



Appeal Decision

Site visit made on 13 January 2026

by H Whitfield BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th January 2026

Appeal Ref: APP/A1910/W/25/3373375

123A Lawn Lane, Hemel Hempstead, Hertfordshire HP3 9HS

- 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 Ifran Iqbal against the decision of Dacorum Borough Council.
 - The application Ref is 25/02013/FUL.
 - The development proposed is a loft conversion with dormer to rear, roof light to front roof plane.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with dormer to rear and roof lights to the front roof plane at 123A Lawn Lane, Hemel Hempstead, Hertfordshire HP3 9HS in accordance with the terms of the application, Ref 25/02013/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 'Location Plan' dated 13 Aug 2025, 'Elevations and Section as Existing and Proposed' Ref. P3, and 'First Floor Plan, Second Floor and Roof as Existing and Proposed' Ref. P2.
 - 3) The external surfaces of the development hereby permitted shall be constructed in accordance with the materials detailed on the planning application form.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the appeal building and area; and
 - the living conditions of the occupants of 7 Seaton Road, with particular regard to privacy.

Reasons

Character and appearance

3. The appeal site relates to a two-storey mid-terrace property on the corner of Lawn Lane and Seaton Road. The appeal building has a commercial unit at ground floor and a flat at first floor. The properties on either side of the building similarly have commercial units at ground floor, but the site is otherwise located within a predominately residential area characterised by properties of varying styles. Given the appeal building's corner position and separation distance between the neighbouring property on Seaton Road, the rear elevation of the terraced row and its contrasting roof forms are visible in the street

scene. This is the same as on the opposite side of the street where views of the rear elevations of properties on Lawn Lane are achievable, some of which I observed contained dormer windows.

4. The appeal scheme proposes the construction of a rear dormer window, raising of the rear eaves of the building and the installation of three roof lights in the front roof slope. The Council has not identified any concerns with the proposed roof lights and based on the evidence before me and what I observed on site, I see no reason to come to a different conclusion. The crux of the Council's case therefore relates to the dormer.
5. The proposed dormer, whilst large, would not extend to the full width of No 123a and has been designed so that it would be inset from the ridge of the building. Given the site's mid-terrace positioning, the dormer would also be well set in from the buildings side roof planes. This would ensure that it would not read as an overly dominant addition to the rear of the property, or the terrace as a whole, and would retain a degree of subservience despite its relatively large scale. The scheme also proposes to raise the eaves of the rear elevation to accommodate the dormer. While the dormer would only be minimally inset from the raised eaves level, as the rear elevation of the terrace comprises varied roof forms, this would not be harmful to the overall character of the appeal building.
6. The dormer would be visible within the street scene when travelling along Seaton Road. However, this would not be dissimilar to views of other dormer windows that are achievable in the street scene and would be of a development that has been designed to respect the proportions of the host building. On this basis, such views would not adversely affect the overall character and appearance of the area.
7. For the above reasons, I therefore conclude the proposed development would not harm the character or appearance of the appeal building or the area. This complies with Policies CS11 and CS12 of the Dacorum Borough Council Core Strategy 2006-2031 (the Core Strategy) which together and amongst other things, require proposals to integrate with the streetscape character, achieve high-quality design and preserve the quality of the surrounding area. It also complies with the provisions of the National Planning Policy Framework (Framework) which support well-designed places and developments that are sympathetic to local character.

Living conditions

8. Immediately to the rear of the site, and broadly in line with the appeal property, is 7 Seaton Road which is sat on elevated ground as the land level rises to the north-east. The rear garden of No 7 extends to the north-west.
9. The dormer window would contain two windows serving a bathroom and a bedroom. The alignment of the appeal site means the rear elevation of No 123a faces the blank side elevation of 7 Seaton Road. As such, there would be no direct window-to-window overlooking impact from the development.
10. The window in the dormer that would be closest to the rear garden of No 7 would serve a bathroom. Whilst the relationship between this window and No 7 would be close, given the relative positioning between the building and No 7's garden, any views from the dormer towards the garden would be at an oblique angle. Views of the most sensitive part of No 7's garden, directly outside the rear elevation which is most likely to be used for sitting out, are also likely to be partially obscured by the dwelling itself

due to their perpendicular alignment and relative positioning. As such, no harmful overlooking impact would occur.

11. For the above reasons, I therefore conclude the development would not harm the living conditions of the occupants of 7 Seaton Road with particular regard to privacy. This accords with Policy CS12 of the Core Strategy insofar as it requires developments to avoid loss of privacy to surrounding properties and paragraph 135 of the Framework which seeks a high standard of amenity for existing users.

Other Matters

12. Interested parties have raised concerns relating to the potential effect of the rear dormer on their living conditions through loss of natural light. However, given the dormer would not protrude above the existing ridge height of the dwelling and would be set back from the common rear boundary, there would be no adverse loss of light as a result of the development to any neighbouring property.
13. The officer report states the Council has concerns relating to the proximity and impact of an existing flue (which is understood to serve a commercial premises on the ground floor) on the proposed dormer. The Council does not expand upon these concerns or identify conflict with any relevant development plan policy. Nor does this matter feature within the Council's reason for refusal. The Council was given the opportunity to provide clarification upon this point as part of this appeal but did not provide any response. The appellant does not consider the positioning of the flue to have any implications on the appeal. In the absence of any explanation from the Council to substantiate its concerns and given this was not the basis upon which the Council refused permission, this matter has not been determinative in my consideration of this appeal.

Conditions

14. I have considered the planning conditions suggested by the Council against the tests in the Framework and the Planning Practice Guidance. Where appropriate, I have adjusted the wording of the conditions to improve precision and enforceability.
15. I have imposed conditions specifying the period for commencement and requiring the development to be carried out in accordance with the approved plans in the interest of planning certainty. I have also imposed a condition requiring the use of materials as specified on the application form to ensure that the development has an appropriate visual appearance. The Council has suggested a condition requiring the windows in the dormer window to be obscurely glazed. However, given my conclusions on the relevant main issue, this is not considered to be necessary in this instance.

Conclusion

16. For the reasons given above, I conclude that the development accords with the development plan and the appeal should be allowed.

H Whitfield

INSPECTOR