



Appeal Decision

Site visit made on 19 December 2023

by C Billings BA (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th January 2024

Appeal Ref: APP/A1910/D/23/3319249

5 The Shrubbery, Hemel Hempstead, Hertfordshire HP1 2TG

- 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 Alex Wentford against the decision of Dacorum Borough Council.
 - The application Ref 22/03691/FHA, dated 13 December 2022, was refused by notice dated 31 January 2023.
 - The development proposed is first floor link extension, infill front extension and front and rear first floor dormers.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed dormers on the character and appearance of the host dwelling and the surrounding area; and,
 - the effect of the proposed rear dormer on the living conditions of occupiers of nearby residential properties to the north-east of the appeal site.

Reasons

Character and appearance

3. The appeal property is located towards the end of a cul-de-sac, set within a modern 1980's housing estate and surrounded by predominately two-storey pitched roof detached and semi-detached dwellings. The appeal property is a detached two-storey dwelling with a projecting wing to the front, forming an L-shape with the main dwelling. The projecting wing has a lower roof ridgeline than the main roofline of the dwelling and it has two small, pitched roof front dormers and a rooflight in the rear roof slope.
4. The appeal property appears to be the only property within this part of the estate, including along The Shrubbery and The Glades that has dormer windows visible within the street scene. Therefore, dormers are not typical features of the immediate surrounding area.
5. The proposed front dormer would replace the two existing small pitch roof dormers and extend along approximately half the length the projecting wing. The rear dormer would extend along almost the whole length of the projecting wing and include one obscure glazed window at one end. Both proposed

- dormers would have a flat roof design and extend up from the side walls, rather than be set back in from the eaves of the roof.
6. Due to the large scale, the flat roof design and that the dormers are not set in from the side elevations and eaves of the roof, they would appear as dominant and bulky additions to the roof of the projecting wing. Also, the flat roof design of the proposed dormers would not be in keeping with the pitched roof design and character of the existing dwelling, nor that of surrounding dwellings.
 7. Furthermore, due to the location of the host dwelling, combined with the scale, design and position of the proposed dormers, the dormers would appear as overly dominant and incongruous features within the street scene, including when viewed from the private driveway that wraps around to the side and rear of the appeal dwelling.
 8. Whilst the proposed external materials of the dormers would match that of the existing dwelling, the dormers would dominate the roof slope, introducing extensive vertical walls extending above the roof eaves level. The proposed rear dormer would over-dominate the rear roof slope, leaving little of the sloping, tiled area of the roof of the wing visible, which would thereby appear at odds with the design of the host dwelling.
 9. The appellants statement of case includes photographs of existing dormers within Fields End, yet no substantive information about these dormers nor the specific location of them has been provided. However, I did not observe any comparable dormers visible within the street scene immediately surrounding the appeal site during my site visit. Therefore, the prevailing character and appearance of the surrounding area is not defined by roof dormers nor any other flat roof additions of the manner proposed, and do not lead me to alter my findings.
 10. In view of the above, the proposed dormers would be harmful to the character and appearance of the host dwelling and the surrounding area, in conflict with Policies CS11 and CS12 of the Dacorum Borough Council Core Strategy (2006-2031) (DBCCS), which amongst other things, require new development to integrate within the streetscape character. Policy CS12 of the DBCCS also requires that new development respects adjoining properties in terms of scale, and height and that it integrates with the street scene character.
 11. In addition, the proposed dormers would conflict with saved Appendix 7 of the Dacorum Borough Local Plan (adopted 21 April 2004), which amongst other matters, sets out that house extensions should harmonise with the original design and character of the existing house, in terms of scale and roof form.

Living conditions

12. The proposed rear dormer would be large and dominant on the rear roof slope of the projecting wing of the host dwelling. It would be close to the side boundary of the property and the private driveway and, neighbouring residential properties to the north-east beyond the private driveway.
13. Whilst the floor level of No 6 The Shrubby to the north-east is set at a higher ground level compared to that of the appeal property, as the private driveway rises towards No 6, the front windows of No 7 The Shrubby would directly face towards the proposed rear dormer. Also, the proposed rear dormer would be visually prominent from the front windows of other dwellings within the

private driveway, including Nos 6 and 9 The Shrubby, albeit this would be viewed at an angle from such properties.

14. Currently, the rear wall of the projecting wing is of a lower height, and of a more subdued red brick design, with its tiled roof sloping away from neighbouring property at the rear. However, the proposed dormer would extend the wall of the wing up to a higher, two-storey level and create a much taller vertical wall facing directly opposite the front of No 7 The Shrubby. Therefore, due to its design, scale, and close proximity to this neighbouring property, it would form a visually prominent and overbearing feature, in terms of the outlook from No 7.
15. Despite the negative impact in terms of outlook, there would be no undue overlooking or loss of light caused to the occupiers of neighbouring dwellings. This is because the proposed openings to the rear would be obscure glazed and, that there would be sufficient distance separation between the proposed openings and neighbouring properties, so as not to cause harm to the living conditions of neighbours in relation to such matters.
16. In view of the above, the proposed rear dormer would be harmful to the living conditions of neighbouring occupiers, due to its overbearing and negative visual impact, in conflict with Policy CS12 of the DBCCS, which requires, amongst other matters, that new development avoids visual intrusion to surrounding properties.

Other Matters

17. The other proposed extensions and alterations to the dwelling, including the first-floor link and the extension and alterations to the entrance area, would be in keeping with the character and appearance of the host dwelling and surrounding area. However, these elements do not outweigh the harm identified.
18. The proposed development would allow increased floorspace, better use of and improved insulation for the host dwelling. However, these matters would principally provide benefit to the owner of the property and do not outweigh the harm identified. Furthermore, I do not have any substantive evidence to demonstrate why the host dwelling could not be improved and better insulated without the proposed dormers.
19. Also, whilst I note that neighbours have not raised objections to the proposal, this would not make the proposed dormers acceptable for the reasons I have identified.

Conclusion

20. For the reasons given above, I find there would be conflict with the development plan when read as a whole, and that there are no material considerations, which justify a decision other than in accordance with the development plan.
21. Accordingly, I conclude the appeal should be dismissed.

C Billings
INSPECTOR