



Appeal Decision

Site visit made on 15 January 2025

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2025

Appeal Ref: APP/C1950/W/24/3348540

22 The Common, Hatfield, AL10 0ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) 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 N Lonka (Downtown Constructions Ltd) against Welwyn Hatfield Council.
 - The application Ref is 6/2023/2562/FULL.
 - The development proposed is fifth-storey addition to approved 4-story block of 8 self-contained flats to provide a 2 bed 4 person self-contained flat.
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Decision

1. The appeal is dismissed, and planning permission is refused.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal building is a four-storey block of flats presently under construction. Within The Commons street scene it is at the end of a series of four-storey buildings including the neighbouring No 24, as well as 3 yellow brick blocks of flats further along the road. To the other side of No 22 are smaller buildings of two and three storeys in height up to the roundabout at the junction with Wellfield Road and St Lukes Court. Seen from that roundabout the buildings on this side of The Commons present a broadly uniform ridgeline along much of its length, even allowing for the difference in distances to the front elevations of the buildings from the pavement edge. The yellow brick blocks of flats project much closer to their front boundaries than the appeal property, and therefore screen it from view on the approach from that direction. However, due to its height the appeal property is a prominent feature in the street scene once visible from that direction, as it is taller than any building beyond it.
4. The multi-storey car park opposite the appeal site is a large building of comparable height to the appeal property. This side of The Commons comprises a more varied street scene including the supermarket and postal sorting office to either side of the car park. There is a block of flats rising to five storeys to the rear of the car park, and a much taller block of flats visible beyond this. However, these are not prominent from The Commons as the car park screens them from view.
5. The yellow brick blocks of flats have small structures above their top floor providing roof access. These structures have limited presence in the street scene

due to their small scale, and do not significantly impact on the uniform ridgeline noted above.

6. Within this context the proposed additional storey would be an intrusive feature in the street scene. It would disrupt the established pattern of development, wherein No 22 forms the end of a series of buildings of comparable height. This uniformity is highlighted by the very similar form and materials of the neighbouring buildings at Nos 24 and 22. Even allowing for the smaller footprint of the proposed fifth storey, so that it would be set in from 3 sides of the building, it would still be a significant increase in height. The neighbouring Alfred House is a two-storey flat-roofed building set much further back from the street than No 22. This relationship would only serve to highlight the incongruous appearance of the appeal proposal in the street scene. The use of zinc panels and a contrasting design to the predominantly brick exterior of No 22 would not be sufficient to offset the increase in height.
7. The proposed development would therefore be harmful to the character and appearance of the area. It would therefore conflict with policy SP 9 of the Welwyn Hatfield Local Plan which, amongst other criteria, seeks that developments relate well to their surroundings and local distinctiveness.
8. The council also stated that the proposal was contrary to policy SADM 11 of its Local Plan. This policy relates to amenity and layout so is not determinative in my decision.

Planning balance

9. The appellant suggests that the council lacks a 5 year supply of deliverable housing land. This has not been confirmed, but the council has acknowledged that it has only met 57% of its annual housing completions target over the last 3 years. Accordingly, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
10. The appeal proposal would create a new apartment, supporting the government's objective of significantly boosting the supply of homes. There is no dispute that the development would provide a good standard of accommodation, or that the site is in a sustainable location close to local services and facilities. The development would assist with the regeneration of a brownfield site. These benefits collectively attract moderate weight in favour of the development proposed.
11. Set against this, the proposed development would disrupt the established character of this side of The Commons. Given the prominence of the proposed development in the street scene, and the broadly uniform ridgeline, it would cause considerable harm to the character and appearance of the area. In this instance this harm would significantly and demonstrably outweigh the benefits that would arise from the appeal proposal.

Conclusion

12. The material considerations do not indicate that a decision should be made other than in accordance with the development plan. Therefore, for the reasons given above the appeal is dismissed.

M Chalk

INSPECTOR