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An Norvys Limited

STATEMENT OF CASE

PROPOSED LOFT CONVERSION

AT

20 GOWER ROAD, ROYSTON

APPEAL BY MR. & MRS. D. COUGHLIN

STATEMENT PREPARED BY TONY HYDE B.Sc., B.Arch.

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Introduction

This statement has been prepared in support of an appeal against the decision of North Hertfordshire District Council to refuse planning permission for the conversion of the loft space into habitable accommodation under planning application reference 18/00170/FPH. It has been prepared by Tony Hyde B.Sc., B.Arch.,a Director of An Norvys Limited and who has been practising as an Architect for some 38 years.

A planning application for the conversion of the loft in this existing end of terrace house was submitted by the Appellant on 22 January 2018, which was refused by the Council on 29 March 2018. (Planning refusal Notice included as Document 1.8) The single reason for refusal related primarily to the raising of the ridge height to create an acceptable internal headroom.

The planning application comprised the following documents:

Document 1.0 – planning application form
Document 1.1 – drawing no. 1198.100
Document 1.2 – drawing no. 1198.401
Document 1.3 – drawing no. 1198.402
Document 1.4 – Design and Access Statement

Grounds of Appeal

The appellant is entitled under Permitted Development Rights to convert the loft of this property into habitable accommodation. The only reason for the planning application was the proposed increased height of the ridge line to create an acceptable internal headroom. The adjoining properties at number 22 and 24 Gower Road already benefit from similar loft conversions and on both of these the ridge height has been raised. The Council has failed to recognise this in its reason for refusal of the application. *The statement that the scheme fails to comply with Council policy is incorrect and the scale of the proposed building is similar to other buildings on the site.*

Site Appraisal

The existing house is an end of a terrace of three houses. It is not Listed nor is it within a Conservation Area.

Planning Policy

National Planning Policy Framework

The most up to date policy is contained in the National Planning Policy Framework, March 2012. The introduction to this states that it is ' a material consideration in planning decisions'. It also states that 'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development' and that development proposals should be approved if they accord with the Council's Development Plan. Where the Development Plan is absent, silent or relevant policies out of date, permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably

outweigh the benefits, when assessed against the policies in this Framework taken as a whole…'. This proposal is sustainable, being located in an existing community where the appellant is seeking to enlarge an existing house to accommodate an expanding family .

Saved Policy 28 of North Hertfordshire District Local Plan No.2

In its reason for refusal, the council has referred to saved policy 28. This relates to the design of house extensions and is not particularly relevant to this proposal. The only part that is vaguely relevant is the beginning, which states:

'*For house extensions, the Council will normally only permit development proposals if:*

1. *the extension is sympathetic to the existing house in height, form, proportions, window details and materials;'*

The proposed loft conversion is of the same building form as the existing house and the adjoining properties. It uses the same window details and materials. Although the ridge height is to be raised slightly, the height is sympathetic to the existing house and the proportions are similar to those employed on the loft conversions on the adjoining houses.

Reasons for Refusal

The only reason for refusal relates to the increase in ridge height of the existing roof and this is considered below.

The reason for refusal states that the increased ridge height would be unsympathetic to the existing house in terms of height, form and proportions. The proposal is for only a small increase in height so that the rear dormer is not seen above the ridge line from the street. Numbers 22 and 24 Gower Road, which adjoin the house that is the subject of this appeal, already have loft conversions where the ridge height has been raised to accommodate the rear dormer. The raised ridge and dormer at number 24 is shown in the photograph at Document 1.12. The Council obviously considers these to be acceptable, which is inconsistent with the refusal of this application. The raised ridge line on number 20 would abut the chimney and would not be readily noticed from street level. It will not be unsympathetic to the existing house in terms of height, form and proportions.

The planning officer's report on the application (Document 1.6) is inconsistent and contradicts itself. In paragraph 4.3.2 the report states ' *The other properties in the terrace row have had rear roof extensions and have not needed to raise the height of the existing roof height'.* In paragraph 4.3.8 the report states '*I do acknowledge that the ridge tiles of No 24 are higher than those at No. 20 and 22 but neither neighbouring property proposed or sought changes to the height of the roof slope to accommodate the dormer roof extensions to the rear'.* These two statements are contradictory. It is clear that the ridge line on both numbers 22 and 24 have been raised to accommodate the height of the dormer roof to the rear, number 24 being higher than number 22.

On 28 March, Tom Rea a planning officer from the Council stated that there was no objection to the increased ridge height providing the top of the dormer was set at the same level and did not protrude above it. (E-mail, document 1.8 refers) Confirmation was

sent to the planning officer by return (e-mail, document 1.11) stating that the dormer did not protrude above the raised ridge line. On the following day the Council refused the application solely on the grounds of the increased ridge height. The agent has sought to obtain clarification from the Council as to why the application was refused contrary to the advice received from the planning officer on the previous day, but this has not been forthcoming. (E-mails, document 1.7 refer)

The proposed increase in ridge height to accommodate the height of the dormer on the rear is a commonly used technique in loft conversions and numerous built examples of this exist on houses similar to number 20 Gower Road. Examples of this from a street in Cambridge are shown in the photograph below (Document 1.9).



In the proposal at 20 Gower Road, the increase in ridge height is separated from the ridge of the adjoining property by the chimney, so no step in ridge line will be apparent.

Conclusions

The Appellant contends that the proposal is fully in accordance with the Council's adopted policies and with the National Planning Policy Framework.

In its refusal, the Council has failed to take into account the fact that the adjoining houses already benefit from similar loft conversions where their ridge lines have been raised. The proposed rear dormer will not be seen from the front elevation, nor will it cause any detriment to the amenity of any other properties. It is in accordance with the advice given by the planning officer that this would be acceptable.

The appellant respectfully requests that this appeal is allowed.