
Appeal Decision

Site visit made on 20 February 2024

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 6th March 2024

Appeal Ref: APP/C1950/D/24/3336316

48 Valley Road, Welwyn Garden City, Hertfordshire AL8 7DN

- 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 Alexandra Popplestone against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2023/1158/HOUSE, dated 31 May 2023, was refused by notice dated 12 October 2023.
 - The development proposed is the erection of a part single, part double storey extensions to the side and rear and partial conversion of a garage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the determination of the appeal application the Welwyn and Hatfield Local Plan (LP) has been adopted. In the reason for refusal the Council cited the relevant emerging Local Plan policies and these have been used in the determination of this appeal.
3. The amendments of the National Planning Policy Framework were published in December 2023 after the determination of the appeal application. These amendments do not alter the basis upon which this appeal has been assessed.

Main Issues

4. It is considered that the main issue is whether the proposed side extension would preserve or enhance the character or appearance of the Welwyn Garden City Conservation Area.

Reasons

5. The appeal property is a 2-storey semi-detached dwelling situated within a primarily residential area which forms part of the extensive Welwyn Garden City Conservation Area. There is a statutory duty in making planning decisions to pay special attention to preserving or enhancing the character or appearance of a Conservation Area. This duty is echoed in LP Policy SADM15
6. In this case, the character and appearance of the Conservation Area is derived from the siting of the detached and semi-detached dwellings which are generally linked by single storey garages, or walls, above which there are sky gaps. These gaps provide views towards the rear of the dwellings. The design

of the dwellings and the choice of external materials also make a positive contribution to the Conservation Area's character and appearance.

7. The proposed development comprises alterations to the side and rear of the property which includes the erection of a first floor extension above what is currently the property's garage/utility room. Although set back from the front elevation of the property, possessing similar eaves height but lower ridge height than the main roof and being subordinate in scale to the host property, the proposed side extension would be visible within the streetscene along Valley Road.
8. From the road, because of its siting and width the proposed first floor side extension would materially erode the width of the sky gap between the property and 46 Valley Road. The side extension would also unbalance the appearance of this pair of semi-detached dwellings. Overall, this element of the appeal scheme would have an adverse effect on the positive contribution that the sky gap makes to the character and appearance of the streetscene of Valley Road in this locality and within this part of the Conservation Area.
9. The proposed development would cause less than substantial harm to the significance of this designated heritage asset and this harm should be weighed against the public benefits of the proposal. In this case, although the residential accommodation would be enlarged, no specific public benefits have been identified by the appellant which would outweigh the harm caused to the heritage asset.
10. Examples of other side extensions have been provided by the appellant but these are of varying dates, including predating the extant Local Plan, and their full planning circumstances have not been provided. Further, only a limited number of these schemes have been erected along Valley Road and these examples demonstrate that the sky gaps between the dwellings have been adversely affected. For these reasons only limited weight is given to these other schemes in the determination of this appeal.
11. For the reasons given, it is concluded that the proposed side extension would fail to preserve the character and appearance of the Welwyn Garden City Conservation Area and, as such would conflict with LP Policy SADM15 and LP Policy SP9 concerning developments relating to their surroundings and local distinctiveness. Accordingly, it is concluded that this appeal should be dismissed,

D J Barnes

INSPECTOR