

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2011/2175/FP
APPLICATION Site:	1 Hook Lane, Northaw

NOTATION:

The site lies wholly within the Metropolitan Green Belt, Landscape Character Area 53 as defined in the Welwyn Hatfield District Plan Proposals Map.

DESCRIPTION OF SITE:

The application property is one of a group of semi-detached two storey dwellings located on the northwest side of Hook Lane. The application site includes a front and rear garden, single integral garage and off street parking for two vehicles. The site backs and fronts onto woodland. The application dwelling is finished in painted render at ground floor and tile hanging above. The property has a plain tile roof with a hipped roof to the side extending to ground floor and a gable to the rear.

DESCRIPTION OF PROPOSAL:

This application seeks full planning permission for a two storey side extension and basement. The proposed extension would have a hipped roof and rear gable and would provide additional habitable accommodation on the ground and first floor level. The basement is proposed to be used as storage.

PLANNING HISTORY:

S6/2010/0436/FP – Erection of two storey side extension. Granted 26th April 2010

S6/2008/2114/FP - Erection of a Glazed Two Storey Side Extension (Refused 29/12/2008)

Summary of reasons for refusal of planning application S6/2008/2114/FP:

1. The proposed extensions would, by virtue of their incongruous design, fail to complement and reflect the design of the parent dwelling and the wider streetscene, as the significant changes to the roof profile to the original front elevation would create a visual imbalance when viewed in the context with the adjoining property of No.2 Hook Lane. This would not only harm the architectural appearance of the application dwelling but also this wider context

formed by this small group of rural dwellings which have retained their original character.

SUMMARY OF POLICIES:

National Planning Policy:

PPS1 Delivering Sustainable Development

PPG2 Green Belts

PPS9 Biodiversity and Geological Conservation

East of England Plan:

SS1 Achieving Sustainable Development

ENV2 Landscape Conservation

ENV7 Quality in the Built Environment

T14 Parking

Welwyn Hatfield District Plan 2005:

SD1 Sustainable Development

R3 Energy Efficiency

GBSP1 Definition of the Green Belt

RA3 Extensions to Dwellings in the Green Belt

RA10 Landscape Regions and Character Areas

D1 Quality of Design

D2 Character and Context

M14 Parking Standards for New Development

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

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

CONSULTATIONS:

None received

TOWN/PARISH COUNCIL COMMENTS:

Northaw and Cuffley Parish Council have concerns that this is in the conservation area and will leave the decision to officers

REPRESENTATIONS:

This application has been advertised by neighbour notification letters and site and no representations have been received.

Period expired 2nd December 2011

DISCUSSION:

The main issues are:

1. Impact on the Green Belt
2. Quality of Design and Character and Context

3. Impact on Neighbour Amenity
4. Other Material Considerations

1. Impact on the Green Belt

The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt and it is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The limited extension, alteration or replacement of existing dwellings is not inappropriate provided that it does not result in disproportionate additions over an above the size of the original dwelling as it *existed* in 1947.

In addition, Policy RA3 requires that permission for extensions to existing dwellings within the Green Belt will be allowed only where the proposal would not have an adverse visual impact in terms of its prominence, size, bulk and design on the character, appearance and pattern of development of the surrounding countryside.

The current application seeks planning permission for an addition of a basement to the previously granted two storey side extension under application S6/2010/0436/FP. The scheme currently proposed has only been amended to include a basement. Taking account of the proposed two storey extension, the resulting dwelling would measure approximately 173sqm equivalent to a 40 percent increase over the original dwelling. This level of increase is considered to be proportionate. The proposed basement will not be accessed internally but externally via a stairway and will be used for storage only due to the limited head room and will not include any external windows and light wells that could facilitate its use as a habitable room and therefore its addition is not considered contrary to Green Belt policy.

In regards to the visual impact, the resultant bulk and mass and volume of proposed accommodation would be particularly noticeable to the front and side, however, on balance this is considered not to have an adverse visual impact on the Green Belt as the proposed extensions would maintain a reasonable visual gap with the adjoining property at No.11 Hook Lane. Furthermore, the rear of the application site backs onto woodland and so would not appear overly prominent in the wider character of the countryside.

In summary, the proposal is therefore considered to comply with the requirements of PPG2 and Policy RA3, as it will not have an adverse visual impact on the character, appearance and pattern of development of the surrounding countryside.

2. Quality of Design and Character and Context:

National Planning Policy Guidance PPS1 Delivering Sustainable Development requires planning authorities to plan for high quality design which is appropriate in its context. Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location.

The application property is part of a group of semi-detached dwellings which are located on one side of a single lane track in a rural setting. This group of properties are of varying designs, but form a well designed row of dwellings that retain their original character.

Some of the other dwellings have previously been extended, particularly to the rear, and there are also examples of side extensions which have incorporated dormer windows. Although some of these side dormers are large, the original profile of the roof has been retained to the front and so the original character of these neighbouring dwellings has been retained. One different example is at No.11 which has been extended with a two storey side extension, however, this has successfully maintained the dwelling's original roof profile by replicating this in the extension.

The proposed design has the effect of maintaining the distinctive hipped roof profile and the balance of the semi-detached pair of dwellings. The design of the extensions would be subordinate in scale and in keeping with the character of the existing dwelling and would preserve the visual amenity of the area. The proposed extensions are therefore in accordance with PPS1, PPS5, Policy SS1, ENV6 and ENV7 of the East of England Plan 2008 and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005 (Statement of Council Policy).

3. Impact on Neighbour Amenity:

The only neighbour likely to be impacted is No.11 Hook Lane located adjacent to the north east. Taking into account the resultant separation distance between the proposal and No.11, it is considered that the proposed extensions would not have an overbearing or dominating impact on the occupiers of this adjacent property.

In regards to daylight/sunlight, the proposal would be southwest of No.11. It is likely that some shadowing may occur to the rear garden of No.11 from the proposed two storey extension, however, taking into account the separation distance and the existing depth of No.11 it is considered that this is not so significant to justify withholding permission.

In regards to privacy and overlooking, the windows which are proposed would not look towards the adjoining property and so there would be no significant loss of privacy to this adjoining resident. The Juliette balcony would not result in any unacceptable level of overlooking to neighbours. A terraced area is proposed to the front of the dwelling for garden pots. It is appropriate to condition any permission to prevent the terraced area being used for a balcony or sitting area to avoid any potential overlooking to neighbouring properties.

Subject to the condition, the extensions are considered to be in accordance Policy D1 Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005 (Statement of Council Policy).

4. Other Material Considerations:

Sustainable Development and Energy Efficiency: The applicant has submitted details of how the proposal would contribute towards sustainability in accordance with policies SD1 and R3 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance, 2005. The applicant has indicated within the submitted sustainability checklist that the extensions would not impact upon neighbour amenity. The extensions and alterations to roof will include improved insulation and all windows to be double glazed. It is proposed to use recycled bricks to assist in integrating the appearance of the existing extension. No trees would be affected by the development.

Landscape Regions and Character Areas: Policy RA10 requires developments to contribute to the landscape character and region. The application site is located with Landscape Character Area 53 where there is a strategy to 'Conserve and Strengthen' the condition and character of the area. The proposal would not have any direct impact upon the local landscape quality of the area and although would not contribute would not be contrary to this policy.

Parking: No additional bedrooms are proposed and so there is no requirement for the provision of additional parking.

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).

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.

East of England Plan 2008: 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

However, the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Bill. In the meantime, the policies in the East of England Plan are 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. However, the Government's intention to abolish Regional Spatial

Strategies is also a material consideration that could be considered to reduce the weight to be attached to policies in Regional Spatial Strategies.

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 but that the weight accorded to these policies, in light of the above circumstances, has been carefully considered in reaching a decision.

CONCLUSION:

The proposed development is considered acceptable in terms of its size, scale and design and is not contrary to Green Belt policy. There would be a limited loss of amenity to neighbouring properties subject to the addition of a condition. The proposal is considered to comply with the policies listed above.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2.1 – Time Limit
2. C.13.1 – The development/works shall not be started and completed other than in accordance with the approved plans and details: Site Location Plan (1:1250) received and dated 17th October 2011 & 090811/2 of 2 received and dated 23rd November 2011
3. The proposed terraced area hereby permitted to the front of the dwelling shall not be used as a balcony or sitting out area.

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

4. C.5.2 – Matching Materials

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against National Planning Policy PPS1, PPG2, PPS9 and Policy SS1, T14, ENV2 and ENV7 of the East of England Plan 2008 and development plan policies (i.e. Welwyn Hatfield District Plan 2005 GBSP1, SD1, R3, R29, RA3, RA10, M14, D1, D2 and Supplementary Design Guidance), in addition to the Human Rights Act 1998, which 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.....