

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2011/1869/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 surrounding area is characterised by similar detached bungalows, many of which have been extended and altered. The application dwelling has recently benefited from a loft conversion with a dormer added to both sides of the roof. 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. Land levels slope downhill from the front to the rear of the plot.

DESCRIPTION OF PROPOSAL:

This application seeks full planning permission for retention of two side dormers (amendment to planning application S6/2011/0970/FP). The west facing dormer has been constructed in accordance with the extant planning permission. The east facing dormer has been increased in size from 3.2m in length to approximately 4.8m and a window has been added.

PLANNING HISTORY:

S6/2011/0970/FP - Installation of two side dormer windows and alterations to rear elevations. Proposed covered porch area to rear (Granted 14/07/2011)

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

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

Hertfordshire County Council Transportation Planning and Policy Department – Do not wish to restrict the grant of permission.

NORTHAW & CUFFLEY PARISH COUNCIL COMMENTS

“The PC have concerns that this application makes a large addition to plans already granted and may cause overlooking implications for neighbours.”

REPRESENTATIONS

None

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. The proposed development's impact upon the character and appearance of the locality

Planning permission S6/2011/0970/FP granted consent for two dormer windows measuring approximately 3.2m in length, one on each side of the application dwelling. The east facing dormer has been increased in size to approximately 4.8m and a window has been added where previously no windows were proposed to this side. The enlarged dormer retains an acceptable distance from the edges of the roof and appears subordinate in scale. The scale and design of the dormer is similar to additions to other properties within the locality of the application site. The enlarged dormer does not appear overly prominent and does not have an adverse impact upon the character and appearance of the surrounding public areas over-and-above the extant permission.

2. The proposed development's impact upon the residential amenity of the adjoining occupants

The application dwelling and neighbouring properties are detached and have a reasonable separation. The enlarged dormer does not appear overly dominant when viewed from the adjacent plots. One window is proposed within the enlarged dormer which would serve the first floor landing. Drawing No.110701.03 shows this window to be fixed and obscure glazed. The window within the west facing dormer serves a bathroom. To ensure that both windows remains obscure glazed a condition could be applied if consent is granted. The proposed development would not result in any additional overlooking or a significant loss of privacy to the adjoining

occupiers, therefore, is in accordance with the requirements of Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

3. Other Material Planning Considerations

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: The development/works shall not be started and completed other than in accordance with the approved plans and details 110701.0 & 110701.02B & 110701.03 received and dated 07 October 2011

POST-DEVELOPMENT

- 3. C.5.2: Materials to match the existing dwelling
- 4. C.7.9: Fixed and Obscured Glazing (Facing Flank Elevations)

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.....