



Appeal Decision

Site visit made on 1 February 2023

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21st February 2023

Appeal Ref: APP/A1910/D/22/3305547

36 Belham Road, Kings Langley, WD4 8BY

- 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 and Mrs N MacDonald against the decision of Dacorum Borough Council.
 - The application Ref 22/00015/FHA, dated 4 January 2022, was refused by notice dated 1 June 2022.
 - The development proposed is first floor, part two storey side extension and a first floor rear extension, garage conversion, alterations to openings including insertion of bi-folding doors to existing ground floor rear elevation, insertion of front facing roof light to existing roof and insertion of roof light to existing single storey rear extension. Work to also include erection of rear facing dormer with Juliette balcony to extend existing loft conversion, extension of existing chimney stack and infill of existing raised patio area, to include new access steps and glazed balustrade.
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Decision

1. The appeal is allowed and planning permission is granted for erection of first floor, part two storey side extension and a first floor rear extension, garage conversion, alterations to openings including insertion of bi-folding doors to existing ground floor rear elevation, insertion of front facing roof light to existing roof and insertion of roof light to existing single storey rear extension. Work to also include erection of rear facing dormer with Juliette balcony to extend existing loft conversion, extension of existing chimney stack and infill of existing raised patio area, to include new access steps and glazed balustrade at 36 Belham Road, Kings Langley, WD4 8BY, in accordance with the terms of the application Ref 22/00015/FHA, dated 4 January 2022 and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 5270-OS1 location plan, 5270-OS2-RevB block plan, 5270-E01 existing plan and 5270-P01-RevF proposed plan.
 - 3) The development hereby permitted shall be constructed in accordance with the materials specified on the application form.

Main issues

2. I consider that the main issues in this case are its effect on the character and appearance of the area and on highway safety.

Reasons

3. 36 Belham Road is a two storey semi-detached house located in an established residential area. The properties along the street are characterised by projecting two storey bay windows with gables, in a mix of materials including brick, render and tile hanging. Several of them have been altered and extended at the side and with dormer windows at the side and rear.
4. No. 36 has a prominent hipped dormer at the side and a full width dormer to the rear which together accommodate the stairhead and an ensuite loft room. There are full height glazed doors at this second floor level opening onto a small Juliet balcony overlooking the rear garden. There is a flat roofed full width single storey extension at the rear with a patio immediately adjacent. The latter is several steps above the rear garden due to the slope of the land which continues to fall away to the east.
5. The policies relevant in this case include CS11 and CS12 of the Core Strategy 2006-2031 (2013) (the Core Strategy) which relate to the quality of design and require, among other things, that development including residential extensions preserve attractive streetscapes, avoid loss of privacy, harmonise with the original house and respect adjoining properties in terms of matters including scale and height. A safe and satisfactory means of access for all users should be provided. Policy CS8 relates to sustainable transport and requires development to provide sufficient, safe and convenient parking based on parking standards which are set out in the Council's Supplementary Planning Document *Parking Standards* 2020 (the SPD).
6. I consider that the proposed two storey side extension incorporating the existing garage and extending to the rear elevation of the main house would be of a scale, height, bulk and design in keeping with the character of the existing house itself and the prevailing pattern of development along the street. The extended hipped roof would reflect the existing roof pitch and would be a visual improvement over the existing side dormer when viewed from the street. The size of the plot is ample to accommodate the increase in built form.
7. The proposed first floor rear extension over the existing single storey extension would be relatively modest in scale with a hipped roof and would be in keeping with the main house. It would be visible from the rear windows of properties in Hempstead Road over the long rear gardens but not from the street.
8. I conclude that the proposed extensions, together with the minor alterations to the chimney and rooflights and other openings, would not harm the character and appearance of the street scene or the wider area and that they are consistent with Core Strategy policies CS11 and CS12.
9. The proposal will result in a four bedroom house. The Council's parking standards require three off-street parking spaces to be provided for a house of this size. At the time of my visit, the front garden was open to the street and surfaced with a mixture of tarmac and gravel, in a manner similar to several other properties along the street and sufficient for three cars to be accommodated.

10. I conclude that the proposal would not have a detrimental impact on highway safety and that it would be consistent with Core Strategy policies CS8 and CS12 and the SPD.

Other matters

11. Neighbouring residents at 34 and 38 Belham Road have expressed concerns that the proposal would overshadow their properties and result in a loss of privacy. The submitted plans indicate that the proposed two storey rear extension is of a width, depth and siting away from the boundaries with Nos. 34 and 38 such that in relation to both, it would not result in a breach of the 45 degree splay referred to in saved Appendices 3 and 7 of the Dacorum Borough Local Plan and would therefore not result in increased overshadowing.
12. At the time of my visit, there was a high timber fence on the boundary between Nos. 38 and 36. The existing garage adjoins this boundary. The first floor windows in the side elevation of No. 38 are obscured and the ground floor windows have a limited outlook due to the fence. No. 38 lies to the south of No. 36 and I consider that the proposed increase in height due to the extension of a first floor side element towards the rear would not lead to a significant increase in overshadowing.
13. I consider that there would be no increased loss of privacy arising from the proposal. The existing patio is screened from the rear of No. 34 by a high fence on the boundary and would be squared off and the existing railings replaced with a glass balustrade. The rear gardens of all the properties along this side of the street are already overlooked by the large existing dormer windows at second floor level in Nos. 36 and 34 and the first floor windows in the other houses. There would be some improvement in privacy for the occupiers of No. 38 resulting from the replacement of the existing window in the side facing dormer at No. 36 with a smaller rooflight in the slope of the side roof.
14. For the reasons given above, the appeal is allowed.

Conditions

15. I have considered the conditions put forward by the Council, having regard to the tests set out in the Framework. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. A condition relating to the materials is necessary in order to ensure the satisfactory appearance of the development.

PAG Metcalfe

INSPECTOR