



Appeal Decision

Site visit made on 10 March 2020

by M Shrigley BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2020

Appeal Ref: APP/C1950/D/20/3245710

35, Templewood, Welwyn Garden City AL8 7HS

- 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 Andy Gray against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2019/2546/HOUSE, dated 10 October 2019, was refused by notice dated 13 December 2019.
 - The development proposed is a first-floor side extension and new window to the rear elevation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on (i) the character and appearance of the host dwelling and surrounding area, which lies within Welwyn Garden City Conservation Area (ii) the living conditions of the occupiers of 33 Templewood in relation to outlook; and (iii) highway safety having regard to car parking.

Reasons

Character and appearance

3. The appeal property is semi-detached and occupies a significantly elevated position relative to the highway and the dwellings on the opposite side of the road. There is a similar relationship with the dwellings on either side of the appeal property. The character of the surrounding area comprises of a variety of residential properties with a bespoke appearance many of which are linked together with attached garages. Prominent tall trees and other greenery visible along the highway form a key characteristic of the locality.
4. Whilst the proposed extension is set back from the front elevation of the dwelling it would still appear prominent in the street-scene due to its elevated position against the road, height and width. A hipped roof design is proposed which would be viewed in the context of the gable roof design of the main dwelling house and be seen as an incongruous addition to it.
5. The width and height of the extension would give the property a stepped and unbalanced appearance when viewed from the road. The width, proximity to

the neighbouring shared boundary and stepped appearance of the proposed extension together with its hipped roof would appear at odds with the character and appearance of the main dwelling house and the properties either side of it, one of which is detached. Moreover, the development would not reflect the more spacious surroundings and larger planned gaps evident between other detached properties in the vicinity. I do not consider the sensitive use of external facing materials in keeping with the host dwelling would overcome any of these fundamental concerns. The incongruous nature of the development would be readily visible to public views from approaches along Templewood. Thus, for these reasons I conclude that the development harms the character and appearance of the host property as well as the street-scene which is part of the Welwyn Garden City Conservation Area (CA).

6. I am cognisant of my legal duty under Section 72(1) of the Town and Country Planning Listed Building and Conservation Area Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. The Welwyn Garden City CA is recognised for its special architectural and historic significance nationally and internationally, in respect of the Garden City movement. The specific residential architecture apparent, as well as planned gaps between dwellings within an attractive verdant setting are important intrinsic parts this designated asset. The development does not preserve or enhance the character of the CA. As set out above, it has a negative impact.
7. The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 193 of the Framework states that when considering the impact of a proposed development on the significance of designated asset great weight should be given to the asset's conservation. The more important the asset the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
8. The harm evident would impact on a localised part of the CA when considered as a whole, albeit in an elevated and prominent position. Thus, I consider the harm would be less than substantial within the meaning of Paragraph 196 of the Framework. In accordance with the Framework this subsequently leads me to weigh up the public benefits of the proposal. However, there are none which have been raised or which attract significant weight to outweigh the harm identified. This results in demonstrable conflict with Paragraph 193 of the Framework because harm to the CA does not have a clear and convincing justification and the Framework requires great weight to be given to the conservation of designated heritage assets.
9. Accordingly, the development is therefore contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, the Welwyn Hatfield Supplementary Planning Guidance 2005, Policy SP11 of the emerging Welwyn Hatfield Local Plan 2016, seek to encourage good design and reflect local character as well as Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990, and the provisions of the Framework relating to the enhancement and protection of designated heritage assets from harm.

Living conditions

10. The rear windows of no.33 Templewood face towards the proposed extension owing to the corner plot position of the property. There is little separation between the proposed development and the rear windows serving this property as well its rear garden and patio.
11. The proposed extension, by virtue of its proximity, height and mass relative to the shared boundary would lead to substantial enclosing of the space evident presently between the dwellings. Whilst I acknowledge its hipped roof design marginally lessens this enclosing effect it does not do so to a degree as to not appear overly dominant. As a result, the development would appear visually intrusive and overbearing when viewed from the ground floor rear windows as well as the rear garden of no.33.
12. Thus, the development would result in a significant loss of outlook to neighbouring occupants. The extension is therefore contrary to Policy D1 of the Welwyn Hatfield District Plan 2005, the Welwyn Hatfield Supplementary Planning Guidance 2005, Policy SP11 of the emerging Welwyn Hatfield Local Plan 2016 and the aims of the Framework which all seek to respect and protect neighbouring living conditions.

Highway safety

13. The proposed extension would result in a fourth bedroom at the dwelling. Saved Policy M14 Welwyn Hatfield District Plan together with the Council's Supplementary Planning Guidance on Parking Standards requires an additional parking space to be provided due to the increase in the number of bedrooms.
14. There are currently no parking spaces within the curtilage of the dwelling. I note the Council have indicated to the appellant that a proposal to provide an off-road parking space would likely be found unacceptable owing to design and heritage impact concerns.
15. It is evident that an increase in the number of bedrooms serving the property would result in a significant shortfall of parking on the site and create additional pressure for on-street parking in the vicinity of the dwelling. The width of local roads in the vicinity makes reliance upon on-street parking undesirable as any additional parked cars situated along this part of the highway are likely to obstruct other passing vehicles, forcing them to drive on the opposite side of the road. This would be particularly hazardous near the road junction directly opposite and several other nearby road junctions, where there is unrestricted parking. Moreover, the potential for vehicles to mount the footway in order to park clear of the carriageway would be an equally undesirable outcome from a pedestrian safety perspective. Furthermore, I do not consider potential reliance on non-car modes of transportation available alluded to by the appellant would provide an adequate safeguard to these concerns in this location.
16. Consequently, the proposal is contrary to Policy M14 of the Welwyn Hatfield District Plan 2005, the Council's Interim Policy for Car Parking and Garage Sizes, Policy SADM12 of the emerging Welwyn Hatfield Local Plan 2016 and the provisions of the Framework, which seek to ensure adequate car parking is available in the interests of highway safety.

Other matters

17. I note that the appellant has concerns about the way in which his application was handled by the Council. However, this appeal has been determined solely on the planning merits of the case.

Conclusion

18. Therefore, for the above reasons I dismiss the appeal.

M Shrigley

INSPECTOR