

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

<b>APPLICATION No:</b>	<b>S6/2012/0071/FP</b>
<b>APPLICATION Site:</b>	<b>2 Worcester Road, Hatfield</b>

**NOTATION:**

The site lies within Hatfield Chalk Mining Area as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:**

The application site comprises of an end of terrace dwelling with an existing single storey side extension and a flat roofed rear extension.

**DESCRIPTION OF PROPOSAL:**

The proposal seeks to extend the existing side extension increase the depth by 2m to 7.8m and increase the width by 1.1m to 2.8m. The ridge height of 4.2m will remain.

**PLANNING HISTORY:**

S6/2011/1172/FP - Erection of single storey rear extension with rooflight. Granted 5<sup>th</sup> August 2011

**SUMMARY OF POLICIES:**

National Policy

PPS1: Delivering sustainable development

PPS9: Biodiversity and Geological Conservation

PPG 14: Development on Unstable Land

East of England Plan 2008 Policies:

SS1: Achieving Sustainable Development

ENV7: Quality in the Built Environment

Welwyn Hatfield District Plan, 2005:

SD1: Sustainable Development

GBSP2: Towns and Specified Settlements

R3: Energy Efficiency

D1: Quality of Design

D2: Character and Context

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

**CONSULTATIONS:**

None received

**TOWN/PARISH COUNCIL COMMENTS:**

None received

**REPRESENTATIONS:**

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

**DISCUSSION:**

The main issues are:

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

The application dwelling lies to the end of terrace which are similar in design and character. A single storey side extension exists along each of the properties which link together to form the terrace. The application dwelling has a single storey side extension located on the north side elevation. Adjacent to this side elevation are a further row of dwellings which are set back from the building line of the application dwellings and are different in scale and character.

The proposal seeks to enlarge the existing side extension however the ridge height will remain as existing. Whilst the depth and height of the extension will be enlarged it is considered that the proposal will not detrimentally impact on the existing character of terrace and will remain balanced in appearance. The scale of the

extension will appear subordinate in scale to the existing dwellinghouse and will comprise of materials matching the existing dwellinghouse. The proposal is therefore considered to comply with policy GBSP2, D1 and D2 of the Welwyn Hatfield District Plan, 2005.

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

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 dwelling most impacted by the proposal is the neighbouring property, No.14 Malvern Close. However, the front elevation of No.14 is set back approximately 5m from the rear elevation of the proposed side extension and no windows are proposed on the side elevation. A large hedgerow exists along the boundary with No.14 and therefore the proposal is not considered to detrimentally impact upon the residential amenity of neighbour properties in accordance with policy D1 of the Welwyn Hatfield District Plan, 2005.

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

**Chalk Mining:** As with all developments across Hatfield, the suitability of the development in accordance with PPG14: Development on Unstable Land needs to be assessed. The site is not within any designated area that has been identified as possibly being at risk of chalk mining. As the development would result in little alteration in terms of weight bearing load upon ground conditions, an informative only is required.

**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 in accordance with policy SD1 and R3 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.

**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 S6/2011/0071/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: DPL.99 received and dated 13<sup>th</sup> February 2012 & DPL.03 & DPL.05 & DPL.08 & DPL.07 & DPL.04 received and dated 26<sup>th</sup> January 2012

## **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, PPS9, PPG14, East of England Plan 2008 policies SS1, ENV7 and development plan policies SD1, GBSP2, R3, D1 and 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:**

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