

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 16 AUGUST 2018
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

Appeal Decisions 05/07/2018 to 03/08/2018

6/2017/2900/HOUSE	
DCLG No:	APP/C1950/D/18/3200862
Appeal By:	Mr L Francischelli
Site:	28 King James Avenue Cuffley Potters Bar EN6 4LR
Proposal:	Erection of first floor loft conversion and installation of three dormers to front elevation.
Decision:	Appeal Dismissed
Decision Date:	16/07/2018
Delegated or DMC Decision:	Delegated
Summary:	<p>The main issue was the effect of the proposed development on the character and appearance of the local area. The Inspector noted that there was considerable variety in the street scene and that a number of properties had been altered, including at roof level. The appeal dwelling stood in the middle of three detached bungalows that front the same side of the road and they are staggered with number 28 set back from number 26 and noticeably forward of number 30. The Inspector found that the proposed extensions to the bungalow would result in a building which appeared noticeably more substantial in built form than the bungalows on either side and would significantly gain prominence in the street. The Inspector found that the ridge line, high eaves, deep upper flank wall and sides of the new dormers would all combine to emphasise the considerable scale and bulk of the new building. When viewed in combination with the neighbouring dwellings, the extended dwelling would appear overly large and bulky resulting in an uneasy relationship and imposing presence. The Inspector noted other similar examples from elsewhere but found that none replicated the situation with the appeal site. The Inspector concluded that the proposal would materially harm the character and appearance of the local area and would be contrary to Policies D1 and D2 of the District Plan and the Council's Supplementary Design Guidance.</p>
6/2017/2423/FULL	
DCLG No:	APP/C1950/W/18/3193893
Appeal By:	Mr A Nicholas
Site:	24 London Road Welwyn AL6 9JD
Proposal:	Erection of 1 x 3-bedroom detached dwelling following demolition of garage and conservatory and enhancement of amenity space. Erection of shed

Decision:	Appeal Allowed with Conditions
Decision Date:	18/07/2018
Delegated or DMC Decision:	Delegated
Summary:	<p>The Inspector noted that a previous application for similar development was dismissed at appeal in 2016 and, at that time, the previous Inspector found that the proposal would harm the living conditions of neighbours, but would have an acceptable effect on the character and appearance of the area. This was a material consideration and the Inspector found no reason to disagree with that view. Therefore, the main issue in this appeal was the effect of the proposal on the living conditions of the occupiers of 24 London Road, with particular regard to garden space. The Inspector noted that the proposed dwelling would be located next to the donor property and that a garage and a conservatory would be demolished in order to facilitate this. The Inspector cited the Council's Supplementary Design Guidance (SDG) which states that the Council does not wish to impose rigid standards for garden sizes and that the garden should be functional and usable in terms of orientation, width, depth and shape, and that the size should relate to the nature of the property. At 97 square metres, the Inspector considered the proposed garden area to be more than sufficient for a three bedroom family home (the donor property). The size and shape of the garden was also found acceptable and although the orientation was north east, this would not represent a change to the existing situation. In allowing the appeal the Inspector included a number of planning conditions including landscaping, car parking and construction method. The proposal was found not to conflict with Policy D1 of the District Plan, or emerging Policy SADM11 of the Draft local Plan or the SDG.</p>
6/2017/2305/FULL	
DCLG No:	APP/C1950/W/18/3193358
Appeal By:	Mr V Basho
Site:	7 Briars Lane Hatfield AL10 8EP
Proposal:	Erection of a 2-bedroom house with associated parking and private garden following the demolition of existing garage
Decision:	Appeal Dismissed
Decision Date:	18/07/2018
Delegated or DMC Decision:	Delegated
Summary:	<p>The main issues were the effect of the proposal on the character and appearance of the area, whether acceptable living conditions would result with regard to garden space and the effect of the proposal on the living conditions of 7 Briars Lane and 1 Dellfield Lane with regard to light, outlook privacy and garden space. The Inspector identified that the prevailing character of the area was that of groups of dwellings with long, narrow plots. The exception to this being those sited mainly on corner plots. No. 7 Briars Lane is semi-detached and located on the corner of Dellfield Lane and as a consequence has a large side garden which the Inspector found to contribute positively to the spaciousness of the area. It was found that the subdivision of the garden of No.7 for the existing and proposed dwellings would not be characteristic of those in the local area and would substantially reduce the</p>

gap between No.7 and No.1 significantly eroding the openness associated with the corner plot. This would result in limited space for the new house. As a consequence, the Inspector found that the proposed two storey dwelling would be an incongruous addition, harmful to the spatial pattern of the area and disrupting the visual symmetry of the street. On the second issue, the Inspector found that the closeness of No.7 to the appeal site means that some windows would overlook the garden of the proposed dwelling, which would be the only private space available and that, as this area would be overlooked, it would not provide a good quality garden area. On the final issue the Inspector found no conflict. Overall, the proposal was found to be unacceptable and contrary to Policies H2, D1 and D2 of the District Plan, the Supplementary Design Guidance and the National Planning Policy Framework.