



Appeal Decision

Site visit made on 8 January 2025

by **K E Down MA(Oxon) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 January 2025

Appeal Ref: APP/A1910/D/24/3350346

12A Fouracres Drive, Hemel Hempstead, HP3 9LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Brett Hardiman against the decision of Dacorum Borough Council.
 - The application Ref is 24/01156/FHA.
 - The development proposed is a rear dormer.
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Decision

1. The appeal is allowed and planning permission is granted for a rear dormer at 12A Fouracres Drive, Hemel Hempstead, HP3 9LD in accordance with the terms of the application, Ref 24/01156/FHA, 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: Site location plan, 12FDHH-300, -301, -302, -303, -304, -401, -402, -403, -404.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed rear dormer on the character and appearance of the host dwelling and the street scene; and secondly, the effect of the proposed development on highway safety with respect to demand for on-street parking.

Reasons

3. The appeal dwelling is a one bedroom house set in a cul-de sac of mainly semi-detached houses and bungalows. It is attached to 12 Fouracres Drive and built on land previously forming part of the curtilage of No 12. It was permitted in 2021. The planning permission included a condition withdrawing permitted development (PD) rights for extensions, including roof extensions. Prior to that, in 2019, planning permission was granted (but not implemented) for a first floor side extension to No 12. Notably, the most significant difference between the two developments is that the 2019 extension included a rear dormer very similar to the one now proposed.

The local policy framework has not changed between the 2019 planning decision and the present time.

4. Policy HCA21 of the Area Based Policies Supplementary Planning Guidance (SPG), 2004, requires extensions to dwellings to be subordinate to the existing scale and height of the parent building. The proposed dormer would be set in from the side eave, down from the ridge and up from the first floor eave of the dwelling. Whilst it would occupy the majority of the rear roof slope of No 12A it would be lower than and subordinate to the dwelling as a whole which includes a single storey rear extension. Moreover, it would be modest in the context of the roof of the overall terrace which contains Nos 10, 12 and 12A.
5. The Council accepts that the proposed dormer would be only “marginally” visible from the street but considers that it would detract from the character of the rear façade of the row of dwellings, since it would be the first rear dormer on the west side of the street. The Council further accepts that the proposed dormer is similar to one that could normally be built under PD rights. However, whilst PD rights were withdrawn from No 12A on grounds of visual amenity, it does not explain why the proposed dormer would result in harm while a very similar structure was considered acceptable in 2019. Moreover, the appellant points out that similar dormers have been constructed on similar dwellings in nearby streets, including Fouracres Walk to the rear of the appeal dwelling.
6. Taking all matters into account, I consider that the proposed dormer would blend with the character and appearance of the host dwelling and be compatible with development in the surrounding area such that it would cause no visual harm and would be acceptable.
7. It is concluded on the first main issue that the proposed rear dormer would have no materially detrimental effect on the character or appearance of the host dwelling or the street scene. It would therefore comply with Policies CS11 and CS12 of the Core Strategy 2006-2031 (CS), 2013, with the National Planning Policy Framework, 2024, and with the SPG. Taken together and amongst other things these expect new development to be of a good design quality such that it respects the typical character of the area, integrates with the streetscape, respects adjoining properties and, in the case of extensions, be subordinate to the host building.
8. Turning to highway issues, like many dwellings in the street, the frontage at No 12A has been paved to provide off-street parking. The dimensions allow for one full size parking space. The creation of off-street parking in the street and resultant dropped kerbs has led to a reduction in on-street parking availability which is not controlled.
9. The Council refers to its Parking Standards Supplementary Planning Document (SPD), adopted in 2020, and suggests that a two bedroom, three bedspace dwelling would require 2.25 off-street spaces. However, referring to Appendix A: Parking Standards Tables, of the SPD, a two bedroom dwelling in accessibility zone 3, where according to the Council the dwelling is located, would require 1.5 off-street parking spaces. The 2.25 standard applies to a three bedroom (not three bedspace) dwelling.
10. The appellant points out that the SPD makes clear that the standard is neither a minimum nor a maximum and that some flexibility may be applied. The SPD accepts that in some circumstances, such as where public transport and other

facilities are readily accessible, lower parking provision can lead to lower levels of car ownership and use. In this case, the shortfall would be 0.5 parking spaces, the second bedroom would be small and the site is close to a bus stop and within walking distance of local shops and amenities. I therefore consider that, applying a flexible approach, one car space would be sufficient to serve the enlarged dwelling without placing undue pressure on the on-street parking nearby.

11. It is concluded on the second main issue that the proposed development would have no materially harmful effect on highway safety with respect to demand for on-street parking. In consequence, it would comply with CS Policies CS8 and CS12 and with the parking standards SPD. Taken together and amongst other things these expect new development to provide sufficient, safe and convenient parking, based on car parking standards and the accessibility of the location such that highway safety is safeguarded.
12. Turning to conditions, the Council suggests two conditions in addition to the statutory commencement condition. I agree that the development should be carried out in accordance with the approved plans to ensure certainty and that it should be built in matching materials to protect the character and appearance of the host dwelling and the surrounding area.
13. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed.

KE Down
INSPECTOR