



Appeal Decision

Site visit made on 28 January 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2021

Appeal Ref: APP/C1950/D/20/3262540

4 Bramble Road, Hatfield AL10 9SA

- 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 D Patel against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2020/1759/HOUSE, dated 16 July 2020, was refused by notice dated 30 September 2020.
 - The development proposed is the demolition of the existing detached garage to facilitate the erection of a single storey front extension to include a replacement garage, a single storey part first floor side extension and a single storey, part two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the host property and the area; and
 - The living conditions of adjacent occupiers, with particular regards to privacy; and light to, and the outlook from, 6 Bramble Road.

Reasons

Character and appearance

3. The properties along this part of Bramble Road are mostly semi-detached, but often linked to the adjacent pair by a single storey section. As evidenced by the aerial photographs in the appeal statement many have been recently extended or altered. Nevertheless, to the front most broadly retain their original form and design features. Even to the rear, I observed that whilst many have single storey projections, above ground floor level they overwhelmingly retain an uncomplicated form, and a simple hipped roof. These attributes all contribute to a locally distinctive sense of rhythm and cohesion.
4. The style of the appeal property is typical of the area. Whilst the submitted location plan shows that its footprint is smaller than many nearby properties, its two storey bulk and form are broadly consistent with them, and it does not appear unusually small or out of place.

5. The Council's Supplementary Design Guidance 2005 ('SDG') sets out, amongst other things, that residential extensions should complement the character of the existing dwelling and be subordinate to it in scale.
6. I have few details of a previous scheme on the site that was dismissed at appeal (Ref: APP/C1950/D/12/2177644). However, as the proposed front projecting garage in this proposal would roughly align with the front face of the garage at 6 Bramble Road ('No 6'), I understand that it differs materially from that element of the dismissed scheme. Linked garages are common in the road, and this one would not be unduly prominent or stand out in the streetscene.
7. However, the scheme's complex roof structure to the rear would jar with the design of the host, and with the generally much simpler form and style of nearby properties. Moreover, although the rear extension's roof would be set down, given the scheme's scale and its significant two storey depth, including its long flank wall, it would not be clearly subordinate to the host property.
8. I have few details of the extensions that have been granted planning permission some distance from this site at 93 Bramble Road. However, this scheme would not respect the more modest scale and simpler form of nearby properties, and whilst it would not be prominent in the streetscene, that harmful impact would be clearly evident from their rear gardens and windows.
9. Amongst other things, policies D1 and D2 of the Welwyn Hatfield District Plan 2005 ('WHP') require high quality design which adheres to the SDG, and which respects and relates to the character and context of the area. For the above reasons, notwithstanding the proposed use of matching materials, the scheme would harm the character and appearance of the host property and the area. It would therefore conflict with those policies, along with the similar approach to good design which responds to local character in the National Planning Policy Framework ('Framework').
10. Whilst the appellant points to the age of the WHP, as those policies are consistent with the Framework, they are not out-of-date, and I have given them great weight in my decision.

Living conditions

11. Amongst other things, the SDG sets out that extensions should not cause loss of light to, or be unduly prominent from, adjoining properties due to their length, height or proximity.
12. Given the staggered siting of No 6 relative to the appeal property, the scheme's long two storey side wall would extend well beyond its rear face. Whilst the proposal would be set in from that side boundary, its significant height and depth would give rise to an overbearing impact on those occupants. That impact would be far greater than from the host's existing single storey rear extension, conservatory and garage, and would be felt particularly acutely in those parts of No 6's garden closest to the dwelling's rear face.
13. For the same reasons, given their respective siting, and having regard to the sun's trajectory, based on the limited available evidence I cannot be sure that the scheme would not also give rise to a significant loss of light, including direct sunlight, to No 6 and parts of its south-facing garden, particularly in the afternoon and evening.

14. Given their use and the need for privacy, bedroom windows may give rise to less significant overlooking than windows in other habitable rooms. However, in this case there would be a view from the scheme's side-facing bedroom window looking straight down into No 6's adjacent rear garden. Although a degree of overlooking is commonplace in areas such as this, that impact here would be materially worse than from typical rear-facing first floor windows from where the outlook is generally down a property's own garden, with only more oblique views to often more distant parts of neighbouring gardens.
15. As this is a habitable room, the overlooking of No 6's garden would be significantly greater than as a result of more fleeting views from the property's existing staircase window. Whilst the impact could be mitigated by requiring the bedroom window to be obscurely glazed, as that would leave it without an outlook, it would not provide good living conditions for the occupants.
16. However, given the angles of view, there would not be significant overlooking from this bedroom window into No 6's habitable rooms.
17. For the above reasons, the scheme would conflict with WHP Policy D1 which requires development to incorporate the design principles in the SDG. In that regard, the policy and the SDG are consistent with the Framework's stance, with which the scheme would also conflict, of ensuring a high standard of amenity for existing and future users. However, as WHP Policy D2 addresses the character and context of an area, it is of limited relevance on this issue.

Other matters

18. The scheme would make an effective use of the land and I understand that it would provide space for the appellant and his family to live, including room to work from home. There would also be a modest benefit to the local economy during construction and from subsequent occupation.

Conclusion

19. The scheme would not respect the character and appearance of the host property and the area; and it would impact the living conditions at 6 Bramble Road to a harmful degree.
20. The modest benefits that it would deliver would not outweigh the significant harm that it would cause. The scheme would conflict with the development plan when considered as a whole, and it does not benefit from the Framework's presumption in favour of sustainable development.
21. Whilst I have considered all representations by interested parties, given my findings on the main issues, the additional matters raised have not been determinative in this case. The appeal is dismissed.

Chris Couper

INSPECTOR