

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

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| APPLICATION No: | W6/2012/2295/EM |
| 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:

1967 Leasehold Reform 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, making the following comments:

- Wall of house forms boundary and if this is to be demolished, property of 14 Fordwich Road will be insecure
- Window on side elevation could get damaged

Period expired 4 December 2012

DISCUSSION:

The main issues are:

- 1. Maintaining or enhancing the character and appearance of the property and surrounding area, and the amenities and values of Welwyn Garden City**
- 2. The impact on the residential amenity of neighbouring dwellings**
- 3. Other material considerations**

1. Maintaining or enhancing the character and appearance of the property and surrounding area, and the amenities and values of Welwyn Garden City

Policy EM1 of the Estate Management Scheme is relevant, referring to extensions and alterations. It seeks to preserve the unique architectural heritage of the town and its buildings. This is achieved by permitting approval only when development is in keeping with the design, appearance, materials and architectural detailing used for the existing building and does not have a detrimental impact on the amenities and values of the surrounding area.

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 policy EM1 of the Estate Management Scheme

2. The impact on the residential amenity of neighbouring dwellings

Policy EM1 is again relevant, which seeks to protect the amenity and balance of the surrounding area. 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 EM1 of the Estate Management Scheme.

3. Other Material 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.

Neighbour Representations

It was commented that the proposed demolition of the wall which currently acts as a boundary would impact on the security of the neighbouring resident. This wall forms part of the dwelling itself. Any security impacts caused to the neighbouring property as a result of development would be a civil matter beyond the control of the planning authority.

It was commented that the proposed window on the side wall could potentially be damaged. This is not considered to be a material consideration and any property damage would again be a civil matter.

CONCLUSION:

It is considered that the proposed development does not have an unacceptably harmful impact on the residential amenity or the character of the area in which it is located. It is therefore in compliance with the Estate Management Scheme.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

EM01.a – 1. This consent shall expire three years after the date hereof (or such other extended date as the Council may agree) unless the works hereby approved shall be completed before that date.

2. All works carried out in pursuance of this consent shall be and remain part of the Premises and shall be subject to the terms and conditions of the conveyance in all respects as if such works had at all times formed part of the Premises.

3. This consent or copy hereof shall be annexed to the Conveyance.

4. There shall be no encroachment over the boundary of the plot either above or below ground level, nor any interference with the foundations of the adjoining property without the agreement of the adjoining owner or lessee.

5. This consent now issued is given by the Council only in accordance with the requirements of the Management Scheme/Conveyance or Leasehold Covenants.

REASON: To comply with the requirements of the Estate Management Scheme

6. 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.

REASON: To ensure that the development is carried out in accordance with the approved drawings and any changes must be agreed in advance in writing by the local planning authority.

7. The brickwork, bonding, mortar and architectural detailing (including soffits, eaves, external pipe work and guttering) of the approved extension shall match that used in the existing dwelling, unless otherwise agreed in writing by the Council.

REASON: To protect the character and appearance of the original building and the amenities of the area in accordance with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City and policy EM1.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

It is considered that the proposed development does not have an unacceptably harmful impact on the residential amenity or the character of the area in which it is located. It is therefore in compliance with the Estate Management Scheme.

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