

DELEGATED FILE NOTE

CASE OFFICER: ...Anne McDonald.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02266/FPH	Insertion of rear L shaped dormer window and roof extension and insertion of two rooflights into front roofslope following removal of existing front rooflight (development already carried out)	34 Gaping Lane Hitchin Hertfordshire SG5 2JQ

Submitted Plan Nos

Location plan 011 012 013

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild

D3	Protecting living conditions
SECN12	Achieving well-designed places
SP1	Sustainable development in North Herts
SP9	Design and Sustainability
T2	Parking

2.0 **Site History**

2.1 14/01556/FPH: Single storey side extension – Granted August 2014
(Implemented)

3.0 **Representations**

3.1 Site Notice / Adjoining occupiers:

Correspondence in support/ neutral (6 neighbours) Comments include the following points:

- ☐ Maintains the character / improves appearance
- ☐ Sympathetic and in keeping with the mix of houses in Gaping Lane
- ☐ No negative impact on neighbours
- ☐ Respectful and considerate builders
- ☐ External finish consistent with other extensions / properties in the area

Correspondence objecting (1 neighbour) Comments include the following points:

- ☐ Incorrect description of development
- ☐ Out of scale and character
- ☐ Contrary to Policies D1 and D2 of the Local Plan and paragraphs 135 and 139 of the NPPF
- ☐ Affects negatively the setting of the Conservation Area
- ☐ Impact on the CA should be considered by the Council
- ☐ Adversely affects neighbours through loss of light and overlooking

- ☐ Overbearing
- ☐ Impacts adversely on the enjoyment of neighbour's private garden

Full details of the neighbours comments are published on the Council's web site.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1 The site comprises a two storey mid-terrace dwellinghouse, within the main urban area of Hitchin. The dwellinghouse is not listed and is not located within, or adjacent to a Conservation Area. The site has vehicular access from a rear driveway, accessed from Bedford Street

4.2 **Proposal**

- 4.2.1 This application seeks the retention of an existing rear dormer window / roof extension. The roof extension measures 23 cubic metres in volume and the external materials are dark grey / black composite cladding in woodgrain effect and a dark grey membrane roof with black upvc windows.(Retrospective application).
- 4.2.2 The applicant has included in a supporting statement image examples of dormer windows at Nos 38 and 58 Gaping Lane and 41 Talbot Street at least two of which include grey cladding.

4.3 **Key Issues**

- 4.3.1 The key issues are the impact of the development on the character and appearance of the area and the impact on adjacent residents.
- 4.3.2 Impact on the character and appearance of the area
- 4.3.3 Policy D1 of the Local Plan requires development to respond positively to a site's local context and have regard to the Design SPD. Policy D2 of the LP requires extensions to be sympathetic to the existing house in height, form, proportions, roof type, window details, materials and the orientation of the main dwelling.
- 4.3.4 In this case the constructed roof extension and dormer effectively squares off the main roof of the dwelling at the rear and in part is flush with the rear wall of the existing dwelling, creating a bulky and dominant addition to the rear of the property. The absence of any retained eaves on the rear section emphasises its verticality and height and a lack of subordination with the main roof of the dwelling. The flat roofed design and grey /black external cladding further underline the lack of sympathy of the extension with the main dwelling. The black windows also contrast with the retained white upvc windows on other parts of the property. As a result of the above and given that the works almost completely remove all parts of the original rear roof slope, it is considered that the works do not enhance the character and appearance of the property (notwithstanding some local residents' opinions) and there is clear conflict with Policy D3 of the Local Plan.

- 4.3.5 In terms of the wider impact of the works, views of the dormer and roof extension can easily be seen from properties in Bedford Street and the footpath in Bedford Street which backs onto the application site. There are also some (albeit limited) side views of the extension as viewed from Gaping Lane (as demonstrated in the design and access statement at Figure 9). The fact that several residents have commented on the design and appearance of the works confirms to my mind the generally unrestricted views of the development from the surrounding area.
- 4.3.6 It is evident that roof extensions have been formed in other properties in the area – some under permitted development rights and some via express permission from North Herts Council. It is clear that the examples shown in the supporting statement and from others that I have noticed in the area that they do appear to have some modest set-in from the eaves and verges however the overall effect of these roof extensions is that they so add a degree of change to the character and appearance of the area.
- 4.3.7 Based on the submitted information, the visual evidence and from planning history of neighbouring properties it cannot be denied that rear roof extensions and dormers are an increasingly popular form of house extension in the area – even if they are not a particularly welcome change in visual terms. It is acknowledged that rear roof extensions and dormers are now well established in the area and taking this into account it is considered that another roof dormer / extension could not reasonably be considered out of character with the locality given this context. However, this form of development without the eaves set in, appears as a flat roofed, third storey extension rather than a dormer window and even with the other examples of dormer windows in the wider locality, as none are obviously apparent from the footpath in Bedford Street rear of no.34 Gaping Lane, this extension is visually bulky and harmful to the character of the area and the appearance of the row of houses in their own right where hipped roofs and tiles are the feature.
- 4.3.8 Comments have been made that the development has a negative impact on the setting of the Hitchin Butts Close Conservation Area. The significance of the conservation area is characterised by the open spaces (at Butts Close and The Green) and the terraced Victorian / Edwardian housing between and around those greens. The development is No. 34 Gaping Lane is some 100 metres away from the nearest properties to the south in the CA and is separated from the nearest green by Bedford Street. Consequently, it is considered that the development has a neutral impact on the setting of the Butts Close CA.
- 4.3.9 It is necessary to consider whether there is any fall-back position (under permitted development rights) which may be a material consideration. However, there is no fall-back position of permitted development rights allowed under Schedule 2 Part 1, Class B of the Town and Country Planning General Permitted Development Order 2015 as the works have already been carried out.
- 4.3.10 In any event the works are not PD (as acknowledged by the applicant) as they do not meet all of the conditions set out in B.2 of the Order as follows:
- The external materials (i.e. cladding) are not similar to those used on the existing dwellinghouse (a)
 - The eaves are not maintained (aa) and the roof extension is not more than 0.2m from the eaves (b) (bb)
 - The window in the side elevation is not obscure glazed (c) (i)

4.3.11 In concluding on all of the above it is considered that there is unacceptable visual harm to the character and appearance of the dwelling and the surrounding area. Given the clear views of the rear of the house from Bedford Street, there is no screening of the works, and the rear roof extension is highly visible. The form is unacceptable and the cladding is also contrary to the rest of the tiled roof. This is considered to be an unacceptable form of development, contrary to the aims of Local Plan Policies D1 and D2 which require for extensions to 'respond positively to the site's local context' and be 'sympathetic to the existing house in form and roof type'. The application is therefore recommended for refusal on this basis.

4.3.12 Impact on neighbouring properties

4.3.13 The comments from a neighbour regarding overbearing impact, loss of light and privacy are acknowledged. In this regard and for the record, the original case officer, Tom Rea, visited a neighbouring property to assess these matters at close hand.

4.3.14 In terms of light it was noted that the rear of this group of terraced properties at Nos 32 – 44 Gaping Lane is north facing where light levels would be expected to be less particularly with these Victorian properties that are characterised by their narrow form and generous depth including outriggers. It is also the case that the roof extension does not project any further than the existing main first floor wall of the house being confined to works within and on the main roof. Given the above factors and whilst there may have been some diminishment of light to adjacent occupiers Tom did not find that this is so severe as to justify the refusal of planning permission.

4.3.14 In terms of overbearing impact it is the case that the roof addition at the rear is imposing in that it can be regarded as a very distinctive addition to the roofscape of the rear of this group of properties. That said, Tom did not find the works were particularly overbearing given they are restricted to the existing roof and do not project beyond the rear first floor building line.

4.3.15 In terms of privacy Tom noted that the side window is at a high level overlooking a roof and the rear facing window overlooks the rear gardens as do other windows in the rear of the application property. The smaller part of the extension nearest to No. 36 has an obscure glazed window to a bathroom. The view from the main rear bedroom window is mainly of the more distant part of the rear gardens and does not overlook the private rear amenity space closest to the rear of adjacent dwellings such as patios and areas accessed from rear doors. As such Tom did not consider that there is unacceptable loss of privacy.

4.3.16 In conclusion the development does not conflict with Policy D3 of the Local Plan which seeks to protect living conditions.

4.3.17 Other matters

4.3.18 The development does not appear to have added another bedroom to the property as an office and bathroom as shown on the plans. It would appear that there is sufficient parking to meet the needs of the extended dwelling which is in a very sustainable location close to the town centre and a range of community facilities.

4.3.19 The development is a householder scheme which is exempt from the need to provide a 10% Biodiversity net gain.

4.3.20 In terms of climate change the modest scale of the development is such that it has had very little if any impact on local climate change

4.4 **Conclusion**

4.4.1 The development is unacceptable in planning terms.

4.5 **Alternative Options**

4.5.1 None applicable

5.0 **Recommendation**

5.1 That planning permission be **Refused**.

1. The rear roof extension, without the eaves set in, appears as a flat roofed, visually bulky, third storey extension harmful to the character of the appearance of the dwelling and the surrounding area, within the context of the row of houses where hipped roofs to rear projections and tiles are the feature. As a result the roof extension is considered to be contrary to the provisions of Local Plan Policies D1 and D2 which require for development to respond positively to a site's local context and to be sympathetic to the original dwelling in form and external materials.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 1 December 2025	