



Appeal Decision

Site visit made on 19 February 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 March 2025

Appeal Ref: APP/C1950/D/24/3356625

5 Martin Close, Hatfield, Hertfordshire AL10 8QS

- 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 Vallipuram Balachchandren against the decision of Welwyn Hatfield Council.
 - The application Ref is 6/2024/1473/HOUSE.
 - The development is described as proposed dropped kerb.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 12 December 2024, a revised National Planning Policy Framework (the Framework) was published and corrected on 7 February 2025. There is no need to invite further comments from the Council or the appellant on the revisions as there are no fundamental changes relevant to the appeal before me.
3. The intention of the development is to allow an off-road parking space for the host dwelling on an existing area of hardstanding. The Council contends that the depth of this space would fall short of Hertfordshire County Council's (HCC) requirements set out within the HCC Dropped Kerb Policy (2024). However, the provision of hardstanding is not part of the appeal before me, and therefore the length of the parking area is not within the remit of my considerations.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on the safety of the highways network.

Reasons

Character and appearance

5. Martin Close comprises a cul-de-sac of semi-detached and terraced residential properties of a relatively uniform design and appearance. The street scene features areas of hardstanding, both in front of garage blocks and through a layby to the front of the host dwelling and its attached neighbours. The hardstanding used in the layby is formed of a different material to the space in front of the garages providing a distinction between the two. The raised kerb defining the layby

creates a visual cue delineating the formalised area of street parking. The proposal seeks to introduce a dropped kerb to the front of the dwelling between this layby and a grassed verge.

6. The siting of a dropped kerb in this location would create a lack of visual coherence in the street scene. The proposed development would cause confusion to the distinction of the layby, interrupting and divorcing the function of the layby thereby harming the character of the area. I disagree that the dropped kerb would ease the burden on the layby. If the development were to be used for its intention to allow a vehicle to park immediately adjacent to the dwelling, then the status of the layby would become unclear and is more likely to be left empty at the location of the proposal.
7. This would be contrary to Policy SADM12 of the Welwyn Hatfield Borough Council Local Plan (WHBLP) which specifically requires development proposals to ensure an attractive and coherent street scene is maintained. It would also be contrary to the standards set in the HCC Dropped Kerb Policy which discourages accesses where they conflict with a designated layby.
8. The appellant has cited an example in the area where a dropped kerb has been installed adjacent to a layby. The circumstances under which this was constructed, or its status with regard to planning permission is not before me in evidence. Therefore, I cannot draw any direct comparison with the proposal that would weigh in its favour.
9. For these reasons, I conclude that the development would harm the character and appearance of the area and would be contrary to Policy SADM12 of the WHBLP.

Highway safety

10. The cul-de-sac already features areas designed for the parking of vehicles, such as the layby and the blocks of garages. The development would likely lead to the displacement of parking from the layby immediately to the front of the host dwelling for the reasons set out above. However, noting that the appeal site is situated on a lightly trafficked cul-de-sac, the displacement of parking would not cause a highway safety issue. Unrestricted street parking is available elsewhere along Martin Close and on surrounding streets and therefore vehicles would likely be able to find an alternative location to park, without obstruction to the highway.
11. The development would not amount to highways safety harm. The Council's identification of an adverse impact on highways safety in the reason for refusal is therefore disproportionate to the proposal and I find no conflict with Policy SP4 of the WHBLP, which seeks to improve safety for all highway users. Nevertheless, a lack of harm in this respect does not overcome the harm identified in relation to the character and appearance of the area.

Other Matters

12. The appellant contends that the development would allow them to install a charging point for an electric vehicle (EV). The ability to install an EV charging point is a benefit in terms of helping to tackle climate change. However, this benefit would be limited in the context of the scale of the development and does not outweigh the harm to the character and appearance of the area identified above.

Conclusion

13. Although I have found that the proposal would not have an adverse effect on the public highway, it would be harmful to the character and appearance of the area. This brings the scheme into conflict with the development plan and material considerations do not indicate a decision otherwise than in accordance with it. I therefore conclude the appeal should be dismissed.

L Gardner

INSPECTOR