

**WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL**  
**DELEGATED REPORT**

<b>APPLICATION No:</b>	<b>S6/2010/2772/FP</b>
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**NOTATION:**

This site is located within the town of Hatfield as outlined in the Welwyn Hatfield District Plan 2005 and within the Watling Chase Community Forest.

**DESCRIPTION OF SITE:**

The application site is situated on south side of an access road which runs parallel St Albans Road West on the western edge of Hatfield. The site consists of a two storey semi-detached dwelling with an attached single garage and front and rear gardens. To the south, east and west are similar dwellings in respect of both size and appearance. North of the site, beyond St Albans Rd West is an area of open land situated within the former Hatfield Aerodrome. The application site is rectangular in shape measuring approximately 60m in depth x 9.4m in width with the dwelling set back approximately 8m from the access road. To the front of the dwelling is an area of hardstanding which provides off street parking for two vehicles in addition to the garage space. The rear garden is mostly laid to lawn with a patio immediately to the rear of the house and screened by a 1.8m close boarded fence and boundary hedge. Externally the dwelling is finished in red facing brick with painted render at first floor and a hipped roof with concrete tiles. The garage features a flat roof behind a parapet.

**DESCRIPTION OF PROPOSAL:**

This application seeks full planning permission for the erection of a single storey rear extension, first floor side extension, formation of a porch and extension to existing garage.

The first floor extension would be situated above the existing garage and measure approximately 8m in depth x 2.8m in width. The roof would be hipped in design continuing the pitch and ridge of the existing roof over the side extension. The rear elevation of the extension would be in line with the existing rear elevation of the dwelling. At first floor, the front elevation would project forward approximately 600mm in line with the existing two storey bay window. At ground floor the extension would project a further 900mm with a lean-to roof to the front of the garage and adjacent porch. The single storey rear extension would measure approximately 3m in depth across the entire rear elevation of the property measuring approximately 9.4m in width and would feature a lean-to roof. The extensions would be finished in materials to match the existing dwelling including red facing brick, painted render and concrete roof tiles.

**PLANNING HISTORY:**

None

**SUMMARY OF DEVELOPMENT PLAN POLICIES:**

National Planning Policy:

PPS1 Delivering Sustainable Communities  
PPG2 Green Belts (in relation to Community Forrest)  
PPS9 Biodiversity and Geological Conservation  
PPG13 Transport

East of England Plan 2008:

SS1 Achieving Sustainable Development  
ENV1 Green Infrastructure  
ENV3 Biodiversity & Earth Heritage  
ENV5 Woodlands  
ENV7 Quality in the Built Environment  
T14 Parking

Welwyn Hatfield District Plan 2005:

GBSP2 Towns and Specified Settlements  
SD1 Sustainable Development  
R3 Energy Efficiency  
D1 Quality of Design  
D2 Character and Context  
RA11 Watling Chase Community Forest  
M14 Parking Standards for New Developments  
Welwyn Hatfield District Plan, Supplementary Design Guidance, 2005

## **CONSULTATIONS**

None

## **TOWN/PARISH COUNCIL COMMENTS**

Hatfield Town Council – No response (Consulted 01/12/2010)

## **REPRESENTATIONS**

The application was advertised by site notice and neighbour notification letters. One representation was received which commented on the accuracy of the submitted drawings.

## **DISCUSSION:**

The main issues are:

1. Quality of Design and Impact on the Character of the Area
2. Impact on the Residential Amenity of Neighbouring Properties
3. Other Material Considerations

### **1. Quality of Design and Impact on the Character of the Area**

National Planning Policy Guidance PPS1 Delivering Sustainable Development requires planning authorities to plan for high quality design which is appropriate in its context. Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location. The residential design guidance emphasises that extensions should complement and reflect the design and character of the dwelling and be subordinate in scale.

The flank wall of the proposed two storey rear extension would maintain approximately 1m separation distance from the site boundary which is in accordance with the minimum requirement as outlined in Welwyn Hatfield

Supplementary Design Guidance. The design of the extension and the separation distance from the flank boundary reflect similar extensions within the vicinity at No.391, No.395, No.369 and No.403 St Albans Rd West and a number of other extensions to dwelling further east along St Albans Rd West. The design of the first floor side extension and porch is considered acceptable and would not harm the character of the area. The rear extension would not be visible from any public vantage point and would therefore have limited impact on the character of the area. The extensions would be finished in materials that are in keeping with the existing dwelling. Overall, the development is considered to be in accordance with PPS1 Delivering Sustainable Development, Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005 (Statement of Council Policy).

## **2. Impact on the Residential Amenity of Neighbouring Properties**

Views from windows within the rear elevation would predominantly be to the rear garden of the application site and would not result in any significant loss of privacy over and above the present situation. It is proposed to insert a high level window at first floor within the west facing flank elevation. It would be reasonable to attach a planning condition requiring this window to be obscure glazed and fixed below a height of 1.8m above floor level. The window within the front elevation of the side extension would look out to the front of the site which is currently open and visible from the highway and footpath, therefore, this window would have minimal impact on privacy.

The depth of the rear extension would not result in an unacceptable reduction in direct sunlight and ambient light to windows within the rear elevation of neighbouring dwellings and would not be overbearing.

No neighbour objections were received and Hatfield Town Council did not comment. One representation was received which commented on the accuracy of the drawings, however, during the course of the application the drawings were amended and are considered to be of sufficient quality to determine this planning application. Overall it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level. The proposals are in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005 (Statement of Council Policy).

## **3. Other Material Considerations**

**Sustainable Development:** The applicant has submitted details of how the proposal would contribute towards sustainability in accordance with policies SD1 and R3 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance, 2005. The applicant has indicated within the submitted sustainability checklist that the proposed extension would not impact upon neighbour amenity due to orientation; insulation would be improved; materials would be reused where possible; extension would be at the same level as existing dwelling; no additional hard surfacing is proposed; existing trees and hedges would be retained.

**Watling Chase Community Forest:** Within the boundaries of Watling Chase Community Forest the Council seek to achieve the objectives of the Forest Plan, including landscape improvements. The proposed development would

not adversely affect any trees or mature vegetation that are considered to be worthy of protection. The proposal would not have any direct impact upon the local landscape quality of the area and although would not contribute would not be contrary to this policy.

**Protected Species:** The presence of protected species is a material consideration, in accordance with PPS9 (Biodiversity and Geological Conservation), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. In the UK the requirements of the EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9(5) of the Conservation Regulations 2010, which states: "*a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.*" The Conservation Regulations 2010, (Regulation 41) contains the main offences for EPS animals, however the existing site and development is such that there is not a reasonable likelihood of EPS being present on site nor would a EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

**East of England Plan 2008:** On 10th November 2010, The High Court quashed the decision of the Secretary of State for Communities and Local Government to unilaterally revoke Regional Spatial Strategies in England on two grounds:

- That he acted outside his statutory powers in circumventing the need for parliamentary scrutiny of such a fundamental change to the national planning system; and
- He failed to consider the likely environmental effects of revoking Regional Strategies

However, the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Bill. In the meantime, the policies in the East of England Plan are re-established and form part of the development plan again and are therefore a material consideration which can be taken into account in reaching a decision. However, the Government's intention to abolish Regional Spatial Strategies is also a material consideration that could be considered to reduce the weight to be attached to policies in Regional Spatial Strategies.

The application has been considered against policy(ies) in the East of England Plan, which at the time of this decision forms part of the development plan for the borough but that the weight accorded to these policies, in light of the above circumstances, has been carefully considered in reaching a decision.

## **CONCLUSION:**

The proposed development is considered to be in accordance with the relevant national policies and guidance, policies within the East of England Plan 2008, the Welwyn Hatfield District Plan 2005 and the requirements of the Supplementary Design Guidance (Statement of Council Policy).

## **RECOMMENDATION: APPROVAL WITH CONDITIONS**

**CONDITIONS:**

1. C.2.1 – Time Limit
2. C.13.1 – The development/works shall not be started and completed other than in accordance with the approved plans and details 10/04B & 10/05B & 10/06B & 10/07B & 10/08A received and dated 6 January 2011

**POST-DEVELOPMENT**

3. C.5.2 – Matching Materials
4. C.7.9 – Fixed and Obscured Glazing (west facing flank elevation)

**SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:**

The proposal has been considered against Planning Policy Statement/Guidance PPS1, PPG2, PPS9 and PPG13, East of England Plan 2008 policies SS1, ENV1, ENV3, ENV5, ENV7, T14 and development plan policies GBSP2, SD1, R3, D1, D2, RA11, M14 and Supplementary Design Guidance of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which, at the time of this decision 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.....**