



## Appeal Decision

Site visit made on 11 December 2018

by **David Fitzsimon MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7<sup>th</sup> January 2018

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**Appeal Ref: APP/X1925/D/18/3213659**

**23 Melbourn Road, Royston SG8 7DE**

- 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 & Mrs Webber against the decision of North Hertfordshire District Council.
  - The application Ref 18/02012/FPH, dated 27 July 2018, was refused by notice dated 6 September 2018.
  - The development proposed is part two storey and part single storey rear extensions.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue in this case is the effect of the proposal on the living conditions of the occupiers of No. 25 Melbourn Road with particular regard to outlook and access to natural light.

### Reasons

3. The appeal dwelling is located within group of houses which sit close together and whose rear gardens sit at a 45 degree angle or thereabouts to the main body of the houses themselves.
  4. The appeal dwelling has a single storey extension to the rear. The proposal seeks to build a first floor extension above part of this, projecting 2 metres from the existing first floor rear elevation, and extend the existing ground floor addition rearwards by a further 4.5 metres or so. The extensions would be finished in external materials which match those of the host dwelling and the Council raises no issue in terms of their effect on the character and appearance of the host dwelling or the street scene.
  5. The proposed first floor addition would project only 2 metres from the existing first floor rear elevation. However, at first floor level, the existing rear elevation already projects beyond the rear elevation of the main body of the adjacent house, No. 25 Melbourn Road. Given the angle of the proposed first floor extension, this element would effectively enclose the courtyard area between the main rear elevation of No. 25 and its outrigger. The effect would be
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oppressive when viewed from this courtyard area, from the window serving the ground floor sitting room at the back of No. 25 and also from the window serving its small kitchen on the side of the outrigger. This arrangement would also harmfully reduce the levels of natural light available to these areas at certain times of the day.

6. I am mindful that saved policy 28 of the adopted North Hertfordshire Local Plan (LP) suggests that extensions (including first floor additions) which project less than 3 metres from the rear main wall of the existing house will normally be permitted. However, this policy also explains that rear extensions should not dominate adjoining property and should be well related to the direction the house faces. The angled arrangement of the rear gardens of the dwellings within the row in this particular case is not a 'normal arrangement' in my view, and I have considered the proposal on its merits as I see it.
7. The oppressive effect which would be caused by the proposed first floor addition would be exacerbated by the proposed single storey extension. This would be added to the existing single storey addition and would project a significant distance beyond the conservatory which is attached to the rear outrigger of No. 25 Melbourn Road. Although the proposed single storey extension would have a flat roof which would minimise any shadowing, the top courses of brickwork and its roof would sit above the tall boundary fence and most of the associated vegetation. This would increase the enclosing effect and would be unduly oppressive when viewed from No. 25.
8. I am satisfied that the window arrangement of the proposed extensions would not result in a material loss of privacy for the occupiers of No. 25 Melbourn Road. However, for the above reasons, I conclude that the proposed development would unacceptably harm the outlook and levels of natural light available to the occupiers of this neighbouring dwelling. In such terms, it conflicts policy 28 of the LP as outlined above. It also conflicts with saved policy 57 of the LP, which seeks to ensure appropriate orientation and safeguard reasonable levels of sunlight and daylight, along with the National Planning Policy Framework which promotes good design.
9. In light of the above factors, and having considered all other matters raised, the appeal does not succeed.

*David Fitzsimon*

INSPECTOR