

**WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT**  
**DELEGATED REPORT**

<b>APPLICATION No:</b>	<b>W6/2012/0766/EM</b>
------------------------	------------------------

**NOTATION:**

The site lies within the Estate Management Scheme of Welwyn Garden City.

**DESCRIPTION OF PROPOSAL:**

The application seeks consent for the erection of a single storey rear extension.

**HISTORY:**

W6/2010/1276/EM: Formation of Vehicle Hardstanding and Crossover. Approved

W6/2003/0817/EM: Alterations to outbuilding. Approved.

**SUMMARY OF POLICIES:**

1967 Leasehold Reforms Act – Estate Management Scheme:

Estate Management Scheme Policies October 2008:

EM1 – Extensions and alterations

**CONSULTATIONS:**

None

**TOWN/PARISH COUNCIL COMMENTS:**

None

**REPRESENTATIONS:**

This application has been advertised and one representation has been received.

Summary;

- Objects to the development;
- It will have a negative effect on myself, my property and gardens;
- The extension should be reduced in length and in height to minimize the overbearing appearance from my property;
- The size of the extension will need at least one metre from the neighbouring boundary in order to allow some additional light to my property and to provide suitable space for the building to carry out the work.

**DISCUSSION:**

The main issues are:

- 1. Whether the proposal accords with the Policy EM1; and**
- 2. Other Material Planning Considerations**

1. The character and appearance of much of Welwyn Garden City has a quality that consists of carefully designed layouts with formal and symmetrical patterns where the design and detailing of architecture is in groups and individual buildings. Therefore in order to preserve the unique architectural heritage of the town and its building the Council expects that all applications for extensions and alterations respect and do not harm the character and appearance of the building and the street scene.

Policy EM1 of the Estate Management Scheme applies and refers to extensions and alterations and seeks to preserve the unique architectural heritage of the town and its building. It states that extensions and alterations to existing buildings will only be allowed if they are in keeping with the design, appearance, materials and architectural detailing used in the existing building and do not have a detrimental impact on the amenities and values of the surrounding area or the residential amenity of adjoining occupiers. In addition, the policy states that extensions or alterations should not materially affect the residential amenities of adjoining residents through loss of day/sun/skylight, loss of privacy and outlook.

The property is a mid terrace dwelling in a row of four. The property has an existing single storey rear extension alongside the boundary with No. 175 which is the same depth as the extension proposed. This only has a width of approximately 2.3m. The proposed development seeks to form an extension which would extend basically across the full width of this dwelling for a depth of approximately 6m. As a result of the size, design and location deep into the garden, the proposed new development would be excessively large and would not appear subordinate in scale to the original dwelling. It would stand out amongst the surrounding back gardens as an unduly bulky and alien feature when viewed from the nearby properties. Consequently the proposed development would detract from the value and amenities of the garden city, contrary to the Policy EM1.

With regard to its detailed design and appearance, it has been designed with a flat roof which is characteristic of the garden city. It would be constructed from materials to match the existing and the fenestration, whilst not entirely reflective of the fenestration in the existing dwelling, given its location at ground level no objections are raised.

In addition to the above, Policy EM1 also considers whether extensions or alterations materially affect the residential amenities of adjoining residents through loss of day/sun/skylight, loss of privacy and outlook.

Given the existing extension at the application property and the extension at No. 175, it is considered that the proposed development would maintain a satisfactory relationship with No. 175.

With regard to No. 179 Parkway, this property has a small rear extension which projects into the garden by about 2m. Given the depth of the proposed extension, which would be about 6m, it is considered that whilst there would be a limited loss of light given the height and siting of the extension, it is considered that it would project unduly into the rear garden and would appear overbearing and unduly prominent

from the rear of No. 179 Parkway to the detriment of the residential amenity of the occupiers of this property.

With regard to privacy, it is considered that window positions are such that there would be no undue loss of privacy.

2. The presence of protected species is a material consideration. 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 a EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

#### **CONCLUSION:**

The proposed development would result in an excessive depth of built form from the original rear wall of the property which would fail to remain subordinate in scale to the original form of the property. In addition, the proposal would appear intrusive and overbearing from the rear of no. 179 Parkway to the detriment of the residential amenity that they should reasonably expect to enjoy.

However, there is not a reasonable likelihood of protected species being present.

#### **RECOMMENDATION: REFUSAL AND REASONS**

1. The proposed extension, by virtue of the amount, scale, bulk, depth and design of development proposed would not be subordinate to the original dwelling and would result in an incongruous addition that fails to be in keeping and respect the original dwelling. The proposed development would therefore fail to preserve the unique architectural heritage of the building and would detrimentally impact on the amenities and values of the surrounding area contrary to the principles and policies of EM1 of the Estate Management Scheme.
2. By virtue of the location, depth and height of the proposed extension, it would appear visually intrusive and overbearing to the windows and private rear garden at No.179 Parkway to the detriment of the residential amenity of the occupiers of this property. The proposed development would therefore be contrary to Policy EM1 of the Estate Management scheme.

**INFORMATIVES:** Notwithstanding the above decision, please be aware that planning permission is required for the proposed development.

**REFUSED DRAWING NUMBERS:**

Drawing No. A100 received and dated 30 April 2012.

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