

WELWYN HATFIELD COUNCIL
PLANNING CONTROL COMMITTEE – 21 DECEMBER 2006
REPORT OF THE CHIEF PLANNING AND ENVIRONMENTAL HEALTH OFFICER

S6/2006/1271/FP

DEMOLITION OF EXISTING DWELLING AND ERECTION OF TWO 5-BEDROOM DWELLINGS AT 8 ORCHARD CLOSE, CUFFLEY

APPLICANT: Dylan Morgan

Northaw & Cuffley

1 Site Description

- 1.1 The area is characterised by detached dwellings set back from the highway with provision of parking within garages and hardstanding in front of the dwellinghouses. The remaining frontages are predominantly soft landscaped with trees, grass and flower beds. Land levels increase from east to west and also north to south.
- 1.2 The site is located on the southern side of Orchard Close, an unadopted road. The existing dwelling on the site is located within the centre of the plot and consists of a two storey dwellinghouse with attached garage. Land slopes upwards from the front of the site to the rear as well as from north-west to south-east.

2 The Proposal

- 2.1 The application seeks full planning permission for the demolition of the existing dwelling and replacement with two dwellings. These would be sited 1 metre forwards compared to the existing dwelling and the buildings would extend further into the rear gardens. The distance to the boundaries with numbers 7 and 9 Orchard Close would be reduced compared to that currently existing and would be 1.5 metres and 1 metre respectively.
- 2.2 Each of the front elevations are characterised by a front facing gable set slightly forwards of the main element of the dwelling. The roofs to the dwellings are all hipped with the exception of the single storey elements which are mono-pitched. To the flank elevations, windows are proposed but these would all be obscured being to bathrooms and en-suites. Materials proposed include clay stock bricks, render, slate roofs and timber joinery.

3 Planning History

- 3.1 S6/1980/0400/ Chalet bungalow with double garage (details)
Granted
- S6/1983/0105/ Detached chalet bungalow with garage
Granted

S6/1997/0580/LU Erection of a detached conservatory to rear garden.
Granted

4 Planning Policy

4.1 The following policies are relevant to the determination of this application:

Planning Policy Guidance Note 3 (PPG3): Housing

Hertfordshire Structure Plan Review 1991 – 2011

Policy 6 – Settlement Pattern and Urban Concentration

Welwyn Hatfield District Plan 2005

SD1 – Sustainable Development

GBSP2 - Towns and Specified Settlements

R3 - Energy Efficiency

R5 - Waste Management

M14 - Parking standards for New Developments

D1 - Quality of Design

D2 - Character and Context

D5 - Design for Movement

D7 - Safety by Design

D8 - Landscaping

D9 - Access and Design for People with Disabilities

H2 - Location of Windfall Residential Development

R17 - Trees, Woodland and hedgerows

Supplementary Design Guidance, February 2005

Supplementary Planning Guidance, Parking Standards, January 2004

5 Representations Received

5.1 The application was advertised by site notice and neighbour notification letters. Six letters of objection were received from 1A, 3, 6, 7 and 9 Orchard Close. Their objections may be summarised as follows:

- Mass of dwellings out of character with the locality
- Cramming/ overdevelopment and space to boundaries
- Already enough houses
- Overwhelm adjacent dwellings
- Lack of parking provision with garages used for storage
- Damage to highway which is unadopted
- Overlooking from windows
- Increased traffic

5.2 **Northaw & Cuffley Parish Council** object to the proposal. “The proposed plans appear to be overdevelopment of the site resulting in a cramped appearance, the separation between existing properties is greatly diminished. Contrary to policy D2 of the Welwyn Hatfield District Plan 2005.

5.3 **Council’s Arboriculture Officer** – no objections in principle, recommend conditions.

- 5.4 **Environment Agency** unable to respond to the application.
- 5.5 **Thames Water** do not have any objection in regards to sewerage infrastructure.
- 5.6 **Environmental Health** have no objections to the above proposal.
- 5.7 **Hertfordshire County Council Highway Authority.** Orchard Close is a private road, and therefore Hertfordshire County Council as Highway Authority has no jurisdiction over this stretch of the highway.
- 5.8 **Welwyn Hatfield Access Group** request that this application is considered subject to the standards and criteria outlined in the current District Plan (Policy D3d, Policy D5).

6 Discussion

- 6.1 The main issues are the design and character of the proposal upon the street scene, impact of the proposal upon the amenity of occupiers of adjoining dwellings and highways and parking matters.
- 6.2 PPG3 (Housing) encourages the provision of more housing within towns and other specified settlements and encourages local planning authorities to avoid the inefficient use of land; to make full use of previously developed sites and to seek higher density developments, by taking a more flexible approach to development plan standards in respect of car parking, amenity space and overlooking. However, it goes on to state that good quality design and layout should not be sacrificed in the drive for a more efficient use of land and higher density development.
- 6.3 The application site is located within an existing housing area and it is considered that the proposal in principle represents an acceptable form of development. In assessing a development of this type, it is necessary to ensure that there is a proper means of access, which is convenient and safe for both drivers and pedestrians, and adequate provision exists for car parking. Additionally, it is important to ensure there is adequate space between old and new buildings to avoid the loss of amenity to neighbouring houses, for example, by overshadowing, loss of privacy etc.
- 6.4 As indicated previously, whilst it is acknowledged that the advice contained in PPG3 promotes the use of previously developed land, this also suggests that new housing development should be well designed. In this respect it is considered that the proposed dwellings would be acceptable in terms of their design, architectural detailing and roof form. The insertion of two larger dwellings than the one to be demolished would not cause harm to the character, form and appearance of the street, which is characterised by dwellings of various designs and two storey dwellings and with the topography of the land would still be in keeping.
- 6.5 The distance between all boundaries compared to that currently existing would be reduced. However, separation between boundaries within the Close are not uniform and particularly in the case of lower numbered dwellings, dwellings are up to or within a metre of the boundaries. It is considered therefore that that the proposed dwellings respect their surrounding environment and the existing spaces between dwellings and pays regard to the pattern of development in the vicinity of the application site.

- 6.6 The siting of the buildings are set slightly forwards compared to the existing dwelling. The proximity of dwellings this side of the Close to the highway differ and because of the change in land levels, the siting of the dwellings closer to the highway would not be detrimental to the character of the locality.
- 6.7 The increase in height of the two dwellings compared to that existing would not look out of character with the locality. Due to changes in land levels, the ridges of existing dwellings already vary throughout the Close. The proposed dwellings would relate to the existing variations.
- 6.8 With regards to the impact on the amenity of adjoining occupiers, there would be an impact by virtue of the increase in height of the dwellings and the closer proximity of the two flank elevations. However, it is considered that this would not be detrimental. Number 7 lies at a higher level, due to level changes. A first floor a clear glazed window exists towards the centre of the flank elevation to this dwelling. The location of the dwelling on plot 2 would ensure that current amenity is maintained. The two storey element is set forwards of this window and with conditions attached (for both plots) for no further windows in the flank elevations and obscured glazing, preservation of amenity would be retained. There is an oblique angle between both plots and the neighbouring dwellings from the bay window glazing to bedroom 2 to both dwellings. It is proposed to condition the flank windows of both plots bedroom 2 windows where these would overlook, thus overcoming this objection.
- 6.9 Number 9 does not have any flank windows and therefore there would be no impact. Plot 1 extends further back in the plot than the existing dwelling, however the closest element to the rear of Plot 1 to this dwelling would be single storey and together with the distance and angles, there would be no loss of amenity from rear windows to number 9. The location of the dwellings, together with the orientation of the sun would ensure that any changes in daylight would not be significantly detrimental.
- 6.10 SPG Residential Design Guidance requires the provision of adequate private amenity space for residents. The proposal would retain in excess of 190 square metres of garden for plot 2 and in excess of 150 square metres for plot 1 to the rear. This size of garden is adequate for a five bedroom dwelling and is comparable to a number of other gardens within the area.
- 6.11 Policy D2 requires the character and context of development to relate to the area in which it is proposed. For reasons given above, it is considered that the development would comply with the aims of this policy.
- 6.12 For a five-bedroom dwelling, a maximum of 3 off-street parking spaces should be provided for each plot. The garages for both would accommodate 2 vehicle and with the driveways a 2 further spaces could be provided, thus complying with policy M14. Soft landscaping could also be provided to the frontage, retaining some of the existing and the application has been accordingly conditioned.
- 6.13 In relation to neighbours comments regarding possible damage to the highway. This highway is not adopted and therefore not subject to control by Hertfordshire County Council Highways and therefore any damage would be a civil matter.

7 Conclusion

- 7.1 To conclude, the design, architectural detailing, roof form and the materials of the proposed dwelling are acceptable and represent an acceptable form of development in this location complementing the character and appearance of the street. The proposal would respect its surrounding environment and the existing spaces between dwellings and has regard to the pattern of development in the vicinity of the application site. The proposed dwelling would not be harmful to occupiers to the neighbouring residential properties. Parking provision and access arrangements are acceptable.
- 7.2 The proposals accord with the requirements of the relevant policies of the Adopted District Plan and criteria given in the Supplementary Design Guidance of the Welwyn Hatfield District Plan Review.

8 Recommendation

- 8.1 It is recommend that planning application S6/2006/1271/FP be approved subject to the following conditions:

1. SC01 – Time Limit Full Permission
2. SC19 – Materials – Details to be Submitted
3. SC21 - No Additional Windows in First Floor Side Elevations
4. SC32 – Obscured Glazing (to flank elevations)
5. The flank window to bedroom 2 in plot 1 facing number 9 and bedroom 2 in plot 2 facing number 7 shall be finished in obscured glazing, and shall be retained in that form thereafter unless otherwise agreed in writing by the Local Planning Authority.
Reason
To prevent any overlooking or loss of privacy to adjoining properties, and in accordance with policy D1 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance.
6. The garage(s) shall be used for the housing of private vehicles and not as additional living accommodation or for any commercial activity.
Reason
To ensure the Local Planning Authority retains control over any future development and thereby retain the openness of the Green Belt in accordance with policy M14 of the Welwyn Hatfield District Plan 2005.
7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order, 1995, the enlargement, improvement or other alteration of any dwellinghouse as described in Schedule 2, Part 1, Class A, B and E of the Order shall not be undertaken without the prior permission of the Local Planning Authority.
Reason
To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity.
8. SC09 – Landscaping Scheme – Full Permission
9. SC25 – Levels

10. Details of all boundary walls, fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. All such approved means of enclosure shall be erected prior to the first occupation of any dwellings commensurate therewith, and shall thereafter be retained to the satisfaction of the Local Planning Authority.

Reason

In the interests of privacy and visual amenity, in accordance with policy D1 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance.

8.2 The reason for grant of permission is as follows:

It is considered that the proposed development does not have an unacceptably harmful impact on residential amenity or the character of the area in which it is located as the development proposed is consistent with the built form of surrounding dwellings and does not result in unacceptable overlooking or loss of privacy and does not have any unacceptably dominating impact with regard to neighbouring uses.

Chris Conway, Chief Planning and Environmental Health Officer

Date

27 November 2006

Background papers to be listed (if applicable)

