

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2011/0970/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 site accommodates a detached bungalow which has single storey additions to the sides. The application dwelling appears to have been extended to the rear but has remained single storey. To the front of the property is a large hardstanding and vehicular access to an existing garage. To the rear of the property is a spacious garden which backs onto open land. Both side boundaries are screened by tall dense mature hedges.

The land level slopes downward from the front to the rear of the plot. The surrounding area is characterised by similar detached bungalow. Several of the surrounding properties have been previously extended and altered.

DESCRIPTION OF PROPOSAL:

The proposed development would involve alterations to the main roof space to create habitable accommodation. Dormer windows would be added to the side planes of the roof. A hip to gable alteration would be made to the main roof and the roof area to the rear of the building would be reduced to a single storey height. A Juliet balcony would be added to the rear gable. Minor alterations would be made to the front elevation to create a roof overhang over the bay windows and garage. A open sided canopy area is proposed to the rear of the property.

PLANNING HISTORY:

None relevant.

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy

PPS1: Delivering sustainable development

PPS9: Biodiversity and Geological Conservation

PPG13: Transport

East of England Plan 2008

SS1: Achieving Sustainable Development

ENV3: Biodiversity and Earth Heritage

ENV7: Quality in the Built Environment

T14: Parking

Hertfordshire Structure Plan Review 1991 – 2011:

None.

Welwyn Hatfield District Plan 2005:
SD1: Sustainable Development
GBSP2: Towns and specified settlements
R3: Energy Efficiency
M14: Parking standards for new developments
D1: Quality of design
D2: Character and context
D8: Landscaping

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005
Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

CONSULTATIONS

NORTHAW & CUFFLEY PARISH COUNCIL COMMENTS

No comment received.

REPRESENTATIONS

None. Period expired 17 June 2011.

DISCUSSION:

The main issues are:

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

1. A modest alteration would be made to the front elevation of the dwelling to give the garage a pitched section of roof that would be connected to the main roof of the dwelling. This roof would also create a canopy over the bay windows which are within the front elevation of the property.

The proposed development would mostly be sited to the rear of the property and the proposed dormers would be set back from the front elevation of the dwelling. The siting of the proposed extensions would prevent the development from appearing too prominent or very noticeable within the streetscene and the public areas to the front of the property.

The proposed dormers would be set down from the main ridge and maintain an appropriate distance from the eaves of the property. The sides of the dormers would retain an acceptable distance from the edges of the roof and the dormers would appear subordinate to the main roof. Although the side dormers would be less than 1m from the rear gable, this arrangement would not be too noticeable from the surrounding area. The proposed dormers would be similar to existing additions to other properties within the locality of the application site and the proposal is considered to be acceptable in terms of design. It has been noted that the glazing to the proposed dormers would be limited. Although the lack of glazing would not break up the appearance of the dormers, there are several similar examples within the locality. Due to the dormers being set back from the frontage of the property they would not appear overly prominent or have an adverse impact upon the character and appearance of the surrounding public areas.

The proposed roof extension and hip to gable alteration would be similar to existing additions to nearby properties and would not appear out of place. This addition would not be viewed from public areas and would not affect the character and appearance of the streetscene. There are variations to the rear of the neighbouring properties and the proposal would not affect the character of the locality.

The proposed canopy area to the rear of the property would be set down from the main roof and would not appear prominent or dominant from the surrounding area.

The proposed extensions have been appropriately designed to not dominate the existing dwelling and would respect the original character and appearance of the property.

2. The application dwelling and neighbouring properties are detached and have a reasonable separation. The proposed development would be sited in line with the side elevations and to the rear of the existing main dwelling.

Due to the separation between the application dwelling and neighbouring properties the proposed hip to gable alteration would not appear too bulky or overly dominant. The proposed roof design would reduce the ridge length of the roof and introduce a much lower roof to the rear of the property. The resultant roof would maintain openness to the rear of the properties and prevent an adverse overbearing impact. The proposed side dormers would subordinate to the main roof and would not appear too dominant when viewed from the adjacent plots.

The proposed covered porch area would be single storey and would not have a significantly greater impact than the existing dwelling. When viewed from the adjacent plot to north this addition would be acceptable.

It has been noted that the adjacent property to the north has two bedroom windows within the side elevation which face onto the application dwelling. As existing the outlook from these windows is restricted and the proposed development would not have an adverse impact upon these adjacent rooms. The main habitable living areas of the adjacent properties generally face the rear of the plots and the proposed development would not affect the outlook from these areas.

The proposed development would not result in any further overlooking or a significant loss of privacy to the adjoining occupiers. One of the proposed side dormers would not be glazed and the other would serve a bathroom. To ensure that the bathroom window remains obscure glazed a condition could be applied if consent is granted. The rear gable would contain a Juliet balcony, as this addition would not allow a significant sideward view it would mostly create an outlook to the rear of the plot. This area would not result in any significant further overlooking of the adjoining occupants. A rooflight proposed to the side plane of the roof would serve a staircase and would not result in a significant outlook over the neighbouring property.

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

3. **Parking Provision:** The proposed development would create an additional bedroom within the roofspace. The application dwelling has a large existing hardstanding to the front of the property and would retain an integral garage. As the resultant dwelling would retain parking space in excess of the standards for a four bedroom property and the application would meet the requirements of Policy M14 of the Welwyn Hatfield District Plan 2005.

Energy Efficiency and Sustainability: The application has been submitted with a sustainability checklist which notes the insulation used would be at or above the requirements of Building Regulations and water and energy efficient fixture and fittings would be considered. Considering the development forms extensions to an existing dwelling, these provisions are reasonable to meet the requirements of Policies SD1 and R3 of the Welwyn Hatfield District Plan 2005.

The proposed development would not affect any trees or landscaping that are worthy of protection.

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 an EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

East of England Plan 2008: The application has been considered against policies in the East of England Plan, which at the time of this decision forms part of the development plan for the borough.

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

Whilst the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Bill, the policies in the East of England Plan are currently 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.

CONCLUSION:

The proposed development would not have an adverse impact upon the character and appearance of the locality or the residential amenity of the adjoining occupants. The proposal is considered to be acceptable and would meet the relevant requirements of the Welwyn Hatfield District Plan 2005.

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 KR/02 & KR/03 & KR/04 received and dated 18 May 2011.
3. C.5.2: Materials to match the existing dwelling
4. The flank dormer window of the resultant building shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.7 metres above floor level, and shall be retained in that form thereafter.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

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, PPS9, PPG13, East of England Plan 2008 policies SS1, ENV3, T14, ENV7 and development plan policies SD1, GBSP2, R3, M14, D1, D2, D8 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.....