



Appeal Decision

Site visit made on 10 February 2025

by **Andrew Dale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 February 2025

Appeal Ref. APP/C1950/D/24/3354214

15 Guessens Road, Welwyn Garden City AL8 6QL

- 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 & Mrs J Shubhaker against the decision of Welwyn Hatfield Borough Council.
 - The application ref. is 6/2024/1153/HOUSE.
 - The development proposed is: "Two storey rear extension, single storey side and rear extensions following demolition of existing garage, insertion of rooflights and installation of solar panels."
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Decision

1. The appeal is allowed and planning permission is granted for 2-storey rear extension, single-storey side and rear extensions following demolition of existing garage, insertion of roof lights and installation of solar panels at 15 Guessens Road, Welwyn Garden City AL8 6QL in accordance with the terms of the application, ref. 6/2024/1153/HOUSE, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans numbered and titled: 5934-OS1 Location Plan; 5934-OS2 Block Plan; 5934-E01 Plans and Elevations as Existing; and 5934-P01 Revision E Plans and Elevations as Proposed, except where compliance is required with condition 4.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
 - 4) Notwithstanding condition 2, no works other than demolition shall take place until full details of the solar panels, which shall provide for them to project no higher than the top of the front parapet wall, along with corrected proposed floor plans, proposed roof plan and proposed elevation drawings that tally with each other, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the details and drawings so approved.
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Preliminary matters

2. Since the appeal was submitted, a revised National Planning Policy Framework (the Framework) has been published. The new version does not materially differ from the previous one insofar as it relates to the main issue in this appeal and has not raised any new matters which are determinative to the outcome of the appeal.
3. On drawing no. 5934-P01 Revision E, the southern first floor side elevation does not show a window to bedroom 1 to tally with the first floor plan, whilst according to the roof plan and the southern side elevation there would appear to be 8 solar panels in the array on the roof over the rebuilt garage/utility but only 7 are shown on the first floor plan. These unfortunate discrepancies do not however go to the heart of the proposal and can be corrected under the 4th condition above.
4. I have had regard to the Council's Delegated Report on the application which I retrieved from the Council's website as it was not supplied with the Questionnaire.

Main issue

5. The main issue is the effect of the proposed development upon the character and appearance of the dwelling and the surroundings, including the extent to which it would preserve or enhance the character or appearance of the Welwyn Garden City Conservation Area (CA).

Reasons

6. As the site falls within the CA, in accordance with the statutory duty I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, a designated heritage asset.
7. The character, appearance and significance of the extensive CA is largely derived from its carefully designed and planned layout as a garden city where the built forms are integrated with ample green landscaping.
8. Located within a residential part of the CA, no. 15 is one of the 2-storey detached houses on the eastern side of Guessens Road which have similar neo-Georgian designs with red bricks and small plain tiles and occupy spacious and verdant settings on account of the single-storey wings or garages to the sides, the generously-sized rear gardens, the hedging, lawns and other vegetation in the front gardens and the largely green streetscape.
9. The Council's reference to an already elongated building is misplaced. No. 15 was originally designed with its main 2-storey axis at right-angles to the road under a steeply pitched hipped roof. This is a key part of its original character. The design was almost certainly deliberate to achieve some variation in the house types.
10. The proposed 2-storey rear extension would add only about 2.5m in depth to that main axis as a simple continuation of the existing hipped roof. To my mind, this would reflect the original design and character of the building. Given the limited depth of the extension, the resulting building would not appear unduly elongated.
11. The Council's view is that this extension would require recessive measures such as being set down from the main ridge line and stepped in from the flanks or the rear but there is no reference to any such measures in the policies and guidance that

have been put before me in this case. Having regard to its limited size, it would appear sufficiently subordinate in scale to the existing building in itself without such measures. Being at the rear, the 2-storey extension would not be unduly prominent in public views. The scale and form of the original dwelling would remain legible.

12. The concept of a sky gap would have more direct relevance to 2-storey developments proposed directly to the sides of buildings that may obscure important views between buildings or disrupt the distinctive spacing between them in the street scene. Given the widely spaced layout of the main 2-storey parts of the buildings hereabouts, the sides of the proposed 2-storey rear extension would be noticeable in certain oblique views from Guessens Road but given its limited rearward projection, I could not see how it would materially dilute a sky gap that is important to the character and appearance of the CA. There would no serious closure of the vistas available to each side of the dwelling in views from Guessens Road and there would be no adverse impact on the existing gaps between no. 15 and the neighbouring houses that are distinctive in the street scene.
13. Whilst the proposed single-storey extensions, when viewed cumulatively with previous single-storey extensions, might represent a sizeable percentage increase over the footprint of the original dwelling, ample outside and attractively landscaped amenity space to the rear of the dwelling would remain available in functional and visual terms. The plot would not appear overdeveloped or unduly cramped in itself or in comparison to adjacent properties. Moreover, these additional elements at the side/rear would create a staggered and coherent rear building line and would have no material visual impact on the front elevation, the street scene or neighbouring occupiers. For the most part, they would utilize a concealed yard of concrete slabs that separates the house from the detached garage which is to be demolished or come about as a near replacement of that garage, albeit in an attached form.
14. I consider that the proposed extensions would be aligned with the advice in the Council's Supplementary Design Guidance 2005 for extensions to be designed to complement and reflect the design and character of the dwelling and be subordinate in scale. Overall, the proposed extensions would be sufficiently complementary to the parent building in terms of their scale, massing and design including materials, roof profiles and the style, detailing and proportions of the windows. Rather than having a dominating impact on the surroundings, the proposed development would make a visually acceptable contribution to its context and location and preserve the character and appearance of the CA.
15. Insofar as the proposed solar panels are concerned, they would be discreetly sited on the flat roof of the single-storey southern side wing. Even so, at the angle displayed on the submitted plans they would marginally exceed the height of the parapet wall to the front of the garage. The appellants are willing to accept a condition to angle the panels so that they project no higher than the top of the parapet wall. Further details of their external appearance and finish could also be secured through such a condition. In such a scenario, I cannot identify any harm they would cause to the character and appearance of the CA.
16. The schemes approved elsewhere are noted but they have played little part in the decision I have reached as each proposal should be assessed on its own individual merits in accordance with current development plan policies and planning

guidance. Moreover, a number of the cases referred to by the appellants relate to the grant of Estate Management Scheme Consent which is a separate administrative regime. Similarly, insofar as I am aware, the Estate Management Guidance and Policies are not used by the local planning authority in the assessment of householder applications for planning permission.

17. I find on the main issue that the proposed development would preserve the character and appearance of the dwelling, the surroundings and the CA. It would display the design quality and the respect for local character, designated heritage assets and the wider historic environment that are required by Policies SP 9 and SADM 15 of the Welwyn Hatfield Borough Council Local Plan 2016-2036. These policies are consistent with the Framework's objectives for achieving well-designed places and conserving and enhancing the historic environment.

Conditions

18. I have reviewed the 4 conditions suggested by the local planning authority in its Questionnaire. I shall impose conditions setting the standard time period in which the development is to commence and requiring that the development is carried out in accordance with the relevant approved drawings to provide certainty, subject to further compliance with condition 4. A condition is also necessary to secure the use of external materials that match those of the existing building so that the development respects the character and appearance of the dwelling and the CA. For similar reasons and for the avoidance of doubt, the 4th condition I have added allows for the submission and approval of details of the solar panels, which should include a minor reduction in their angle to make them no higher than the parapet wall over the garage, as suggested by the appellants, and for the minor discrepancies in the application plans that I set out in paragraph 3 to be addressed.

Conclusion

19. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should succeed.

Andrew Dale

INSPECTOR