



Appeal Decision

Site visit made on 20 October 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27.10.2023

Appeal Ref: APP/C1950/D/23/3326432 15 High Dells, Hatfield AL10 9JD

- 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 Tuakkar against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2022/2681/HOUSE, dated 22 November 2022, was refused by notice dated 22 May 2023.
 - The development proposed is a rear first floor extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Welwyn Hatfield Local Plan 2016–2036 was adopted in October 2023 ('the LP'). As a result, the policies in the Welwyn Hatfield District Plan 2005, which are referred to in the Council's decision, have been replaced, and I have had no further regard to them. The appellants were given an opportunity to comment on the LP policies during the course of this appeal.
3. The appellants assert that this proposal benefits from deemed permission by virtue of Part 1 Class A.1(h) and (i) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This I doubt given the height of its eaves above ground level. In any event, there is a separate mechanism under Section 192 of the Town and Country Planning Act 1990 to establish whether proposed operations would be lawful. I have therefore dealt with the scheme before me under Section 78 of the Act, and on its planning merits.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

5. The properties in this part of High Dells are two storeys high, and mainly arranged in short terraces, some of which, including the terrace on this site, are perpendicular to the road. I observed that some of the properties have been extended at ground floor level to the rear, but the buildings overwhelmingly retain a simple form, with gabled roofs.

6. The host sits in the middle of a typical short terrace. The proposed first floor extension would be sited above an existing ground floor projection. At around 7.1 metres wide, it would span almost all the rear face of the property. Although the roof would be set down slightly below the terrace's ridgeline, given its expanse it would have a significant bulk. As a result, although the extension would be only 3 metres deep, it would not be entirely subordinate to the host dwelling, and its hipped roof would have a contrasting form.
7. Additionally, the expanse and form of the scheme would sit very awkwardly alongside the narrower, slightly shorter, gabled rear projection at 17 High Dells ('No 17'), and it would be very much at odds with the simple gabled roofs, which are so characteristic of the area.
8. Notwithstanding the scheme's rearward location and the projection at No 17, and the proposed use of matching materials, the harm that would be caused to the character and appearance of the host property and to the area would be visible in the streetscene in angled views between trees and landscaping from High Dells. It would also be apparent from the rear gardens of the terrace to the west.
9. Policy SP 10 of the LP sets out the need for sustainable design, Policy SP 3 sets out the broad settlement strategy, Policy SP 18 addresses a land allocation, and Policy SADM 11 refers to amenity standards. They are therefore of little or no relevance on this issue.
10. However, amongst other things, and in general terms, Policy SP 9 of the LP sets out the need for high quality design, which relates well to its context and to the character and proportions of the existing building. For the above reasons, the scheme would conflict with that approach, and with the similar requirement in the National Planning Policy Framework 2023 for good design which is sympathetic to local character.
11. It would also conflict with the Council's Supplementary Design Guidance 2005, which sets out at paragraph 5.2 that extensions should complement and reflect the design and character of the dwelling, and be subordinate to it in scale.
12. For these reasons, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR