



Appeal Decision

Site visit made on 9 July 2024

By Terrence Kemmann-Lane JP DipTP FRTPI MCMi

an Inspector appointed by the Secretary of State

Decision date: 29th July 2024

Appeal Ref: APP/C1950/D/24/3343792

95 Robbery Bottom Lane, Welwyn, AL6 0UL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms L Daviela Pop against the decision of Welwyn Hatfield Council.
 - The application Ref is 6/2023/2558/HOUSE.
 - The development proposed is the retention of detached outbuilding, single storey side extension with loft accommodation within roof space and associated works including dormer windows and rooflights, single storey rear conservatory, alterations to main dwelling with an attached front garage and link extension.
-

Decision

1. The appeal is allowed and planning permission is granted for the retention of detached outbuilding, single storey side extension with loft accommodation within roof space and associated works including dormer windows and rooflights, single storey rear conservatory, alterations to main dwelling with an attached front garage and link extension at 95 Robbery Bottom Lane, Welwyn, AL6 0UL in accordance with the terms of the application, Ref 6/2023/2558/HOUSE, and the plans submitted with it, subject to the following condition:
 - 1) The external surfaces of the development hereby permitted shall match those of the existing building.

Main Issue

2. The main issue in this case is the effect of design of the front extensions on the character and appearance of the existing property, its neighbours and the wider street scene.

Reasons

3. The appeal site is occupied by a chalet style dwelling on a large plot which is elevated due to its position on a hillside. As with other dwellings on the upper levels, there is a long driveway leading up to the dwelling, which is built behind dwellings lower down, near to the road. The properties in Robbery Bottom Lane are varied in character and style but have an unusual relationship with one another because of the topography and their spacing. There are examples of single storey front extensions including garages in the vicinity. It is only the front elevation of the garage that can be seen from Robbery Bottom Lane.

4. It is the attached garage and link extension that led to the refusal of the appeal proposal as a whole. It is important to note that the as-built situation at the site, in respect of the front extension/garage element, is different from that of the appeal proposal. Neither the decision notice nor the officer's report make explicit reference to this, but it is implicit within the report through discussion of the elements as separate entities. The submitted plans show the property before any extension, separate plans show the proposal as-built, and lastly a set of plans show the proposal, which is a combination of the as-built elements with some alterations proposed to mitigate the council's concerns. The appeal proposal seeks to reduce the amount of built form through splitting the garage from the main property and reducing its height and footprint and that of the extension. Therefore, my decision rests on the set of plans that show an altered form of development to that built.
5. The proposed plans show an extension from the front of the dwelling, behind the garage and separated from it by 1m. Steps would go down in this space to the rear of the garage. The extension and garage would extend from the front elevation of the dwelling by a total of 11m, including the 1m gap. The extension would be reduced in height by 0.5m and the garage by 1.3m; the width of the latter would be reduced to some 5.5m (this is measured for a print as it is not given a dimension on the drawing).
6. The access drive up to the appeal property already has garages facing down the slope, and these are common features of this part of Robbery Bottom Lane. It is only the front of the proposed garage that would be viewed from the road, and in these surroundings, it would not be obtrusive or out of character with the area. Once up to the area in front of the dwelling, the garage encloses a brick paved forecourt that provides a pleasant entry and additional parking. The extension to the front of the house, as a small element detached from the garage, would add to the enclosure of the forecourt and be subordinate to the house. Both elements of the proposal would relate satisfactorily with the house in terms of finishes and detailing.
7. The officer's report accepts that there would be no a loss of privacy, overlooking, overdominance, sunlight, daylight or outlook to the detriment of neighbouring properties at No.91 or 97 (No.93 being further down the hill).

Conclusions

8. Having taken account of all matters raised, I conclude that the design of the front extension and the garage would not have a detrimental effect on the character and appearance of the existing property, its neighbours and the wider streetscene. Except for the front of the garage, the combined controversial elements are not visible from the streetscene, and the front of the garage is similar, but less obtrusive, than other garages in the immediate area. The extension and garage would relate well to the existing house, being of a size and form that is subordinate and blending well with materials that match the existing. These elements are barely visible from the neighbours, with only a glimpse of them through the boundary planting from No.97.
9. I therefore conclude that the proposed development would be in accord with Policy SP1 and SP9 of the recently adopted Welwyn Hatfield Borough Council Local Plan 2016-2036, Supplementary Design Guidance 2005, and the National Planning Policy Framework. Therefore the appeal will be allowed.

Conditions

10. Since much of the appeal development is already in place, the statutory condition that provides a time limit on the start of development is not appropriate. The council has suggested 2 conditions in the event that the appeal is upheld. These would require the external surfaces of the development to match those used in the existing building, and that the development be carried out in accordance with the plans. I consider that the first of these conditions should be imposed to ensure that the appearance of the development permitted integrates with the existing in a visually satisfactory manner, but the second can be incorporated in the text of the permission for certainty and avoidance of doubt as to the development permitted.

Terrence Kemmann-Lane

INSPECTOR