



PLANNING

Civic Centre Marlowes
Hemel Hempstead
Herts HP1 1HH

XTRA ROOM CONVERSIONS LTD
REAR 4 HAWKINS LANE
BURTON UPON TRENT
STAFFS

MR & MRS COULSON
125 GEORGE STREET
BERKHAMSTED
HERTS
HP4 2EJ

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/00555/99/FHA

125 GEORGE STREET, BERKHAMSTED, HERTS, HP4 2EJ
LOFT CONVERSION INCLUDING VELUX AND REAR DORMER

Your application for full planning permission (householder) dated 25 March 1999 and received on 25 March 1999 has been **REFUSED**, for the reasons set out overleaf.

Director of Planning

Date of Decision: 01 July 1999

REASONS FOR REFUSAL APPLICABLE TO APPLICATION: 4/00555/99/FHA

Date of Decision: 01 July 1999

1. The proposed dormer window, by virtue of its excessive size and non-traditional design, would have a seriously detrimental effect on the property itself and the character and appearance of the Berkhamsted Conservation Area. Furthermore, the design of the proposed dormer window does not accord with the criteria for such development set out in the Environmental Guidelines which form part of the adopted Dacorum Borough Local Plan.



Appeal Decision

site visit held on Tuesday, October 12, 1999

by ROBERT YUILLE MSc DipTP MRTPI

an Inspector appointed by the Secretary of State for the
Environment, Transport and the Regions

The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

01 NOV 1999

Appeal: T/APP/A1910/A/99/1026787/P7

- 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 brought by Mr and Mrs Coulson against Dacorum Borough Council.
- The site is located at 125 George Street, Berkhamsted.
- The undated application (ref: 4/00/555/99/FHA) was refused on 1 July 1999.
- The development is a proposed loft conversion.

Decision: The appeal is dismissed.

Procedural matters

1. Prior to the determination of the appeal application two revised loft conversion schemes were submitted to the Council. However, the submitted plan (No: 7827) was not formally withdrawn. Like the Council I will determine the appeal on the basis of this plan.

The main issues

2. The main issue in this appeal is whether the proposed dormer window on the rear roof slope of No 125 would preserve or enhance the character or appearance of the Berkhamsted Conservation Area.

Statutory requirements and the development plan

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering proposals for new development in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.
4. The development plan for the area consists of the Hertfordshire Structure Plan Review 1991-2011 (adopted 1998) and the Dacorum Borough Local Plan adopted in 1995. Policy 38 of the former plan and Policy 110 of the latter plan seek to achieve essentially the same ends as section 72(1).
5. Policy 9 makes it clear that development proposals should normally comply with the Environmental Guidelines set out in the local plan. The Council make particular reference to section (vi) of these guidelines which deals with dormer windows and indicates that they should be set in a minimum of 1m from flank and party walls and be set back from the main rear wall. I am required to decide the appeal having regard to the development plan and make my determination in accordance with it unless material considerations indicate otherwise.

PLANNING DEPARTMENT	
DACORUM BOROUGH COUNCIL	
DOPTED	FILE
Received	02 NOV 1999
Comments	

6. Reference is also made to the emerging local plan (the Deposit Draft of the Dacorum Borough Local Plan Review) the relevant sections of which seek to carry forward the aims of those parts of the development plan referred to above. However this plan is at an early stage in the process leading to its formal adoption and I will therefore attach less weight to its contents than to the development plan.

Inspector's reasons

7. The majority of dwellings in this area, including the appeal property, are modestly sized Victorian terraced houses. Many of these retain their original form and design, a feature that imparts a pleasing sense of continuity to the overall streetscene. It is proposed to construct a large flat roofed dormer window on the rear roof slope of the appeal property. This would occupy much of the width of the roof and would rise up directly from the back wall of the house to within 700mm or so of the ridgeline.
8. Flat roof dormers are not a traditional feature of the Victorian houses in this area and the aim of much of the guidance set out in the local plan is to ensure that where they are considered appropriate they remain a subordinate feature to the original dwelling. To my mind the scale and bulk of the proposed dormer would result in a dominant, box like addition to the shallow roof slope of the house. It would occupy much of the existing roof slope and would significantly alter its shape and appearance. It would be visible from points on Paxton Road and the public footpath running between the back gardens of the houses on Ellesmere Road and George Street from where the modern detailing of the proposed windows would be clearly apparent. I conclude, therefore, that the appeal scheme would be out of sympathy with its surroundings and would neither preserve nor enhance the character or appearance of the Berkhamsted Conservation Area. In this respect it would run counter to the provisions of Section 72(1) as referred to above and to the aims of the relevant development plan policies.
9. In coming to this conclusion I have taken account of the fact that there are a number of other dormer windows in the area. At my site inspection two of these were particularly drawn to my attention, one at the corner of Canal Court and the other at the corner of Paxton Road and Ellesmere Road. I agree that each of these is more prominent than the appeal proposal. However, the former example is outside the Conservation Area and subject, therefore, to a different policy regime. The latter example does not, in my judgement preserve or enhance the character or appearance of the Conservation Area but I have been given no information as to whether planning permission was granted for this development and if it was, whether the Conservation Area had been designated at that time. I will therefore determine the appeal application on its own merits in the light of the development plan and all other material considerations.
10. I accept that different local planning authorities adopt different standards towards the provision of dormer windows but this does not alter the weight I attach to the relevant development plan policies. I sympathise with the appellants' desire to extend their home and appreciate that when they bought their house they did not anticipate any difficulties in doing so. However, for the reasons set out above, I do not consider the appeal scheme would be acceptable in planning terms. I have taken into account all other matters raised but have found nothing to outweigh the main considerations that lead to my conclusions.

APPEAL DECISION

Conclusions

11. For the reasons given above I conclude that the appeal should not, on balance, succeed and I shall exercise the powers transferred to me accordingly.

RTY mine