



Appeal Decision

Site Visit made on 20 October 2020

by I A Dyer BSC (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 23 October 2020

Appeal Ref: APP/C1950/D/20/3255308
13 Elmoor Avenue, WELWYN, AL6 9PG

- 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 Howard against the decision of Welwyn Hatfield Council.
 - The application Ref 6/2020/0741/HOUSE, dated 16 March 2020, was refused by notice dated 11 May 2020.
 - The development proposed is erection of single storey front and rear extension, two storey side extension and internal alterations.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Welwyn Hatfield Draft Local Plan 2016 (the Draft Local Plan) has been submitted for examination but has yet to be found sound and adopted. Therefore, it attracts limited weight as a material consideration.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the site and the surrounding area.

Reasons

4. 13 Elmoor Avenue (No 13) lies on the south-eastern side of the avenue, which, in the vicinity of the site, is fronted by two-storey semi-detached dwellings. Despite the addition of some extensions the buildings still largely reflect their original scale and layout.
5. The dwellings are set back off the road separated by gaps at second storey level and this allows views from the street between the houses towards the trees on the land behind, providing an openness to the layout and a sense of verdancy.
6. The pairs of semi-detached dwellings and the intervening spaces between them create a strong visual rhythm along the street. This spacing and separation is emphasised by the sloping topography of the area. Where a second storey extension has been added these have predominantly been set back off the boundary between the houses and retain a visual gap.

7. The dwelling adjacent to the appeal site has a two-storey side extension which extends to the boundary between the two properties. The introduction of a two storey element on the appeal property, extending to within one metre of the boundary would interrupt the rhythm of the frontages and block the view between the host dwelling and its neighbour to the green spaces behind. I am mindful that, should other properties follow the example of such an extension these views would be further eroded to a point where they are removed altogether.
8. Notwithstanding that the proposal adheres to the Council's design guidance by retaining a distance of 1 metre from the shared boundary, it would result in a two storey structure roughly in line with the adjacent building, further increasing the impression of terracing. Together with the adjacent extension this would produce a cramped, congested feeling to that part of the street.
9. The proposal would extend the existing ridge line of No 13, with no setback behind the front elevation. Further, a front extension that would extend across the full width of the dwelling is proposed.
10. Together the visual mass and scale of the dwelling would be increased significantly and the overall additions, without articulation, would not appear subservient to the original part of the dwelling. The scale and massing of the proposal, taken as a whole, would be such that the original form of the dwelling would be subsumed within it.
11. It has been drawn to my attention that elsewhere along the street two storey side or first floor extensions have been added to other semi-detached dwellings. Whilst I observed such extensions, they were not closely associated with a two-storey structure on the boundary of the adjacent site and therefore did not result in the same visual closure of the gap at second storey level, retaining openness.
12. My attention has been drawn to existing extensions to dwellings in the area, that have similar features to that proposed and which increased the floor areas of the original dwelling by a larger amount than is proposed for No 13. I have limited information regarding the planning history of these proposals upon which to form any meaningful comparison, but, in any event, I have determined this appeal on its own merits.
13. I therefore conclude that the proposal would result in harm to the character and appearance of the site and the surrounding area and would, therefore, be contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan -2005- in as much as these require that the proposal should respect and relate to the character and context of the area and accord with the advice provided by the Welwyn Hatfield Supplementary Design Guidance -2005- (the SDG).
14. In this regard the SDG expects extensions to be designed to complement and reflect the design and character of the dwelling and be subordinate in scale. The proposal fails to satisfy these expectations.
15. The proposal would also be contrary to those parts of section 12 of the National Planning Policy Framework -2019- which seek to achieve well-designed places which are sympathetic to local character, including the surrounding built environment.

16. Whilst carrying limited weight the proposal would be contrary to Policy SP9 of the Draft Local Plan in as much as this requires development to deliver a high quality design that fosters a positive sense of place by responding to the site's character and context so that it relates well to its surroundings.

Other Matters

17. Whilst I note the absence of objection from the two immediate neighbours of No 13, this, of itself, does not outweigh the harm to the character and appearance of the area that I have identified.
18. I note the appellants' concerns that they are being penalised for the historic actions of their neighbours in erecting an extension on the boundary and that the Council has been inconsistent in its decision making. However, I have determined the appeal on its own merits and on the basis of the existing form and layout of the appeal property and the street. Any dissatisfaction with the Council over the consistency of its decision making is a matter between the appellants and the Council.

Conclusion

19. For the reasons given above I conclude that the appeal should be dismissed.

I Dyer

INSPECTOR