



Appeal Decision

Site visit made on 16 February 2024

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th March 2024

Appeal Ref: APP/A1910/D/23/3329934

Hillcrest, Stoney Lane, Chipperfield, Hertfordshire WD4 9LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr and Mrs O'Neill against the decision of Dacorum Borough Council.
 - The application Ref is 23/01261/UPA.
 - The development proposed is construction of an additional storey height above the principal part of the existing bungalow only.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) for construction of an additional storey height above the principal part of the existing bungalow only at Hillcrest, Stoney Lane, Chipperfield, Hertfordshire WD4 9LS in accordance with the application Ref 23/01261/UPA and the details submitted with it including plan nos. A1 4587 SUR 1.00 and A1 4587 PLA 4.00, subject to the conditions set out in sub-paragraph AA.2 of Class AA of the GPDO.

Preliminary Matters

2. Schedule 2, Part 1, Class AA(b) of the GPDO permits the enlargement of a dwellinghouse consisting of the construction of one additional storey, where the existing dwellinghouse consists of one storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction. Development is permitted under Class AA subject to limitations and conditions and a requirement that, before beginning the development, the developer applies to the local planning authority for prior approval.
3. Paragraph AA.2(3)(a) of Class AA requires prior approval to be sought as to matters which, amongst other things, include (ii) the external appearance of the dwellinghouse, including the design and architectural features of (aa) the principal elevation of the dwellinghouse, and (bb) any side elevation of the dwellinghouse that fronts a highway. The Council's reason for refusing the application refers to the external appearance of the principal elevation of the dwellinghouse.
4. The provisions of Schedule 2, Part 1, Class AA of the GPDO do not require regard to be had to the development plan. I have had regard to the policies of

the development plan and the National Planning Policy Framework (the Framework) only insofar as they are a material consideration relevant to the development and the prior approval matters.

5. Policies CS11 and CS12 of the Core Strategy 2006-2031 (adopted 25 September 2013) (CS) are material considerations as they relate to the design of neighbourhoods and development sites. When taken together and amongst other things, Policies CS11 and CS12 of the CS seek to ensure development respects typical densities and integrates with the streetscape character. Saved Appendix 7 of the Dacorum Borough Local Plan 1991-2011 Written Statement (adopted 21 April 2004) is also material insofar as it expects small-scale extensions to harmonise with the original design and character of the house. The Framework is also a material consideration and includes a chapter on achieving well-designed and beautiful places.

Main Issue

6. The main issue is whether prior approval should be granted having regard to the external appearance of Hillcrest, with particular regard to the design and architectural features of the principal elevation of the dwellinghouse.

Reasons

7. Hillcrest is a bungalow with a pitched roof and chimney stack. It has a simple form and appearance comprising buff brick walls and brown roof tiles, with white fenestration. The appeal property is one of three adjacent bungalows. However, whilst the neighbouring property, Thisuldo, has a similar form and appearance to Hillcrest; Solong has a much larger footprint and a markedly different appearance due, amongst other things, to its tan fenestration, integral garage, and large front porch. Consequently, the bungalows do not present as a trio, but rather as individual dwellings positioned within a wider row of properties on Stoney Lane.
8. Challacombe, which lies on the other side of Hillcrest, is a chalet style property with dormer windows. It is taller than, and orientated slightly away, from Hillcrest. Nevertheless, Challacombe clearly addresses Stoney Lane and is experienced as a direct neighbour to the appeal property. There is further variety in the appearance of dwellings at the southern end of Stoney Lane. Properties here include a gated community of dwellings with timber cladding; and Coltsfoot, which is a two-storey mock Tudor home.
9. The application proposes to add a second storey to Hillcrest, which would increase the eaves and ridge height of the building. Consequently, the extended dwelling would be taller than the neighbouring property Thisuldo. However, the proposed development would not appear out of place given the existing variety in building heights on Stoney Lane, and the relative height of the neighbouring property, Challacombe. Moreover, no changes are proposed to the position of the dwelling within its plot, or to its front and side building lines. Consequently, there would be sufficient space retained between the appeal property and Thisuldo to ensure the development would not be overly dominant by way of its eaves and ridge height, bulk or mass.
10. The proposed addition of three front-facing dormer windows would alter the appearance of the appeal building. However, front-facing dormer windows are an existing feature on Stoney Lane, in particular on the adjacent property

Challacombe. Therefore, the windows would not be incongruent to local character. Furthermore, the form of the existing pitched roof and chimney stack would be replicated as part of the development, and the proposed external materials would match the existing building. Consequently, the proposed upward extension would respect the design and architectural features of the existing dwelling and would also be sympathetic to local character.

11. Overall, I conclude that the development would be acceptable in terms of the external appearance of Hillcrest, with particular regard to the design and architectural features of the principal elevation of the dwellinghouse.

Conditions

12. Planning permission granted for development under Article 3(1) and Schedule 2, Part 1, Class AA of the GPDO is subject to the conditions set out under Paragraph AA.2. A separate condition specifying the approved plans is not necessary as they are referred to within the formal decision.

Conclusion

13. For the reasons given above, the appeal is allowed, and prior approval is granted.

E Catchside

INSPECTOR