for High Quality Sustainable Development*; and Part E, *Guidelines for Residential Extensions and Alterations* (together, "the SPD"). The introduction to Part D of the SPD explains that it is intended to be applicable to all types of development. It recognises that if dormers are not designed sensitively they can harm the integrity of the building and the character of the street scene, and advises that dormers should be set at least 30cm from the main roof ridge and eaves to remain a genuinely subservient feature of the roof, and "to avoid being highly visible from the street" should also be set in by at least 50cm from the side or boundary walls of the building.
7. Part E of the SPD advises that "in most cases [a] dormer should take up no more than 60% of the roof slope". However, the introduction to Part E states that it sets out "specific additional guidance for residential extensions where planning permission is required". While the Council suggests that the development is "a style of extension typically found on residential buildings", and "the application site also shares many similarities with a residential style building in so much that it is brick built, low rise and finished with a hipped tiled roof", the development before me is not a residential one; there is nothing before me to indicate that the advice in Part E should carry significant weight in this appeal.
8. Because of its width, the dormer which has been built does not comply with the advice in Part D of the SPD; it is closer to the party walls on either side than the guidance recommends. However, the purpose of that provision of the SPD is clear; it is to prevent dormers being highly visible from the street. The dormer in this case is partly screened by trees between the appeal property and the railway station and, while it can be seen from parts of the station this is in views which are sometimes oblique, often hidden by buildings or other structures, and sometimes both. I saw that the dormer was visible from the bridge carrying Shenley Hill over the railway lines, though this was at some distance through trees which were not in leaf at the time. In none of those views was the dormer an especially intrusive or harmful feature.
9. The Council suggests that the dormer is "highly visible from the residential dwellings along Radlett Park Road". Those properties are on the east side of the appeal site and, because of the hilly topography of the area, at a slightly higher level. I did not enter those properties, the rear of which faces the development, during my visit. However, the dormer is on the far side of the appeal building from them, and behind the main roof ridge. In the circumstances therefore, even if the top of the dormer can be seen from some of those dwellings, I do not consider that it could sensibly be described as "highly visible" as far as Radlett Park Road is concerned.
10. During the appeal an interested party commented that "the dormer window is not set up from the eaves as it is built off the rear wall of the building. It is also not set down from the ridge of the roof of the building either". However, in views from the station platforms and footbridge it was apparent to me that the dormer is set up from the eaves, though the constrained views meant that I could not be certain whether this (and any set down from the eaves) is by the same amount as shown in the plans. However, it is open to the Council to take enforcement action if it considers that the development has not been carried out in accordance with the plans submitted with the application.

11. The dormer which is built is wider than those allowed by either the July 2021 or February 2024 permissions (though it is to be presumed that the first of these has expired). I note the Council's comment that it considers the latter of those to be at the upper size limit of what would be considered to be acceptable for a dormer in this location without detrimentally impacting the character and appearance of the area". Because of the increased size of the appeal scheme, there would be greater conflict with the advice in the SPD. In this respect therefore, those previous permissions do not weigh significantly in favour of this scheme as a fallback consideration.
12. The Council considered that the retention of the dormer would be an incongruous addition to the roof slope of the building, and would be out of keeping with the uniform terrace of buildings along Beaumont Gate. In my view, adding *any* dormer to a building where previously there has been none is likely to introduce a degree of visual incongruity, and that is the case here. However, the difference in scale between the dormer approved in July 2021 and that which has been built is likely to be barely discernible from most viewpoints. The principle of a large dormer, exceeding the SPD guidelines, on the Beaumont Gate block has already been accepted by the Council (however reluctantly and "on balance" that may have been). To that extent, therefore, the July 2021 permission does carry some moderate weight as fallback.
13. In any event, however, for the reasons I have set out above, I conclude that the dormer which has been erected has not caused significant harm to the character and appearance of the area. The development does not therefore conflict with Policies SP1 or CS22 of the 2013 Hertsmere Core Strategy, or with Policy SADM30 of the 2016 Site Allocations and Development Management Policies Plan. Together, and among other things, these policies seek to ensure that development is appropriate in scale, appearance and function to its local context.

Conditions

14. The Council did not suggest any conditions in the event of my allowing the appeal and, as the development has already been carried out, I consider that none are necessary.

Conclusion

15. For the reasons given above the appeal should be allowed.

M Cryan

Inspector