The Planning Inspectorate

Appeal Decision

Site visit made on 6 February 2017

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23rd February 2017

Appeal Ref: APP/C1950/W/16/3162544
Land adjacent to 20 Booths Close, Welham Green, Hatfield AL9 7NW

- 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 Peter Carr against the decision of Welwyn Hatfield Borough Council.
- The application Ref 6/2015/2281/FULL, dated 3 November 2015, was refused by notice dated 25 May 2016.
- The development proposed is construction of new single storey dwelling.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on (i) the character and appearance of the area and (ii) the living conditions of the future occupiers of the proposed dwelling with particular regard to outlook.

Reasons

Character and appearance of the area

3. The appeal site is an open parcel of land at the rear of No. 20 Booths Close (No. 20), a detached two storey dwelling with vehicular access at the side of the property. It is located in a mature well-established residential area, typically characterised by detached and semi-detached properties set back from the road in relatively spacious plots.

4. To the north, south, east and west of the appeal site are the garden areas and the outbuildings associated with the adjacent residential properties. Where outbuildings and other structures exist at the rear of the properties, these are very low, clearly subsidiary, and have little impact upon the sense of space and openness in the area. This gives the area a strong unifying character and appearance, which is further enhanced by the presence of mature landscaping and established trees within the gardens.

5. The proposal would involve the construction of a detached single storey dwelling with associated parking, garden area and access off a long narrow driveway at the side of No. 20. The proposed dwelling would measure about 10.6m (length) by 10.5m (width) with a pitched roof with an eaves height of about 2.3m and a ridge height of about 4.3m.

6. The proposed development would be situated in the characteristic open gap between the adjacent properties. Such positioning would compromise the sense of space and openness and interrupt the established rhythm of development in the area. Moreover, the siting itself, with the dwelling situated behind the existing dwellings at the front would create a backland form of development. This would introduce an uncharacteristic layout into the street scene. Paragraph 60 of the National Planning Policy Framework (the Framework) states that it is proper to promote or reinforce local distinctiveness. In this case, the siting, scale and height of the proposed development would not amount to a subservient form of development in this backland location and would fail to promote or reinforce the distinctive characteristics of this established residential area.

7. The consequential harm would not in my view be sufficiently resolved by the limited effect of the single storey form of the proposed dwelling on the street scene. In any case, the site is viewed from the rear of a large number of surrounding properties. As such, I consider the development would result in an incongruous and out-of-keeping addition that would adversely harm the character and appearance of the area.

8. I have considered the appellants statement that the proposed dwelling has been designed as an inside-outside dwelling to respond directly to specific circumstances of the appeal site. Whilst the use of matching materials and the roof design would assist in integrating the proposal with other properties in the area, these aspects do not overcome the adverse effects outlined above. I note the appellants comments regarding the residential development at Meadows Close. This, however, has different development characteristics to the appeal scheme and took place in a different policy context. I therefore accord these matters limited weight.

9. I note the appellants comments about the context provided in the Framework for good design and that planning decisions should not attempt to impose architectural styling and should not stifle innovation, originality or initiative in design, but I find that the proposal does not achieve the standards the Framework seeks. I note the appellants argument that the proposal would constitute a sustainable form of development. However, whilst I recognise that the proposal would boost the supply of housing and would make efficient use of the land in an accessible location in accordance with the Framework, these benefits do not outweigh the harm I have identified in this case.

10. Consequently, I conclude that the proposed development would have a harmful effect on the character and appearance of the area. The development conflicts with policy D2 of the Welwyn Hatfield District Plan 2005 (DP) and the Council's Supplementary Design Guidance Statement of Council Policy 2005 (SDG). This policy and guidance, amongst other things, seeks a high quality design and to ensure that all new development respects and relates to the character and context of the area and where possible, enhances or improves the character of the existing area. In addition, it would not accord with the Framework that development should seek to secure a high quality of design (paragraph 17); to respect the local character (paragraph 58); and to promote or reinforce local distinctiveness (paragraph 60).

Living conditions of the future occupiers of the proposed dwelling

11. The dwelling is designed around a centrally placed open courtyard with a high level of glazing. The external elevations of the proposed dwelling would have no windows and rooflights would be provided above the living accommodation. It would be located close to the common shared boundaries with adjacent properties and the appeal site would be separated from the surrounding residential uses by a close boarded fence, mature trees and vegetation.

12. I have considered the appellants arguments that the site layout and the design of the building have been carefully considered in order to minimise any impacts on occupiers of the proposed dwelling and adjacent dwellings. Whilst these features together with the boundary treatment would reduce the impact of the proposal on the adjacent properties, given the overall design and layout of the proposal and the separation distance to the common shared boundaries, I consider the proposal would result in a poor quality living environment for the proposed development. It would introduce a dominant and enclosing structure in close proximity to the common boundaries that would severely restrict the outlook for the future occupiers of the proposed dwelling.

13. Consequently, I conclude that the proposal would result in harm to the living conditions of the future occupiers of the proposed dwelling with particular regard to outlook. The development conflicts with policy D1 of the DP and the SDG. This policy and guidance seek, amongst other things, a high quality design and to ensure that new development protects the amenity of neighbouring residents. It would also not accord with the Framework that seeks to secure a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).

Other matters

14. I have noted the support for the proposal from a local resident on the basis of the design of the proposed dwelling and the benefits from tidying up the overgrown site. However, this matter is addressed above and there are other means of tidying up the site without the need to construct a dwelling.

15. I have noted the comments raised by North Mymms Parish Council and the objections from local residents to the proposal. However, in light of my findings on the main issues of the appeal, my decision does not turn on these matters.

Conclusion

16. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR