

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 21 JUNE 2018
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

Appeal Decisions 11/05/2018 to 11/06/2018

| 6/2017/1079/FULL | |
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| DCLG No: | APP/C1950/W/17/3185853 |
| Appeal By: | c/o DPA (London) Limited |
| Site: | Land adjacent to 37-48 Lambs Close, Cuffley, Potters Bar, EN6 4HD |
| Proposal: | The erection of 3 x 2 bedroom flats |
| Decision: | Appeal Dismissed |
| Decision Date: | 14/05/2018 |
| Delegated or DMC Decision: | Delegated |
| Summary: | <p>The main issues were whether the development would provide enough car parking for existing and proposed residents of Lambs Close, and the effect of the development on the living conditions of the occupiers of 3 Theobalds Close. The Inspector observed that there is a significant amount of parking demand from the existing Lambs Close developments. The proposed development would be located in an area which currently provides car parking for existing residents. Whilst the appellant had indicated that they would be willing to continue to make spaces available, this was not supported by a legal agreement and the absence of this meant that the Inspector found that a serious level of parking stress would result, with consequential effects on highway safety and loss of amenity.</p> <p>With regard to the proposed parking provision of one space per new flat, the Inspector found this to be acceptable given the sustainable location of the site, both in terms of transport and services. In terms of potential overlooking, the Inspector was satisfied that any issues of overlooking could be addressed by the introduction of obscure glazing. Notwithstanding this, the appeal was dismissed as it would result in the loss of parking spaces for existing residents, contrary to Policies M14 and IM2 of the district Plan, as well as the aims of the National Planning Policy Framework.</p> |
| 6/2017/1905/HOUSE | |
| DCLG No: | APP/C1950/D/18/3193663 |
| Appeal By: | Mr & Mrs Donegan |
| Site: | 12 King James Avenue Cuffley Potters Bar EN6 4LR |
| Proposal: | Erection of a single storey side infill extension to garage following partial demolition of existing, extension and alterations to roof and alterations to openings |

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| Decision: | Appeal Dismissed |
| Decision Date: | 14/05/2018 |
| Delegated or DMC Decision: | Delegated |
| Summary: | The main issue was the effect of the development on the character and appearance of the area. The Inspector noted that the prevailing materials in the local area were brick, render and tiled roofs. In contrast to these traditional materials, the proposed development would feature a zinc roof and lightweight cladding. As well as this, it was noted that the roof would be formed of three gable ends, of different width and different roof pitches. This, combined with the poor fenestration, was found to significantly out of character and an incongruous feature in the streetscene. As a result, the proposal was found to conflict with policies D1 and D2 of the District Plan as well as the design aims of the National Planning Policy Framework. |
| 6/2017/2194/HOUSE | |
| DCLG No: | APP/C1950/D/18/3196296 |
| Appeal By: | Mr S Williams |
| Site: | 37 Wellfield Road Hatfield AL10 0BY |
| Proposal: | Extension and conversion of existing detached garage to provide ancillary accommodation |
| Decision: | Appeal Dismissed |
| Decision Date: | 29/05/2018 |
| Delegated or DMC Decision: | Delegated |
| Summary: | The main issues were impact on the character and appearance of the surrounding area, the living conditions of nearby properties and future occupiers of the development, and highway safety, with particular regard to car parking. The Inspector found that the proposed development would be akin to a 2 bedroom dwelling rather than an ancillary garden structure. Due to its size, siting and appearance the proposal would be an incongruous feature in the garden and would be poorly related to neighbouring buildings. This was found to result in an unacceptable effect on the character and appearance of the area, contrary to Policies D1 and D2 of the District Plan. The Inspector found that the proposed building would have an acceptable relationship with the flats to the rear, but that it would be an overbearing structure when viewed from the garden of no.39 resulting in an unacceptable sense of enclosure to no.39 being created. There would also be a bedroom window in the proposal in very close proximity to the boundary wall. As a result of all of this, it was found that the proposal would have a detrimental effect on both neighbouring occupiers and future occupiers of the proposed development. Finally, it was noted that the proposal would result in the loss of the double garage and existing surface parking and would be likely to result in an increase in on-street parking, which the Inspector found harmful to highway safety. |
| 6/2017/2915/HOUSE | |
| DCLG No: | APP/C1950/D/18/3196541 |
| Appeal By: | Mr T Lambert |

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| Site: | 12 The Orchard Welwyn Garden City AL8 7PL |
| Proposal: | Erection of two storey front, rear and side extensions |
| Decision: | Appeal Dismissed |
| Decision Date: | 29/05/2018 |
| Delegated or DMC Decision: | Delegated |
| Summary: | <p>The main issues were the effect of the proposal on the character and appearance of the host property and the surrounding area and whether it would preserve or enhance the character and appearance of the Welwyn Garden City Conservation area, and the effect of the proposal on highway safety, with particular regard to car parking provision. The Orchard is identified as a “key unlisted building” within the Conservation Area, reflecting the unity of the group of houses and the high quality residential environment that it creates. The Inspector attached significant weight to these matters. The Inspector found that the proposal would result in a substantial flank elevation that, whilst obscured to some degree in summer, would be highly conspicuous in winter, or if vegetation was removed. As a result, it was found that due to its siting, bulk and massing, the proposal would have an unacceptable effect on the appearance of the host property and its surroundings and would fail to preserve the character and appearance of the Conservation Area, conflicting with Policies D1 and D2 of the District Plan. With regard to car parking, the Inspector noted that two off street spaces would be provided, and they saw no evidence of high levels of on-street parking that would suggest this provision to be insufficient.</p> |