

**WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL**  
**DELEGATED REPORT**

<b>APPLICATION No:</b>	<b>S6/2011/2782/FP</b>
<b>APPLICATION Site:</b>	<b>97 Bramble Road, Hatfield</b>

**NOTATION:**

The site lies within the Watling Chase Community Forest as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:**

The application site is located to the south of Bramble Road. The site comprises of a two storey semi-detached dwellinghouse with an attached garage located on an irregular shaped plot.

**DESCRIPTION OF PROPOSAL:**

The proposal is to create a single storey rear extension to be used as a dining area with a pitched roof above comprising of three rooflights, a first floor side extension above the existing garage to be used as a bedroom and ensuite and a single storey front/side extension extending approximately 1.4m to the front of the existing garage and wrapping around the garage footprint by extending approximately 1.4m in width comprising of a garage, WC and new entrance hall. The existing loft space along with the roofspace created for the first floor side extension will be converted into a studio/playroom with two rooflights on the rear elevation and one rooflight on both the side and front elevations.

**PLANNING HISTORY:**

S6/1979/0232/ - Extension to garage. Granted 27<sup>th</sup> April 1979

S6/2010/2999/FP - Erection of single storey rear extension, first floor side and single storey front extensions, loft conversion with front, side and rear rooflights. Refused 1<sup>st</sup> February 2011 for the following reason:

*‘The depth and bulk of the proposed front extension would be prominent within the streetscene taking into consideration the overall consistency of the built form of development within the locality. The proposed front extension therefore fails to comply with policy D1 of the Welwyn Hatfield District Plan, 2005 and PPS1: Delivering Sustainable Development’.*

**SUMMARY OF POLICIES:**

National Policy

PPS1: Delivering sustainable development

PPG2: Green Belts (in relation to Community Forests)

PPS9: Biodiversity and Geological Conservation

East of England Plan 2008 Policies:

SS1: Achieving Sustainable Development

ENV5: Woodlands

ENV7: Quality in the Built Environment

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

RA11: Watling Chase Community Forest

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

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

**CONSULTATIONS:**

Landscaping Department: Overall no objection to the proposal. If the existing tree within the front garden is to be kept through the construction period, then the applicant should bear in mind that excavation or compaction of the soil close to trees can damage roots and/or soil and be potentially harmful. Reference is made to BS5837:2005 Trees in Relation to Construction for additional guidance.

Hertfordshire County Council (Transportation Planning and Policy) does not wish to restrict the grant of planning permission. The proposal retains the same level of parking and no works within the public highway are required.

**TOWN/PARISH COUNCIL COMMENTS:** None

**REPRESENTATIONS:**

This application has been advertised by neighbour notification letters and no representations have been received. Period expired 27<sup>th</sup> January 2012

**DISCUSSION:**

**The main issues are:**

- 1. The impact of the proposal on the character and appearance of the dwelling and surrounding area**
- 2. The impact of the proposal on the amenity of adjoining properties**
- 3. Other material planning considerations**

#### **1. The impact of the proposal on the character and appearance of the dwelling and surrounding area**

Policies GBSP2, D1 and D2 of the adopted Welwyn Hatfield District Plan apply which seek to provide a good standard of design in all new development and require that all new development respects and relates to the character and context of the area in which it is to be sited. These policies are expanded upon in the Council's Supplementary Design Guidance which requires that residential extensions should be complementary in design and be subordinate in size and scale to the existing dwelling. The impact of a development is assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area.

This area of Bramble Road comprises mainly of semi detached properties which are set back from the main road. Whilst a number of properties have incorporated small front extensions, the built form of development along Bramble Road generally remains in line with each other.

The proposals remain largely the same as previously submitted under planning application (ref: S6/2010/2999/FP) aside from the ground floor front and side extension. The proposal has considerably reduced the bulk of development to the front of the dwelling. When viewed from the side elevation with No.99, the proposed front extension protrudes 1.1m in depth. This proposed bulk of development to the front of the dwelling has been considerably reduced and appears more in keeping with the consistency of the built form of development within the locality. The proposed front extension therefore complies with policy GBSP2, D1 and D2 of the Welwyn Hatfield District Plan, 2005.

The proposed first floor side extension measures a total of 6.5 metres in height. The ridgeline is set 1.2 metres below the ridgeline of the existing roof. Policy D1 and the supplementary design guidance, paragraph 5.2 (v) states, 'for all multi-storey, two-storey and first floor side extensions, a minimum distance of 1m between the extension and the adjoining flank boundary must be maintained. This spacing is to prevent over development across plot widths and a terracing effect within areas of detached and semi-detached properties'. The proposed first floor element of the extension maintains a 1 metre separation space. Other properties within the vicinity of No.97 have incorporated a first floor side extension. The proposal at No.97 does not detract from the design and character of the surrounding area at first floor level and therefore complies with policy GBSP2, D1 and D2 of the Welwyn Hatfield District Plan, 2005.

#### **2. The impact of the proposal on the amenity of adjoining properties**

Policy D1 and the supplementary design guidance paragraph 5.2 (Section 5 Residential Extensions) states in part iii) the extension should not cause loss of light

or be unduly dominant from adjoining properties, as a result of either the length of projection, the height or the proximity of the extension. In addition paragraph 5.7 states that new extensions should be designed, orientated and positioned in such a way to minimise overlooking between dwellings.

The proposed single storey rear extension extends beyond the rear wall by three metres. The neighbouring property, No.99 Bramble Road already has a single storey rear extension with a flat roof. The proposed pitched roof rear extension measures the same depth as that at No.99 and therefore is not considered to impact on the amenity of No.99.

The other neighbouring property to the east, No. 95 Bramble Road is at an angle to No.97 due to the bend in the road and therefore the rear elevation of No.95 is in closer proximity than the front elevation. The boundary treatment comprises of a 1 metre high wooden fence which creates little privacy for the rear gardens of either property.

On the eastern side elevation of the proposed single storey rear extension is a window which is shown to be obscure glazed. The window is not considered necessary for the purposes of sunlight/daylight to the rear extension as it is south facing and the rear elevation comprises of a large five panel bi-folding patio door with a window either side and three rooflights within the pitched roof. The new window proposed on the side elevation of the existing dwellinghouse which would form part of the new kitchen is shown to be obscure glazed. The window proposed on the first floor side elevation of the dwellinghouse is shown to be obscure glazed. The proposed first floor side extension maintains a 1 metre separation space at its closest point to the boundary with No.95 and measures approximately 7 metres from the flank wall of No.95. The proposed first floor extension is therefore not considered to impact on the amenity of adjoining neighbours.

### **3. Other Material Planning Considerations**

**Sustainable Development:** Policy R3 states that the council expects all development to include measures to maximise energy conservation through the design of buildings, site layout and provision of landscaping. The development does not propose any specific measures however the applicant has submitted a sustainability checklist and therefore the proposal adheres with policy SD1 and R3 of the Welwyn Hatfield District Plan, 2005.

**Watling Chase Community Forest:** The application site is located within the Watling Chase Community Forest. Policy ENV5 of East of England Plan, 2008 encourages new woodland creation to be targeted at Watling Chase Community Forest with the aim of increasing their woodland cover to 30% by 2030. There is a strong presumption against development that would result in the loss or deterioration of the woodland. Taking into consideration that the additional built development would not result in the loss or deterioration of woodland it is not considered that any additional planting is required as part of the proposal. The proposal therefore complies with policy RA11 of the Welwyn Hatfield District Plan, 2005.

**Car Parking:** Policy M14 requires parking provision for new development to be made in accordance with the standards set out in the Council's supplementary planning guidance on parking. The proposal seeks the addition of a fourth bedroom. The proposal seeks to maintain three car parking spaces and therefore complies with the maximum standards for a four bedroom dwelling in accordance with policy M14 of the Welwyn Hatfield District Plan, 2005.

**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.

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**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 Act. 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 would not have a detrimental impact on the amenity of either the property or the surrounding area. The proposal is considered to comply with the policies listed above.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

Application S6/2011/2782/FP should be **APPROVED** subject to the following conditions:

1. C.2.1 Time limit for commencement of development
2. C.13.1 Development in accordance with approved plans/details: BR 101-OS & BR102-10 Rev. A & BR102-1 Rev.R1 & BR102-2 Rev. R1 & BR102-5 Rev. R1 received and dated 16<sup>th</sup> December 2011

**Post Development**

3. C5.2 Matching materials

**SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:**

The proposal has been considered against Planning Policy Statement/Guidance PPS1, PPG2, PPS9, East of England Plan 2008 policies SS1, ENV5, ENV7 and development plan policies SD1, GBSP2, R3, M14, D1, D2, D8 and RA11 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.....**