



Appeal Decision

Site visit made on 9 October 2024

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 November 2024

Appeal Ref: APP/W1905/D/24/3346582

32 Robertson Close, Turnford, EN10 6AY

- 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 Lee-Ann Casbard against the decision of Broxbourne Borough Council.
 - The application Ref is 07/24/0104/HF.
 - The development proposed is a first-floor rear extension to provide additional space to existing bedrooms.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupants of number 34 Robertson Close (number 34).

Reasons

3. The appeal property is an end-of-terrace two-storey dwelling, which is situated within a modern residential estate. The dwelling includes an existing single-storey rear addition that extends across the full width of the property. A single-storey extension has also been constructed at the side of the dwelling. The rear garden of the dwelling (and that of number 34) is relatively short and narrow, which means that there is a close physical relationship between the properties.
4. The proposal is to construct a first-floor extension above the existing single-storey rear addition. The proposed extension would provide additional space for two existing bedrooms. It would be built against the shared side boundary with number 34 and would have a gabled roof that would slope upwards away from the boundary.
5. Policies DSC1, DSC2 of the Borough of Broxbourne Local Plan 2018-2033 (LP) seek to ensure (amongst other things) that new development is of a high standard and that extensions should respect the character and design of the host building and not unduly impact on the wider setting. In my opinion, the architectural design of the extension is acceptable and, therefore, it would not conflict with Policies DSC or DSC2.
6. However, Policy EQ1 of the LP states that proposals must avoid any detrimental impacts on neighbouring properties, in terms of daylight, sunlight, outlook and

overlooking. In that regard, I share the Council's concerns concerning the impact on number 34. Having considered the appellant's Daylight and Sunlight Report, I am not persuaded that there would be any significant loss of natural light to number 34. Nevertheless, the proposal would have an unduly dominant and overbearing impact on the neighbouring dwelling and its garden, due to its mass, height, and proximity to the side boundary between the properties.

7. In reaching my decision, I have considered that the extension would not breach the 45-degree angle, which has been drawn from the rear facing living room window of number 34. However, the proposal would still have an adverse effect on the neighbouring occupants' enjoyment of their outdoor space and the property, as a whole. Therefore, the proposal conflicts with Policy EQ1 of the LP, as referred to above.

Conclusion

8. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR