

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2012/0193/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 dwelling is a detached bungalow with accommodation in the roofspace. The dwelling and garden spaces are accessed via a narrow driveway off Wilkins Green Lane. The application dwelling is set back from the public highway by approximately 65m. The dwelling is set back beyond the rear of the adjacent neighbouring properties. The plot is surrounded by mature vegetation that creates a tall dense screen, so that the property and rear amenity space are secluded.

The surrounding area comprises a variety of individually designed detached properties that have spacious plots. There is a rural feel to the area and the western boundary of the plot forms the boundary with the Metropolitan Green Belt.

DESCRIPTION OF PROPOSAL:

The proposed development would involve the erection of a two-storey front extension and a single storey canopy roof to the western side of the front elevation. The proposed two-storey addition would measure approximately 5m in width (gable projection) with a wider roof extension by 6.2m in depth with a gable fronted design and ridge height of 7.4m.

PLANNING HISTORY:

S6/2009/2354/FP – Erection of first floor rear extension – Approved 06/01/2010.

S6/2009/1600/FP – Erection of single storey rear extension – Approved 04/09/09

S6/2005/0543/FP – Erection of a single storey front extension, first floor rear extension and side dormer window – Approved 23/06/05

S6/1986/0366/FP – Two storey side extension to form a granny flat; single storey rear extension and detached garage – Approved 28/08/86

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Planning Policy Framework, March, 2012

East of England Plan 2008

SS1: Achieving Sustainable Development
T14: Parking
ENV1: Green Infrastructure
ENV5: Woodlands
ENV7: Quality of 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
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

Welwyn Hatfield Borough Council (Trees and Landscape) – No objection.

Hertfordshire Highways (Transport Programmes & Strategy) – No objection.

Hertfordshire Biological Records Centre – Do not have any specific biological data for the property, suggested that works proceed with caution.

HATFIELD TOWN COUNCIL COMMENTS

No comments received.

REPRESENTATIONS

The application has been advertised by neighbour notification letters and no responses have been received.

Period expired 2 March 2012.

DISCUSSION:

The main issues are:

- 1. The impact of the proposal on the character and appearance of the locality**
- 2. The impact of the proposal upon the adjoining occupiers**
- 3. Other Material Planning Considerations**

1. The proposed development would be sited to the front of the property. The frontage of the site is relatively enclosed and accessed by a narrow drive. The application dwelling is set back from the front boundary and surrounding public areas significantly. The application dwelling and neighbouring properties vary in design and style. The resultant dwelling would retain the main features of the existing property the appearance of the dwellings as a group would not change significantly. Although the properties are generally not viewed together glimpses the dwellings are viewed as you travel along Wilkins Green Lane. It is accepted that there is some flexibility the design of new additions as there the surrounding streetscene lacks uniformity, however, the proposed additions should not appear overly prominent or out of place.

The proposed two-storey extension would partly give the dwelling a more dominant appearance and be less reflective of the bungalow appearance. However, the width of this addition would not dominant the dwelling's width and would not significantly detract from the original low rise appearance of the dwelling. Several of the surrounding properties are two-storey within close proximity to the application site and the resultant dwelling would not appear out of place when compare to these properties.

It has been noted that the proposal would have an unusual appearance to the side and rear and would not be particularly reflective of the main dwelling. However, this would not be viewed prominently or be seen from the surrounding public areas. The distance from the adjacent Listed Building to the west and outbuildings which sit between the application dwelling and this property would prevent the proposal from being viewed prominently from or with the Listed Building.

The proposed single storey canopy area would be relatively modest and would be have a hipped roof to reflect the design of the main dwelling. This addition would not appear overly prominent and would not have an adverse impact upon the character and appearance of the locality.

The proposed additions to the front of the property have been designed to be subordinate in depth and height which would ensure that the existing dwelling retains its existing appearance and features. The resultant dwelling would not have an adverse impact upon the character and context of the locality.

In summary, when viewed in isolation the proposal would have an acceptable appearance and reflect the design of the existing dwelling. When viewed from the surrounding area the proposal would be screened and sited so that it would not appear overly prominent.

2. The application dwelling is set back significantly in comparison to the adjacent properties.

To the west the adjacent dwelling is set away from the boundary and has an outbuilding close to the shared boundary. The outbuilding is mostly screened by trees on the boundary and does not have an of this properties main habitable areas in close proximity to the proposed dwelling. The proposed development would not have an adverse impact upon this property if the trees and vegetation were to diminish in the future, due to the distance that separates the properties. The

proposal would be sufficiently screened from the adjacent property to the west by the existing outbuilding. The application dwelling is also sited a sufficient distance from the main habitable areas of this adjacent dwelling to prevent a noticeable impact upon the occupants. .

The adjacent property to the east is sited close to the shared boundary. Although this property partly overlooks the boundary as existing, the proposal would be sited a sufficient distance from the main habitable areas of this dwelling to prevent an adverse impact upon the residential amenities of the occupiers.

Even if the existing boundary treatments were to be reduced or altered a sufficient distance would remain between the proposal and neighbouring properties. This distance would ensure that the proposed extension would not appear prominent or overbearing. The properties beyond the rear boundary are sited a substantial distance from the application dwelling and would not suffer any loss of residential amenity.

The proposal would only have one window which is to the rear elevation and this would not result in any significant overlooking or a loss of privacy to any of the neighbouring properties.

3. Tree and the Watling Chase Community Forest: The proposed development would not affect and mature trees that are worth of protection. The proposed development would not adversely affect any trees or mature vegetation that are considered to be worthy of protection. Due to the site being located within the Watling Chase Community Forest, development should not result in the loss of tree cover and should aim to increase woodland cover. The East of England Plan has a target of increasing woodland cover within community forests by 30% by 2030 and to do this new development should make a contribution. Therefore, if permitted this application should be conditioned to ensure that an appropriate contribution is made to the tree cover within the application site. A reasonable contribution is considered to be 30% of the existing trees with a minimum of 1 new tree. Subject to the approval of an appropriate landscaping/tree plan, the proposal would comply with Policies ENV1 and ENV5 of the East of England Plan 2008 and RA11 of the Welwyn Hatfield District Plan 2005.

Protected Species: The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework, 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 an 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.

Parking Provision: The proposed development would not impact upon the parking arrangements for the dwelling. The number of parking spaces retained to the front of the dwelling would exceed the requirements of the Parking Standards of the Welwyn Hatfield District Plan 2005. The application site has well landscaped garden spaces to the front and rear and ample amenity space would be retained.

Energy Efficiency and Sustainability: The application has been submitted with a sustainability checklist that notes the proposal would meet current building regulations and where possible sustainable materials would be used. Considering that the proposal comprises a single storey extension to the existing dwelling these provision would be a reasonable effort to meet the requirements of Policy R3 of the Welwyn Hatfield District Plan 2005.

CONCLUSION:

The proposed development would not have an adverse impact upon the character and appearance of the locality. The residential amenity of the neighbouring properties would not be adversely affected. The development would comply with the requirements of the Welwyn Hatfield District Plan 2005 and is considered to be acceptable.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2.1: 3 Year Time Limit

2. C.13.1: Development in accordance with approved plans/details 4940-201 & 4940-202 & 4940-203 received and dated 1 February 2012.
3. C.5.2: Materials to Match
4. No development shall take place until full details on a suitably scaled plan, of native trees, representing a minimum of 1 new tree within the site's boundaries have been submitted to and approved in writing by the Local Planning Authority. Subsequently, these trees shall be planted and maintained as approved.

The approved tree planting shall be carried out in the first planting and seeding seasons following the completion of the development and any trees which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: The application site lies within the Watling Chase Community Forest and the landscaping of this site is required in order to protect and enhance the existing woodland cover. In accordance with Policies ENV5 of the East of England Plan 2008 and D8 of the Welwyn Hatfield District Plan 2005.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

Reason for Grant of Full Planning Consent:

The proposal has been considered against the National Planning Policy Framework, March, 2012, East of England Plan 2008 policies SS1, T14, ENV1, ENV7, ENV5 and development plan policies SD1, GBSP2, R3, M14, D1, D2, D8, RA11 of the Welwyn Hatfield District Plan 2005, 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).

INFORMATIVES:

The application has been submitted with a location plan that does not appear to show the full extent of the rear garden area as demarcated on site. The differences in boundary position would not affect the assessment of this application. However, the applicant should be aware that the validity of this consent could be affected if the boundary position is determined to be in a different position.

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