



Appeal Decision

Site visit made on 8 September 2025

by **C Walker BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6th October 2025

Appeal Ref: APP/N1920/W/25/3366666

32 Links Drive, Radlett, Hertfordshire WD7 8BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Dilipkumar Jain against the decision of Hertsmere Borough Council.
 - The application Ref is 24/1659/VOC.
 - The application sought planning permission for 'demolition of existing single storey dwelling to facilitate construction of two storey detached 4x bedroom dwelling with basement level. Associated hard and soft landscaping. Construction of single storey outbuilding to rear' without complying with a condition attached to planning permission Ref 24/0911/FUL, dated 4 October 2024.
 - The condition in dispute is No. 2 which states that:

"The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission: 45 Degree Plan – 011, Climate Change Statement, Planning Conditions Received: 06/08/2024, Proposed Floor Plans - 004 REV C, Proposed Roof Plan - 005 REV C, Proposed Front and Rear Elevations - 006 REV C, Proposed Side Elevations - 007 REV C, Street Scene - 008 REV C, Proposed Outbuilding & Bin Store - 009 REV C, Site Plan - 010 REV C, Photos for Ecology, Received: 03/09/2024."
 - The reason given for the condition is: "For the avoidance of doubt and in the interests of proper planning."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application subject of this appeal is made under Section 73 (s73) of the Planning Act. It seeks a revised but not a substantially different design to the replacement dwelling approved in October 2024. The scope of the proposed changes are narrow, limited to an amended front porch design, the re-design and relocation of a rear garden outbuilding and the realignment of two front dormers. There is no dispute with regards the front dormers or re-design of the outbuilding and therefore I confine my considerations to the porch and relocation of the outbuilding.
3. At the time of my site visit I observed that the original bungalow has now been demolished, and its replacement has now been commenced.
4. On the basis that a recently submitted application made under s73 was being considered by the Council, for an outbuilding of the same design and location to the appeal before me, the appellant does not address the Council's second reason for refusal at all.

5. Since the Council's decision, that application has been approved. However, I have not been furnished with the accompanying plans or any other details pertaining to it. Therefore, based on the evidence before me, I cannot be certain that the outbuilding approved is the same as advanced by this appeal.

Main Issues

6. In light of the above, the main issues are the effect of the proposal on:
 - the character and appearance of the area, with particular regard to the revised porch design; and
 - trees, having regard to the proposed relocation of the outbuilding.

Reasons

Character and appearance

7. Policy HD7 of The Radlett Neighbourhood Development Plan 2020 to 2036 (made 2020) (NP) shows the appeal site to form part of a group of similar properties, known as Group 8: The Radlett Bungalows, as identified on an associated inset map. This policy affords protection to the dwellings for their individual and/or group value in contributing positively to local townscape character and requires development to protect or enhance this contribution. It goes on to say that their replacement must be broadly commensurate in terms of existing ridge height, expecting applications to respond positively to, and be in keeping with, key features typical of local bungalows and their setting.
8. Amongst other things, the Radlett bungalows within Group 8, share key features including frontages that have a strong degree of symmetry, bay windows and subservient front porches. From the street scene they typically read visually as either being single or one-and-a-half storey, with some chalet style bungalows having modest sized dormer windows within the roofscape.
9. The approved plans show a centrally located front porch extension. This is shown on plan to have its eaves broadly aligned with the main dwelling and its height was kept low by virtue of its slack pitched roof.
10. Whilst the floor space would remain as approved, the proposal seeks to increase the scale of this central front addition by increasing its height so that it forms a forward projecting gable. This would punctuate between the two dormer windows and although at a slightly lower level with a similar pitch to the front dormers, it would be a feature that is not typical for the Group. In this context, its undue prominence and projection above the eaves of the replacement dwelling would erode the special character of the Radlett bungalows and the strong sense of place which the NP seeks to protect.
11. The proposal also goes against the guidance set out in the Hertsmere Planning and Design Guide (Part E) Supplementary Planning Document. This states that front extensions larger than a porch, will be refused if they stand out as bulky, are out of character or adversely change the appearance of the house and street.
12. Consequently, the proposal, with regard to the revised porch design, would be harmful to the character and appearance of the area, particularly the group value of the Radlett bungalows. This brings the scheme into conflict with NP Policy HD7,

the objectives of which I have outlined above. It would also be contrary to the expectations of policies CS22 of the Core Strategy 2013 and SADM30 of the Site Allocations and Development Management Policies Plan 2016 (SADMPP). Amongst other things, they require development to secure high quality design and to complement local character, respect, enhance or improve visual amenity of area by virtue of scale, mass, bulk, height and urban form.

Trees

13. There are two trees in the broad location of the outbuilding in its revised position; one growing close to the boundary within the appeal site, whilst the other is located on neighbouring land. These trees make a positive contribution to the visual character and appearance of the area, and they are also likely to have some nature conservation benefits. Therefore, in accordance with the SADMPP Policy SADM12, the starting point is that the trees should be retained, and certainly in respect of the neighbouring tree which is not within the appellant's control.
14. However, very limited information is before me, including no arboricultural assessment to clearly show the effect of the outbuilding on the trees. Based on the evidence before me, I cannot conclude with certainty that the trees within the vicinity of the proposed outbuilding would not be unduly harmed. It is not clear what measures would be required to safeguard the trees during construction, nor indeed whether or how the revised siting of the building itself might affect their health. Neither it is clear whether the land levels would need to be changed within the root protection areas of the trees which could have a significant adverse effect of the longevity of the trees.
15. For these reasons I am not satisfied that the effect of the proposal on trees, having regard to the proposed relocation of the outbuilding, would be acceptable. This development could risk their health and ultimately their loss, bringing the scheme into conflict with policies SADM12 of the Local Plan and CS12 of the Core Strategy.

Other Matters

16. The appellant points to a number of benefits arising from the revised front porch. These include increased natural light penetration to the dwelling, associated sustainability savings from reduced energy related light consumption, along with well-being benefits. Even if I accepted that these were benefits, they would not outweigh the harm I have identified above.
17. My attention is also drawn to a number of similar gable features elsewhere, which the appellant asserts demonstrate a consistent design language within the borough. Limited details have been provided to me, but none of the examples fall within the vicinity of the appeal site nor do they fall within the area to which Policy HD7 applies. Consequently, they do not alter my findings on this appeal.

Conclusion

18. For the reasons set out above, the proposal is contrary to the development plan. Material considerations do not indicate that the development should be determined other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

C Walker

INSPECTOR