



Appeal Decision

Site visit made on 12 November 2019

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2019

Appeal Ref: APP/C1950/D/19/3235494

5 Chedburgh, Welwyn Garden City AL7 2PU

- 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 Shah against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2019/0813/HOUSE, dated 3 April 2019, was refused by notice dated 29 May 2019.
 - The development proposed is a two storey rear extension and first floor side/front extension, including alterations to openings.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey rear extension and first floor side/front extension, including alterations to openings at 5 Chedburgh, Welwyn Garden City AL7 2PU in accordance with the terms of application 6/2019/0813/HOUSE, dated 3 April 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 4479-OS1, 4479-OS2 and 4479-P01 Rev.E.
 - 3) The external surfaces of the extension hereby permitted shall match those used in the construction of the existing building.

Main Issues

2. The main issues in this appeal are the effects of the proposed development on:
 - the character and appearance of the existing dwelling with particular regard to the depth and width of the proposed extensions; and,
 - living conditions of nearby residents with regard to outlook and enclosure.

Reasons

Character and Appearance

3. The existing dwelling is a detached building finished in brick with profiled concrete roof tiles and is set within a residential cul-de-sac of similarly themed properties. The dwelling is a mix of two-storey and single-story elements; the higher elements featuring an 'L' plan formed of a projecting gable and ground-floor bay forward of the higher gable-ended main body sited on the southern side of the plot. Subordinate single-storey elements to the north, including a

- garage, align with the forward part of the main body and show a sequence of reducing ridge heights. To the rear these elements are progressively shallower.
4. The parties agree that the design of the proposed extensions would continue the themes of the existing building. The proposed design would provide similarly scaled projecting gable elements, matching window proportions and gable roof ends.
 5. The proportion of additional depth resulting from the proposed development would be less than a half of the existing development at ground floor and less than a third at first floor. Although the effect in this instance would result in a long southern flank elevation, the degree of additional depth would not be an uncommon scale of rearward extension, particularly for a detached dwelling with a reasonable level of separation from other buildings.
 6. Furthermore, as indicated by the appellant, the degree of rearward projection proposed would be comparable to that specified in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Therefore, in aesthetic terms, the depth of the proposed development would not appear incongruous.
 7. The additional width of two-storey development would increase the massing of the building. Whilst it would appear larger, it would remain comparable in scale to development found elsewhere within the estate. It would retain a focus on the original two storey element, primarily as a consequence of the forward projection of the existing gable and bay. The set-back position of the side extensions, in conjunction with the stepping of the main ridge line and introduction of a second gable element, would break up the additional massing to maintain a subordinate appearance.
 8. Due to the arrangement of buildings locally and the low prominence of the appeal site, the combined additional scale of the side and rear extensions will be difficult to view in tandem. Consequently, whilst the strength of focus on the existing two-storey elements would be diluted the proposed extensions would not appear to over-dominate or overwhelm the existing building. The scale and bulk of the existing dwelling would inevitably be increased, however, this would not be to such an extent that would cause significant harm to its overall character.
 9. For the above reasons the development would be consistent with the aims of Policies D1 and D2 of the Welwyn Hatfield District Plan (2005) (DP), Policy SP9 of the emerging Welwyn Hatfield Borough Council – Draft Local Plan Proposed Submission (Aug 2016) (DLP), Supplementary Design Guidance (2005) (SPG) and the National Planning Policy Framework (the Framework) as they relate to protecting the character and appearance of development.

Living Conditions

10. The Council's concerns with respect to impacts on living conditions are limited to those of the occupiers of nos 1 and 3 Chedburgh. These are residential properties located roughly to the south of the appeal site with rearward aspects facing the existing side elevation of the two-storey elements of no5. The Council indicates that the impact of the proposed development on no3 would not be significant and I saw nothing at the time of my site inspection to disagree with that conclusion.

11. No5 currently sits close to the common boundary with no1 and overlaps its rear boundary by about a quarter of its length. The proposed rear extension would increase this overlap just short of half way such that it would feature strongly in the outlook from the rear window openings of no1 and increase the sense of enclosure along this part of the boundary. Furthermore, additional massing would be apparent, particularly as a consequence of the increase in the extent of substantially plain brickwork on the facing elevation.
12. However, the distance between main rear elevation of no1 and side elevation of no5 is a relationship that is not uncommon within residential estate settings. Whilst the proposed development would give rise to some impacts with regard to the sense of enclosure and outlook, this would be limited by the intervening distance and relatively open aspect of the remainder of the rear boundaries. This arrangement would not be significantly different to the relationship between the corresponding adjacent properties at 22 and 24 Westcott or other building relationships within the local estate, particularly in corner arrangements such as those close to road junctions or turning heads.
13. Whilst there would be an adverse effect on living conditions, I do not consider this would be so significant to warrant refusal of planning permission being mindful of its context within the estate setting. The proposed development would therefore comply with Policy D1 of the LP, Policy SADM 11 of the DLP, the SPG and the Framework as they relate to protecting the living conditions of nearby residents with particular regard to outlook and enclosure.

Other Matters

14. Additional neighbour concern arises from a potential loss of privacy through the addition of side-facing windows. Because the proposed first floor window would be set at high level, views over the adjacent gardens or into rear windows of neighbouring dwellings would not be easily obtained from within the extension. Any views from an additional window serving a proposed en suite at ground floor level will have a similar impact to those currently present at first-floor level and therefore will not exacerbate matters of overlooking to neighbouring properties.

Conditions

15. I have had regard to Paragraph 55 of the National Planning Policy Framework and the National Planning Practice Guidance in terms of the use of planning conditions. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty. In the interests of protecting the local character a condition requiring matching external materials is imposed.

Conclusion

16. For the above reasons, the appeal should succeed and planning permission be granted subject to conditions.

R Hitchcock

INSPECTOR