



Appeal Decision

Site visit made on 2 April 2025

by **David Murray** BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 April 2025

Appeal Ref: APP/N1730/D/25/3360112

5 Bracken Lane, Yateley, Hampshire, GU46 6LH

- 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 Andy Vernon against the decision of Hart District Council.
 - The application Ref is 24/01886/HOU.
 - The development proposed is the formation of a dormer loft conversion and creation of new openings to the side of the house.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. I have used the main description of the development set out in the application forms.

Main Issue

3. The main issue is the effect of the proposed work on the character and appearance of the host property and the wider locality.

Reasons

Background

4. The appeal site comprises a two-storey detached house situated in a residential area of similar properties but some variation to their design with two storey flatted development on the eastern side of Bracken Lane. It is proposed to convert the attic space to accommodation and form a dormer window on the rear roof slope facing south-west.
5. The Council explains that while such an attic conversion involving a dormer window at the rear of a property can be 'permitted development' (PD) where expressed planning permission is not required, in this case such PD rights were removed by a condition imposed on the original permission for this housing development.

Effect on character and appearance

6. The main concern over the proposal is the scale, elevated position and design of the flat roof dormer window proposed. Although this would be sited at the rear of the property the layout of the housing development is such that views of the side of the structure would be seen from the public realm from the south. I acknowledge

that there is a mature tree in a neighbouring garden which would partly screen the visual impact of the dormer. However, the tree appears to be deciduous and the screening effect would be seasonal and in any even as it is on other land it cannot be relied on in perpetuity. The dormer would also be seen from other residential properties to the rear of the site and the hinterland of rear gardens. I could see no other large dormer windows on properties around the surroundings of the appeal site.

7. The scale of dormer proposed would have an imposing and harmful effect on the appearance of the host property even if the sides of the dormer were clad with matching tiles rather than 'eternit' slates. It would extend across virtually the width of the property and about level with the main ridge of the roof. Its visual impact would be accentuated by the full height windows, the design and form of which bear no relation to the other windows on this elevation.
8. Overall I find that the proposal would be materially harmful to the design and appearance of the host property and would spoil the character of the surrounding area. As such it would conflict with the provisions of the Hart Local Plan (Strategy and Sites) Policy NBE9(a) as the proposal would not improve or be sensitive to the surroundings or townscape of the site. It would also conflict with Hart Local Plan saved Policy GEN1(i) as the proposal would not be in keeping with the established character of the area.
9. I note the appellant's reference to other large rear dormer windows said to have been built on the same housing estate or elsewhere in the Parish. However, it is not clear from the evidence and photographs provided whether these examples were PD or that if expressed permission was granted for the dormer whether the circumstances of the site were similar to the appeal site. I understand the appellant's request for consistency in the approach over similar development but the appeal scheme has to be considered on its individual merits and the circumstances of the site.

Planning balance

10. Overall, I find that the conflict with the relevant parts of the development plan, and the local adverse effects that I have identified that the proposal would cause, are not outweighed by other considerations, including the appellant's need for better accommodation within the property and the comparison with other properties with dormer windows elsewhere.

Conclusion

11. For the reasons given above the appeal should be dismissed.

David Murray

INSPECTOR