

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2009/1922/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 dwelling is a detached house within the settlement of Cuffley. The application plot slopes downwards to the rear. The rear boundary of the plot backs onto the side boundary of a neighbouring dwelling. Beyond the southern flank boundary is a footpath and access road that serves a separate development.

DESCRIPTION OF PROPOSAL:

The proposal consists of the erection of an outbuilding to the rear of the site. The proposed outbuilding would approximately measure 11.2m in width by 4.3m in depth with a pitched roof to a maximum height of 4m. The proposed eaves height would have been dimensioned to be 2.4m at the top of the gutter.

PLANNING HISTORY:

S6/1986/0028/FP – Single storey rear extension, two storey side and rear extension and loft conversion – Approved.

S6/1997/0823/FP – Erection of detached garage – Refused.

S6/2004/0973/FP – Extension of roof – Approved.

S6/2009/1178/LU – Certificate of lawfulness for proposed erection of single storey building for use as gym sun room and store – Refused.

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy

PPS1: Delivering sustainable development

East of England Plan 2008

SS1: Achieving Sustainable Development

ENV7: Quality in the Built Environment

Hertfordshire Structure Plan Review 1991 – 2011:

None.

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP2: Towns and specified settlements

R3: Energy Efficiency

D1: Quality of design

CONSULTATIONS

NORTHAW & CUFFLEY PARISH COUNCIL COMMENTS

This seems to be a large building backing onto open ground and maybe intrusive to the landscape.

REPRESENTATIONS

This application has been advertised and two representation have been received. Period expired 13 November 2009.

An objection was raised from an adjoining occupier on the grounds that the proposal could causes noise and disturbance. The second representation was from Cuffley Residential Association and this raised objection to the size, nature of the structure and affect on neighbouring properties due to noise.

DISCUSSION:

The main issues are:

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

1. The proposed development would be sited to the rear of the application plot, which backs onto a no through road and the frontage of a neighbouring house. The rear of the plot is enclosed by a tall close boarded fence and there is tall hedge within the fence, which creates an additional screen across the rear boundary.

The proposed outbuilding would be sited close to the rear boundary of the plot, but would retain a distance of approximately 0.5m from the adjacent boundaries. This would allow the retention of existing vegetation and ensure that the proposal would not appear cramped within the plot's boundaries.

To the south of the site there is an access point to several properties. The footpath and road to this area is set off the boundary with the application site. This means that there would be an appropriate distance separating the proposal from surround areas that it would be viewed. When viewed from the surrounding public areas the proposal would not appear overly prominent or dominant.

The neighbouring plots have outbuildings and sheds, the proposal's siting and design would not appear out of place. The proposed outbuilding would have a hipped roof which would help prevent it from being too bulky or overly dominant. Although relatively large, a sufficient distance would be maintained from the surrounding view points to ensure that size of the outbuilding would be offset.

When viewed in isolation the proposal would have an appropriate design for a residential outbuilding and is considered to be acceptable. The proposed development would not have an adverse impact upon the character and appearance of the locality. Therefore, the application would meet the design requirements of Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. The proposed development would be sited close to number 12 South Drive, which has a frontage near the rear boundary of the application plot. Although the proposal would be sited relatively close to the shared boundary with number 12, a sufficient distance would be maintained to ensure that the proposal would not appear overbearing. Due to the proposal being single storey and having a hipped roof, it would not appear particularly tall or dominant when viewed from the adjacent dwelling.

The nearest ground floor window to number 12 serves a habitable room. This window has a square bay design and therefore has a wide outlook and receives light from more than one direction. A wide and open outlook would be maintained to this window, which would prevent the proposal from appearing too dominant or obtrusive. The other windows within number 12 are sited a greater distance from the proposal and would not suffer an adverse impact.

The frontage of number 12 contains an existing flat roofed garage. The proposal would be set off the boundary and be partly screened, as a result it would not have an adverse impact upon the character and appearance of this property's frontage. Vegetation would be retained within and surrounding the frontage of number 12 and the proposed outbuilding would not be an overly prominent feature.

As existing the area of the proposed outbuilding forms part of the amenity space for the application dwelling. Therefore, the occupants can use it for various activities that are associated with the use of the property. The proposed outbuilding would be for ancillary use to the main house and therefore should be used for activities that would be associated with the residential use of the main house. The proposal has been designed to only have openings onto the occupants garden that would face the application dwelling and therefore screen the activities from the adjacent plots. Although it is accepted that there may be some associated noise generated from the use of the proposal, when compared to the general use of a residential rear garden, reasonable use would not cause an adverse amount of noise or disturbance.

3. The proposed development would be sited close to an existing tree and a hedge at the rear boundary. Although it would be preferable for these features to be retained, they are not worthy of protection and therefore could be removed at any time. The applicant has confirmed that the existing hedge to the rear of the plot would be retained and the plans show the tree as being retained. When considering the other vegetation that surrounds the application plot, the retention of the hedge to the rear is considered to be acceptable. The application therefore complies with the requirements of Policy D8 of the Welwyn Hatfield District Plan 2005.

The application has been submitted with a sustainability checklist. The checklist makes a limited effort to address the requirements. It has been noted that all trees and hedges are to be preserved. Considering the proposal comprises a residential outbuilding without any primary habitable rooms, the proposal would be acceptable when considered against Policy R3 of the Welwyn Hatfield District Plan 2005.

CONCLUSION:

The proposed development would not have an adverse impact upon the character and appearance of the locality. Reasonable use of the proposal would not adversely affect the residential amenity of the adjoining occupiers. The proposed development would therefore meet the requirements of the Welwyn Hatfield District Plan 2005 and is considered to be acceptable.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2.1: Standard Time Limit (3 Years)
2. C.13.1: Development in accordance with approved plans/details ELA/9 & ELA/8 (Block Plan) & ELA/8 (Roof Plan) & ELA/7 & ELA/6 & ELA/3 received and dated 12 October 2009.
3. C.5.1: Materials to be Submitted and Agreed

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

Reason for Grant of Full Planning Consent:

The proposal has been considered against Planning Policy Statement/Guidance PPS1, East of England Plan 2008 SS1, ENV7 and development plan policies SD1 and GBSP2, R3, D1, D8 and D2 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. 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.....