



## Appeal Decision

Site visit made on 19 December 2023

**by D J Barnes MBA BSc(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Housing, Communities and Local Government**

**Decision date: 12<sup>th</sup> January 2024**

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**Appeal Ref: APP/X1925/D/23/3329526**

**35 Rosecomb, Royston, Hertfordshire SG8 9FL**

- 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 Edward McGowan against the decision of North Hertfordshire District Council.
  - The application Ref 23/01355/FPH, dated 11 June 2023, was refused by notice dated 2 August 2023.
  - The development proposed is the erection of a rear loft conversion.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. On 19 December 2023 an updated version of the National Planning Policy Framework (the Framework) was published but this does not materially alter the assessment of the appeal scheme.
3. As part of the appeal, the appellant has submitted an amended design for the proposed rear dormer extension which seeks to address the Council's reason for refusal. However, as part of the Householder Appeal Service, the Council and other parties do not have the opportunity to comment on any amended design. Accordingly, this appeal has been determined based upon the scheme subject of the application assessed by the Council

### Main Issues

4. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the host property and the surrounding area and (b) the living conditions of the occupiers of neighbouring properties.

### Reasons

#### *Character and Appearance*

5. The appeal property is a detached 2-storey dwelling situated on a corner plot within a predominantly residential area. There is a 2-storey projecting rear gable which has a lower ridge when compared to the property's main roof. The rear of the property can be seen from the turning head of a cul-de-sac and other dwellings which are adjacent to the property's rear amenity space.

6. From what could be observed during the site visit, the roofscape of the surrounding residential area has a consistent appearance with no noticeable alterations, including rear dormer extensions of the type subject of this appeal. Although the surrounding dwellings are of varying designs and sizes, they possess the same roof pitch and grey tiles which contribute to the consistency of the character and appearance of the roofscape.
7. Within the context of the surrounding area's roofscape, rather than be a sympathetic extension, the proposed rear dormer extension would be an incongruous and conspicuous addition to the host property's roof, including when viewed from the turning head and the dwellings located to the rear of the property. Further, by reason of design and siting there would be an awkward visual and physical juxtaposition between the appeal scheme and the roof of the 2-storey rear gable projection.
8. On this issue it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the host property and the surrounding area and, as such, it would conflict with Policies D1 and D2 of the North Hertfordshire Local Plan (LP). Amongst other matters, these policies refer to development responding positively to a site's local context and for extensions to be sympathetic to the existing house.

*Living Conditions*

9. The property does have first floor windows within the rear elevation which serve habitable rooms. By reason of the layout of the neighbouring dwellings located to the rear of the property, there is already an outlook from these windows towards the rear gardens of these dwellings.
10. However, the proposed Juliette balcony at roof level would, because of its size and elevation above ground level, afford a materially increased level of overlooking and, at least, a greater perceived sense of loss of privacy for the neighbouring occupiers, particularly where the outlook is primarily towards the rear gardens and elevations of the adjacent properties.
11. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of neighbouring properties and, as such, it would conflict with LP Policy D3 which refers to development not causing unacceptable harm to living conditions.
12. Accordingly, it is concluded that this appeal should be dismissed.

*D J Barnes*

INSPECTOR