

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 24th October 2024
REPORT OF THE ASSISTANT DIRECTOR (PLANNING)

Appeal Decisions 30/08/2024 to 11/10/2024

6/2024/0437/HOUSE	
DCLG No:	APP/C1950/D/24/3344603
Appeal By:	Mr Gent Sadiku
Site:	125 Dawley Welwyn Garden City AL7 1EB
Proposal:	Erection of a two storey rear and side extension. Installation of new front windows. Relocation of entrance door to new extension.
Decision:	Appeal Dismissed
Decision Date:	24/09/2024
Delegated or DMC Decision:	Delegated
Summary:	<p>This appeal was for the erection of a two storey rear and side extension. Installation of new front windows. Relocation of entrance door to new extension.</p> <p>The Planning Inspectorate agreed that the changes proposed to the appearance of the appeal dwelling from the public domain would be harmful to the character and proportions of the existing house and the rhythm in the streetscene. In addition, the proposed extensions would have deleterious effects on the neighbours at Nos.123 and 127.</p> <p>The appeal is dismissed</p>
6/2024/0152/HOUSE	
DCLG No:	APP/C1950/D/24/3343852
Appeal By:	Mr and Mrs Adam Sewell
Site:	Garden Cottage Danesbury Park Road Welwyn AL6 9SE
Proposal:	Erection of annex following demolition of an existing one bedroom annex, partial demolition of existing stables building, removal of shipping containers and reduction in area of existing hard standing
Decision:	Appeal Dismissed
Decision Date:	08/10/2024
Delegated or DMC Decision:	Delegated
Summary:	This application follows the refusal of planning permission for the demolition of an

existing one bedroom annex; partial demolition of existing stables building; removal of shipping containers; reduction in area of existing hard standing; and erection of a replacement residential annex.

As background there were two recent appeal decisions that relate to the lawfulness of the existing stables and annex (references APP/C1950/X/22/3296178 and APP/C1950/X/22/3296181). These appeals determined that the two structures had become lawful due to the passage of time. However, it was not accepted that the stables or the annex were part of the same planning unit as the dwelling. There was insufficient evidence to demonstrate that a lawful residential use of the stable land or the annex had been established. The Inspector found that the red line of the application site includes a considerable area including the existing dwelling and areas not found to have a lawful residential use.

On whether the development is inappropriate development the Inspector concluded, from previous decisions, that the land is occupied by permanent structures and it represents previously developed land. They said that the proposal would result in a new building at ground floor level of a similar scale to the existing annex building to be replaced. However, it would also include a significant area of subterranean development with a result that the two storey building and associated built lower terrace would substantially increase the scale of development compared to the existing annex. The removal of part of the area of hardstanding outside the stables formed part of the application. The Inspector said this was not considered to be permanently surfaced and plants are already growing through it. Returning it to meadow would not add significantly to the openness of the area. The Inspector also concluded that the proposal would result in a greater scale of development overall, and it would reduce the openness of the Green Belt.

The Inspector gave due consideration to other benefits set out by the appellant such biodiversity enhancement measures and benefits to family members, but that these benefits must be considered on the basis that the proposal represents a single dwelling in a location that is not highly accessible. The Inspector concluded that these do not represent the very special circumstances that are necessary to justify the development

The appeal was dismissed.