

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2011/0371/S73B & S6/2011/0372/S73B
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NOTATION:

The site lies within a conservation area, area of archaeological significance as designated in the Welwyn Hatfield District Plan 2005. The building is Grade 2 listed.

DESCRIPTION OF SITE:

The site is located on the northern side of Fore Street to the east side of Hatfield known as Old Hatfield. No.18 also known as “Midcote” is a late C18 two storey chequered red brick on a rendered base building with a clay tile roof with attic.

The application building was built in conjunction with no.20 also known as “Crosskesse” with a Stucco band below upper sash windows, three on the 1st floor and two on ground floor with front and rear dormer windows. The boundaries of no.18 and no.20 are complex with both properties having a “flying freehold” over the other.

At the rear of the application site is a covered yard consisting of some single storey covered outhouse extensions with a flat polycarbonate roof that covers the existing kitchen.

The surrounding area and street scene are residential in character and contain a mix of dwellings in respect of both size and appearance.

DESCRIPTION OF PROPOSAL:

The application seeks a time extension to planning permission S6/2007/1846/FP.

This application was for the erection of single storey rear and first floor rear extensions following the demolition of existing rear extensions, for the purposes to upgrade the living standards within the Listed Building.

The single storey ground floor extension would extend on to the existing kitchen and utility room following the demolition of existing extensions. The depth of the extension would measure approximately 9 metres. The extension would span across the width of the curtilage and follow the staggered line of the boundary adjacent to no.16. to a depth of approximately 3m before stepping in from the boundary leaving a gap of about 900mm. It would follow the boundary line adjacent to no.20 along the newly rebuilt boundary wall. The existing boundary wall has a height of approximately 5.2m and steps down at various intervals to an average height of approximately 2.6m. The boundary wall would measure approximately 3.5m high alongside the proposed development with the height of the proposal protruding above the wall by approximately 800mm at its highest point. All external walls would be constructed in a facing brick to match the existing main building and the pitched roof sections to be roofed in slates to match the existing lower pitched roof above the kitchen area to no.20. Part of the proposed ground floor extension would also feature a flat roof with a maximum height of 2.8m which will contain a shower room and utility room, also providing a walk through between the existing kitchen and the proposed living room. There is to be provision for two roof lights to be installed on the flat roof element of the extension, these should be conservation style roof lights which can be controlled by condition. There would also be two roof windows installed on the south pitch of the roof facing the main building and lantern light feature over the existing kitchen.

Additional plans were submitted as part of the original application showing the details to the rear elevation.

PLANNING HISTORY:

S6/2007/1846/FP – Erection of single storey and first floor rear extensions. Granted 04/03/2008

S6/1993/145/LB – Demolition of existing single storey rear extension, erection of single storey rear extension, new front dormer, installation of new first floor window in rear and internal alterations – Granted.

S6/1993/144/FP – Single storey rear extension and new front dormer – Granted.

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy

PPS1: Delivering sustainable development

PPS5: Planning for the Historic Environment

PPG 14: Development on Unstable Land

East of England Plan 2008

SS1: Achieving Sustainable Development

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP2: Towns and specified settlements

R3: Energy Efficiency

D1: Quality of design

D2: Character and context

D8 – Landscaping

M14 – Parking standards

R29 – Archaeology

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

CONSULTATIONS

Beams – No objection, recommend conditions,

Herts County Archaeologist – No objection, recommend conditions

TOWN/PARISH COUNCIL COMMENTS

None

REPRESENTATIONS

This application has been advertised by neighbour notification letters, press notice and site notice and 0 representations have been received. Period expired 12th April 2011.

DISCUSSION:

The main issues are:

1. **The impact on the character and setting of the Listed Building and the surrounding Conservation Area.**
 2. **The impact on amenity of the surrounding occupiers.**
 3. **Other Material Planning Considerations**
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1. **The impact on the character and setting of the Listed Building and the surrounding Conservation Area.**

The proposal would remove the existing flat polycarbonate roof above the kitchen area and construct a first floor extension approximately 3.5m by 2.8 to the existing rear bedroom to be sited above the kitchen. This extension's external walls will be facing brickwork to match the existing brick work of the main house. There would be two rear sash windows to match the existing on the main house and a pitched roof measuring approximately 1.85 metres from the eaves with clay peg tiles to match the existing tiles on the main building.

The loss of the polycarbonate roof, in particular, is considered would enhance the character and setting of the listed building and conservation area due to the materials not being considered out of keeping with this building and not enhancing either the character or setting.

The building to be demolished is a more recent addition to the dwelling and whilst considered to be in keeping with the area and listed building is not part of the original fabric, nor so significant in architectural terms or historical features that it should be permanently retained, therefore the demolition is considered to comply with policies R23 and R27. As part of the original application, Beams confirmed that due to the significant separation from the original listed structure that this would not be harmful.

The scale of the extension would not be subordinate in relation to the main building however other buildings within the area have extended on a similar scale to this proposal, in this case it would be considered that the first floor and single storey extensions scale and mass would not have a detrimental impact on the historic form and structural integrity of the main building. Furthermore, the development would allow for the provision of a bathroom at first floor where currently the only bathroom is on the ground floor.

The proposed development would respect the character, appearance and setting of the building in terms of design, scale and materials and would not have an adverse impact on the surrounding Conservation Area this would satisfy PPS5, ENV6 and policies D1, D2 of the Welwyn Hatfield District Plan, 2005.

Although the design of the rear element is more contemporary, as part of the original application BEAMS verbally confirmed that this would not impact upon the setting of the listed building because of the distances involved and the extension not being visible from outside the immediate curtilage due to the heights of the boundary treatments. However, there was concern regarding the impact of the rear elevation and additional plans were requested. This shows that the rear elevation is to be finished in timber, barge boards and brickwork matching the existing building, and therefore on balance, the design is considered acceptable. As part of the current application, BEAMS have reaffirmed their initial comments on the proposal. A condition has been attached requiring this element to be finished as approved (LB application).

The design of the extensions reflects the existing building with materials reflecting and pitch of the roof also in keeping. The rear extension is of a different nature (more contemporary) than the main dwelling, but the full details of the finish to this element may be controlled by condition with the requirement of details to be submitted.

2. The impact on amenity of surrounding properties

The impact on no.20 would be limited due to the existing high boundary wall that separates the two sites with approximately 800mm of the pitch roof protruding above the boundary wall. The main issue is with no.16 and the close proximity of their kitchen window to the portion of the extension that staggers in accordance with the boundary line.

The current boundary treatment to no. 20 consists of a fence approximately 1.8 metres in height and landscaping (canopy of tree extends over the boundary from the garden of number 18). Taking the current impact of these elements into account compared with the proposed flat roofed/parapet wall boundary, it is considered that the impact would not be so significant to warrant refusal on amenity grounds. There are also proposed rooflights and roof lanterns to the single storey extension. These are located such that they would not be viewable by the surrounding occupiers except from the outlook of no.20's attic dormer and are therefore considered acceptable.

The siting of the first floor extension would enable the pitched roof not to block the outlook of the attic dormer serving no.20. No. 20's second floor (roof) is sited to the rear of the dwelling, whereas no. 18's is sited overlooking the front (flying freehold). This means that there is a more unusual land ownership than with the majority of developments.

The location of the rear dormer to no. 20 means that this will still be at a higher level than the proposed first floor extension to no. 18 and thus will not suffer a significantly detrimental loss of amenity.

3. Other Material Planning Considerations

Chalk Mining: There is a history of chalk mining activity in the Borough which has left voids beneath the ground surface in some areas. The responsibility for every development rests with the developer and /or landowner, and it is recommended that advice is secured from properly qualified experts who can advise on structural stability matters relating to the proposed development. The grant of planning permission or of building regulation approval does not warrant or indicate that the application site is safe or suitable for the development proposed.

The planning authority has determined the application on the basis of the information available to it but this does not warrant or indicate that the application site is safe or stable or suitable for the development proposed, or that any nearby land is structurally stable. The responsibility for safe and suitable development rests upon the developer and/or land owner and they should take expert advice from properly qualified experts to ensure that the historic chalk mining activities in the area will not adversely affect the development. The risk assessment for this development, using the tool by Hyder, indicates a low risk. The application should therefore, in accordance with PPG14, include an informative and condition.

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.

Protected species such as great crested newts, otters, dormice and bats benefit from the strictest legal protection. These species are known as European Protected Species ('EPS') and the protection afforded to them derives from the EU Habitats Directive, in addition to the above legislation. Water voles, badgers, reptiles, all wild birds, invertebrates and certain rare plants are protected to a lesser extent under UK domestic law (NERC Act and Wildlife and Countryside Act 1981).

Landscaping: The proposal would involve the loss of a tree to the boundary, this though does not have a major contribution to the area and would not be appropriate to apply a tree preservation order to, it is therefore acceptable for this tree to be removed and proposal would comply with D8.

Car Parking: Off-street parking spaces have not been proposed, however the proposal does not result in any additional bedrooms, the accommodation at first floor allows for the provision of a bathroom at this level. The current bathroom is currently located in the very rear extension at ground floor level.

Archaeology: County Archaeology have advised that there is a likelihood of medieval remains being on the site and have recommended a condition accordingly.

CONCLUSION:

The proposed development would respect the character and setting of the building and area and would not result in a loss of amenity to adjoining occupiers. Overall the proposal complies with the policies listed above.

S6/2011/0371/S73B RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1 – Time Limit

2. C.13.1 – Development in accordance with the approved plans
The development/works shall not be started and completed other than in accordance with the approved plans and details:

957/01 & 947/02 & 947/04 rev b & 947/05 received and dated 17th December 2007

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.

Pre Commencement

3. C.5.1 – Samples of Materials
4. C.5.10.1 – Historic Brick Bonding
5. C.5.11.1 – Black Rainwater Goods
6. C.12.1 – Chalk Mining Low Risk
7. C.12.2 – Chalk Mining Low Risk
8. C.9.3 – Full Archaeological Excavation and Evaluation

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

Reason for Grant of FP:

The proposal has been considered against PPS1, PPS5, PPG14, East of England Plan 2008 policies SS1, ENV6, ENV7 and development plan policies SD1, GBSP2, R3, D1, D2, D8, M14, R29 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:

INF 9 – Informative for all conditions (Chalk Mining)

S6/2011/0372/S73B RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.2 – Time Limit (LB)
2. C.13.1 – Development in accordance with the approved plans
The development/works shall not be started and completed other than in accordance with the approved plans and details:

957/01 & 947/02 & 947/04 rev b & 947/05 received and dated 17th December 2007

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.

Pre Commencement

3. C.5.1 – Samples of Materials
4. C.5.10.1 – Historic Brick Bonding
5. C.5.11.1 – Black Rainwater Goods
6. C.5.17 – No Historic Timbers to be cut
7. No works shall take place until detailed plans illustrating the window and door detailing and sections through the windows to show the mouldings have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved plans. Subsequently, the

mouldings of the windows and doors shall not be changed without the prior written consent of the Local Planning Authority.

REASON: To protect the historic fabric and aesthetic quality of the Listed Building in accordance with PPS5.

Post Development

8. The rear elevation to the living room shall be finished as shown on drawing number 947/06 received and dated 20th February 2006

REASON: To ensure the historic and architectural character of the listed building is properly maintained and in accordance with PPS5

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

Reason for Grant of LB:

The proposal has been considered against PPS1, PPS5, PPG14 and East of England Plan 2008 policies SS1, ENV6, ENV7 and development plan policies SD1, GBSP2, R3, D1, D2, D8, M14, R29 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).

Signature of author.....

Date.....