
Appeal Decision

Site visit made on 28 February 2018

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Wednesday 14th March 2018.

Appeal Ref: APP/X1925/D/18/3195140

17 Masefield Way, Royston, Hertfordshire SG8 5UU

- 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 Bastiaan Lobbezoo against the decision of North Hertfordshire District Council.
 - The application Ref 17/02392/1HH, dated 19 September 2017, was refused by notice dated 22 November 2017.
 - The development proposed is the erection of a two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of 19 Masefield Way.

Reasons

3. The appeal property is a 2-storey dwelling situated within a predominantly residential area comprising similar types of dwellings. By reason of siting, a 2-storey flank wall of the property is located adjacent to the rear garden boundaries of 18 and 19 Masefield Way. Based upon the site visit, from the rear windows and garden of No. 19, this flank wall is already a prominent built form of development. However, and taking into account the nature of the layout of the surrounding residential development, there remains a reasonable open outlook from No. 19 across the appeal property's rear garden.
4. The proposed development includes the erection of a 2-storey rear extension and its flank wall would be sited a similar distance from the rear boundary of No. 19 as the current property's wall. The effect of the proposed development would be for a longer 2-storey flank wall being sited adjacent to this shared boundary.
5. Although the appeal scheme would not extend along the full length of the shared boundary, the enlarged flank wall would, by reason of massing and siting, be an overbearing form of development which would visually dominate the occupiers' outlook from No. 19. The reasonable open outlook which currently exists would be significantly eroded. The modest difference in ground level between the property and No. 19 does not alter this assessment and neither does the absence of objection from the current occupiers. Others may well occupy this neighbouring property in the future.

6. Reference has been made by the appellant to existing relationships between other dwellings within the surrounding area and these were observed during the site visit. In the absence of any detailed planning circumstance, it appears that these other relationships were part of the original layout of the residential development rather than, as with the appeal scheme, being created through alterations and extensions to dwellings. Limited weight is, therefore, given to this matter in the determination of this appeal.
7. The appellant has also referred to the potential for a 3 metre extension to be erected to the rear of the property but there are no details about what could be erected to enable a comparison to be made with the appeal scheme, including the height of any flank wall adjacent to the boundary with No. 19. Limited weight is, therefore, given to this matter in the determination of this appeal.
8. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of 19 Masfield Way and, as such, it would conflict with Policy 28 of the North Hertfordshire District Local Plan No. 2 with Alterations (LP). Amongst other matters this policy requires house extensions not to dominate adjoining property. This policy is consistent with the National Planning Policy Framework's core principle of securing a good standard of amenity for all existing and future occupants of land and buildings. No specific conflict with LP Policy 57 relating to the main issue has been identified but this does not alter the assessment of the appeal scheme. Accordingly, and taking into account all other matters, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR