

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 8 NOVEMBER 2018
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING AND
GOVERNANCE)

Appeal Decisions 30/09/2018 to 24/10/2018

6/2016/2700/MAJ	
DCLG No:	APP/C1950/W/17/3188195
Appeal By:	Mr P Prebble
Site:	Land adjacent to Sewells Welwyn Garden City AL8 7SN
Proposal:	The construction of 11 x three bedroom houses, a new vehicular access from Sewells and associated car parking.
Decision:	Appeal Dismissed
Decision Date:	01/10/2018
Delegated or DMC Decision:	Delegated
Summary:	<p>The key issues were identified as the impact of the proposed development on the character and appearance of the area, the living conditions of adjoining residential occupiers, the effect of the development on the setting of the Grade II* listed railway viaduct and the impact of the development on the Council's policies for Urban Open land within its area. The Inspector found that the proposal would include a terrace of three houses within 9m of the northern boundary of the site, virtually under the canopy of the very large mature trees between the site and the A1000. They would be clearly visible from the A1000 and were found to intrude into this otherwise undeveloped area. Further, the two terraces of three houses in the northern half of the site, along with the 12 parking spaces and the access road were found to impact considerably on the character and appearance of the area, and to have a harmful effect. Overall, the Inspector found that there would be an urbanising appearance of an area that is not seen as such at present. The Inspector agreed with the Council that the design and layout of the development, along with that of the proposed houses was unacceptable. The Inspector also agreed that there would be no harmful effect on the living conditions of neighbouring occupiers.</p> <p>Turning to the second main issue, the Inspector noted that looking towards the viaduct from the northern part of the site, it can currently be seen in an open setting with wide grass banks and very large mature trees, with no built form whatsoever intruding into the vista. It was acknowledged that the site is well within the built up area but that this quite large area has been left free of development and as a result the setting of the large viaduct structure is retained. The Inspector agreed that the development in this area would be seriously detrimental to the setting of the historic structure.</p>

	In respect of the Urban Open land designation, the Inspector found that there are strong reasons to support this, particularly the northern half of the site. The appeal was dismissed.
6/2018/0118/HOUSE	
DCLG No:	APP/C1950/D/18/3206663
Appeal By:	Mr Y Qadir
Site:	1 Ivy Walk Hatfield AL10 9FX
Proposal:	Installation of rear dormer window to facilitate loft conversion
Decision:	Appeal Dismissed
Decision Date:	12/10/2018
Delegated or DMC Decision:	Delegated
Summary:	The main issue was identified as the effect of the proposed extension on the provision of on-street parking, and any consequential effect on highway safety and the character and appearance of the surrounding area. The Inspector noted that permitted development rights for the property had been removed. The proposed roof extension would lead to an additional bedroom creating a 4 bedroom property. The Inspector agreed with the Council that the site is located in a less accessible area, away from a town centre and not within a convenient walk of a train station. In these circumstances the Inspector found that it was acceptable for the Council to require the provision of an additional parking space due to the increase in bedroom numbers. It was noted that there is no space within the appeal site to do this and so this would spill on to surrounding roads. The Inspector noted the appellant's view that there was sufficient on-street space to accommodate this, however the Inspector agreed with the Council that there is limited ability to conveniently or safely park on the highway and thus any additional parking is likely to add to pressures in the vicinity and be harmful to the convenience and safety of other road users and pedestrians. It was further considered that the additional on-street parking would also harm the established residential character of the area by leading to a cluttered appearance of cars in an indiscriminate fashion. The appeal was dismissed.
6/2018/1363/HOUSE	
DCLG No:	APP/C1950/D/18/3207689
Appeal By:	Mr Fox
Site:	12 Longlands Road Welwyn Garden City AL7 3QB
Proposal:	Erection of a two storey extension
Decision:	Appeal Dismissed
Decision Date:	12/10/2018
Delegated or DMC Decision:	Delegated
Summary:	The Inspector noted that the road was wide with grass verges and street trees and that the houses are grouped in semi-detached pairs and short terraces of similar

	<p>design and materials. The impression gained was that the original spacing between the houses had been retained and the open well-ordered character of the road reflects the distinctive pattern of development that typifies this part of the Garden City. The Inspector found that the proposal would reduce the space between the appeal dwelling and no.14 and would thereby diminish the open character of the area. The Inspector noted that the proposed forward projection would introduce a new “bookend” between the projections and no.2 and no.16 and would disrupt the pattern of development in this part of Longlands Road. Further the arrangement of windows and doors would fail to reflect the distinctive patterns found on the original projections where the balanced asymmetry of the ground floor is contrasted by the symmetry of the first-floor windows. Overall, the proposal was found to be harmful to the character and appearance of the area and the appeal was dismissed.</p>
6/2018/0687/HOUSE	
DCLG No:	APP/C1950/D/18/3207889
Appeal By:	Mr J Standing
Site:	5 Bell Lane Brookmans Park Hatfield AL9 7AY
Proposal:	Reconfiguration of first floor with revised roof shape and fenestration
Decision:	Appeal Dismissed
Decision Date:	12/10/2018
Delegated or DMC Decision:	Delegated
Summary:	<p>The main issues in the appeal were whether the proposal would be inappropriate development in Green Belt, the effect on openness of the Green Belt, the effect on the character and appearance of the host dwelling and if the proposal is inappropriate development whether there are any other considerations that clearly outweigh that harm and any other harm and whether very special circumstances exist. The Inspector considered that the dwelling constructed pursuant to planning permission granted in 1962 was the ‘original dwelling’ for the purposes of Green Belt policy and that the appellant’s references to earlier buildings on site do not change this view. The Inspector noted that the original dwelling had been increased in volume and floor space by the raising of the roof and the construction of dormer windows. The proposal would further increase the volume of the building significantly, similarly to the floorspace which would be increased by 100%. The Inspector considered these increases to be disproportionate to the original dwelling and to therefore be inappropriate development in the Green Belt. The Inspector found that whilst the bulk of the building above ground floor level would increase, this would not materially detract from the openness of the Green Belt. With regard to appearance, the Inspector found that the enlarged building would detract from the semi-rural character of the area and would radically change the existing dwelling to the extent that none of its existing form or aesthetic would remain. In conclusion, the Inspector found that substantial weight should be given to the identified Green Belt harm and the harm to the appearance of the area. This was not found to be outweighed by the limited benefits of the proposal and so ‘very special circumstances’ were not found to exist. The appeal was dismissed.</p>

6/2017/1152/FULL

DCLG No:	APP/C1950/W/18/3196357
Appeal By:	Welham Travel
Site:	Units 9-11 Peartree Farm Welwyn Garden City AL7 3UW
Proposal:	Change of use of land to a B2 use for vehicle repairs involving erection of a workshop following part demolition of existing workshop unit.
Decision:	Appeal Dismissed
Decision Date:	24/10/2018
Delegated or DMC Decision:	Committee
Summary:	<p>The main issues were whether the proposal would be located in a suitable location having regard to the development plan, and its effect on the living conditions of the neighbouring residential properties. The Inspector noted the location of the site outside of the designated Employment Area and thus subject to policy EMP8 and the criteria within it. The Inspector found that the proposal would result in activities being carried out in closer proximity to neighbouring residential properties, in conflict with EMP8. The Inspector found that the building would not be overbearing and that the design was appropriate for its use as a workshop but that it would not accord with policy D2 in that it would not respect the character and context of the area. The Inspector noted that noise within the building could be controlled, but that such a condition would not be enforceable as the main entrance door would need to be opened and closed every time a vehicle enters or leaves the building with this activity causing additional noise. In addition, the need to keep windows and doors closed would necessitate a requirement for additional plant to ventilate the building which in themselves may cause noise. It was found that the proposal would have an adverse impact on the residential amenities of nearby properties. In conclusion the Inspector noted that some aspects of the development are not harmful and the proposal would contribute to the identified shortfall of employment floor space. However these would not individually or cumulatively outweigh the identified harm. The appeal was dismissed.</p>