



Appeal Decision

Site visit made on 29 January 2025

by **K E Down MA(Oxon) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th February 2025

Appeal Ref: APP/C1950/D/24/3352342

59 Chelwood Avenue, Hatfield, Hertfordshire, AL10 0RF

- 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 Bashar Edais against the decision of Welwyn Hatfield Council.
 - The application Ref is 6/2024/1307/HOUSE.
 - The development proposed comprises a single storey extension to rear, two storey extension to the side and loft conversion with a dormer to the rear.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed development on the character and appearance of the host dwelling, the adjoining terrace and the surrounding area, including the street scene of Chelwood Avenue; and secondly, the effect of the single storey rear extension on the living conditions of occupiers of 57 Chelwood Avenue with respect to outlook and light.

Reasons

3. The appeal dwelling is an end of terrace two storey house set in a street of similar dwellings interspersed by semi-detached bungalows. The street is characterised by its uniformity and pleasing sense of rhythm. The terraces on the same side of the street as the appeal dwelling have a characteristic arrangement as pairs of dwellings with the mid-terrace dwellings linked by a set back first floor section with a set down ridge. The end terrace dwellings have a single storey side projection with a prominent roof that is set well back from the front elevation but extends beyond the rear elevation. The street layout is spacious with noticeable gaps between terraces.
4. The Council's Supplementary Design Guidance (SDG), 2005, expects extensions to complement and reflect the design and character of the dwelling and be subordinate to it. Moreover, extensions should not reduce the space around a dwelling such that it appears cramped or fails to reflect the spacing of nearby buildings.
5. The proposed two storey side extension would replace and be wider than the existing single storey projection, extending to the site boundary. It would have a

ridge height to match the main dwelling and apart from a minimal set back from the front elevation would be the same depth as the main dwelling. It would be clearly visible in the street scene. Its width and lack of either set down or set back would upset the regular rhythm of the terrace, appearing bulky and out of place in the context of the appeal dwelling and terrace as a whole.

6. It would noticeably reduce the gap between the appeal dwelling and its non-attached neighbour. Notwithstanding that the two dwellings are separated by a public footpath and the neighbour is a bungalow this, coupled with the lack of any separation between the extension and the side boundary, would result in a cramped appearance that would have a detrimental effect on the feeling of spaciousness. Overall, the side extension would not appear subservient or sympathetic to the host dwelling, the terrace or the surrounding street scene.
7. The single storey rear extension would occupy the full width of the dwelling, including the proposed two storey side extension, and would have a depth of some 5m. Although not readily visible from beyond the site owing to high boundary fences, it would be seen from neighbouring properties from which its appearance, in combination with the two storey side extension and in particular its width, extending to the side boundary, would add to the overdeveloped and cramped appearance of the site.
8. The proposed dormer would be large but would sit within the roof slope of the original dwelling, being set in from either side, up from the eaves and just below the ridge. Fenestration would be arranged to reflect that in the first floor rear elevation. Owing to the proposed two storey side extension, a wide gap would be maintained to the flank wall which would provide screening from Chelwood Avenue. Whilst the SDG suggests that dormers should be set in by 1m from the party wall of the host dwelling, in this case where the gap to the flank wall would be generous and the dormer would appear modest in the context of the terrace as a whole, I do not find this essential.
9. The appellant contends that many other dwellings in the street have had larger extensions than those proposed but the similar dwellings I saw appeared from the street to be predominantly unaltered and I did not see any that had extensions comparable with the proposals before me.
10. It is concluded on the first main issue that whilst the rear dormer would, in the context of other additions, be acceptable, the proposed extensions, and in particular the two story side extension, owing to their scale and design would have a materially detrimental effect on the character and appearance of the host dwelling, the terrace and the surrounding area, including the street scene of Chelwood Avenue. In consequence, they would conflict with Policies SP1 and SP9 of the Welwyn Hatfield Borough Council Local Plan, 2016-2036 (LP), adopted 2023, and the Council's SDG. Taken together and amongst other things these expect new development to be well designed such that it responds to the local character and context and relates well to its surroundings which, in the case of extensions, includes complementing and reflecting the design and character of the host dwelling and being subordinate to it.
11. Turning to the living conditions of occupiers of No 57, that dwelling has a shallow single storey rear extension. The proposed extension would be some 5m deep and some 3m high with a flat roof. The proposed extension would therefore project

beyond the rear extension at No 57 by somewhere in the region of 3-4m. The two plots are separated by a high, close boarded fence some 2m high and the rear of the dwellings face north.

12. In view of the limited projection beyond the extension at No 57 and the height of the boundary fence I am satisfied that the proposed extension would not appear overbearing or oppressive when seen from No 57 and that there would be no material loss of light. Moreover, the north facing orientation would ensure that any overshadowing was minimal and also restricted to limited times of the day and year.
13. It is concluded on the second main issue that the proposed single storey rear extension would have no materially harmful effect on the living conditions of occupiers of 57 Chelwood Avenue with respect to outlook or light. In consequence, it would comply with Policies SP9 and SADM11 of the LP and the Council's SDG. Taken together and amongst other things these expect new development to protect the amenity of existing buildings and in particular not be overbearing or result in unsatisfactory levels of light.
14. Notwithstanding the lack of harm to the living conditions of neighbours, this would not alter or outweigh my findings of harm to character and appearance. Therefore, for the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR