

Appeal Decision

Site visit made on 22 January 2021

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 February 2021

Appeal Ref: APP/C1950/D/20/3260855

129 Peplins Way, Brookmans Park, Hatfield AL9 7UT

- 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 and Mrs Terry and Layla Chowdlury against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2020/1178/HOUSE, dated 26 May 2020, was refused by notice dated 22 July 2020.
 - The development proposed is a 2 storey side extension, a part single/part 2 storey side and rear extension, a single storey front extension, a loft conversion with a rear dormer window and velux windows to the front roof slope and a single storey rear extension within the rear garden.
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Decision

1. The appeal is dismissed.

Procedural matter

2. Although not listed in the submitted description of development (as set out above), the proposal does also include a new outbuilding at the end of the garden. The Council raises no objection to that part of the proposal.
3. Following on from the refusal of the appeal application there has been correspondence between the appellants and the Council about a reduced scheme. Amended plans to this effect were submitted as an Appendix to the grounds of appeal. Neither the Council nor neighbours, however, are given any chance to comment on these changes within the householder appeal process. I must decide this appeal on the application plans, as refused by the Council. Any other planning application which may be submitted with amended plans is a separate matter.

Main issues

4. The main issues are the effects of the proposal on:
 - i) The character and appearance of the local area; and
 - ii) Living conditions at the neighbouring property, 131 Peplins Way, in terms of the impact on the outlook from that property.

Reasons

Character and appearance

5. Peplins Way is a pleasant street of mainly semi-detached houses with hipped roofs, which have been extended in a variety of ways including hip to gable roof extensions and rear dormer windows. No 129 is a typical semi-detached house and sits on a plot that drops away at the back. The proposal includes a number of elements, as listed above. The Council's concern in relation to the issue of character and appearance is specifically about the proposed 2 storey side extension and rear dormer.
6. The Council's Supplementary Design Guidance 2005 (SDG) advises that Welwyn Garden City is a planned town where careful and varied use of spaces, grouping of buildings, building lines and architectural details such as windows have given the town a unique balance of formality and variety. Although Peplins Way may have been more uniform in design at one time, the assorted extensions built here give the street a more eclectic appearance, with the capacity to absorb further change so long as the location, scale and detailing are satisfactory.
7. The SDG also advises that 2+ storey side extensions should maintain a minimum 1 metre gap between the extension and the side boundary. The gaps between buildings on Peplins Way, particularly those above ground floor level, are important in providing some relief to the built form and avoiding an overly built up, urban rather than suburban character.
8. In this case, the proposed side extension would be built to within about 0.8m of the neighbouring boundary. The shortfall of about 0.2m to the normally required standard is minor, but is significant in this particular context. The next door house at No 127 is already close to the shared boundary so that the gap between the houses would be narrower than is retained between most buildings on the street. Moreover, the proposed side extension would have a gable rather than a hip so that it would crowd the boundary all the way up to the top of the roof.
9. The SDG further advises that dormers should be contained within the roof slope, should be subservient to the roof of the property and should be in proportion to the existing fenestration of the property. To this end, it says that dormer cheeks should be at least 1 metre from the flank wall of the property or from the party wall with the adjoining property.
10. In this case, the proposed box dormer structure at the back would take up almost the entire roof slope, including that of the proposed side extension, and would be much closer to the edges of the roof than the SDG's 1m guidance. Although the dormer structure would be screened from public view, it would be an out-sized, overly dominant feature as seen from neighbouring properties. There are a number of other box dormers on nearby roofs, but I saw none of comparable scale.
11. I conclude that the proposed side extension and rear dormer would unduly harm the character and appearance of the local area. The proposal would therefore conflict with the aims of Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 (WHDP), the SDG and the National Planning Policy

Framework (the Framework), to secure a high standard of design in all developments that is respectful to and in context with its surroundings.

Living conditions

12. The proposed single storey rear extension would be about 5.5m deep and would sit very close to the shared boundary with No 131. The Council's concern is that the extension would unduly dominate the outlook from that property. The extension would be a substantial structure as seen from the nearest rear ground floor window, rear patio and garden of No 131. Its impact would, however, be somewhat limited because the extension would have a flat roof and its floor level would step down slightly. Furthermore, No 131 would continue to command wide, open views over the adjacent countryside so that its outlook would remain satisfactory.
13. I conclude that the proposal would not unduly affect living conditions at No 131. It therefore accords in this respect with the aims of WHDP Policy D1, the SDG and the Framework, to achieve high quality design that creates and protects a good standard of amenity.

Conclusion

14. Despite my more positive finding on the second key issue, the harm to local character and appearance is sufficient reason for me to conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR