



Appeal Decision

Site visit made on 19th November 2024

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th December 2024

Appeal Ref: APP/X1925/W/24/3347317

165 Weston Way, Baldock, Hertfordshire SG7 6JG

- 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 Chris Hunt against the decision of North Hertfordshire District Council.
 - The application Ref is 24/00265/FP.
 - The development proposed is described as the 'conversion of existing three bed house into two single level independent apartments (1 x 1 bed and 1 x 1 bed), construction of a new one bed house adjoined to 165 Weston Road, with garage'.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. In my banner I have taken the description of the proposal from the application form, although I note the erroneous reference to 'Weston Road'. In its decision notice the Council used a slightly different description, to which the appellant does not agree.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of neighbouring occupiers, with particular regard to the outlook from 2 Willian Way.

Reasons

Character and appearance

4. The appeal site comprises an end of terrace property, which is located at the corner of Weston Way and Willian Way. Its appearance is typical of other buildings in the area, particularly to the eastern side of Weston Way. Here the buildings are in an Arts and Crafts style, predominantly two storeys high, with steeply pitched principal roofs, and a common palette of facing materials. Together with the gaps between the buildings and the sylvan, well-landscaped setting, this gives the area an attractive, spacious and well-planned sense of cohesion.

5. The Council raises no objection to the proposed sub-division of the existing house and the proposed single storey rear extension. Given that those works would be internal or to the rear, I agree that they would have a limited impact on the character and appearance of the area.
6. Turning to the proposed side extension, the Council's decision and its delegated file note are inconsistent with regards its impact, variously describing it as having a 'sympathetic and subordinate design', and being 'poorly designed and overly contrived'.
7. For my part, I note that this part of the proposal would introduce a substantial single storey element to the side of the host. Its squat scale and proportions, and its shallow pitched roof, would be markedly at odds with the host's two storey form and steeply pitched gable, and it would fail to respect the appearance of other buildings which typify this area. Thus, whilst it would be subordinate to the host, I concur with the view expressed by a local resident that it would result in an awkward sprawl of roof forms, and its composition would not respect the rest of the terrace.
8. As some of the scheme's rear walls would be sited very close to the boundary with 2 Willian Way ('No 2'), this part of it would appear cramped and would undermine the locally distinctive pattern and spacious quality of development, which contributes to the area's attractive and cohesive character.
9. There are currently trees and landscaping on the site, particularly around its boundaries, which partially screen it from public views. However, I cannot be certain that the vegetation will all be retained, and I note that in some places it would be kept at a maximum height of 600mm to maintain visibility around the access.
10. The appellant states that the existing house could be extended to the side and rear under permitted development rights. However, as depicted on the 'PD scheme' drawings, it would leave a larger area between this building and No 2 compared to the proposal before me. In any event, I cannot be certain that that development would be carried out should this appeal be dismissed, and the PD scheme does not constitute convincing grounds to justify what would be a poor design.
11. In reaching my decision I have had regard to the site's planning history, including two previous appeals, and in particular, the amendments that have been made to this proposal compared to the most recently dismissed appeal (Ref: APP/X1925/W/23/3332761). However, I have dealt with this scheme on its planning merits, and for the above reasons I conclude that it would significantly harm the character and appearance of the area.
12. It would thereby conflict with Policies SP9 and D1 of the North Hertfordshire Local Plan 2011-2031 ('NHLP'). In general terms, and amongst other things, these require good design which responds positively to the site's local context. It would also conflict with the broadly similar approach at section 12 of the National Planning Policy Framework ('Framework').

Living conditions

13. The house at No 2 sits well back from the road, on a plot with a wide highway frontage, but which tapers to a point at the rear. As a result, it has a small

private rear garden which can be accessed from patio doors, and a further narrow private area to the side, adjacent to the appeal site.

14. The proposed extensions would be located very close to the boundary with No 2. Whilst they would be single storey, they would be significantly taller than the existing fence. Given their proximity to the boundary, and to No 2's principal private outdoor amenity areas and to a number of its ground floor habitable room windows, the scheme would give rise to a harmful sense of enclosure and a significant loss of outlook for those occupants.
15. The impact on their living conditions would be exacerbated by the proximity of unit 3's living room patio doors leading to a small patio, which would be hard up against the common boundary, and which would give rise to a significant loss of privacy. Compared to the PD scheme, this proposal would result in the creation of a separate unit of accommodation with independent comings and goings, and with a smaller patio, and the available space between it and the boundary would be smaller.
16. Thus, whilst the Council considers that the scheme would not materially harm No 2's amenities, for the above reasons, and having regard to the context of this area, I agree with the views expressed by local residents, that it would cause unacceptable harm to their living conditions. Consequently, it would conflict with NHLP Policies D2 and D3, and with the Framework's requirement to ensure a high standard of amenity for existing and future users.

Other matters

17. In its favour, the scheme would contribute to the supply of housing, and in that regard, it finds a measure of support from Framework and development plan policies. Given that there would be a net increase of just two units, this carries modest weight in its favour.
18. Finally, whilst I note the appellant's frustration with the Council's decision making, and his view that it has sought new, subjective reasons to refuse permission, I have dealt with the proposal before me on its planning merits.

Planning Balance and Conclusion

19. Summing up, for the above reasons, I find that the scheme would significantly harm the character and appearance of the area, and that it would also harmfully affect the living conditions at 2 Willian Way. The scheme's modest benefit would not outweigh the harms that it would cause. Consequently, having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR