



Appeal Decision

Site visit made on 16 November 2023

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 January 2024

Appeal Ref: APP/C1950/W/23/3323226

30 Barleycroft Road, Welwyn Garden City, Hertfordshire, AL8 6JU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr J Barnett against Welwyn Hatfield Borough Council.
 - The application Ref 6/2022/2897/HOUSE is dated 22 December 2022.
 - The development proposed is described on the application form as "Part Single & Part 2-Storey Rear Extension, Roof Extension & Alterations to Openings."
-

Decision

1. The appeal is dismissed.

Procedural matters

2. The revised National Planning Policy Framework ('the Framework') was published on 19 December 2023. Having reviewed this document, I am satisfied that the policy applicable to the scheme before me remains unchanged from the previous Framework documents published in 2021¹ and 2023². As a consequence, I did not consider there to be a need to reconsult the parties and have determined the appeal in light of the new Framework document, which is a material consideration that should be taken into account.
3. The appellant has submitted an amended proposed site plan & location plan (Drawing No RF0622/302/B) and proposed floor plans & elevations (Drawing No RF0622/303/A) which collectively illustrate the rear extension flank walls being slightly stepped in with a change to the roof form and the deletion of the proposed crossover. Taking into account the judgement given in *Bernard Wheatcroft Ltd v Secretary of State for the Environment and Harborough District Council* [1980], I am satisfied that the Council and other interested parties would not be prejudiced by these minor changes and as a consequence I have considered the appeal on the basis of these amended plans.

Main issue

4. The Council has confirmed that if the appellant had not appealed against non-determination, it would have refused the development for the reasons set out in its appeal statement. Set against this context and the evidence in this case, the main issue is the effect of the proposed development on the character and appearance of the existing dwelling and conservation area.

¹ National Planning Policy Framework, Ministry of Housing, Communities and Local Government, 20 July 2021.

² National Planning Policy Framework, Department for Levelling Up, Housing & Communities, 5 September 2023.

Reasons

5. Barleycroft Road has a verdant character with grass verges and mature trees on both sides of the highway and well-established privet hedging to front garden boundaries. It falls within the Welwyn Garden City Conservation Area ('the conservation area') and consists of 2-storey detached and semi-detached dwellings of wide-frontage shallow-plan form set on spacious plots with a strong solid to void rhythm arising from consistent separation gaps containing modest single storey side projections, garages and driveways.
6. The adopted architectural style, which is consistent throughout the road, has an attractive, simple, understated and traditional domestic character incorporating Flemish bond red brickwork, steep-pitched plain tile hipped roofs, prominent chimneys, well-defined front door surrounds/porches and timber cottage casement/bay windows. Although this design contributes to a strong degree of harmony in block form and materials, the detached properties retain a degree of architectural individuality in terms of window arrangement, front projections and porch/door surround styles, an important characteristic that adds to the significance of the conservation area.
7. The appeal site consists of a large 1920s 2-storey detached house with timber cottage casement windows, prominent chimneys and an imposing porch offset from the centre of the front elevation giving the property an asymmetrical appearance. Overall, I found it to be a good example of an original Welwyn Garden City property that makes a positive contribution to the character and appearance of the conservation area.
8. Although the existing dwelling has been subject to a previous 2-storey and single storey rear extension, this is set down from the main roof ridgeline and therefore has a subservient character that preserves the more modest proportions of the building's wide frontage, shallow plan form. In direct contrast to this, the overwhelming size and mass of the proposed 2-storey and single storey extension would obliterate this important characteristic and result in a disproportionate addition that dominates the existing dwelling. This harm would be compounded by the loss of a prominent central chimney and creation of a flat crown roof that would be wholly out of character with the simple pitched roof of the existing dwelling.
9. Although the scheme proposes the replacement of the central chimney with an artificial GRP version faced in brick slips, this would not have the same robust construction characteristics as the existing solid traditional structure. As a consequence, I have significant concerns that this would have a much shorter lifespan than the existing dwelling and be at subsequent risk of early removal, which would cause further harm to the building's significance within the conservation area.
10. The scheme also proposes the removal of the front porch and remodelling of the front elevation to give it a symmetrical appearance. However, this would be completely at odds with the asymmetrical design of the existing dwelling, which when taken collectively with the individuality of other detached dwellings in the road, makes an important contribution to the character of the conservation area. In reaching this conclusion, I have considered the comments of the Inspector for the previous appeal at the site³, but do not agree that allowing

³ Planning appeal APP/C1950/D/22/3313727, dated 2 February 2023.

'symmetry of the windows to be obvious in the streetscene' would be a sympathetic and positive change to the existing dwelling and conservation area.

11. I have also had regard to the appellants historic lease plan⁴, but do not agree that this provides conclusive evidence that the porch was not original as it only contains a general siting plan and not detailed building drawings. However, even if the porch was not original, I would not consider the proposed scheme to be acceptable as it would result in the introduction of a poorly articulated replacement front door with no porch canopy above or door surround, as is the case with other properties on the road. As a consequence, this change would also cause considerable harm to the character of the existing building.
12. Further alterations proposed include the installation of uPVC windows. However, these have a bulkier profile than slender timber casements, which would further erode the character of the building. I recognise that other dwellings in the road have had uPVC windows installed, but this unsympathetic change has caused considerable harm to the dwellings concerned and should not be used to justify further harmful development. For this reason, I do not agree with the Inspector for the previous appeal at the site who did not raise concerns about their installation.
13. The appellant has drawn my attention to a number of other extensions with crown roofs in the local vicinity, such as that at No 40 Barleycroft Road. However, these developments are predominantly stepped down from the main roof ridgeline and none are comparable in size, form and scale to the proposal. One of these schemes was also justified on the basis that it would be an improvement upon poorly designed previous extensions. In terms of the crown roof at No 21, I do not consider this to be sympathetic to the host dwelling for similar reasons to those I have identified in the appeal before me. The existence of these other developments does not therefore justify the harm I have identified or establish a precedent for them to be replicated elsewhere.
14. When taken collectively, the different elements of the scheme referred to above would be unsympathetic and cause substantial harm to the character and appearance of the existing dwelling. I recognise that the rear extensions would not be clearly visible from the public realm, but this does not remove the need to protect, preserve and enhance the conservation area, which extends to the front and rear of the dwelling, or to ensure a high quality design that respects the character and form of the existing property.
15. However, given that the changes proposed only relate to one dwelling, I am satisfied that the scheme would cause less-than substantial harm to the significance of the conservation area as a designated heritage asset. As a consequence, I have weighed this harm against the public benefits of the proposal in accordance with Policy SADM15 of the Local Plan and Paragraph 208 of the Framework. In carrying out this assessment, I have given; (1) great weight to the protection of the conservation area in accordance with Paragraph 205 of the Framework; and (2) considerable importance and weight to the desirability of preserving or enhancing the character and appearance of the conservation area in accordance with Section 72 (1) of the 1990 Planning (Listed Buildings and Conservation Areas) Act 1990.

⁴ Appendix 4 of the appellant's statement.

16. I recognise that the scheme would result in a public benefit from local employment during construction, but consider this to be of limited value and significantly outweighed by the harm to the character and appearance of the conservation area and host property.
17. In view of the above, I conclude that the scheme would conflict with Policies SADM15, SP1 and SP9 of the Local Plan⁵ which collectively seek, amongst other things, for developments to: - (1) respect the character, appearance and setting of heritage assets in terms of design and scale; (2) be built to high design standards reflecting local character; (3) relate well to their surroundings and local distinctiveness; and (4) enhance the sense of place.
18. I also find that the development would not preserve or enhance the character and appearance of the conservation area in accordance with S72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and that it would conflict with the Council's design guidance⁶ which states, amongst other things, that extensions should complement and reflect the design and character of the dwelling and be subordinate in scale.
19. Further conflict arises with Paragraphs 131 and 135 of the Framework which collectively seek, amongst other things; (a) the creation of high quality, beautiful buildings and places; (b) development that is visually attractive as a result of good architecture; (c) development that is sympathetic to local character; and (d) development that maintains a strong sense of place. As a consequence, this decision accords with Paragraph 139 which states that permission should be refused for development that is not well designed.
20. In view of the above, I conclude that the proposal does not accord with the development plan and that other material considerations do not indicate that the proposal should be determined other than in accordance with this.

Other matters

21. I note the Appellant's apparent frustration that the Conservation Officer did not raise concerns earlier in the application process or in the previous scheme. However, this does not alter the context of the current appeal or lead me to form a different conclusion.

Conclusion

22. All representations have been taken into account, but no matters, including the benefits of the development and the scope of possible planning conditions, have been found to outweigh the identified harm and policy conflict. For the reasons above, the appeal should be dismissed.

Robert Fallon

INSPECTOR

⁵ Local Plan 2016-2036, October 2023, Welwyn Hatfield Borough Council.

⁶ Supplementary Design Guidance, 8 February 2005, Welwyn Hatfield Council.