

Appeal Decision

Site visit made on 16 July 2019

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 August 2019

Appeal Ref: APP/C1950/D/19/3227866

9 Ashley Close, Welwyn Garden City, AL8 7LH

- 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 & Mrs P Maton against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2019/0377/HOUSE, dated 18 February 2019, was refused by notice dated 16 April 2019.
 - The development proposed is erection of detached garage in rear garden with new crossover.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed garage and associated works on the character and appearance of the street scene of Woodlands Rise and the Welwyn Garden City Conservation Area; and secondly, the effect of the proposed vehicular access on highway safety.

Reasons

3. Ashley Close is a quiet, residential cul-de-sac accessed from Woodlands Rise, a leafy and pleasant residential estate road where trees, front garden planting, wide verges and mature hedging provide an attractive, low density setting. The area lies within the Welwyn Garden City Conservation Area (CA) and the Welwyn Garden City Conservation Area Appraisal, 2007, notes its green setting.
 4. The appeal dwelling, in common with most properties nearby, is a detached two storey house on a generous, well vegetated plot. It occupies a corner plot at the junction of Ashley Close and Woodlands Rise with one side boundary, which is marked by hedgerow and shrubby vegetation bordering Woodlands Rise. It has an integral garage and vehicular access from Ashley Close. At the time of my site visit the house was undergoing significant extension and alteration.
 5. The National Planning Policy Framework (NPPF) makes clear that conservation areas are designated heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, the
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NPPF advises that great weight should be given to the asset's conservation. Significance can be harmed through alteration of the heritage asset or development within its setting.

6. The proposed detached garage would be located close to the rear boundary of No 9 which is shared with 6 Woodlands Rise. It would project forward of both No 6 and the side elevation of No 9. A crossover would be installed and vegetation removed to create a 3.5m wide vehicular access. The driveway would widen beyond the boundary to occupy the full width of the proposed garage, some 5.75m. The garage would have a flat roof and be some 10m deep.
7. Flat roofed garages are characteristic of the nearby area. Nevertheless, most that I saw were single garages and closely associated with their host dwellings to which they were subservient. By contrast, the appeal garage would be remote from the host dwelling and although close to No 6 its size and significant forward projection would make it a prominent structure, clearly visible in the street scene through the proposed vehicular access and forming an uncharacteristic pattern of built development. Moreover, taken together with the large rear extension to No 9 and the elevated patio currently under construction it would erode a significant portion of the gap between Nos 9 and 6, leading to a noticeable loss of spaciousness.
8. Construction of the access and garage would result in the loss of vegetation, including a prominent Yew bush and a Holly, opening views into the site and diminishing the verdant, wooded character and appearance of this part of Woodlands Rise.
9. The appellants suggest that detached garages and crossovers are common in the area but, as stated above, most are closely associated with dwellings and accessed via the front gardens, thereby integrating them with the built development in the area. Moreover, in most cases dwellings appeared to have only one vehicular access, thereby limiting the effect on soft landscaping. It is further suggested that there would be no loss of important vegetation and that the loss of less significant specimens would be mitigated by proposed landscaping. However, owing to the need for access, new planting could not provide significant screening for the garage which would remain as a clearly visible and incongruous structure in the street scene.
10. The Council is also concerned that, in view of the existing integral garage and off street parking space for two vehicles accessed from Ashley Close, the amount of car parking space would be excessive and conflict with the Council's Interim Policy for Car Parking Standards which requires three spaces, and emerging Policy SP4 of the Welwyn Hatfield Borough Council – Draft Local Plan Proposed Submission (DLP), August 2016, which promotes sustainable travel. They suggest that since the additional parking would be at the expense of garden and landscaping it would not be justified. In the absence of any evidence to support the need for the proposed level of parking provision I agree.
11. It is concluded on the first main issue that the proposed garage and crossover would have a materially harmful effect on the character and appearance of Woodlands Rise and that they would fail to preserve or enhance the character

or appearance of the Welwyn Garden City CA. Although the harm to the CA would be less than substantial, there would be no discernible public benefits in allowing the proposed garage that would outweigh this harm. In consequence, the proposed development would conflict with Policies D1, D2, D8 and R17 of the Welwyn Hatfield District Plan (LP), 2005, the NPPF and the Council's Supplementary Design Guidance. Taken together these expect new development to be of a high standard of design which respects and relates to the character and context of the area and incorporates appropriate landscaping through the protection and retention of existing trees and hedgerows and/or a landscaping scheme which reflects the strong tradition of landscape design in the district.

12. Turning to the effect on highway safety, the Highway Authority notes that any additional point of access represents a potential point of conflict on the public highway and therefore their number should be kept to a minimum. In particular, the County Council's Residential Dropped Kerbs – Terms and Conditions resists the provision of more than one access to serve a dwelling unless it is to provide for a vehicle to drive on and off the driveway in forward gear and in once continuous movement. Although it is not suggested that the access would give rise to a specific highway safety issue I accept that an additional access increases, albeit only marginally, the potential for conflict between entering or emerging vehicles and other highway users, including pedestrians and cyclists.
13. It is concluded on the second main issue that the proposed development would have a material effect on highway safety in Woodlands Rise and would therefore conflict with Policies D1 and D5 of the LP and with emerging Policy SP4 of the DLP which, taken together, require new development to be of a high standard of design which takes account of its impact on existing and proposed movement patterns and seeks to improve safety for all highway users.
14. For the reasons set out above and having regard to all other matters raised, including the representations of third parties, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR