

Mr S Cook  
60 Bridge Road East  
WELWYN GARDEN CITY  
AL7 1JU

**Application No:** 6/2018/2824/HOUSE

**Date of Refusal:** 27 December 2018

**WELWYN HATFIELD BOROUGH COUNCIL, in pursuance of powers under the above mentioned Act, hereby REFUSE to permit: -**

**Development:** Erection of single storey front extension to existing garage to facilitate conversion of garage & part single part two storey rear extension following demolition of existing conservatory & alterations to openings  
**At Location:** 107 Eddington Crescent Welwyn Garden City AL7 4SX  
**Applicant:** Mr K Chinniah  
**Application Date:** 2 November 2018

In accordance with the accompanying plans and particulars, for the reasons specified below: -

1. The privacy of bedroom 3 through the clear and openable window would be greatly limited by virtue of the close proximity and direct relationship with the number of habitable ground and first floor rear facing windows and to a lesser degree rear gardens from the row of terrace (97-105 Eddington Crescent) Therefore the proposed development would not provide satisfactory living conditions for its current and future occupants.

Accordingly, the proposal would be contrary to the provisions of the National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.

2. The proposed first floor flank window which serves bedroom 3 is clear and openable. This window is approximately 12 metres away from the rear elevation of the row terraces (97-105 Eddington Crescent) and approximately 3 metres away from the rear boundary line of the small rear gardens of these properties. It should be noted that the most direct relationship is with 99 and 101 Eddington Crescent. The privacy of these neighbours would be greatly limited by virtue of the close proximity and direct relationship with this clearly glazed, main habitable window. Therefore the proposal would result in an unacceptable loss of privacy and overlooking to the rear elevations, which includes main habitable windows and doors, and all of the small rear gardens of 97-105 Eddington Crescent with the most affected properties being 99-101 Eddington Crescent. Accordingly, the proposal would be contrary to the

provisions of the National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005.

3. The proposal fails to provide adequate on-site parking to accommodate the proposed development. Accordingly, the proposal fails to comply with Policies D1, D2 and M14 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance 2005, the Supplementary Planning Guidance on Parking Standards 2004 and the National Planning Policy Framework 2018.
4. The proposed part two, part single storey rear extension, in regards to its overall scale, height, width, depth, massing and architectural detailing would fail to be subordinate in scale or appearance to the original dwelling and associated garage resulting in cramped and overly dominant additions which would fail to respect the form and scale of the original dwelling and associated garage.  
Accordingly, the proposal would represent a poor quality of design and would be contrary to provisions of the National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.
5. The proposed rear extension by virtue of its excessive height, width and depth combined with its proximity to the neighbouring property's rear boundary line and main habitable rear windows and doors would appear unduly overbearing and would result in a loss of outlook, daylight and sunlight to the rear of 109 Eddington Crescent and respective gardens. It would therefore have a detrimental impact on their residential amenity. Accordingly, the proposal is contrary to the provisions of the National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.

#### REFUSED DRAWING NUMBERS

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
4533-OS2		Block Plan	2 November 2018
4533-P01-DIM		Plans and Elevations as Proposed	2 November 2018
4533-E01		Plans and Elevations as Existing	2 November 2018
4533-OS1		Location Plan	2 November 2018

#### 1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).



Colin Haigh  
**Head of Planning**

## Town and Country Planning Act 1990

### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
  - 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse permission for
  - a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice;
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.