



Appeal Decision

Site visits made on 24 February and 2 March 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2020

Appeal Ref: APP/C1950/D/19/3240191

59 Garden Road, Woolmer Green, Knebworth SG3 6JZ

- 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 Samuels against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2019/1291/HOUSE, dated 30 May 2019, was refused by notice dated 15 August 2019.
 - The development proposed is described as "erection of a single storey side extension, loft conversion involving alterations to the roof including an increase to its height, the addition of gable ends, the construction of a dormer at the rear, alterations to windows and doors and replacement of existing glazed lobby with a new open-sided porch."
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my visit to the appeal site I saw that the construction of the dormer and side extension had commenced and was substantially complete. I have dealt with the appeal on that basis.
3. I conducted my visit to the appeal site on 24 February 2020. Following this visit it was drawn to my attention that the Council had requested that I enter neighbouring properties at 44 and 46 New Road to fully assess the effect of the development proposed upon those properties. I subsequently visited those properties on 2 March 2020.

Main Issues

4. The main issues are the effect of the development proposed on:
 - the living conditions of neighbouring occupiers, with particular regard to the occupiers of Nos 44 and 46 New Road; and,
 - the character and appearance of the appeal property and surrounding area.

Reasons

Living Conditions

5. The appeal property lies at right angles to the neighbouring dwellings at Nos 44 and 46 New Road. The appeal property is a bungalow that lies close to the shared boundary, and the rear dormer is a prominent feature in the outlook

from these neighbouring properties. The proposed gable end would increase the prominence of the roof of the appeal property to Nos 44 and 46 due to its proximity to the boundary and presence at a level just above the fence between the properties. The gable and dormer would therefore result in an overbearing presence close to the shared boundary causing harm to the outlook from the neighbouring properties.

6. The appellants have drawn my attention to an earlier permission granted by the Council for alterations to the roof of the appeal property that would result in a higher ridgeline to the roof than the proposal before me. I have reviewed the evidence provided, including the comparative drawing showing the approved scheme and the appeal scheme that illustrates the difference in ridge height. However, the approved scheme had a hipped roof facing Nos 44 and 46 New Road and no dormer to the rear roof slope of the appeal property. I therefore consider that it is materially different to the proposal before me and have only given it limited weight in determining this appeal.
7. The appellants have suggested that light to the neighbouring properties would not be harmfully affected as the development would not interrupt a 25 degree line taken from the principal windows to the properties, in accordance with recommendations from the Building Research Establishment. They further state that the development would not result in any harm to the privacy of neighbouring occupiers by reason of overlooking from the development proposed. However, even if there would be no unacceptable harm from loss of light or privacy, these would only be neutral considerations in determining this appeal.
8. The appellants also suggest that the objections of neighbours have arisen from the current state of the appeal property, and that the development proposed would address these concerns. However, I am not persuaded that this would be the case, for the reasons set out above.
9. For the reasons set out above I therefore conclude that the development proposed would cause unacceptable harm to the living conditions of neighbouring occupiers. It would be contrary to Policy D1 of the Welwyn Hatfield District Plan April 2005 (the DP), which requires all new development to be of a high quality standard of design.

Character and Appearance

10. The creation of gable ends would not be harmful to the character of the surrounding area, as gabled roofs are a common feature in the Garden Road street scene.
11. The alterations to the pitch of the roof would not be an obvious feature of the development when viewed from the street and I do not consider that they would result in harm to the character of the wider area.
12. The rear dormer is a large and bulky addition to the roof of the property. However, it faces towards an open field and views of it in the wider area would be limited. The appellants have drawn my attention to other dormer windows in the surrounding area, and I saw dormers to the roofs of neighbouring properties during my site visits. Given this context I do not consider that the dormer window would be harmful to the character of the surrounding area as part of the development proposed.

13. Having regard to the above matters, I therefore conclude that the development proposed would not be harmful to the character and appearance of the appeal property or the surrounding area. It would therefore be in accordance with Policy D1 of the DP, which among other things requires that developments as a minimum maintain the character of the existing area.

Other Matters

14. The appellants have suggested that the Council's reason for refusal is not precise as it does not specify what harm would arise from the development and which residents would be affected by the identified harm. However, I do not consider it to be unusual for additional details to be provided in the Council officer's report and committee minutes, as is the case in this instance, as these provide the Council's reasoning for their decision. When these are taken together, I am satisfied that the Council's reason for refusal is not imprecise.
15. The Council has raised no objection with regards to the side extension, the replacement of the lobby with an open-sided porch and the alterations of windows and doors. I see no reason to disagree with this.
16. The appellants have referred to developments at other properties in the surrounding area, including roof dormers in Garden Road and New Road. I do not know the planning status of these sites and developments, and in any case I must determine this appeal on its own merits and unique circumstances, which I have done.

Conclusion

17. I have found that the development proposed would cause harm to the living conditions of neighbouring occupiers. While I have not found that it would cause harm to the character and appearance of the appeal property or surrounding area, I consider that the harm to living conditions would be unacceptable.
18. For the reasons given above I therefore conclude that the appeal should be dismissed.

M Chalk

INSPECTOR