



Appeal Decision

Site visit made on 25 August 2021

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Appeal Ref: APP/C1950/D/21/3272036

58 Tolmers Road, Cuffley, Potters Bar EN6 4JY

- 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 Mrs Emine Keles against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2021/0112/HOUSE, dated 13 January 2021, was refused by notice dated 11 March 2021.
 - The development proposed is the erection of a part single, part two storey rear extension with Juliette balcony, enlargement of existing front porch, front dormer, alterations to existing window openings and proposed window openings to dwelling house
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are the effect of the proposal on:
 - The character and appearance of the host dwelling; and
 - The living conditions of neighbouring residential occupiers at 60 Tolmers Road (No.60) with reference to outlook and loss of light.

Procedural Matters

3. The description of development varies between the documents submitted for this appeal. For clarity I have used the description used in both Welwyn Hatfield Borough Council's (the Council) decision notice and the appellant's appeal submission.

Reasons

Character and Appearance

4. The appeal dwelling is a generously proportioned two storey early 20th Century semi-detached house with good sized front and rear gardens. It is located at the junction of Oak Lane with Tolmers Road in a residential area of similar sized and situated properties, whose appearance add considerable character to the streetscene of the local area.

5. The appeal dwelling has already been the subject of extensions to both the front and rear, along with a loft conversion. The proposed part single part two storey extension to the rear, adds considerably to the size of this part of the appeal dwelling. However, given its existing scale and generous plot and the limited views afforded from both public and private realms, the proposed extension would not result in the appeal dwelling being out of keeping with the similarly scaled and extended properties in the immediate local area.
6. The proposed front porch would be larger than the existing front porch and would have a roof whose pitch would not reflect the roof pitch of the existing porch, which mirrors that of the main roof form of the appeal dwelling. The additional dormer window would however match the design of the existing front dormer windows, including their roof detail and junction with the main roof form.
7. The proposed dormer would not appear to me to be positioned so that it would have a cramped appearance or, in combination with the existing dormer, result in clutter, but by reflecting the design and scale of the existing dormers would blend suitably with the roof form and be complimentary to the overall appearance of the appeal dwelling.
8. However, the proposed front porch would have a shallow roof profile that would sit uncomfortably with the steeper angles of the roof of the main house and would also have a plain brick form and an absence of complimentary detailing and contrasting fenestration.
9. The appellant has drawn my attention to the front porch of the appeal dwelling's semi-detached pair at 60 Tolmers Road (No.60) that they have indicated was a design exemplar. However, notwithstanding its extensive use of brick and unsympathetic fenestration, its design, unlike that of the proposal, incorporates angles of roof pitch and detailing that draw on the architectural design of No.60. Unlike the appeal proposal, this results, on balance, with the porch to the neighbouring property sitting comfortably with its host dwelling and not in conflict with it. I have therefore afforded this little weight in my considerations.
10. For the reasons given, I find that the proposal for the enlarged porch to the appeal dwelling appears as an uncomplimentary and, therefore, incongruous addition to the host dwelling, which would cause significant harm to its appearance and character, contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan (2005) (the District Plan) and paragraph 130 of the National Planning Policy Framework (2021) (the Framework) that seek high quality design in new development, including extensions, and that these respect and relate to the area in which they are proposed and enhance or improve its existing character.

Living Conditions

11. The proposed ground floor element of the proposal would extend approximately 3 metres further rearward than the existing ground floor of the appeal dwelling. This would equate to a flank wall projection of approximately 5 metres from the rear wall of the appeal dwelling's semi-detached pair at No.60 and would be positioned directly on the boundary between these two dwellings.

12. Although I have found that the scale of the proposed rear extension would not harm the appearance and character of the host dwelling, the projection and scale of the proposed extension would be in close proximity to a ground floor window of No.60. As the proposal is to the south of this window, its scale and projection would result in a loss of light and an overbearing presence, which, in combination, would be experienced by the occupiers as oppressive.
13. The appellant has drawn my attention to a possible prior approval under the provisions of the GPDO for a rear extension of the type proposed. Whilst this may potentially represent a realistic fall-back position for the appellant, it would result in the same overbearing effect that I have identified and would have to undergo the necessary consultations with neighbours in this regard.
14. I therefore conclude that, for the reasons given above, the proposal would result in significant harm through loss of light and outlook to the living conditions of the occupiers of No. 60. This would be contrary to Policies D1 of the District Plan and paragraph 130 of the Framework (2021), which seek to ensure that developments are of a high standard of design, creating places that promote health and well-being, with a high standard of amenity for existing and future users.

Other Matters

15. Whilst the appellant has raised concerns with regard to the nature of the communication from the council on the issues raised by their proposal, these are not matters I can consider as part of this appeal and can be raised directly with the Council through their existing procedures.

Conclusion

16. For the reasons given the appeal is dismissed

Victor Callister

INSPECTOR