

Appeal Decision

Site visit made on 7 March 2017

by Graham M Garnham BA BPhil MRTPI

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

Decision date: 13th March 2017

Appeal Ref: APP/C1950/D/16/3166143

16 Daniells, Welwyn Garden City, Hertfordshire, AL7 1PZ

- 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 A Rob against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2016/1670/HOUSE, dated 15 August 2016, was refused by notice dated 10 October 2016.
 - The development proposed is first floor rear extension and alterations to openings.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider that these are the effects of the proposal on firstly, the character and appearance of the building and the surrounding area; and secondly, the living conditions of the occupiers of the adjoining houses at 18 Daniells and 19 Hens Lane.

Reasons

First main issue – effect on character and appearance

3. The appeal property is a modest, 2 storey detached house, situated near the junction of Daniells with Hens Lane and within a small group of 5 houses of very similar design, materials and appearance. There is an existing flat-roofed rear extension, which occupies the full width of the house and protrudes out 4 metres.
 4. The proposed first floor rear extension would be above this existing extension, of the same depth and also to the full width of the house. The eaves line would match that of the main roof, but the roof over the extension would be lower. This would give a measure of subordination in terms of height (though not in width). However this would be achieved by using a double pitched form, with a central gully. I consider that the incongruity of this form compared to the plain gable ended main roof of the house would be compounded by the use of hip ends on the extension. A single large window would be placed centrally on the rear wall, under the gully. I regard this as a
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rather awkward arrangement compared to the more usual placement of windows under a ridge line. Moreover the upper floor opening would bear little logical relationship to the ground floor openings. None of the other houses in the group has a first floor rear extension.

5. The appellant says that an existing planning permission, for a narrower extension with a single hip-ended roof above, appears “ungainly and rather contrived”. While this may be so, I consider that, rather than being a “vast improvement”, the present proposal represents a larger scale elaboration of what has been approved. In terms of design and appearance, the fall back scheme would be preferable to the appeal proposal.
6. Parts of the proposal would be visible in the street scene, over some lock-up garages to the west along Daniells and between nearby houses in Hens Lane. These views would be confined to the sides of the extension, and the unsatisfactory nature of the rear elevation would not be seen in the public domain. However, I consider that neither this lack of harm in the street scene nor the use of matching materials would outweigh the unsatisfactory design, form and scale of the proposal.
7. I conclude that the proposal would materially detract from the character and appearance of the building and the back views of a small and distinctive group of houses. This would be contrary to Policies D1 & D2 in the Welwyn Hatfield District Plan (2005). These policies require new development to achieve a high standard of design that respects and relates to the character and context of its area. The proposal would also fall short with respect to the Welwyn Hatfield District Plan Supplementary Design Guidance (2005) [SDG], which expects extensions to be designed to complement and reflect the design and character of the dwelling and be subordinate in scale, and with respect to the high design standards sought by the National Planning Policy Framework.

Second main issue – effect on living conditions

8. No.18 Daniells is located to the north west of the appeal site. There would be some loss of early morning sunlight into upper floor windows but no effect at ground floor level, where an existing extension matches that at the appeal site. The appellant has shown that the extension would not protrude into a reasonable line of sight from the nearest first floor window next door. Hence I consider that no harm to outlook would arise at this level. The relationship of the extension to the garden would be similar to that of the house as originally set out. Any potential for overlooking from the window of bedroom 5, relocated on to the side wall, could be overcome by the use of obscure glazing (albeit this would deprive that room of any outlook at all).
9. No.19 Hens Lane is a corner property and backs directly towards the side wall of the appeal house. The proposed extension would add significantly to the length of two-storey wall, close to the common boundary, and take it to the full width of the rear elevation of no.19. I acknowledge that the side wall of the proposal may only be 1.5 metres closer to no.19 than the approved scheme. Nonetheless, I consider that in creating a continuous expanse of brickwork so close to the boundary it would have a materially greater and unduly overbearing effect on outlook next door. The new side window to bedroom 2 would need to be obscure glazed, to prevent direct overlooking

into the rear garden and windows next door. This could be achieved by means of a planning condition, although, as with bedroom 5, not without some detriment to living conditions at the appeal house.

10. Overall I conclude that the proposal would appear unduly dominant in the outlook from 19 Hens Lane, to the significant detriment of the living conditions of its occupiers. This outcome would be contrary to provisions in the SDG to protect the amenities of adjoining properties and to the requirement in the Framework that a good standard of amenity should be secured for existing and future occupants of land and buildings.

Overall conclusion

11. I have found significant shortcomings with respect to both main issues. I consider that these are inherent to the design and form of the proposal and its relationship to surrounding development, and could not be overcome by the imposition of planning conditions. This conclusion is not outweighed by the lack of recorded local objections to the proposal.
12. Thus planning permission should be withheld and I dismiss the appeal.

G Garnham

INSPECTOR