
Appeal Decision

Site visit made on 20 June 2017

by R Norman BA (Hons) MA MRTPI

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

Decision date: 21st July 2017

Appeal Ref: APP/C1950/W/17/3171041

85, Hardings, Welwyn Garden City AL7 2HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs L Banham against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2016/1468/OUTLINE, dated 20 June 2016, was refused by notice dated 10 November 2016.
 - The development proposed is new dwelling, driveway and crossover.
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Decision

1. The appeal is allowed and planning permission is granted for a new dwelling, driveway and crossover at 85 Hardings, Welwyn Garden City AL7 2HA in accordance with the terms of the application, Ref 6/2016/1468/OUTLINE, dated 20 June 2016, subject to the 7 conditions set out in the attached Schedule.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

3. The site currently comprises the side garden of No 85, Hardings. The surrounding area is characterised by residential development comprising of groups of similarly designed dwellings and No 85 is the end dwelling of a row of linked detached properties. The site is adjacent to a public footpath and beyond this footpath are bungalows. The proposed development would introduce a new dwelling into the site with new driveway.
4. The introduction of a dwelling into this site would not result in any harm to the character and appearance of the area as there is a transition from 2-storey dwellings in this location to single storey bungalows present on the other side of the footpath. Furthermore, the presence of the footpath retains a gap between the development and the adjacent bungalows. Therefore, whilst the development would be sited close to the footpath it would not result in a harmful relationship between the site and bungalows.
5. Although the proposal would be sited adjacent to the 2-storey property at No 85, rather than having a single storey garage link, there would still be adequate separation distance between the two properties and there would not be undue harm caused to the openness of the area. As such, when viewed in

the wider street scene, the siting of the development would not be harmful to the character and appearance of the surrounding area.

6. It is noted that the proposed dwelling would be detached, however, the existing dwellings to the immediate North West are linked only by their single storey garages. Therefore, when viewed in the wider street scene context they give the appearance of detached dwellings. As such there would be minimal loss of symmetry to the street scene as a result of this development. Furthermore, in the wider surroundings there is a mix of detached, semi-detached and terraced properties and therefore the introduction of a detached dwelling would not harm the character and appearance of the area in this instance.
7. The appeal is in outline form and as such no details in relation to the design or scale of the development have been put forward. I note that the Council refer to the dwelling as two-storey in their statement, however as no elevations have been provided I consider that the scale of the development is a reserved matter and will be detailed at a later stage. Nevertheless, I consider that a suitable design and scale could be achieved which would reflect the character and appearance of the existing dwellings.
8. The existing access would be retained for No 85 with a new vehicular access and driveway being created to the front of the proposed dwelling. The proposed layout would allow for adequate parking and garden space for both the proposed and existing dwellings. The dwellings in the surrounding area have driveways to the front of the properties and as such the proposed parking and access would not give rise to any undue harm to the visual amenities of the area. Furthermore, parts of the existing hedgerow would be retained which would partially screen the parking area from some angles and would reflect the existing character.
9. For the above reasons the proposal accords with Policies D1 and D2 of the Welwyn Hatfield District Plan which require developments to be of high quality and respect and relate to the character and context of the area, and therefore the development plan as a whole.

Other Matters

10. I note the comments made about the presence of a trunk water main. No evidence of this has been provided to me therefore I can give this limited weight in my judgement and I note that no comments were received from Affinity Water in the Council's initial Committee Report. Furthermore, issues of water mains would be considered as part of the Building Regulations process.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

Conditions

12. The Council has requested a number of conditions which I have considered against the advice contained in the Planning Practice Guidance. As a result I have amended some of them for clarity.
13. In addition to the standard time limit conditions I have included a condition listing the approved plans in the interests of clarity. The Council have

requested a condition for the provision of the parking area which meets the necessary tests and is therefore considered to be reasonable. In relation to the suggested landscaping conditions I consider that the details for the protection of trees and hedgerows, and the site levels are necessary. However the detailed planting plans, details of the retention of the hedge, means of enclosure and boundary treatments, details of hard surfacing and landscaping implementation are not considered necessary for a development of this scale as much of the landscaping will be personal preference for any future occupiers and the retention of the hedge is detailed on the approved plans.

R Norman

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: AT559-01 and AT599-02.
- 5) No development shall take place until full details of the finished levels, above ordnance datum, of the ground floor of the proposed building, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
- 6) The dwelling shall not be occupied until space has been laid out within the site in accordance with drawing no. AT599-02 for 2 cars to be parked and that space shall thereafter be kept available at all times for the parking of vehicles
- 7) All the trees and hedges shown on drawing no AT599-02 as "retained" shall be protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

[In this condition "retained tree/hedge" means an existing tree/hedge which is to be retained in accordance with the approved plans and particulars.]