



Appeal Decision

Site visit made on 29 October 2024

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 November 2024

Appeal Ref: APP/C1950/D/24/3350895
24 Great North Road, Welwyn, AL6 0PS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Sunil Modhvadia against the decision of Welwyn Hatfield Borough Council.
 - The application Ref is 6/2024/0083/HOUSE.
 - The development proposed is described as 'Update to Planning Application: 6/2019/0115/HOUSE (Alterations to the front garden) - Boundary treatment to front of site bounding Great North Road – approved design with two access gates, amended to 2m high brick wall to section between approved access gates. The existing wall has been taken down and rebuilt to ensure it has been built within the correct boundary lines.'
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Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the dwelling and the area. The appeal site comprises a large detached house sited on a very wide plot within a row of dwellings on a busy road at the edge of a residential area with fields on the opposite side of the road. The dwelling is prominently sited on land above the level of the highway.
3. Permission was granted by the Council in 2019 for alterations to the front garden, existing driveway and garage including the installation of an electric driveway gate and new crossover (6/2019/0115/HOUSE). The officer's report concluded that as those gates were to be set back from the pavement by 4.5m and would be screened to a degree by the proposed hedges and planting, the proposal would not harm the street scene. The Council says that the works were not completed in accordance with the approved plans. The existing mature boundary landscaping to the front of the site (which the appellant says was on Highways land outside the site) has been removed and a wall built of some 2m in height without any replacement planting. The wall extends across almost the whole of the site frontage interrupted only by the gates at the two access points. The application which is the subject of this appeal seeks to regularise those works.
4. Most of the dwellings within this part of the road have planted boundaries (regardless of whether they front or back onto the road) of tall mature hedges, shrubs or trees that provides an attractive soft, green edge to the built up area and is compatible with the mature tree planting opposite. In many cases, the

planting provides significant screening of the dwelling. I have noted that some of the properties that back onto the road have fenced boundary treatments or low walls but those are muted in colour with mature planting in front of them. I have noted the exception of the red brick wall along the frontage of a children's nursery but that is some distance away from the appeal site and the Council says that it is necessary for safety. Moreover, it is finished with a red brick which reflects the character of the area. The context and justification for that wall therefore differs significantly from this proposal.

5. The siting of the proposed wall, together with the hardness and colour of the brick materials used, introduces a feature and materials not generally seen elsewhere along this long stretch of road and presents a stark contrast to the softness and greenery of most of the other residential boundaries. Although the light buff brick materials are of a high quality, they are not appropriate in this location and whilst they have a contemporary character like the dwelling, they do not reflect the colour of its red/brown roof tiles, walling materials or grey driveway surfacing. The extensive length of the wall, together with its height, emphasises its presence. The siting, scale and materials of the wall draw attention to and exacerbates this already prominent property to an unacceptable degree unlike the most of the other properties that are softened by mature planting. The straightness of the road means that the wall can be seen from some distance in both directions, interrupting this generally leafy section of road and detracting significantly from the street scene.
6. I have noted the amended plans submitted by the appellant with this appeal that show proposed planting in front of the wall and have noted that Hertfordshire County Council as the Highway Authority has granted permission for the planting on the condition that the appellant maintains it. However, as that planting would be on land outside the appeal site and I have not been presented with any form of legal agreement to secure it, I am unable to give any significant weight to that in this appeal. In any case, that would not overcome my fundamental objection to the presence of the wall because a screened wall does not have the same degree of softness as a hedge. Given the light colour of the wall, it is unlikely that planting could provide sufficient screening and even if it were acceptable it would take a long time for any planting to mature. This matter does not, therefore, overcome my objections to this inappropriately sited and designed wall.
7. As such, I conclude that the proposal, by reason of its siting, length, height and materials, would cause significant harm to the character and appearance of the dwelling and the area and would be contrary to development plan policies SP1 and SP9 of the Welwyn Hatfield Borough Council Local Plan that together seek to ensure that new development is of a high design standard and relates well to its surroundings. It would also be contrary to the National Planning Policy Framework which has a similar objective.

Conclusion

8. For the reasons given above, I conclude that the proposal would be contrary to the development plan and there are no material considerations that would outweigh that. The appeal should be dismissed.

Sarah Colebourne

Inspector