
Appeal Decision

Site visit made on 10 December 2025

by **S Hubbard BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 January 2026

Appeal Ref: APP/X1925/W/25/3372664

101 Pixmore Avenue, Letchworth Garden City, Hertfordshire SG6 1QX

- 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 Mr and Mrs Saroye against the decision of North Hertfordshire District Council.
 - The application Ref is 25/01438/FP.
 - The development proposed is: First floor rear extension to create a self-contained one-bedroom flat.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Notwithstanding the description of the proposed development set out above, which is taken from the planning application form, the submitted plans show that the scheme also comprises the installation of an external staircase and the erection of a bike shed. The plans also show the addition of a bedroom window and the enlargement of a kitchen, lounge and dining room window to an existing first floor flat. The plans describe the new bedroom window, which faces north, as an enlargement of an existing opening. However, it is clear from the plans depicting the existing building that no window currently exists in this location. I was able to confirm this on my site visit. The appellants' appeal statement specifies that this is a new opening, as does the Council's officer report. However, other parts of the appellants' evidence assert that no new north-facing windows are proposed which contradicts this. Nevertheless, the plans show the alterations, and it is evident that the Council dealt with the proposal on this basis. Accordingly, I will consider the proposal on the same basis.

Main Issues

3. The main issues are:
 - (i) the effect of the proposal on the living conditions of the occupants of neighbouring properties with particular reference to privacy, outlook, daylight and noise and disturbance;
 - (ii) whether the proposal would provide a satisfactory standard of accommodation, with regard to sunlight and daylight; and
 - (iii) the effect of the proposal on the character and appearance of the site and the surrounding area.

Reasons

Neighbours' living conditions

4. The appeal property is predominantly two storeys in height with a pitched roof. At the rear of the property is a single-storey projection with a flat roof. The proposal seeks to extend over the existing single-storey element of the building to create a new one-bedroom flat.
5. The adjacent property at 99 Pixmore Avenue includes a dwelling set slightly further back from the highway than the appeal property and a rear garden that extends to the site's rearmost boundary. On the first floor, the neighbouring dwelling has windows facing the site that serve a bedroom and a stairwell and hall. On the ground floor, it features a living room served by windows facing the site and in its rear elevation.
6. The bedroom window proposed for the existing first floor flat would be almost directly opposite the bedroom window at No 99. Given the close proximity of the windows, the proposal would result in an unacceptable degree of intervisibility and thus lack of privacy for both bedrooms. This would be significantly worse than that experienced now, given that existing windows facing No 99 are at more oblique angles to the bedroom window. The new window would also overlook the neighbouring garden, including the area closest to the dwelling. Accordingly, the new window would have an unacceptable impact on the living conditions of the occupiers of No 99 with regard to privacy.
7. Interested parties also raised privacy concerns associated with the proposed external staircase. Due to its position on the rear elevation, it would not provide direct views to any windows. Furthermore, it would principally allow for views over the bottom half of the garden where privacy is already limited due to existing windows. As such, the staircase would not have an unacceptable additional impact on privacy.
8. The building at the appeal property currently extends approximately halfway along the rear garden of No 99 at ground floor level and is visible from the rear living room window. Although the development would be approximately 4.5m from the corner of the rear elevation of No 99, the height of the extension, its length and position directly to the south of the garden, together with its blank elevation would unacceptably impact upon the outlook from the ground floor living room window and create an enclosing effect on the garden to the extent that it would be overbearing. This would not be suitably mitigated by the more open outlook to the west and north which the property benefits from.
9. The appellants have suggested a planning condition could be applied to require a detailed landscaping plan for the amenity area. Additional landscaping to the amenity area would not address the harm identified above.
10. In terms of impact on daylight for the existing first floor flat, the new and enlarged windows would allow for sufficient light to enter the living spaces. Whilst the enlarged window faces on to a blank wall of the neighbouring car service centre, it is at a height which would allow for sufficient daylight to enter the room. The extension would reduce the amount of daylight reaching the side elevation living room window of No 99. However, as this room also benefits from another window on the rear elevation, the reduction in daylight would not be unacceptable.

11. In respect of potential noise and disturbance impacts from the development on the existing first floor flat and No 99 from the occupiers of the proposed flat, the small amount of additional movement around the property is highly unlikely to result in unacceptable impacts. Additionally as no new heating or cooling units are proposed on the exterior of the building there will be no increased noise or disturbance from these sources.
12. Overall, the development would have an unacceptable impact on the living conditions of the occupiers of 99 Pixmore Avenue with regard to privacy and outlook. Accordingly, the proposal conflicts with Policy D3 of the North Hertfordshire Local Plan (LP), which makes clear that schemes should not cause unacceptable harm to living conditions. The proposal also conflicts with Policy SP9 of the LP in so far as it relates to requiring good design and compliance with detailed design policies of the LP. I find no conflict with Policy D1 with respect to living conditions as this policy does not specifically deal with these matters.

Standard of accommodation

13. First floor rear windows would serve the bedroom and living area of the proposed flat. There are large deciduous trees on the western boundary of the site in reasonably close proximity, but the height and size of the windows would allow for sufficient daylight and sunlight to enter the bedroom and living area. Moreover, the trees are deciduous so will only have a substantive impact when they are in leaf and at those times of year the sun will be higher in the sky allowing for more light to enter the windows. Accordingly, the trees would not result in an unacceptable level of daylight and sunlight entering the flat. Moreover, the proposal would provide a satisfactory standard of accommodation in these respects. Therefore, I do not find conflict with LP Policies SP9, D1 and D3 for the purposes of this particular main issue.

Character and appearance

14. The property is situated in part of Pixmore Avenue with a mix of residential and commercial uses. Notwithstanding the appeal property, the residential properties display a high degree of coherence in terms of scale, massing, materials and architectural design and have pitched roofs of varying formats. The commercial units have more varied architectural style, roof design and use of materials. The buildings located off Pearsall Close in the vicinity of the site demonstrate less cohesion and the area is more functional in nature.
15. The Council's officer report concludes that the proposal would harm the character and appearance of the site and the surrounding area on the grounds of its design, contrived form and small plot size. However, limited reasoning is provided for reaching these views.
16. The extension would have limited visibility from public viewpoints along Pixmore Avenue. While it would be visible from Pearsall Close, it would incorporate a pitched roof and its height and pitch would align with that of the remainder of the building. Furthermore, the proposed materials would also match those currently in use. In these ways, the proposal would reflect established built form and thus the character and appearance of the locality. Sufficient space would be retained around the property such that the resulting building would not appear cramped.

17. Accordingly, the development would not cause harm to the character and appearance of the surrounding area. Therefore, I do not find conflict with LP Policies SP9 and D1 so far as they relate to responding positively to the site's context.

Other Matters

18. The proposal would make efficient use of land and deliver an additional sustainably constructed and energy-efficient dwelling in a highly accessible area which would provide a modest contribution to meeting local housing needs. There will also be benefits in terms of employment during construction and from occupants engaging with local amenities. However, when taken together, these benefits are limited due to the small amount of housing proposed and do not outweigh the harm identified.
19. The appellants have referred to purportedly similar development elsewhere in Letchworth Garden City. Limited information has been provided regarding the particular circumstances that applied for those examples. However, it is clear that the precise attributes of those schemes and their relationships with adjacent properties are not directly comparable to the site-specific circumstances in this case. In any event, it is necessary to consider the appeal on its own merits and the scheme would be harmful as set out above.

Conclusion

20. For the reasons, given, the proposal conflicts with the development plan as a whole. Material considerations do not indicate that the appeal should be decided other than in accordance with the development plan. Therefore, the appeal should be dismissed.

S Hubbard

INSPECTOR