

Appeal Decision

Site visit made on 21 February 2017

by H Lock BA (Hons) DipTP MRTPI

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

Decision date: 27 February 2017

Appeal Ref: APP/C1950/D/16/3165862

48 Sherrardspark Road, WELWYN GARDEN CITY, Hertfordshire, AL8 7LB

- 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 Michael Robinson against the decision of Welwyn Hatfield Borough Council.
 - The application Ref. 6/2016/1461/HOUSE was refused by notice dated 17 October 2016.
 - The development proposed is demolition of existing garage and construction of single storey side extension and first floor rear extension.
-

Decision

1. The appeal is dismissed insofar as it relates to the first floor rear extension. The appeal is allowed and planning permission is granted insofar as it relates to the demolition of existing garage and construction of single storey side extension, at 48 Sherrardspark Road, WELWYN GARDEN CITY, Hertfordshire, AL8 7LB in accordance with the terms of the application, Ref. 6/2016/1461/HOUSE, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans so far as relevant to that part of the development hereby permitted: Drawing Nos. Ksd/16/29P/01; Ksd/16/29P/02; Ksd/16/29P/03; Ksd/16/29P/04; Ksd/16/29P/05; Ksd/16/29P/06; Ksd/16/29P/07; Ksd/16/29P/08; Ksd/16/29P/09; Ksd/16/29P/11 Revision A; Ksd/16/29P/12; Ksd/16/29P/13 Revision A; and Ksd/16/29P/14 Revision A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal property, the street scene and the Central Welwyn Garden City Conservation Area.

Reasons

3. The appeal property is a detached house in a residential area that is characterised by houses set within spacious landscaped gardens. In common with many dwellings in the vicinity, the appeal property has single-storey
-

elements built up to its side boundaries, with gaps above which offer views through to trees beyond. I share the Council's assessment that the balance between the built form and its open surroundings contributes positively to the overall feeling of spaciousness in this part of the conservation area.

4. The original form of the house is reasonably simple and linear, and it is surrounded by single-storey flat roofed elements to both sides of the property and spanning the rear of the main building. Whilst these elements have increased the footprint of the building, its two-storey bulk is more modest. In contrast, the combination of the existing ground-floor and proposed first-floor rear extensions would result in significant additions to the property that would overwhelm its original scale and form. The perceived depth of the proposed rear extension would be excessive relative to the proportions of the main house. I note the appellants' assessment of the proposal in terms of percentage increase, but this is only one measure of impact.
5. I note that the height of the rear extension would be set below that of the main roof ridge, and that its flank walls would be set 300mm in from the existing side walls of the house on both sides, but I do not share the appellants' view that this would allow a strong visual break. Due to the slightly elevated position of the dwelling above the road and the open gaps to the side, I consider that the depth and scale of the rear extension will be perceived in the street scene. I note that, for the most part, the rear extensions at Nos. 46 and 50 Sherrardspark Road are not unduly intrusive when viewed from the public domain, but these properties are set slightly further back from the road with extensions of different form to that proposed in this case. In both cases, the rear extensions have a greater degree of articulation as a result of including wings of differing size.
6. In contrast, the proposal includes two 'wings' of equal size and although the design would have a double pitch to the roof, this would not mask the overall scale and bulk of the resultant addition. Whilst this aspect may not be fully appreciated in the street scene, the proposal would nevertheless detract from the character and appearance of the appeal property itself, and would not constitute the high quality standard of design sought by Policy D1 of the Welwyn Hatfield District Plan 2005 (DP). It would not respect the character and context of the area, in conflict with DP Policy D2. Although the first-floor extension would be confined to the rear of the house, its height, the 300mm insets and the retention of single-storey side additions would not mitigate its scale or impact.
7. There is a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising planning functions. Having regard to Section 12¹ of the National Planning Policy Framework (the Framework), I do not share the Council's view that the proposal would result in 'substantial harm' to the significance of the conservation area. I find that the harm would be 'less than substantial', but as noted in paragraph 134 of the Framework, this harm must nevertheless be weighed against the public benefits of the proposal. Whilst I appreciate that the proposal would benefit the applicants' use and enjoyment of their property, it is not evident that any public benefits would result that would outweigh this harm and justify acceptance of the proposal.

¹ Conserving and Enhancing the Historic Environment

8. The appellants have drawn attention to extensions granted at 24 Roundwood Drive, but given the significant differences in design and form of the two properties that development is not directly comparable, and does not warrant approval of the appeal scheme. However, I agree with the appellants' views on the relevance of the appeal dismissal at 52 Sherrardspark Road², as although there are some similarities that scheme was of a greater scale overall. I have had regard to the extensions at Nos. 46 and 50 Sherrardspark Road, but find that there are material differences from the design of the appeal scheme.
9. I appreciate the appellants' frustration given the positive pre-application correspondence with the Council's officers, but I find that the formal decision of the Council is justified for the reasons set out above. I also note that the application generated no objections from any residents³ or advisory body, but this does not outweigh the harm that I have identified.
10. I therefore conclude that the first-floor rear extension would detract from the character and appearance of the appeal property and the street scene, and would fail to preserve and enhance the character and appearance of this part of the Central Welwyn Garden City Conservation Area. It would conflict with the aims of DP Policies D1 and D2, and would not be compatible with the maintenance and enhancement of the character of the area as sought by DP Policy GBSP2.
11. However, I find that the demolition of the existing garage and the construction of a replacement single-storey side extension would have a neutral impact on the property, the street scene and the conservation area, and would accord with the aims of the stated policies. As it is clearly severable from the first-floor rear extension, and both physically and functionally independent, I propose to issue a split decision.

Conditions

12. In addition to the standard time limit, I have attached a condition specifying the approved drawings as this provides certainty. It is also appropriate to control materials to match the existing dwelling, in order to safeguard the character and appearance of the development and the area.

Conclusion

13. The Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built and historic environment. Core planning principles of the Framework include always seeking to secure high quality design and to conserve heritage assets in a manner appropriate to their significance. For the reasons given above only part of the proposal would comply with these principles and constitute sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be allowed in part and dismissed in part.

H Lock

INSPECTOR

² Dismissed under ref. APP/C1950/D/12/2179684

³ A letter of support was submitted from 46 Sherrards Park Road