



Appeal Decision

Site visit made on 4 September 2025

by **R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL**

an Inspector appointed by the Secretary of State

Decision date: 31 October 2025

Appeal Reference: APP/A1910/D/25/3369133

30 Botley Road, Hemel Hempstead HP2 7JL

- 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 Miss M. Takimoglu against the decision of Dacorum Borough Council.
 - The application reference is 25/00471/FHA.
 - The development proposed is described in the application form as a “two storey side to rear extension with front velux windows and single storey rear extension”.
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Decision

1. The appeal is allowed and planning permission is granted for a “two storey side to rear extension with front velux windows and single storey rear extension”, at 30 Botley Road, Hemel Hempstead HP2 7JL, in accordance with the terms of the application (reference 25/00471/FHA), subject to the conditions set out in the attached Schedule of Conditions.

Procedural matter

2. During the course of the appeal, clarification was sought from the main parties about the line of the boundary between the front parts of number 30 Botley Road (the appeal site) and its neighbouring property at number 29 Botley Road, in the light of an apparent discrepancy. The appellant and the neighbour have both stated that the application drawing is correct and that the scheme is capable of being implemented. It is not a function of the appeal process to resolve boundaries and I have determined that the appeal is valid, based on these representations and the submitted evidence. I consider that there would be no prejudice to any party by considering the appeal on this basis, accordingly.
3. I should, nevertheless, record the fact that this decision on the planning appeal does not purport to resolve such property issues.

Main issue

4. The main issue to be determined in this appeal is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or impact on outlook).

Reasons

5. Botley Road is located in an extensive residential area in the northern part of Hemel Hempstead. This suburban development has a meandering road layout, with Shenley Road forming a loop through the development, serving smaller side roads. Botley Road is one such cul-de-sac off the principal distributor, serving a

group of houses that are laid out in an irregular pattern. The houses are mainly two-storey detached and semi-detached homes in conventional styles, of brickwork under gabled roofs, with feature panels on some elevations.

6. The houses at numbers 29 and 30 Botley Road are both two-storey semi-detached properties but they are designed in a “chalet” style, with large box-shaped dormers on their front elevations that are integral to the original design. As a result of the irregular layout, the front elevation of number 30 Botley Road is at right-angles to that of number 29 and each of the houses looks across the other’s front garden.
7. There is plainly an awkward angled boundary between the frontages of the two properties. This boundary is not defined by a fence, although it appears that it could have been marked by a difference in surfacing materials (brick pavements or concrete). There is parking space for number 30 on the area of brick pavements, while the concrete area curves round to provide access to a garage alongside the main part of the house at number 29. This concrete area also seems to provide access to what appears to be a car parking space alongside the gable end at number 30. This possible use is not reflected in the Land Registry plan submitted by the appellant, however, since that plan seems to follow (approximately) the line of this joint between the different materials. That joint line does not appear to correspond with the boundary as shown on submitted drawings.
8. As noted above, however, the appellant and the neighbour have explained the line of the boundary. I have proceeded on the basis of their explanation, and I am satisfied that the appeal is valid, based on the submitted representations and evidence.
9. Number 30 Botley Road also has a large garden at the rear and side of the plot, in contrast to the rather cramped area at the front. The side and rear garden is mainly laid to grass (with the exception of the hard surfaced area referred to above).
10. It is now proposed to add a two-storey side extension to the house, set back from the front elevation but extending beyond the rear elevation. In addition, a single-storey section would be added to the back of the house.
11. The ‘National Planning Policy Framework’ emphasises the aim of “achieving well designed places” in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities. The achievement of good design includes protecting existing residential amenities and providing good standards of accommodation in new development.
12. These principles are also identified in the Development Plan, notably in Policies in the ‘Core Strategy 2006-2031’ (which was adopted in September 2013). Policies C4, C11 and C12 emphasise the importance of good design, among other things, while recognising that the aim of achieving sustainable development can lead to higher density of development.
13. In this case, the proposed side and rear extension would make an appreciable addition to the accommodation at number 30 Botley Road, creating a four-bedroom house with more living space on the ground floor. At the same time, the design of the proposed extension would be in keeping with the existing building, following the

pitched roofline of the main structure and making use of matching traditional materials.

14. The front wall of the new two-storey extension would be set back from the front of the existing house and would not be aligned with the flank of number 29. The chalet style roofline would also reduce the impact of the new extension on its neighbour. The extension would be obvious in the outlook from the front of number 29 but it would be clearly set back from that front elevation and the roof slope would follow that of the existing house. I am not persuaded that the flank view of the proposed extension would have an overbearing appearance or an undue impact on the front windows at number 29. Its impact on the outlook from number 29 would not be so intrusive that it would be unacceptable in planning terms.
15. Evidently, the appeal site lies within an established urban area, which is “sustainable” in planning terms, and the proposed extension would be a useful addition to the accommodation at number 30 Botley Road. I have concluded that the project would not be in conflict with the national legislation or the Development Plan (when read as a whole), in principle, and that it is acceptable in planning terms. In short, I am persuaded that the scheme before me can properly be permitted and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
16. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal).
17. In particular, I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained. I also accept that a condition is required to ensure that windows at first floor level in the proposed new side elevation would not impinge unduly on the privacy of the neighbouring property.

Roger C. Shrimplin

INSPECTOR

SCHEDULE OF 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 drawings:
 - unnumbered Ordnance Survey site plan (dated 23 February 2025);
 - unnumbered Ordnance Survey Additional Site Location Plan;
 - unnumbered Ordnance Survey Proposed Site Location Plan;
 - drawing number BR-01 (Existing plans);
 - drawing number BR-02 (Proposed plans).
- 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.
- 4) The extension hereby permitted shall not be occupied until the windows at first floor level in the side (west) elevation have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.