



Appeal Decision

Site visit made on 16 May 2023

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 21 June 2023.

Appeal Ref: APP/A1910/D/23/3316926

31 Cemetery Hill, Hemel Hempstead, Hertfordshire HP1 1JF

- 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 Gary Hart against the decision of Dacorum Borough Council.
 - The application Ref 22/03434/FHA, dated 17 November 2022, was refused by notice dated 23 December 2022.
 - The development proposed is the erection of a single storey front and part two storey front extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the host property and the streetscene and (b) the living conditions of the occupiers of 29 Cemetery Hill.

Reasons

Character and Appearance

3. The proposed development includes an extension projecting from the front elevation of a semi-detached dwelling. The appeal property forms part of a group of 3 pairs of similarly designed dwellings which include a sloping roof projecting forwards from the 2-storey element of the dwelling. This roof extends across a single storey addition projecting forwards and is about half the property's width.
4. Although the character of this residential area is varied, the 3 pairs of semi-detached dwellings form a distinct group of properties within the streetscene, including along part of Heath Lane at its junction with Cemetery Hill. They have a consistency in their design, character and appearance, including the single storey front additions. Although originally a garage some of the owners have converted the space into habitable accommodation, including at the appeal property.
5. The proposed development would have a full width 2-storey front extension from which a single storey extension would project further forward equating to the same length as the existing addition. By reason of scale, siting and design, the appeal scheme would unbalance this pair of semi-detached dwellings and

be detrimental to the character and appearance of the group of similarly designed dwellings. For these reasons, the resulting dwelling would be incongruous form of development which would have a negative impact on the appearance of the streetscene.

6. On this issue, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the host property and the streetscene and, as such, it would conflict with Policies CS11 and CS12 of the Core Strategy (CS). Amongst other matters, these policies require proposals to preserve attractive streetscapes, integrate with the streetscape character and respect adjoining properties, including layout.

Living Conditions

7. The flank of the proposed extension, both the single and 2-storey elements, would be sited a similar distance away from the shared boundary with 29 Cemetery Hill as the property's side elevation. However, unlike the existing side elevation, the flank wall of the appeal scheme would project further forward than the property and, as a consequence, it would visually dominate the outlook from the kitchen window of No. 29.
8. Further, the proposed flank wall would be sited opposite the entrance door and, as such, it would physically and visually be overbearing for the occupiers of No. 29 when entering or exiting their property. This unacceptable harm would be accentuated by the higher ground level of the property when compared to No. 29.
9. By reason of siting and height, there would be the potential for a reduction in levels of daylight reaching the kitchen window of No. 29. Although any reduction in daylight would be associated with a kitchen window, this matter adds to the unacceptable harm which has already been identified.
10. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of 29 Cemetery Hill and, as such, it would conflict with CS Policy CS12 which refers to developments avoiding visual intrusion and loss of sunlight and daylight.

Other Matters

11. The appellants have referred to personal circumstances for seeking the erection of the proposed development but the circumstances referenced do not outweigh the unacceptable harm which has been identified. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR