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## Appeal Decision

Site visit made on 12 July 2022

**by Sarah Colebourne MA, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15 August 2022**

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### **Appeal Ref: APP/X1925/D/22/3294329**

### **31 Trevor Road, Hitchin, Hertfordshire, SG4 9TA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Okkes Ulgur against the decision of North Hertfordshire District Council.
  - The application Ref 21/02134/FPH, dated 13 July 2021, was refused by notice dated 14 December 2021.
  - The development proposed is described as a 'loft conversion with a rear dormer, internal alterations and an entrance porch.
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### **Decision**

1. The appeal is allowed and planning permission is granted for the insertion of rooflights to existing front roofslope and flat roof dormer to existing rear roofslope to facilitate conversion of loftspace into habitable accommodation, insertion of first floor front elevation window and insertion of first floor window and bi-fold door to existing rear elevation at 31 Trevor Road, Hitchin, Hertfordshire, SG4 9TA in accordance with the terms of the application Ref 21/02134/FPH, dated 13 July 2021, 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 the following approved plans: OU/TRH/21/008 (excluding the porch detail), OU/TRH/21/009, OU/TRH/21/010, OU/TRH/21/011, OU/TRH/21/013 Rev A, OU/TRH/21/014 Rev A, OU/TRH/21/015.
  - 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.

### **Procedural matter**

2. The Council's description in its decision notice differs from that in the application, describing it as 'insertion of rooflights to existing front roofslope and flat roof dormer to existing rear roofslope to facilitate conversion of loftspace into habitable accommodation, insertion of first floor front elevation window and insertion of first floor window and bi-fold door to existing rear elevation (as amended by plans received on 28/1/2021). I have considered the proposal on this basis as it describes the proposed works more accurately and takes into account the exclusion of the previously submitted porch detail.

## Reasons

3. The main issue in this appeal is whether the proposed development would preserve or enhance the character and appearance of the Hitchin Conservation Area (CA). In considering proposals for planning permission, the duty imposed by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Paragraph 199 of the National Planning Policy Framework (2021) (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to its conservation. I have determined the appeal on the basis of national policy given the as yet unadopted status of the Council's emerging local plan.
4. The Hitchin CA covers a large area of the town. Trevor Road is sited close to the edge of the CA. The appeal dwelling is sited towards the end of the terrace on the south side of the street, occupying a prominent position close to the junction with Walsworth Road. The area around the junction is of mixed commercial and residential character with larger dwellings although the character of Trevor Road is mainly residential with smaller dwellings. Its interest derives from the simplicity of the small Victorian terraced dwellings and their uniformity in the external materials of red brick and slate tiles.
5. However, there are differences between the dwellings in window and door placements, styles and surrounds. Whilst many dwellings have only one window at first floor level, others have two (including the neighbouring dwelling at no 30) or a blocked up opening where the second once was, resulting in an irregular pattern of window openings along the terrace. In this context, the siting of the proposed additional window in the front elevation at first floor level would therefore be acceptable. Although the proposed upvc material is not generally supported in conservation areas, in this case it would match the existing windows and would not be harmful.
6. The proposal includes two, small irregularly placed, conservation-style rooflights on the front elevation. Whilst there are no other rooflights on this side of the street, other rooflights and dormers can be seen in the area around the junction. I have noted that permission was granted recently by the Council for two irregularly placed rooflights around the corner at 99 Walsworth Road, also within the CA. I find then that in this context, the proposed rooflights would be acceptable.
7. On the rear elevation, although the flat roof dormer proposed would be close to the edge of the roof on one side, it would be set in a reasonable distance from the other side. As such, it would not occupy the whole of the roofslope and its size and scale would not be unduly disproportionate. The dormer would not be seen in public views and would be only seen from a small number of dwellings to the rear. A dormer of a similar size and scale was recently approved at 99 Walsworth Road, also within the CA. I find, therefore, that the proposed dormer would also be acceptable.
8. The Council has not raised any objection to the proposed bifold doors in the rear elevation and from what I have seen, I have no reason to disagree.

9. I conclude then that the proposed development would not harm the character or appearance of the dwelling and would preserve the character and appearance of the CA, in accordance with national policy in the Framework.

**Conditions**

10. In addition to the standard commencement condition, a condition is necessary requiring that the proposal is carried out in accordance with the approved plans, in order to provide certainty. A condition requiring matching external materials is necessary in the interests of the character and appearance of the dwelling and the CA. I have amended the description of the development in the formal decision to reflect that used by the Council in the decision notice.

**Conclusion**

11. For the reasons given above, I conclude that the proposed development would accord with the Framework and there are no material considerations that would outweigh that. The appeal should be allowed.

*Sarah Colebourne*

Inspector