



Appeal Decision

Site visit made on 11 February 2025

by C Housden BSc(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 MARCH 2025

Appeal Ref: APP/P1940/D/24/3355441

11 Pembroke Road, Moor Park, Hertfordshire HA6 2HP

- 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 Arminster Singh against the decision of Three Rivers District Council.
 - The application Ref is 24/1026/FUL.
 - The development proposed was originally described as “two-storey rear extension, loft conversion and dormer window additions to existing dwelling”.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing garage, workshop and front canopy; construction of a part single, part two storey side and rear extension; loft conversion including front/rear dormers and side/rear rooflights; relocation of entrance door; installation of chimney; installation of a raised rear patio and internal alterations at 11 Pembroke Road, Moor Park, Hertfordshire HA6 2HP in accordance with the terms of the application, Ref 24/1026/FUL, and subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of the proposal differs between the application form and the decision notice. The appellant has, however, formally confirmed in their appeal documentation that they are content with the description of development listed in the Council’s decision notice. Due to the Council’s description being more precise, I have therefore used this wording to describe the proposed development in my formal decision.
3. There were some minor discrepancies on the decision notice regarding plan references. This has since been clarified by the Council and is reflected in my decision.
4. I observed on site that internal works had commenced and the white render finish on the property had been removed from the front and side elevations. I also noted that trees and vegetation shown on the plans as being retained on the boundary adjacent to 13 Pembroke Road had been removed. I have, however, dealt with the appeal on the basis of the plans before me.

Main Issue

5. The main issue is the effect of the proposed development upon the character and appearance of the existing building and the area, including the Moor Park Conservation Area (CA).

Reasons

6. The appeal site is situated within the CA. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA), I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
7. The Moor Park Conservation Area Appraisal (2006) (CA Appraisal) identifies that the special interest of the CA lies in its low-density metro-land style of development which was planned at scale in the 1930's. The CA Appraisal describes that the CA's character and appearance derives from the special visual qualities created by large and primarily two-storey detached houses with pitched roofs, the setting back of these properties from the roads in spacious surroundings, attractive tree-lined roads in differing scales and the views along these roads, open frontages, grass verges, shingle paths and the original features of the properties.
8. Pembroke Road demonstrates many of the special visual qualities of the CA. The plots along Pembroke Road are spacious and contain predominantly detached dwellings of two-storey stature. I noted from my visit that these properties are varied in their designs and materials. The plots mostly have open frontages with grass verges and footpaths set along the road. Mature trees feature frequently along Pembroke Road.
9. No 11 Pembroke Road comprises a detached two-storey house which is set back from the road and situated in a spacious plot. The property is asymmetrical with a single-storey flat roof side extension adjacent to 9 Pembroke Road and a two-storey side extension adjacent to 13 Pembroke Road. The evidence before me demonstrates that the two-storey side extension was constructed by 1936 making it an early addition to the property.
10. In terms of the contribution No 11 makes to the CA, I consider the single storey flat roof extension is a detracting feature of the property. Positive features include the quoins, protruding ridges on the front gable and round arch heads with keystones situated above the ground floor windows.
11. There is disagreement between the parties on the effect of the existing two-storey side extension and if this is a detracting feature of the property.
12. The existing side extension is well designed with the same high-quality detailing seen on the original dwelling such as the use of quoins and round arch heads with keystones. However, whilst the existing side extension was an early addition to the appeal property, it nevertheless reads as an addition to the property and not an original feature. As such, I view this extension as a neutral component of No 11.
13. Overall, I consider No 11 contributes positively to the character and appearance of the CA.
14. The proposed two-storey side extension would be set back from the front elevation and have its ridge set down, visually mirroring the existing extension on the opposite

side of the property. The existing quoins on the front façade of No 11 would protrude past the proposed side extension which would distinguish the host property from the extension. In relation to the two-storey rear extension the ridges would be set down from the existing ridge and the single storey elements would have a flat roof. The proposed front and rear dormers would be small and with a flat roof design.

15. Based on the design of the extensions, they would be distinguishable and subordinate additions to the property which would not subsume No 11 when viewed either in isolation or as a collective. The positive architectural features of the property would still be apparent and continue to positively contribute to the property itself and the wider CA.
16. The proposed two-storey side extension would bring additional development at first-floor level closer to the boundary with No 9. However, due to the subordinate design of the extension, the spacious and open character and appearance of the plot and wider area would be retained.
17. Furthermore, due to the varied form of the properties within Pembroke Road and the wider CA, the introduction of symmetry to No 11 brought through the side extension, relocation of the front door and introduction of the window within the apex of the front gable would be in keeping with the character and appearance of the host property and wider area.
18. The CA Appraisal sets out design standards for development within the CA relating to separation, width and plot coverage. I note that there some disagreement between the parties whether the proposed development would comply with some of these standards.
19. The CA Appraisal explains these design standards are to maintain the open character of the estate and avoid the overdevelopment of plots. As I have found that the proposed development would achieve this, it is not necessary to forensically examine whether the proposal would exactly meet the design standards listed in the CA Appraisal.
20. For the reasons I have given, the proposed development would have a neutral effect on the character on the character and appearance of the CA. The proposal would also be in keeping with the character and appearance of No 11 and the area.
21. I therefore find that the proposal would preserve the character and appearance of the CA. The proposal would accord with the requirements of the LBCA and paragraph 212 of the National Planning Policy Framework (the Framework), which states that great weight should be given to the conservation of heritage assets. The proposal would comply with Policies CP1 and CP12 of the Three Rivers District Council Core Strategy Local Development Framework (2011) and Policies DM1 and DM3 of the Three Rivers District Council Development Management Policies Local Development Document (2013). These policies seek to ensure that development is sustainable and achieves a high standard of design along with preserving or enhancing the historic environment.

Conditions

22. I have considered the conditions suggested by the Council against the tests in the Framework and the advice in Planning Practice Guidance (PPG). Where necessary

and in the interests of precision and enforceability I have amended the wording of conditions.

23. The standard timescale condition for implementation and a plans compliance condition are imposed for the avoidance of doubt and in the interests of certainty.
24. I have imposed a condition requiring materials to match the proposed dwelling, unless specified elsewhere in the approved plans. This is necessary to ensure the proposal will preserve the character and appearance of No 11 and the CA.
25. A condition ensuring the proposed side windows are obscurely glazed and non-openable below 1.7m is considered necessary to ensure the privacy of the neighbours within the adjacent plots.
26. The Council has also suggested a condition to remove permitted development rights relating to windows and openings on the first-floor side elevations and roof slopes of the development. I am mindful of the PPG guidance regarding the removal of permitted development rights through condition. In this instance, I am satisfied that the use of a condition to ensure the privacy of the adjacent neighbours is maintained is reasonable and necessary. The wording of the condition is also sufficiently precise as to not amount to a blanket removal of permitted development rights.

Conclusion

27. For the reasons given above, the proposal would accord with the development plan as a whole, and there are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be allowed, subject to the conditions set out in the accompanying schedule.

C Housden

INSPECTOR

Schedule of 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 plans: 6043 011, 6043 020, 6043 311, 6043 310 REV A; 6043 212 REV A and Unnumbered Location Plan dated 27/06/2024.
- 3) Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile to those of the existing building.
- 4) Before the first occupation of the extensions hereby permitted, the approved windows in the first-floor side elevations shall be fitted with purpose made obscured glazing equivalent to Pilkington Level 3 or above and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The windows shall be permanently retained in that condition thereafter.
- 5) 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 openings other than those expressly authorised by this permission shall be constructed on the first-floor side elevations or side roof slopes of the extensions hereby permitted.