

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2010/0342/FP
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NOTATION:

The site lies within the Metropolitan Green Belt, North Mymms Common and Newgate Street Farmed Plateau Landscape Character Area as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application site accommodates a semi-detached house called Northfield. The plot is mostly covered by a group Tree Preservation Order that covers large surrounding area. Northfield forms one of two dwellings that were converted from a single house. They are set off the road to the north (Woodfield Lane). The internal arrangement is unusual with part of the first floor of Northfield being over the ground floor of the attached dwelling (ie flying freehold). The application dwelling and neighbouring properties have an irregular layout with a neighbouring property to the north west of the application dwelling being sited very close to the vehicular entrance.

DESCRIPTION OF PROPOSAL:

Recently planning consent was granted at the application site under reference S6/2008/2413/FP. This approval involved an amended scheme to a previous consent that was originally refused and allowed on appeal under reference S6/1988/0237/FP and subsequently renewed.

The application is a resubmission of the refused application under reference S6/2009/0934/FP. Due to the similarities between the schemes, the only issues that requires further assessment is the development's impact upon trees.

The existing annex would be demolished and a new structure would be built on a similar footprint. The proposal would measure approximately 7.2m in width by 10.4m in depth with a ridged roof to a maximum height of 6.2m.

PLANNING HISTORY:

S6/1985/0765	Two storey and first floor extension – Withdrawn
S6/1988/0237/FP	First floor extension, raising of roof and two storey rear extension – Refused – Allowed on Appeal
S6/1993/0779/FP	Renewal of S6/1988/0237/FP – Approved (no change in circumstances)
S6/1999/0053/FP	Renewal of S6/1988/0237/FP – Approved (no change in circumstances)
S6/2004/0290/FP	Renewal of S6/1988/0237/FP – Approved (no change in circumstances)

- S6/2008/2413/FP Erection of first floor extensions and roof alterations, single storey rear extension – Approved
- S6/2009/0934/FP Demolition Of Existing Flat Roof Annex And Construction Of New Pitched Roof Annex (Amendment To Planning Application S6/2008/2413/FP) – Refused for the following reason:

1. The proposed development would be sited within close proximity to mature trees cover by Tree Preservation Order number 03 Group 62. Due to the proximity of the proposed development it is likely that resultant structure and necessary construction works would have an adverse impact upon the health of adjacent trees. The application has failed to demonstrate that the development could be carried out without having a detrimental impact upon the surrounding protected trees. The loss health or death of these trees would be to the detriment of the character and appearance of the locality. The application is therefore contrary to Policies R17 and D8 of the Welwyn Hatfield District Plan 2005.

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy

PPS1: Delivering sustainable development
PPG2: Green Belts
PPG13: Transport

East of England Plan 2008

SS1: Achieving Sustainable Development
ENV2: Landscape Conservation
ENV7: Quality in the Built Environment
T14: Parking

Hertfordshire Structure Plan Review 1991 – 2011:
None.

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development
GBSP1: Definition of Green Belt
R3: Energy Efficiency
R17: Trees, Woodland and Hedgerows
RA3: Extensions to dwelling in the Green Belt
RA10: Landscape Regions and Character Areas
M14: Parking standards for new developments
D1: Quality of design
D2: Character and context
D7: Safety by Design
D8: Landscaping

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

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

CONSULTATIONS

Welwyn Hatfield Council Trees & Landscape – Prior to the planning application being submitted a consultation was carried out and advice given by the Council's tree officer.

The Tree Impact and Method Statement is sufficient and complies with BS5837:2005.

If the building is located as per drawing 0812/01 and the foundation is piled, as per the e-mail below, this would fulfil the current recommendations for building near trees.

Other tree aspects which are not covered by these documents but would be needed and could be conditioned. These include

- any indication on where the replacement oak will go
- any indication as to where the protective fencing will go
- any indication as to what working zone will be required around the building and what method of protection the ground will have which is part of the Root Protection Area but exterior to the fenced off area

TOWN/PARISH COUNCIL COMMENTS

No comments received.

REPRESENTATIONS

This application has been advertised and no representations has been received. Period expired 27 April 2010.

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. The proposal's impact upon the openness of the Metropolitan Green Belt and appropriateness when considered against Green Belt policy**
- 4. Impact upon trees and landscaping**
- 5. Other Material Planning Considerations**

1. The application dwelling is set away from the public highway and does not appear prominent as it is mostly well screened from the surrounding public areas. The annex area of the application dwelling is sited closer to the public highway than the main house. Due to this addition being single storey and having a flat roof as existing it is not particularly noticeable from the surrounding public areas.

The proposed additions have been well designed and would complement the existing gable ended design of the property. The proposed additions would appear subordinate to the existing property and would respect its character and appearance.

Although the proposed roof gable ended roof would be higher than the existing flat roof it would be appropriate design reflecting the design of the original dwelling. When viewed in isolation the resultant dwelling would have a more attractive appearance and the additions to the property would tie in neatly. Furthermore, the

resultant dwelling would be an improvement on the design of the previous scheme, which was approved at appeal under reference S6/1988/0237/FP.

The previous scheme would have comprised a large 2 storey flat roofed addition to the centre of the property. The design of this addition appeared contrived and needed a relatively large flat roofed area to prevent the extensions from having an excessive height.

The proposal would be viewed from the surrounding area, but it would not appear overly prominent. When viewed with the existing dwellings it would be against the backdrop of the existing much larger dwelling. The neighbouring property would remain closer to the public highway and the addition would not appear out of place or disrupt the existing pattern of development. The proposed development would not have an adverse impact upon the character and appearance of the locality and is considered to have an acceptable design.

2. The proposed development would mostly be set away from the neighbouring properties. The proposed annex would be approximately 1.2m further away from the western boundary when compared to the existing structure. Although the proposal would have a higher roof than the existing it would be pitched and have a single storey eaves height, which would prevent the proposed structure from appearing overbearing or overly dominant.

The distance that would separate the proposal from the adjacent dwelling to the west would be sufficient to ensure that the resultant dwelling would not have an adverse impact upon the outlook from this adjacent dwelling. Although there are windows facing the application site currently, these would retain a sufficient distance from the proposed development. The proposed ridged roof is likely to have a more attractive appearance than the current flat roof. It has been noted that the view from these windows would be partially obscured compared to the current situation, however, this would not be excessive and both of the room that these windows serve are dual aspect and would retain an existing outlook either to the front or rear of the adjacent property.

The distance that would separate the proposed extensions from the neighbouring properties is considered to be sufficient to prevent and adverse loss of light or overbearing impact. When compared to the previous consent the proposed development would not result in any further harm to the residential amenities of the adjoining occupiers.

The proposed development would therefore comply with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

3. The application site is within the Metropolitan Green Belt. Policy RA3 of the Welwyn Hatfield District Plan 2005 stipulates that extensions to dwellings should not be disproportionate to the original dwelling, which stood in 1948.

The existing dwelling has been extended. When considered cumulatively, the existing and those approved within the appeal of application S6/1988/0237/FP the additions would equate to an increase in floorspace of approximately 40%. Within application S6/2008/2413/FP the agent provided information illustrating the size of the previous approval under reference S6/1988/0237/FP, which comprised a two-storey flat roofed addition. Due to the height, bulk and mass of this addition it would have added to the size of the dwelling considerably.

A visual assessment of the proposed extensions shows that proposed development would sit on a similar footprint to that of the previous approval. The footprint dimension of the proposed annex would be smaller than those of the existing building and the proposal would be repositioned to align the original property. The link between the annex and main property would also be reduced in size.

The resultant annex would have an approximate volume of 321m³. The existing annex has an approximate volume of 299m³. These calculations have been made not including the area which links onto the main dwelling. When considering the proposed increase in volume, the proposed annex would not be disproportionate in size.

The proposed annex would remain set back from the public highway and be further back than the existing dwellings to the west. Although the annex would be taller than the existing, it would not interfere with the existing pattern of development or appear overly prominent within the landscape.

The Inspector of the previous appeal stated:

While I appreciate the Council's concern to avoid extensions which would be obtrusive and detrimental to the visual character of the Green Belt, I cannot accept that the appeal proposals would have this result. Obviously they would change the appearance of 'Northfield', but observed together with 'Woodfield' I do not consider that the overall visual impact of the buildings would be significantly different from that at present.

It has been acknowledged that the proposed development and the approved extensions would result in a larger property, which appears to be close to the limits of what is not disproportionate in size when compared to the original dwelling. However, the previous approval appears greater in mass and bulk, particularly due to the flat roofed tall central section. Therefore, the proposed and approved development would not substantially increase the height bulk and mass of the dwelling over what was previously approved and the proposed development is considered to meet the requirement of Policy RA3 of the Welwyn Hatfield District Plan 2005.

4. The majority of the application site is covered by Tree Preservation Order (TPO) 03 Group 62. The application has illustrated the removal of a tree to the rear of the annex and no objection has been raised over these works.

The proposed development would be mostly built on the footprint of the existing annex. However, the proposal would be partially built closer to a large mature oak tree. As the existing annex may have relatively modest foundations that the adjacent trees have grown to accommodate, the potential impact of new foundations has been investigated within the arboricultural implications assessment that has been submitted.

The applicant has consulted the Council with this arboricultural implications assessment prior to the submission of the application. The Council's tree officer has not objected to the details submitted, subject to further details agreeing the tree protection areas and suitable replacement planting.

The design of the annex has been altered from the previously refused application to not have a chimney. This would ensure that fumes do not affect the trees health and pose a fire hazard. The windows of the annex have been appropriately designed to not cause any overlooking of the adjacent properties and to allow sufficient light to

the living areas. The existing trees would not cause too much overshadowing and therefore any future request to reduce the adjacent protected trees should not be based on overshadowing.

Oak is of great importance and it prominent in a view of this area. Although the retention of the existing trees is considered to be necessary, the application site is well landscaped and further trees or a landscaping scheme would not significantly add to the character of the area. Therefore, it is not necessary to condition an approval to plant further tree within the site. The proposed development has therefore would comply with Policies R17 and D8 of the Welwyn Hatfield District Plan 2005.

5. The application dwelling would retain ample off road parking space as existing. This would exceed the requirements of the parking standards and Policy M14 and is considered to be acceptable.

The proposed annex would introduce further kitchen and bathroom facilities. Although the site appears capable of accommodating an extension of this size a new dwelling would not be appropriate and would not meet the requirement of Green Belt Policy. As the proposed development is an annex, planning permission would be required to convert it into a independent dwelling. Therefore, it is not consider necessary to condition the proposal to have an ancillary use to the main dwelling.

The application has been submitted with a sustainability checklist. The checklist notes that the development would incorporate solar panels and air source heat pumps, the proposal would be insulated and materials would be recycled. These provisions are considered to be an acceptable effort to meet the requirements of 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 of the residential amenity of the adjoining occupiers. The proposal would have no greater harm upon the openness of the Green Belt when compared to a previous consent and is considered to accord with Green Belt Policy.

The proposed development has demonstrated that the development could be constructed without having an adverse impact upon the adjacent trees. Subject to appropriate tree protection measures the proposed development would not have an adverse impact upon the adjacent protected trees and would comply with policies R17 and D8 of the Welwyn Hatfield District Plan 2005.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2.1: Standard Time Limit
2. C.13.1: Development in accordance with approved plans/details 0812/01 REV.D & 0812/02 REV.D received and dated 03 March 2010.
3. C.5.2: Materials to Match
4. Foundations of the proposed development shall match the details submitted and assessed within the Arboricultural Impact and Method Statement by Henry Girling received and dated 03 March 2010.

Reason: To ensure the developments does not have an adverse impact upon the adjacent protected trees. In accordance with policies R17 and D8 of the Welwyn Hatfield District Plan 2005.

5. C.4.5: Tree protection details
6. The development hereby approved shall remain incidental to the enjoyment of the existing dwellinghouse within the application site and shall not be let, sold or become an independent residential unit.

REASON: In the interests of the amenity of the Green Belt and to ensure that a new independent dwelling does not arise in accordance with PPG2: Green Belts.

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, PPG2, PPG13, East of England Plan 2008 SS1, T14, ENV7, ENV2 and development plan policies SD1, GBSP1, R3, R17, RA3, RA10, M14, D1, D2, D8, D7 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.....