

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

APPLICATION No:	N6/2012/2293/FP
APPLICATION Site:	12 Fordwich Road

NOTATION:

The site lies within Welwyn Garden City as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application site comprises a two storey, detached dwelling finished in red brick. To the side of the dwelling is an attached single storey addition of approximately 2.7m in width, 7.3m in depth and a height of 2.9m. The dwelling is set within a small site of 4 dwellings, set back from Fordwich Road. The layout is somewhat inconsistent with the rest of Fordwich Road, where the properties face the street.

DESCRIPTION OF PROPOSAL:

The application seeks full planning permission for the erection of a two storey rear and single storey side extension. The latter would replace the existing side addition to the property. The side extension would align with the principal elevation of the existing dwelling, extending approximately 8.3m in depth. This would result in an addition of approximately 0.9m in depth to the existing rear. It would incorporate a flat roof of a height of approximately 2.9m. The rear extension would effectively continue the side extension, wrapping around the dwelling. It would reach a maximum ridge height of approximately 6.7m, with a total width of 10.0m. However, only approximately 5.0m of this width would be at two storey level.

PLANNING HISTORY: None relevant

SUMMARY OF POLICIES:

National Planning Policy Framework

East of England Plan 2008 Policies:

SS1: Achieving Sustainable Development

SS2: Overall Spatial Strategy

ENV6: The Historic Environment

ENV7: Quality in 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
D1: Quality of Design
D2: Character and Context
D7: Safety by Design
D8: Landscaping

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

CONSULTATIONS:

Hertfordshire County Council as Highway Authority

- The extensions will not impact upon highway safety or capacity

TOWN/PARISH COUNCIL COMMENTS: None

REPRESENTATIONS:

This application has been advertised and no representations have been received.
Period expired 4 December 2012

DISCUSSION:

The main issues are:

1. Character and Appearance
2. Residential Amenity
3. Other Material Planning Considerations

1. Character and Appearance

Policies GBSP2, D1 and D2 of the adopted Welwyn Hatfield District Plan are relevant. Collectively, these policies seek to encourage development of a high design standard, which should respect and relate to the character and context of the area in which it is to be sited. Furthermore, the Supplementary Design Guidance (SDG) requests that "extensions should be designed to complement and reflect the design and character of the dwelling and be subordinate in scale."

Moreover, as the site is located within the Welwyn Garden City Conservation Area, the preservation and enhancement of the appearance and character of the area must be considered in accordance with the National Planning Policy Framework (NPPF).

The proposal would add only modestly to the depth of the property, reaching a maximum of approximately 3.0m at one point. Whilst quantitatively the development represents an appropriate addition, by developing along more than 80% of the width and by being two storeys in part, the result is a visually more sizeable addition.

However, it is considered that the reduced ridge height of the first floor extension, along with the modest increase in depth, alleviate the harm caused, resulting in an appropriately subordinate addition.

With regards to the wider area, two storey extensions have only been incorporated to the rear, which has helped to maintain the original character. The property is set in approximately 35m from Fordwich Road and the development would be largely concealed from the street scene. Furthermore, the adjacent road of Longcroft Lane would offer only partial glimpses of the rear of the property. It is therefore considered that the proposal would have limited impact upon the wider street character. Consequently, although such development would not make a positive contribution the local character and distinctiveness, it is considered that it would adequately sustain it.

The development would incorporate the use of matching materials and fenestration, and the design would reflect that of the existing property. Whilst the roof at first floor level would be hipped, rather than gable ended, it is considered that this design would be of an appropriate addition to the dwelling, particularly given its more visually concealed location to the rear.

This proposal would therefore be compliant with policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the guidance set out within the NPPF.

2. Residential Amenity

Local Plan Policy D1 is relevant along with the SDG. The impact of the proposed development on the residential amenity of neighbouring dwellings is measured in terms of the impact on neighbouring properties access to day/sun/sky light, overshadowing, loss of privacy/overlooking and impact on outlook.

10 Fordwich Road is the immediate neighbour and most likely to be impacted by the development. However, development would occur to the opposite side of the property, with construction distanced approximately 9m from the boundary. Therefore it is considered that any amenity impacts would be minimal.

Windows would be constructed at first floor level on the side and rear elevation of the property, resulting in potential overlooking impacts. The proposed side window would be an enlargement of an existing window and would overlook the rear garden of 14 Fordwich Road. However, the window would only overlook the bottom of the garden. Furthermore, there are existing windows on this elevation and it is considered that there would not be any further additional impacts. Whilst the rear first floor windows would be closer to the rear boundary of the property, no additional overlooking impacts would result.

The proposal has been amended from its original state. These amendments resulted in the reduction of scale and the re-positioning of the first floor extension from the side to the rear in order to protect the amenity of neighbouring property of 14 Fordwich Road. It was considered that re-consultation with neighbouring residents was not necessary.

It is considered therefore that this development would appropriately comply with policy D1 of the Welwyn Hatfield District Plan 2005.

3. Other Material Planning Considerations

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 a EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 and amended 2012 Regulations 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 would be a proportionate addition to the property. It is not considered to cause excessive harm on the character of the dwelling and its concealment from public areas ensures the protection in character of the wider area. It would not result in any inappropriate amenity impacts on the neighbouring residents. It would therefore conform to policies D1 and D2 of the Welwyn Hatfield District Plan 2005, and the guidance set out within the National Planning Policy Framework.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2.1 Time limit for commencement of development
2. C.13.1 The development/works shall not be started and completed other than in accordance with the approved plans and details: 2908-PO1 Rev A1 received and dated 21 December 2012 & Block Plan & Site Location Plan received and dated 5 November 2012 unless otherwise agreed in writing by the local planning authority.

Post Development

3. C5.1 No development shall take place until samples of materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against the National Planning Policy Framework, East of England Plan 2008 SS1, SS2, ENV6, ENV7 and Development Plan policies SD1, GBSP2, R3, D1, D2, D7, D8 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. The decision has also been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and 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: None

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