



Appeal Decision

Site visit made on 18 December 2024

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

an Inspector appointed by the Secretary of State

Decision date: 13 January 2025

Appeal Ref: APP/X1925/D/24/3350924

3 Brook View, Hitchin, Hertfordshire SG4 9NY

- 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 Talia Galloway against the decision of North Hertfordshire District Council.
 - The application Ref is 24/00878/FPH.
 - The development proposed is roof alterations including dormers and balcony to the rear.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A revised version of the National Planning Policy Framework (the Framework) was published in December 2024. The content of the revised Framework does not materially change the national policy basis for the assessment of this appeal.

Main Issues

3. It is considered that the main issues are the effects of the proposed development on the character and appearance of the host property and the streetscene and (b) the living conditions of the occupiers of 2 Brook View.

Reasons

Character and Appearance

4. The proposed development includes the erection of a first floor extension above the original ground floor of a bungalow which has already been altered, including by a 2-storey rear addition. The appeal property is situated within a predominantly residential area comprising mainly bungalows some of which have been altered to create habitable accommodation within the roofspace, including by the erection of large rear dormer extensions. There are some examples of front dormer extensions, including at 2 Brook View.
5. Other schemes within the surrounding area identified by the appellant have involved the demolition and rebuilding or substantial alterations of bungalows to create properties with 2 levels of habitable accommodation, including at 20 and 22 Brook View and 33 and 39 Broadmead. However, the full planning circumstances of these other schemes have not been provided and they have been given limited

weight in the determination of this appeal which has been assessed on its own circumstances.

6. The council has not specifically objected to the proposed rear dormer extension which would be of a design and size comparable to other additions which could be seen during the site visit. The proposed front dormer would be comparable in appearance to other roof additions to bungalows within the area, including at No. 2.
7. However, the design of what would be a 2-storey front gable would materially alter the character and appearance of the host property to create the impression of an additional floor rather than, as with other properties, the roofspace of a bungalow being used for habitable accommodation. Although retaining a similar roof form and pitch as the current single storey gable, this proposed 2-storey gable would be highly visible from the road and would result in the host property being a conspicuous and incongruous form of development within a streetscene which is characterised by bungalows.
8. In reaching this judgement, account has been taken of the existing 2-storey rear addition but this is set well back from the road and, as such, it is less conspicuous within the streetscene. By reason of the siting of the 2-storey addition, the original bungalow maintains its positive contribution to the streetscene predominantly characterised by single storey dwellings.
9. 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 streetscene and, as such, it would conflict with Policies D1 and D2 of the North Hertfordshire Local Plan 2011-2031 (LP). Amongst other matters, these policies require proposals to respond positively to local context and for dwelling extensions to be sympathetic to the existing house, including by reason of height and form.

Living Conditions

10. The property is located within an urban residential area and some degree of overlooking of rear gardens from the first floor windows of neighbouring properties can be expected, including from the first floor rear dormer window of No. 2 towards the property's rear garden. In this case, there are no first floor openings in the rear elevation of the original bungalow. There are 2 rooflights within the roofslope of the 2-storey rear addition which do face towards the rear garden of No. 2 but they are relatively small in size and are only secondary openings for habitable rooms within the roofspace. The principal openings for these rooms are within the front and rear elevations of the 2-storey addition.
11. As part of the proposed development a first floor balcony would be created above an existing single storey rear addition and would be used as a private outdoor space. This balcony is proposed to include an 1.8 metre high obscure glazed balustrade erected along the side elevation which would prevent an outlook both into and from the rear first floor window of No. 2.
12. The appeal scheme also includes a 1 metre high balustrade sited to the rear of the proposed balcony. However, unlike the side balustrade, the height of the proposed rear balustrade would not preclude overlooking of the rear garden of No. 2 and would afford materially greater views of this garden when compared to the more limited outlook from the existing rooflights. Accordingly, and taking into account the outlook from the rooflights, the proposed balcony would result in an unacceptable

level of overlooking towards the rear garden of No. 2 and thereby a material loss of privacy for the occupiers of this neighbouring property, including the area directly adjacent to the rear elevation.

13. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of 2 Brook View by reason of overlooking and loss of privacy and, as such, it would conflict with LP Policy D3 which refers to development not causing unacceptable harm to living conditions.

Other Matters

14. The appellant claims that the proposed development would provide economic, social and environmental benefits which should be taken into account in the assessment of this appeal.
15. The erection of the appeal scheme would generate construction jobs but these would only be short term and, as such, this matter is given only limited weight. There would be an improvement to the level of accommodation provided and, as explained by the appellant, thereby enabling an extended family to live together. However, this matter is particular to the circumstances of the appellant rather than delivering a wider social benefit and, as such, it is also given limited weight.
16. The claimed benefits of the appeal scheme to ecology and making effective use of land without extending the built footprint are associated with a lack of harm arising from the proposed development rather than being benefits. For these reasons, these matters are given limited weight in the determination of this appeal.
17. Accordingly, it is judged that the identified unacceptable harm and conflict with the development plan demonstrably outweighs the appellant's claimed benefits and, as such, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR