

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	W6/2011/0367/EM
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NOTATION:

The site lies within the Estate Management Scheme of Welwyn Garden City.

DESCRIPTION OF SITE:

The application site forms the right hand side of a pair of semi detached dwellings which are located along a road of similar properties.

The property has a detached structure in the rear garden with a side driveway. Front and rear gardens are associated with the dwelling.

DESCRIPTION OF PROPOSAL:

This application seeks consent for the erection of a single storey rear extension and extension to the garage.

The rear extension would have a depth of about 3.6m, width of 6.1m and overall ridge height of approximately 3.2m, which would be designed with a flat roof. The extension to the garage would also be flat roof continue the height of the existing garage. It would have a depth of 1.5m and width of about 2.8m.

The proposal also includes the demolition of the existing chimney to the rear of the property.

HISTORY:

None

SUMMARY OF POLICIES:

1967 Leasehold Reforms Act – Estate Management Scheme:
Estate Management Scheme Policies October 2008:
EM1 – Extensions and alterations
EM3 – Soft Landscaping

CONSULTATIONS

Landscaping - No objections.

TOWN/PARISH COUNCIL COMMENTS

None

REPRESENTATIONS

This application has been advertised and 0 representations have been received. Period expired.

DISCUSSION:

The main issues are:

- 1. Whether the proposal accords with the Policy EM1 of the Estate Management Scheme;**
- 2. Whether the proposal accords with the Policy EM3 of the Estate Management Scheme; and**
- 3. Other Material Planning Considerations**

1. The character and appearance of much of Welwyn Garden City has a quality that consists of carefully designed layouts with formal and symmetrical patterns where the design and detailing of architecture is in groups and individual buildings. Therefore in order to preserve the unique architectural heritage of the town and its building the Council expects that all applications for extensions and alterations respect and do not harm the character and appearance of the building and the street scene.

Policy EM1 of the Estate Management Scheme applies and refers to extensions and alterations and seeks to preserve the unique architectural heritage of the town and its building. It states that extensions and alterations to existing buildings will only be allowed if they are in keeping with the design, appearance, materials and architectural detailing used in the existing building and do not have a detrimental impact on the amenities and values of the surrounding area or the residential amenity of adjoining occupiers. In addition, the policy states that extensions or alterations should not materially affect the residential amenities of adjoining residents through loss of day/sun/skylight, loss of privacy and outlook.

The proposed extensions would increase the mass and bulk of the existing property, however they would be designed with a flat roof which is characteristic of the garden city which would help to reduce the overall bulk and scale of the extension. They would both be subordinate to the original property. Additionally both extensions would be to the rear of the property and would not be visible from a public view point. An adequate level of amenity space would also be retained for the occupiers of the dwelling.

In relation to the detailed design and appearance of the extension it is considered that the architectural detailing of the original property would be reflected within the proposed extensions where the fenestration would reflect the fenestration of the existing dwelling and surrounding properties. The flat roof of the extension would be characteristic of the garden city. The materials to be used in the development would match the existing property and garage, however a condition would be placed on any consent to ensure this.

Turning to the loss of the existing chimney, this is sited to the rear of the property and does not extend above the ridge of the property and subsequently it is not unduly visible from the road frontage of Rooks Hill. Whilst a number of other properties to the rear have chimneys, the visual impact of its removal would therefore not be overly significant, given that it is located in an unduly prominent position on the roof slope. It is considered that its removal would not interrupt the pattern of symmetry within these properties and consequently would not be out of keeping with the design, appearance and architectural dwelling. The aim of the Estate Management Scheme is to ensure that the dwellings and street scene are kept in harmony with the original design and concept of the town. It is therefore considered that the removal of the chimney would not deviate from the original integrity and character of the building, and would not reflect negatively on the values and amenities of the area.

In addition to the above, Policy EM1 also considers whether extensions or alterations materially affect the residential amenities of adjoining residents through loss of day/sun/skylight, loss of privacy and outlook.

The proposed extension to the dwelling would have a depth of 3.6m and be alongside the common boundary of No. 24 Rooks Hill, which has not been extended to the rear. No. 24 has the same layout as the application property with patio doors nearest the application property. As a result of the proposed depth of the development, together with its overall height at about 3.2 metres, it is considered that the proposed development would not give rise to an unacceptable overbearing or dominant impact on this, or other properties. With the relevant siting of the proposed development together with its overall height, it is considered that any reduction in light would be very limited and would not be cause a detrimental impact to the occupiers of this dwelling. In addition, this extension is considered to be a reasonable distance from No. 20 to cause no impact to the residential amenity that they currently enjoy.

With regard to the extension to the garage, No. 20 Rooks Hill has an existing garage which extends back approximately the same distance as the proposed extension. The design of this extension would have a flat roof which would continue the ridge height of the existing garage and it is therefore considered that it would have no detrimental impact to the occupiers of No. 20. In addition, it is a sufficient distance from No. 24 to cause no undue impact to their residential amenity.

Windows are proposed in both extensions which would look towards the rear of the garden only. Subsequently it is not considered that there would be a loss of privacy to neighbouring properties.

2. Policy EM3 of the Estate Management Scheme seeks to ensure that soft landscaping is protected from development. This policy states that works to trees and hedgerows will only be allowed where the works would not result in the loss of landscaping which would harm the character and amenities of the area and where sufficient justification of the works has been given or there are other considerations that apply.

An application has been submitted, reference N6/2010/0454/TE to remove this tree and the Council's Landscaping department state that it will be recommended that the tree is to be removed because of its declining condition. Subsequently no objections are raised in this regard and it is considered that the proposed development would comply with Policy EM3.

3. The presence of protected species is a material consideration. 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.

There are no other material considerations.

CONCLUSION:

The proposed development would be adequately subordinate to the original property and of an acceptable design. Due to its size and scale it is not considered that it would impact detrimentally on the residential amenity of neighbouring properties and therefore no objection is raised with regard to policy EM1. In addition, there is not a reasonable likelihood of protected species being present.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1-5. EM01a

6. C.13.1: The development/works shall not be started and completed other than in accordance with the Site Location Plan and Drawing No. 2211/1 received and dated 3 March 2010.

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.

7. EM02

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

It is considered that the proposed development would not have an unacceptably harmful impact on the residential amenity or the character of the area in which it would be located. It would therefore be in compliance with the Estate Management Scheme.

INFORMATIVES:

None

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