



Appeal Decision

Site visit made on 26 February 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 March 2025

Appeal Ref: APP/A1910/D/24/3352868

4 Chaulden Terrace, Hemel Hempstead, Hertfordshire HP1 2AN

- 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 & Mrs Stuart Hughes against the decision of Dacorum Borough Council.
 - The application Ref is 24/01556/FHA.
 - The development proposed is two storey and single storey rear extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 12 December 2024, a revised National Planning Policy Framework (the Framework) was published and corrected on 7 February 2025. There is no need to invite further comments from the Council or the appellant on the revisions as there are no fundamental changes relevant to the appeal before me.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the host building and the wider area; and
 - the effect on the living conditions of the occupants of 2 Chaulden Terrace, having regard to outlook and daylight.

Reasons

Character and appearance

4. The appeal property forms a mid-terrace two storey dwelling with similar proportions and design to its attached neighbours. The wider area is predominantly residential in nature with comparable terraced blocks, mostly with a brick finish. There is a notable gradient within the area with the appeal property sitting at a lower level than the opposite side of Chaulden Terrace.
5. The proposal seeks to introduce a rear extension with both single and two storey elements, and several roof styles including a pitched, hipped and flat roof. The combination of roof types, particularly at first floor, would create a contrived design approach, at odds with the surrounding area. The flat roof elements in particular would sit above the eaves of the dwelling making the development even more conspicuous. The appellant has provided an aerial image showing dwellings with

other alterations, but I do not have the detail of these schemes before me. In any case, none appear to be directly comparable to the design proposed.

6. Due to the land level changes and the orientation of the terraced blocks, the proposal would still be visible from public vantage points, including from Long Chaulden. Given the height of the proposal, it would not be fully disguised by existing deciduous vegetation or boundary treatments. Whilst I accept that the rear alleyway is not a public right of way, it is still in use from neighbouring dwellings, and as is explained in saved Appendix 7 of Dacorum Borough Local Plan (DBLP) (2004), high design standards should still be applied even for rear extensions.
7. The proposal would detract from the simple roof form of the host dwelling and the surrounding area to a degree that it would be materially harmful to the character and appearance of the host building and the wider area. It would therefore be contrary to Policies CS11 and CS12 of the Dacorum Borough Core Strategy (DBCS) (2013) which, amongst other things, seek development to respect and integrate with streetscape character.

Living conditions

8. The attached neighbour to the south, 2 Chaulden Terrace, has single storey rear projections of varying heights. Whilst saved Appendix 7 of the DBLP refers to the line of 45° angle being required for first floor extensions, saved Appendix 3 of the DBLP has a broader interpretation requiring the angle of light to be maintained as a basic minimum to all significant windows of habitable rooms. Nevertheless, these are set as general rules of guidance, and each case must be assessed on its own merits.
9. The two-storey element of the proposal would be adjacent to the existing single storey rear projections at no 2. The central hipped roof element would form the bulk of the proposed roofscape, but this would be set back from the boundary, and due to the design of the roof, the full height would slope away from no 2. On this basis, the appeal proposal would not impose an overbearing impact or create a sense of enclosure to the occupants of no 2.
10. I agree with the Council that the lighting levels received to the closest habitable window on the rear elevation of no 2 are already potentially restricted by the rear projections within their own curtilage. Given the positioning of the proposed extension to the north of the neighbour, levels of light to this window would be unaffected by the proposal for large parts of the day. The appeal proposal would not impose a harmful impact to the living conditions of no 2 that would be materially worse than the impact experienced by the existing rear projections.
11. In respect to the living conditions of the occupants of 2 Chaulden Terrace, having regard to outlook and daylight, I find no conflict against Policy CS12 of the DBCS.

Other Matters

12. The appellant suggests that alternative works and extensions could be carried out under permitted development. However, no specific details have been given to evidence that these would be more harmful in character terms. If the alternative requires the lowering of internal ceilings as suggested, then there is doubt that this forms a realistic fall-back position. I therefore attach this matter little weight.

Conclusion

13. Although I have found that the proposal would not have an adverse effect on living conditions, it would be harmful to the character and appearance of the host building and the wider area. This brings the scheme into conflict with the development plan and material considerations do not indicate a decision otherwise than in accordance with it. I therefore conclude the appeal should be dismissed.

L Gardner

INSPECTOR