
Appeal Decision

Site visit made on 21 March 2023

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13TH April 2023

Appeal Ref: X1925/D/23/3316764

16 Bearton Green, Hitchin, Hertfordshire, SG5 1UG

- 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 Jas Lidder against the decision of North Hertfordshire District Council.
 - The application Ref 22/03061/FPH, dated 28 November 2022, was refused by notice dated 24 January 2023.
 - The development proposed is a hip to gable loft conversion as approved by 22/00266/LDCP, first floor rear extension and loft over existing ground floor.
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Decision

1. The appeal is allowed and planning permission is granted for a hip to gable loft conversion as granted by 22/00266/LDCP, first floor rear extension and loft over existing ground floor at 16 Bearton Green, Hitchin, Hertfordshire, SG5 1UG in accordance with the terms of the application, Ref 22/03061/FPH, dated 28 November 2022, 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: P1 dated 27.08.22 and P2 dated 06.12.22.
 - 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.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed extension on the character and appearance of the host dwelling, its semi-detached pair and the streetscene of Bearton Green; and secondly, the effect on the living conditions of neighbouring occupiers with respect to privacy and overlooking.

Reasons

3. Bearton Green is a no-through street of inter-war dwellings set on generous plots in a spacious setting. Dwellings are mainly larger, semi-detached houses of a number of different designs. The appeal dwelling is semi-detached and set on a wide corner plot. It has a large detached double garage to the side and
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rear of the dwelling which screens much of the rear elevation of the house from the street. The dwelling has previously been extended across the full rear elevation by about 3.5m at single storey. The semi-detached pair has been extended at two storeys under a pitched, hipped roof by about the same amount and there is a further single storey extension, set away from the shared boundary, beyond that.

4. The proposed extension would include a hip to gable roof alteration, which is understood to be the subject of a lawful development certificate, and a two storey rear extension over the existing single storey extension. This would have a hipped, pitched roof of similar overall height to the main roof and with a modest central dormer. Taken in the context of the existing extension to the semi-detached pair, the main difference would be the roof form which would incorporate the hip to gable conversion and be higher, so as to accommodate part of the loft conversion and the dormer. Whilst adding bulk, the hip to gable alteration could be undertaken in any case and other alterations would be contained in the central part of the roof, away from the eaves and adjoining dwelling, ensuring they remained subordinate to the roof as a whole and did not overwhelm the dwelling.
5. Although the rear extension would amount to a significant addition, the careful design, hipped roof and limited additional bulk over and above that at the adjoining dwelling would ensure that it did not appear unsympathetic to or out of scale with the host dwelling or its semi-detached pair. Moreover, views from the street would be mainly from the side, with the roof sloping away from the street, thus reducing the overall prominence. From the rear, views from the street would be substantially screened by the existing garage and direct views from main windows in neighbouring dwellings would be at a significant distance.
6. It is concluded on the first main issue that the proposed rear extension and loft conversion would have no materially detrimental effect on the character or appearance of the host dwelling, its semi-detached pair or the surrounding area. In consequence, it would comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011-2031 (LP), adopted 2022, and the National Planning Policy Framework (NPPF). Taken together, these expect extensions to dwellings to be well designed and to respond positively to the site's local context so as to be visually attractive and sympathetic to local character, sympathetic to the existing house and not to dominate adjoining properties.
7. Turning to living conditions, the Council and third parties raise concerns regarding loss of privacy and overlooking resulting from the dormer window. However, both the rear gardens of neighbouring dwellings and the side window in No 14 are already overlooked by large windows at first floor in both the appeal and other dwellings. Moreover, I saw that a nearby dwelling has existing roof dormers which also face towards the neighbouring rear gardens.
8. I am therefore satisfied that, although the dormer would be set at a higher level, any additional overlooking or loss of privacy resulting from the proposed dormer window would be negligible. Moreover, the proposed second floor side facing window and side facing roof light would face the front of dwellings opposite. I agree with the Council that, given the separation distance, the height of the roof light, and the fact that the window would serve an ensuite would ensure no material overlooking of Nos 57 or 59 occurred.

9. It is concluded on the second main issue that the proposed extensions would have no materially harmful effect on the living conditions of neighbouring occupiers with respect to privacy or overlooking. In consequence, it would comply with LP Policy D3 and the NPPF which, taken together and amongst other things, expect extensions to dwellings to provide a high standard of amenity for existing and future users such that they do not cause unacceptable harm to living conditions.
10. Turning to conditions, the Council suggests two conditions in addition to the statutory commencement condition. I agree that the development should be carried out in accordance with the approved plans and in matching materials in order to protect the character and appearance of the host dwelling and the surrounding area and for the avoidance of doubt.
11. The Council also suggests that the dormer window should be fixed and obscure glazed. However, I have found that this window would not cause harmful overlooking or loss of privacy. Moreover, it is the only window (other than roof lights) serving the proposed loft bedroom. I therefore consider that such a condition would be unnecessary and unreasonable.
12. The adjoining occupier expresses concern that the alterations would result in the semi-detached pair appearing different from each other and that this could devalue the property. However, property value is not a matter that can be taken into account as a material planning consideration.
13. For the reasons set out above and having regard to all other matters raised, including the representations of neighbouring occupiers, I conclude that the appeal should be allowed.

KE Down
INSPECTOR