

A1433



## Appeal Decisions

Site visit made on 22 September 2008

by Malcolm Rowe

an Inspector appointed by the Secretary of State  
for Communities and Local Government

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Decision date:  
11 November 2008

### Appeal Ref: APP/C1950/A/08/2067422 (Scheme A) 36 Theobalds Road, Cuffley EN6 4HL

- 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 T Leake against the decision of Welwyn Hatfield District Council.
- The application Ref S6/2007/1498/FP, dated 10 October 2007, was refused by notice dated 5 December 2007.
- The development proposed is first floor and side extension and interior alterations.

### Appeal Ref: APP/C1950/A/08/2070234 (Scheme B) 36 Theobalds Road, Cuffley EN6 4HL

- 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 Trevor Leake against the decision of Welwyn Hatfield District Council.
- The application Ref S6/2007/1965/FP, dated 2 December 2007, is date stamped as received by the Council on 31 December 2007 and was refused by notice dated 25 February 2008.
- The development proposed is a first floor and side extension.

### Decisions

1. I dismiss the appeals.

### Main issues

2. The main issues in these cases are the effect of the proposals on:-
  - a) the character and appearance of the host dwelling and the street scene; and
  - b) the living conditions of the occupiers of No. 34 Theobalds Road with particular reference to daylight.

### Reasons

#### *Character and appearance*

3. The property is a modest bungalow with hipped roof built on simple lines. Both schemes incorporate a side extension measuring 14.6m deep and 2.6m wide. Although built in line with the front and rear elevations of the existing bungalow, the extension in Scheme A would be hard up against the boundary with No 34 to the north. In Scheme B the ridge height would be increased by about 0.8m and the hipped roof at the rear of the property would be re-modelled to a gable end. The depth of the property would not be increased

but in both schemes it would be significantly wider overall with the side extension built up to the boundary with No. 34.

4. In both cases, I judge that the resulting, distinct lack of separation between the properties would give the extended bungalow a cramped and ungainly appearance. This would be emphasised in the case of Scheme A by the awkwardly re-modelled garage roof with its gable end, at a height of about 4.5m, on the boundary. The appellants suggest that the design of the roof reflects that of a previous approval. However, I have no detailed information before me in relation to this and therefore give it little weight.
5. In Scheme A, the first floor extension would incorporate an asymmetrical, half-hipped gable and I consider that this together with the 1m increase in the ridge height would further spoil the balance and visual integrity of the property. The proposals would also significantly increase the bulk and mass of the property. I consider that, rather than appearing subservient, the enlarged roof and extensions would create top-heavy and over-dominant additions to this modest bungalow.
6. Similar general considerations would apply to the substantially enlarged roof in Scheme B. Even allowing for the larger footprint I consider that, rather than appearing subservient, the proposed extensions would both physically and visually overwhelm the original modest bungalow.
7. As things stand, the bungalow sits comfortably in its setting of similarly designed and well spaced dwellings on the western side of Theobalds Road. I consider in relation to both schemes that the unsympathetically extended bungalow on its cramped site would disrupt the prevailing pattern of development and the generally well ordered street scene.
8. My attention has been drawn to two bungalows which have recently been constructed as a complementary pair of dwellings at Nos. 32 and 32a Theobalds Road. I saw that those properties present simple hipped roofs to the street in keeping with the established run of bungalows to the south and while they are notably larger than No. 36 they maintain a reasonable separation from the smaller bungalows on either side. I also noted that No. 30 is somewhat divorced from the setting of No. 36, on the outside of a bend beyond the entrance to Theobalds Close. This property also maintains a reasonable separation from the adjacent dwellings and while it incorporates a half-hipped gable and dormers, the evidence before me is that the alterations to the roof did not demand an increase in the height of the ridge.
9. I have also taken into account that other dwellings in the area have been altered and extended and that the residential surroundings reflect a variety of styles and designs. However, those considerations do not lessen the adverse impact of the proposals in these cases, for the reasons I have given. Against this background, I conclude that, in both cases the proposed development would harm the character and appearance of the host dwelling and the street scene. It would also be in conflict with Policies D1 and D2 of the Welwyn Hatfield District Plan which require a high quality of design in all new development and for proposals to respect and relate to the character and context of their location.

10. I note the appellants' comments in Appeal A about a revised scheme, omitting the gable, as shown on drawing 409-08A, which forms the subject of Appeal B. However, I have determined Appeal A in relation to the plans which were submitted.

*Living Conditions*

11. A covered walkway, designed to let light through, is provided along the southern side elevation of No. 34. I saw that, aided by the separation between the properties and the set back position of No 36's garage, the ambient light level within the access passage was fairly good, albeit on a sunny day. However, in both schemes the proposed side extension to No. 36 would be built right up to the boundary with No. 34, at a maximum height of about 4.5m.
12. In both cases I judge that the introduction of such an imposing structure at such close range would overshadow the side aspect of No.34, so unacceptably reducing the ambient light to the passageway and the daylight available to the south-facing windows, particularly those serving the kitchen and dining room. In both cases, therefore, I conclude that the extension to No. 36 would spoil the residential neighbours' reasonable enjoyment of their property, contrary to the good design principles required by Policy D1 of the Welwyn Hatfield District Plan.
13. I have considered all other matters raised but there is nothing of sufficient weight to alter my decision that the appeals must fail.

*Malcolm Rowe*

Inspector