

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2008/0163/FP
------------------------	------------------------

NOTATION:

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

SITE DESCRIPTION:

The application site is located on the south side of Kingswell Ride and consists of a detached chalet style dwelling. The property occupies a rectangular plot which is 12m wide at the front and approximately 48m deep.

Kingswell Ride comprises predominately of detached bungalows which were probably built during the inter-war period to similar designs. Over the years a number of these have been extended, however, the roads still comprises of either chalet style bungalows or some in their original single storey form.

The application property is one such example, where the original property was a bungalow, however, a side flat roofed dormer has been added presumably under permitted development rights at some time and a small flat roofed side extension. The flat roof single garage attached to the side appears to be original. The front garden comprises of a large hardsurfaced area for parking.

DESCRIPTION OF PROPOSAL:

It is proposed to extend the ground floor to the rear by 3.0m across the full width of the property with a pair of full height double glazed doors in the rear wall.

At first floor level it is proposed to create habitable accommodation by altering the roof configuration which involves increasing the height of the existing ridge line by approximately 0.5metres. In addition part front gable end walls along with roof extensions to the side roof slopes are proposed. The only new windows at first floor level are shown in the front and rear gable end walls, apart from 5 side rooflights

This would provide accommodation for 2 bedrooms , a bathroom and dressing room at first floor level and a kitchen and larger living room area at ground floor level.

PLANNING HISTORY:

S6/2007/0401/FP - Erection Of One And Half Storey Rear Extension Including Alterations From Hip To Gable End And Juliet Balcony And Two Side Dormers – granted 4/05/07

S6/2006/1451/FP - Erection Of One And Half Storey Rear Extension Including Alterations From Hip To Gable And Juliet Balcony And Side Roof Extension – refused 28/12/06

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Planning Policy

PPS1 - Delivering Sustainable Development
PPG13 - Transport

Hertfordshire Structure Plan Review 1991 – 2011:
None

Welwyn Hatfield District Plan 2005:

SD1 Sustainable Development

D1 - Quality of design
D2 - Character and context
M14 - Parking standards for new development

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005
Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

CONSULTATIONS

None

TOWN /PARISH COUNCIL COMMENTS

Northaw & Cuffley Parish Council – no objection

REPRESENTATIONS

The application was advertised by site and neighbour notification.

Notification expired on 27/02/08. No letters were received.

DISCUSSION:

The main issues are :

- 1) The impact of the proposed design on the character of the existing dwelling and surrounding area.
- 2) The potential impacts to residential amenity to surrounding properties.
- 3) Parking and Highways

1) The impact of the proposed design on the character of the existing dwelling and surrounding area.

Policy D1 and D2 are considered relevant along with the requirements of the Supplementary Design Guidance.

Kingswell Ride is by and large characterised by hipped roofed bungalows which are featured on both sides of the street. From the roadside this creates a tiered effect whereby each bungalow follows the contour of the natural slope which contributes to the character of the area. There are, however, examples of roof extensions on Kingswell Ride which have previously been granted Council consent.

A previous application was submitted for this site (application ref S6/2007/1008/FP) which was for a very similar scheme, with slightly small side roof extensions and was refused for the following reason:

The proposal would, by reason of the poorly designed first floor side roof extensions, result in a visually incongruous form of development which would be out of keeping with and detrimental to the character and appearance of the existing dwelling and established streetscene. The proposal is thereby contrary to Policy D1 and D2 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance (Statement of Council Policy) February 2005.

The current proposal has made no attempt to address these concerns, however, events have moved on since this last application was made following the decision of an enforcement appeal at No.20 Kingswell Ride where the Inspector was minded to quash the notice and grant planning permission.

Considerable weight must be attached to this permission as the proposal is directly opposite the application site and is for a property which was originally the same as the application dwelling. The extensions which are nearing completion on this neighbouring property are also very similar to that proposed at the application site and include side roof extensions, which are even possibly more prominent than that under consideration. No drawings exist for No.20 to refer to in regards of the extensions that have been constructed, however, photographs of this property (in the file) show the close resemblance to that proposed at No.23

Although each site is to be considered on its own merits, the similarities between the two sites are very strong and the extensions now allowed at No.20 have a bearing on the wider established character of this part of Kingswell Ride.

The proposal, therefore, following the judgement of the Inspector is considered to now comply with D1 and D2 due to these first floor side roof extensions.

2) The potential impacts to residential amenity to surrounding properties.

Both adjoining properties at Nos. 22 & 18 Kingswell Ride are both bungalows and the main issue is whether the proposals would adversely affect their amenity in terms of overlooking, sunlight/daylight and dominance.

No side windows are proposed at first floor level and the rooflights to the roofs of the side extensions would appear to be above eye level. A Planning condition should be

attached, however, to ensure that the sill level is not below 1700mm above finished floor level and that no additional rooflights can be added at a later date.

In regards to sunlight/daylight, although the changes to the roof design would increase the bulk and mass of the property at first floor level, it is considered that this would not unduly impact on the ground floor side flank wall windows to the adjoining properties.

In terms of dominance, the separation between the properties is considered sufficient to ensure that the changes, and in particular the rear extension and new gable end would not appear unduly dominant.

To this end Council is of the view that the proposed scheme satisfies the amenity requirements of the abovementioned policies of the District Plan 2005, and is in accordance with the Supplementary Design Guidelines.

3) Parking and Highways

The site is located in Zone 4 where parking standards require 3 parking spaces for 4 bedrooms or more. The proposal will retain the existing single garage and already has 2 spaces in front of the property. No changes are proposed to the access onto Kingswell Ride and so the proposal complies with the adopted parking standards.

CONCLUSION:

In conclusion, the Inspector's reasoning in his decision letter dated 17th December 2007 (copy in file) is a material planning consideration of which considerable weight must be attached as it is for an extension almost identical to that under consideration for a dwelling (at No.23) directly opposite the site which was almost an identical type of dwelling prior to its extension to that of the application dwelling and in a similar context.

The Inspector gave the following reasoning for the proposal allowed at appeal at No.23 :

'the treatment has been quite sympathetic to the original design, not to be seen as a disproportionately large, or unduly prominent, addition to the dwelling'

Although each application site is considered on its own merits, the parallels between these two sites are too close to ignore and to my mind the Inspector has set a rare precedent for this part of Kingswell Ride and in particular for this application site.

Whatever the previous conclusions which have been arrived at by the Council for this site in terms of design issues, these are no longer applicable where the Inspector's view must take preference. Although the applicant has brought to the Council's attention other extensions in Kingswell Ride which have taken place, the weight attached to these extends only to the point made by the Inspector that these must inform the wider context by which the application must be judged. The proposal in accordance with the Inspector's reasoning can be assessed by the Policy's minimum yardstick, which is at least maintain and not harm the prevailing character.

If this measure is used, then the current proposal must be reassessed and so is now in accordance with the design principals outlined in Policy D1 and D2 and the accompanying Supplementary Design Guidance.

RECOMMENDATION: APPROVAL AND CONDITIONS

1. C.2.1 Standard Time Limit
2. The development/works shall not be started and completed other than in accordance with the approved plans and details shown on design drawing Nos. 8817/P/001 (including 1:1250 Site Location Plan) & 8817/S/001 both received and dated 28/01/08 unless otherwise agreed in writing by the Local Planning Authority:

REASON: To ensure that the development is carried out in accordance with the approved drawings and any changes must be agreed in advance in writing by the Local Planning Authority.

3. C.5.2 - Matching materials
4. Other than the windows and roof lights shown on the approved drawing 8817/P/001 (Received and date stamped 28/01/08) to which this planning permission relates, no windows or roof lights shall be inserted into the side elevations of the extensions hereby permitted without the prior written consent of the local planning authority.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and Planning Policy Statement 1 - Delivering Sustainable Development

5. The roof lights in the approved extensions shall be fixed so their bottom sill level is not less than of 1.7 metres above finished floor level, and shall be retained in that form thereafter.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and Planning Policy Statement 1 - Delivering Sustainable Development

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against National Planning Policy PPS1 and PPG13, and local development plan policies SD1, M14, D1, D2, of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. The Decision letter by the Planning Inspector for 23 Kingswell Ride (Appeal Ref: APP/C1950/C/07/2048619) has been a material planning consideration in the determination of this application and the Inspectors reasoning. Other Material planning considerations do not justify a decision contrary to the Development Plan (see Officer's report which can be inspected at these offices).

INFORMATIVES

None

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