



Appeal Decision

Site visit made on 20 September 2023

by L Reid BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2023

Appeal Ref: APP/C1950/D/23/3325501

59 Marsden Road, Welwyn Garden City, Hertfordshire AL8 6YH

- 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 Thomas against the decision of Welwyn Hatfield Council.
 - The application Ref 6/2023/0626/HOUSE, dated 20 March 2023, was refused by notice dated 16 May 2023.
 - The development proposed is demolition of existing en-bloc garage and construction of 2-storey side extension with side access to garden.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. During the appeal, the Council adopted the Welwyn Hatfield Borough Council Local Plan 2016 – 2036 (2023). Both parties were given the opportunity to comment on the implications for this appeal. The new Local Plan replaces the previous Local Plan which comprised 'saved' policies from the Welwyn Hatfield District Plan 2005.

Main Issue

3. The main issue is whether the proposal preserves or enhances the character or appearance of the Welwyn Garden City Conservation Area (the CA).

Reasons

4. As the site is within the CA, I have had regard to Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area.
5. Much of the character of the CA is drawn from its planned layout of residential streets of houses that differ in design and style reflective of their ages. I appreciate the appellant's points that the Conservation Area Appraisal (September 2007), describes the significance, however, I have not been given a copy of this appraisal. Notwithstanding this, this part of the CA is residential in character, with houses that generally share uniformity in their design with patterns of terraced houses repeated along the road, intersected at some parts with detached and semi-detached houses. The significance of the CA therefore derives in part from the unity of the housing groups.
6. The appeal site comprises an end of terrace house which sits in a generous plot. It is part of a row of houses that are broadly consistent in their front

design, scale, alignment and materials. The design of the terrace is replicated elsewhere in the road. It therefore makes a positive contribution to the character and appearance of the CA.

7. The Council's Supplementary Design Guidance for side extensions recognises that it is important that existing spacing in the street is reflected which may result in larger distances being required. The proposal includes the demolition of the existing garage which is detached from the house with a substantial gap. Whilst there would be a 1m gap between the extension and the side boundary, this gap would be less than the current gap. The width of the extension would appear to be more than half the width of the house and it would extend along the majority of the depth of the original footprint. As a result, the extension would add a large bulk to the house.
8. Although the extension would be slightly set back from the front elevation and there would be a minor set down from the main roof ridge, as a result of its width, height and overall scale, it would read as a continuous wide massing across the house. It would therefore not appear as subservient, even allowing for the 1m gap. The extension would be highly visible in views along the road further highlighting its prominence.
9. When combining the existing rear extension with the proposed extension, the size of the house would be nearly double the size of that which was originally constructed. The proposal would therefore cumulatively overwhelm the original modest form of the house altering its character and appearance, which would not be alleviated by the space around the house. As a consequence of this, the extension would unbalance the current massing and unity of the terrace and demote the importance and appreciation of the house. Furthermore, the CA includes the back gardens, and the existing rear extension and proposed extension would be apparent to the adjacent residents to the rear of the appeal site.
10. I note that the design intends to follow the front building line and use the same building materials, finishes and window style as those present on the house. However, this would not overcome the disruption which the extension would have on the pattern and rhythm of the terrace and in turn would diminish the positive contribution that the house makes both to the character and the appearance of the CA.
11. In accordance with the terms set out in the National Planning Policy Framework (the Framework), the harm caused to the CA would be less than substantial because it relates to an extension to one house in the CA. Paragraph 202 of the Framework is clear that where a development would lead to less than substantial harm to the significance of a heritage asset, that harm should be weighed against the public benefits of the proposal.
12. There would be some economic benefits arising from the construction process. However, owing to the scale of the proposed development, such benefits are only likely to be of a small scale and can be attributed a limited amount of weight. The proposal would provide additional and improved living space to better meet day-to-day needs. However, this would be a private benefit to the occupiers of the house and would not amount to a public benefit. Consequently, I conclude that there are no public benefits of the proposal that would outweigh the less than substantial harm that I have identified.

13. For these reasons, I find that the proposal would fail to preserve or enhance the character or appearance of the CA. It would therefore conflict with Policies SP9 and SADM15 of the Welwyn Hatfield Borough Council Local Plan (2023) and with the Framework, these policies amongst other things, seek to ensure that development is of a high quality design that respects the character and appearance of heritage assets to sustain and enhance the asset and to avoid harm to its significance.

Other Matters

14. My attention has been drawn to an example of a similar extension that the Council granted planning permission for at a house on a road near the appeal site that is also in the CA. At my site visit, I saw that this house differs from the appeal site as it is part of a semi-detached pair, the adjoining house has a side extension and there is a significant gap between the side of the house and the next house. As such, the context of this example site does not match that of the appeal proposal and would therefore not justify the proposed development. In any event, I have come to my decision based on the circumstances of the appeal site and the details of the development proposed in this case.
15. The Council raised no objections regarding the proposal's impact on the living conditions of neighbouring occupants and there is no evidence before me to reach a contrary view. However, this is a neutral matter and does not weigh in favour of the proposal.

Conclusion

16. The proposal would fail to satisfy the requirements of the Act and it would not be in accordance with the development plan, when read as a whole. There are no material considerations, including those of the Framework, that have been shown to carry sufficient weight to indicate a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

L Reid

INSPECTOR