

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2011/1172/FP
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NOTATION:

The site lies within the settlement of Hatfield as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application site accommodates a semidetached house. The surrounding housing is of a similar style and design. To the rear of the property is a relatively deep rear amenity space which backs onto a flatted development, which is much taller than the application dwelling. The southern side boundary of the plot is screened by a tall dense hedge, the northern side boundary of the plot is screened by a tall close boarded fence with a thin hedge within the garden. The adjacent property to the south has a single storey rear conservatory, which is set away from the boundary and has a depth of roughly 3m. The adjacent property to the north is set back significantly, so that its front elevation is approximately 5m beyond the rearmost part of the application dwelling as existing.

DESCRIPTION OF PROPOSAL:

The proposed development would comprise a single storey rear extension which would approximately measure 6.4m in width by 4m in depth with a flat roof parapet roof to a height of 2.8m and roof lantern to a maximum height of 3.5m.

PLANNING HISTORY:

None relevant.

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy

PPS1: Delivering sustainable development

PPS9: Biodiversity and Geological Conservation

PPG14: Development on Unstable Land

East of England Plan 2008

SS1: Achieving Sustainable Development

ENV3: Biodiversity and Earth Heritage

ENV7: Quality in the Built Environment

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

CONSULTATIONS

HATFIELD TOWN COUNCIL COMMENTS

No comment received.

REPRESENTATIONS

None. Period expired 15 July 2011.

DISCUSSION:

The main issues are:

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

1. The proposed development would be sited to the rear of the property and would not be viewed within the surrounding streetscene and public areas. Due to the high boundary treatments and siting of the proposal, it would be largely screened from several of the neighbouring properties.

The proposal would be subordinate to the main dwelling and would reflect the original material of the property. Single storey extensions and modest additions are present on many of the properties within the locality and the proposal would not appear out of place.

The proposal would be partly viewed from some area of the neighbouring properties, but it would not appear out of place or overly prominent. The proposal would not have an adverse impact upon the character and appearance of the locality.

2. The proposal would require the removal of a section of the hedge on the boundary with the adjoining property (no 4). This would mean the side elevation of the proposal would be viewed from this plot. The proposal would have a relatively low height close to the boundary and would not appear overbearing. Number 4 has a rear conservatory which is set back. This addition would ensure the occupants of number 4 would retain a good outlook to the rear and the proposal's depth would not appear excessive. Due to this neighbouring property being set back and its rear extension being set off of the boundary, it would not appear overly prominent or dominant when viewed from this property.

The proposal would be to the north of number 4 and single storey. Due to its single storey height and orientation it would not result in significant overshadowing of the adjoining property's main habitable areas. The adjacent property to the north would retain a sufficient distance from the proposal to ensure that the occupants do not suffer an adverse impact.

The proposal therefore would not have an adverse impact upon the residential amenities of the adjoining occupiers. The proposal would therefore meet the requirements of Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

3. **Energy Efficiency and Sustainability:** The application has been submitted with a sustainability checklist which notes the proposal would be fully insulated and second hand bricks would be used. Considering the proposal comprises an extension to an existing dwelling, these provisions would be reasonable to meet the requirements of Policy SD1 and R3 of the Welwyn Hatfield District Plan 2005.

Tress and Landscaping: The proposed development would not affect any mature trees that are worthy of protection. Although a section of hedge would be removed, the application dwelling's rear garden would remain well landscaped. The section of hedge that would be removed is within a private area of the garden and is not viewed to from the surrounding public view points.

Chalk Mining: The proposed development comprises a single storey addition and would not significantly increase the weight of built development across the site. Therefore, it is not necessary to carry out a chalk mining risk assessment for the development as it is very unlikely that it would cause the dwelling to be affected by unstable land. To ensure that the applicant is aware of the low risk of historic chalk mines within the Hatfield area an appropriate informative can be applied if consent is granted.

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 would meet the relevant requirements of the Welwyn Hatfield District Plan 2005 and is considered to be acceptable.

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 DPL. 99 & DPL. 03 & DPL. 04 & DPL. 05 & DPL. 06 & DPL. 07 received and dated 17 June 2011.
- 3. C.5.2: Materials to match the existing dwelling

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, PPG14 East of England Plan 2008 policies SS1, ENV3, ENV7 and development plan policies SD1, GBSP2, R3, M14, D1, D2, 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:

INF9: Chalk Mining

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