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## Appeal Decision

Site visit made on 10 September 2024

**By Terrence Kemmann-Lane JP DipTP FRTPI MCMI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 September 2024**

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**Appeal Ref: APP/C1950/D/24/3344603**

**125 Dawley, Welwyn Garden City, AL7 1EB**

- 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 Mr Gent Sadiku against the decision of Welwyn Hatfield Council.
  - The application Ref is 6/2024/0437/HOUSE.
  - The development proposed is the erection of a two storey rear and side extension. Installation of new front windows. Relocation of entrance door to new extension.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this case are: i) the effect on the character and proportions of the existing building, the surrounding context and streetscene; ii) the effect on the residential amenity of the neighbours at 123 and 127 Dawley.

### Reasons

3. This part of Dawley has a staggered building line, with alternating pairs of 2-storey semi-detached houses with detached houses in between. The appeal property is a two storey, detached dwellinghouse, and like the other detached houses, is built forward of the front building line of the neighbouring houses at Nos.123 and 127 Dawley.
4. The appeal property has a flat-roofed extension at the front, towards No.127, that provides the entrance door and a wc. This 'porch' overlaps with the front of No.127, so that the entrance door to that property is seen just beyond the appeal property porch. The porch looks as though it is an addition, although there is a similar example further along the road. The rear elevation of 125 Dawley is set barely a third of the way back to the rear elevations of the 2 houses on either side. In addition there is a ground floor side and rear extension to No. 127 that continues beyond the proposed rear extension of the appeal dwelling.
5. The semi-detached houses have symmetrical gabled roofs, whilst the appeal dwelling and its like, have asymmetrical roofs, with the ridge offset roughly  $\frac{1}{3}$  -  $\frac{2}{3}$  across the frontage. The appeal property and the other detached houses have almost blank elevations to the road, with a single high level window at ground-floor level. The flank wall of the appeal dwelling and its neighbour at No.123 are separated by a gap of approximately 3.5m or so.

6. The houses on the other side of this part of Dawley have some similar characteristics, of detached and semi-detached forms, with the detached having asymmetrical roofs, but on that side of the road the houses have more space between them. Some properties in the road have been extended. The general character of this part of Dawley is a little bleak, although on the side opposite the appeal site there are well hedged front gardens with a reasonably wide grass verge beyond the footpath, with small trees.

The effect on the character and proportions of the existing building, the surrounding context and streetscene

7. The National Planning Policy Framework and the Local Plan have general policies that seek good design that relates well to the character of the location and the existing buildings. Of greater relevance to this appeal is the council's Supplementary Design Guide.
8. The Design Guide includes the statement *"For all multi-storey, two-storey and first floor side extensions, a minimum distance of 1m between the extension and the adjoining flank boundary must be maintained; it is important that existing spacing in the street scene is reflected which may result in larger distances being required. This spacing is to prevent over development across plot widths and a terracing effect within areas of detached and semi-detached properties, to ensure that the extension of a dwelling does not prejudice the ability of an adjacent occupier to extend without destroying any separation spaces that exist and to preserve the amenity of adjoining dwellings including those whose rear gardens adjoin the proposed extension"*.
9. The appeal proposal does maintain a 1m gap to the boundary with No.123, but the remaining gap between the appeal house and this neighbour would then be of the order of 2.5m. Bearing in mind that the spacing between the detached and semi-detached houses on Dawley is reasonable generous on the south-east side (left hand side looking at the front of the houses), the scheme would prejudice the ability of the neighbour at No.123 to extend without having a harmful effect on the existing character of the road.
10. Aside from this particular point that comes from the Design Guide, the proposal would effectively result in the roof form becoming symmetrical, which the small set back to the side extension would not hide. A further feature that would be detrimental to the overall appearance of the detached houses in the streetscene is that the elevation to the road would be substantially changed by the incorporation of large windows in the front elevation, together with a front door and smaller window at the side. The combination of these new elements would be harmful to the character and proportions of the existing house and the rhythm in the streetscene.
11. Having made this judgement, I would remark that the effect of the side and rear extensions away from the public domain, whilst changing the form and mass of the house to a considerable extent, do not of themselves relate to the decision that must be made on the first issue. The design of the house and the similar dwellings in Dawley is not of such a quality that additions on the private side are of great significance, since they do not erode the quality of the streetscape.

The effect on the residential amenity of the neighbours at 123 and 127 Dawley.

12. The extension to the rear of the appeal dwelling would extend back by 4m from the present rear elevation of the house. However this would more or less bring it in line with the original rear elevations of both Nos. 123 and 127. Nevertheless, at 2 stories, the result would be an overbearing addition next to No.127, with some loss of outlook to its flank windows which would be somewhat oppressive. There would also be a sense of intrusion from the study window at the front northwest corner which would overlook all visitors that approach the front door of this neighbour.
13. In respect of No.123, the side extension would have only a limited effect on outlook, daylight and sunlight to the flank windows facing the extension, but the proximity of the first floor bedroom window to the within 1m of the boundary, even with the small off-set, would result in a undesirable loss of privacy to the bedroom across the diminished gap.

### **Conclusion**

14. On the first issue I find that the changes proposed to the appearance of the appeal dwelling from the public domain would be harmful to the character and proportions of the existing house and the rhythm in the streetscene for the reasons given in paragraph 10 above. In addition, the proposed extensions would have deleterious effects on the neighbours at Nos.123 and 127 for the reasons given in paragraphs 12 and 13. Having taken account of all other matters, for these reasons I will dismiss the appeal.

*Terrence Kemmann-Lane*

INSPECTOR