

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2007/1466/FP
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NOTATION:

The site lies within the settlement of Cuffley as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application site is located on garden land to the rear of four properties fronting Hill Rise and Plough Hill. The site does not have an existing access and the application has shown a road to be inserted between numbers 2 and 4 Hill Rise. The site has been illustrated to include the whole of number 2 Hill Rise's plot and sections of the rear gardens of 54, 56 and 58 Plough Hill.

Hill Rise and Plough Hill is characterised by mostly linear development of detached and some semi detached properties, which vary widely in design and style. The application site is within an area of changing land level, there are substantial changes in the land level across Hill Rise and Plough Hill. To the north west of the site there is a form of back land development adjacent to the flank of number 4 Hill Rise's Plot. This consists of two properties and an access road.

The application site is on a hillside and the land level falls steeply from Hill Rise to the rear boundaries of the properties on Hill Rise and Plough Hill. The rear boundaries of these properties adjoin the rear boundaries of properties, which are on Kingsmead. The land level continues to fall toward the properties on Kingsmead and then rises by a small height close to the dwellings. Some of the properties on Kingsmead have elevated terrace areas to their rear elevations as the floor levels within the dwellings are on a higher ground level than the adjacent ground.

The application site has trees, shrubs and vegetation which screen the boundaries but vary in density. The existing trees within the rear gardens add to the character of the areas. At the time of the latest site visit many trees had lost vegetation due to it being winter and the vegetation does not generally a dense screen. At the time of the site visit for the previous application some mature trees appeared to have been felled within the application site. Aerial photos of the site show that tree cover used to be a lot greater.

DESCRIPTION OF PROPOSAL:

The application has proposed to create an access road adjacent to north western flank of number 2 Hill Rise. This would lead to a roughly rectangular area of land which consist of the part of the rear amenity areas of number 2 Hill Rise and 54, 56 and 58 Plough Hill. This area of land would measure approximately 57m in width by 37m in depth. This section of land would be subdivided into 4 plots and an access drive.

The proposed development would involve the erection of 4 detached houses.

To the northern corner of the site, plot 1 would accommodate a house measuring a maximum of 14m in width by 11.6m in depth. This dwelling would have a hipped roof with gable projections to the front. To the front of the dwelling the ridge height would measure 9m.

Plot 2 would accommodate a house measuring a maximum of 11.5m in width by 10.4m in depth with a hipped roof to a maximum height of 9.4m.

Plot 3 would accommodate a house measuring 17.5m in width by 13.2m in depth. Part of this dwelling would be 1.5 storey with a ridge height of 8.2m the remainder of the dwelling would have a maximum height of 8.4m.

To plot 4 a dwelling would be constructed of the same dimensions and similar in design to that on plot 2. Rather than an integral garage this plot would have a detached garage measuring 5.2m in width by 5.2m in depth with a pitched roof to a height of 5.4m.

PLANNING HISTORY:

S6/2007/852/FP – Erection 5 detached dwellings - withdrawn

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Guidance

PPS1 - Delivering Sustainable Development PPS3 – Housing

Hertfordshire Structure Plan Review 1991 – 2011:
None.

Welwyn Hatfield District Plan 2005:
SD1 Sustainable Development
GBSP1 – Definition of Green Belt
GBSP2 - Towns and specified settlements
H2 – Location of Windfall Residential Development
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
Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005
Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

CONSULTATIONS

NORTHAW & CUFFLEY PARISH COUNCIL COMMENTS

The following statement was received:

Objection. The Parish Council dispute and object to the proposed application by the applicants. Policy D.2 – The proposed development does not reflect the character and context of the area. It is backland development which will overlook the dwellings in Kingsmead which are predominantly bungalows and overlook the rear of numbers 54, 56 and 58 Plough Hill and those in Orchard Way. It would also affect the openness of the settlement in Cuffley. Policy D3 – It does not conform with the above policy since the proposed development is cramped in relation to the neighbouring properties. One could suggest that it is an example of 'Town Cramming' that works against the openness of the surrounding area. Sitting and Land Use.

Hertfordshire Highways – No objection subject to conditions.

Thames Water – No objection.

The Environment Agency – No objection.

The Landscape Officer – No objection. The application site was assessed as part of the previous application. Although it appeared that trees had been felled there were not any Tree Preservation Orders on the site and none of the remaining trees were found to be worthy of protection. If development were to be approved appropriate conditions would be necessary.

Hertfordshire Biological Records Centre – Comments from the previous application raised concern of the proposed developments impact upon breeding and nesting birds.

REPRESENTATIONS

This application has been advertised and 26 representations have been received. 23 letters of objection and 3 letter of support (2 from one property) Period expired 2 November 2007. The objections raised have been summarised below:

- Overbearing and dominant impact upon the surroundings and neighbouring properties; proposed buildings would overshadow the adjacent properties; impact of overlooking and loss of privacy to the neighbouring properties; overdevelopment; proposed dwellings would be too tall; dwellings would be too large and cramped; impact upon outlook of existing properties; development would isolate number 4 between two access roads;
- Impact upon mature trees and landscaping; impact upon wildlife and ecology; loss of a green space; loss of a habitat for birds and other wildlife; loss of natural drainage;
- Out of character with the existing street scene and character of the area; incongruous design; inadequate small gardens; not inkeeping with the predominant character of the area;
- Inadequate vehicular access; impact upon pedestrian and highway safety; impact upon local infrastructure; no provision of affordable housing; inadequate car parking provision.

DISCUSSION:

The main issues are:

- 1. The proposal's impact upon the character and appearance of the locality**
- 2. The proposal's impact upon residential amenity of the neighbouring occupiers**
- 3. Other Material Planning Considerations**

1. The proposed development would consist of large detached houses on relatively small plots. The proposed dwellings have been poorly designed and have not taken into account the appearance of the neighbouring dwellings. The proposed dwellings would all have substantial footprints and depths, which require excessive ridge heights and bulky roofs. The appearance of the proposed dwellings and the surrounding ground level cannot be fully assessed as insufficient information of the surrounding ground levels has been provided. As proposed the dwellings on plots 3 and 4 would be on built up on wedge-shaped platforms, which appear bulky and inappropriate. These dwellings would appear much taller when viewed from lower ground. All of the proposed dwellings would be out of proportion, top-heavy and overly dominant. The proposed dwellings would have floor spaces comparable to the areas of the plot's rear amenity spaces, this plot to building ratio would not be in keeping with the character of the locality.

The proposed dwellings on plots 1, 2 and 3 have been sited within the minimum distance 1m from the flank boundaries. The proposed dwelling to plot 4 would also be sited within 1m from the plot's flank boundaries, although this dwelling would not have the two-storey proximity of the other properties, it would appear cramped and contrived. The Design Guidelines of the Welwyn Hatfield District Plan 2005 have a minimum distance of 1m from the first floor areas to the flank boundaries. Due to the height, mass and bulk of the proposed dwellings a distance greater than 1m from the flank boundaries would be more appropriate. The proposed proximity of these dwelling would not be in keeping with the character of the locality.

The proposed dwellings have been illustrated to be two-storey, but the properties on plots 1,2 and 4 would be capable of accommodating a further floor within the roof space without substantial alteration. The proposed dwellings would be very different from the properties on Hill Rise and Plough Hill. The existing properties on Hill Rise and Plough Hill have shallower roof heights and although some of these properties are large, they appear in proportion. The proposed dwellings have also failed to reflect the character of the properties on Kingsmead and to the north east of the site. These as dwellings are generally single storey and 1.5 storey in appearance with low eaves heights and have a more modest appearance.

When viewed from the proposed access to the site, the views of the proposed dwelling would be limited due to the narrow access width, existing properties and the lower ground level that the proposed dwellings would be built upon. However, the proposed dwelling would be clearly viewed from several of the neighbouring dwellings and their plots that surround the application site. Therefore, although the impact upon the public street scene would not be adverse, the appearance of the dwellings is an important consideration.

It is therefore considered that the proposed dwelling would have an adverse impact upon the character and appearance of the locality.

2. The proposed development would result in a loss of residential amenity to some of the adjacent dwellings.

The proposed vehicular access would be sited close to the flank of number 4 Hill Rise. This property has an existing vehicular access to the other flank of its plot. The proposed access road would be relatively narrow and change level by approximately 2.5m from the boundary with the footpath to the rear of number 4. The narrow width and gradient of the proposed access road, combined with the proximity of number 4 to the boundary would result in an unacceptable degree of noise and disturbance to this adjacent property. The cumulative amount of vehicular journeys that the proposed dwellings would generate, combined with journeys through the existing access road to the other side of number 4 would be excessive. The disturbance impact upon number 4 would also be suffered within the rear amenity space. The proposed property to plot 1 would be very prominent when viewed from the private amenity space of number 4 Hill Rise.

The application has shown the change in land level and position of properties from Hill Rise and Plough Hill to the rear of the application site. Numbers 2 Hill Rise and 54, 56 and 58 Plough Hill are all sited on a higher ground level than the proposed dwellings and would not be overlooked by them. However, it is important to consider the impact upon the properties to the north and east of the application site, in particular number 19, 21 Kingsmead and the relatively new property to the west of number 21. These dwellings are on a lower ground level and the proposed properties on plots 1,2 and 3 would back onto the rear amenity space of these dwellings. The ridge and eaves height of an adjacent property to the north east of the site has been plotted on drawing P01. However, this shows very little consideration of the development impact upon this property and does not show the lie of the land or position of the neighbouring properties and their private amenity spaces. The proposed dwellings to plots 1,2 and 3 would all have an adverse impact upon the outlook from the adjacent dwellings to the north east. These dwellings would have an adverse overbearing impact upon the existing properties, which would be exacerbated by the lower ground level of the adjacent existing properties and the bulk and proximity of the proposed dwellings to each other.

The trees and vegetation on the site boundaries is not sufficient to reduce the impact upon the neighbouring properties. It must also be considered that the existing vegetation cannot be relied upon as a sole means of screening as it not covered by a Tree Preservation Order and could be removed. Furthermore, the vegetations density is significantly reduced in the winter and it could be reduced further by disease and storm damage.

The proposed dwellings would result in an unacceptable amount of overlooking to the adjacent properties to the north and east. Due to the change in land levels the proposed dwellings to plots 1 and 2 would have a direct overlooking impact upon the adjacent dwellings beyond the north eastern boundary. The proximity of the proposed dwellings and amount of first floor glazing would result in both direct and perceived overlooking to both the habitable rooms of the adjacent dwellings and the private areas of their amenity spaces, which surround the rear elevations.

The proposed development has failed to comply with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

3. The proposed development has provided a double garage and two off road spaces for each dwelling. The site is with zone 4 of the parking standards of the Welwyn Hatfield District Plan 2005. The proposed parking provision would meet the maximum requirement and is considered to comply with Policy M14 of the Welwyn Hatfield District Plan 2005.

The proposal would not have an adverse impact upon the public highway network and no objection has been raised by Hertfordshire Highways.

The application site does not have any protected trees or hedgerows. Although the site may attract wildlife there are not any records of protected or endangered species. Hertfordshire Biological records have not raised an objection, subject to birds' habitats not being disturbed during breeding times. The proposed development would not be considered to have an adverse impact upon the biodiversity of the area.

The Design and Access statement accompanying the application is incomplete and has not fully addressed the requirements contained within the CABE guidance. It is considered to be inadequate and does not assist the application.

The application has illustrated several alterations to the land level, but not clearly shown how areas would be accessed and connect to each other. For example doors and garage doors have been shown on a slope without a level threshold. This would not comply with the requirements for disabled access and would not comply with Policy D9 of the Welwyn Hatfield District Plan.

The design and access statement has stated that modern building methods, materials and appliances. This demonstrates some compliance with Policy R3 of the Welwyn Hatfield District Plan 2005.

CONCLUSION:

The proposed development would have an adverse impact upon the character and appearance of the locality. The proposed development would also have an adverse impact upon the adjacent occupiers by way of noise and disturbance, overbearing and dominant impact and an unacceptable amount of overlooking. The application has therefore failed to comply with the relevant policies of the Welwyn Hatfield District Plan 2005.

RECOMMENDATION: REFUSAL AND REASONS

1. The proposed development would result in an obtrusive and incongruous form of development detrimental to the character and appearance of the locality and the visual amenities of neighbouring properties and surrounding areas. The proposed dwellings would be overly dominant, bulky and out of character with the predominant design and appearance of houses in the surrounding area. This fails to meet the requirements of PPS1 and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. The proposed development would result in an unacceptable degree of both direct and perceived overlooking to the adjacent dwellings beyond the north western boundary. This would result in an unacceptable loss of privacy and residential amenity to the occupiers of the neighbouring properties. The proposed development would therefore be contrary to PPS1 and Policy D1 of the Welwyn Hatfield Plan 2005.

3. The proposed development would, by reason of the vehicular access road to the north western side of the plot, result in an unacceptable amount of noise and disturbance to the adjacent occupiers number 4 Hill Rise. This would be to the detriment of the residential amenities of the adjacent occupier. The proposed development is therefore contrary to PPS1 and Policy D1 of the Welwyn Hatfield District Plan 2005.

4. The proposed development has not clearly demonstrated the changes in land level across the proposed site. The accessibility of the application site and dwellings within cannot be properly assessed and the proposal has failed to demonstrate that it would comply with the requirements of Policy D9 of the Welwyn Hatfield District Plan 2005.

INFORMATIVES:

The agent has failed to provide plans illustrating all of the elevations to the proposed dwelling on plot 3. The Design and Access statement contains several inaccuracies and appears to partly be for the previous application under reference S6/2007/852/FP.

DRAWING NUMBERS:

Site Location Plan 1:1250 P12 & P11 & P10 & P09 & P08 & P07 & P06 & P05 & P04 & P03 & P02 & P01 all date stamped 2 October 2007.

Signature of author..... Date.....