

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

APPLICATION No:	N6/2013/0728/FP
APPLICATION Site:	8 Rooks Hill, WGC

NOTATION:

The site lies within the Conservation Area and excluded settlement of Welwyn Garden City as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF PROPOSAL: Erection of part single and part two storey rear extension and new window to flank elevation

PLANNING HISTORY: None

SUMMARY OF POLICIES:

National Planning Policy

National Planning Policy Framework

Circular 03/09: Costs Awards in Appeals and Other Planning Proceedings

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

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

CONSULTATIONS: None

TOWN/PARISH COUNCIL COMMENTS: None

REPRESENTATIONS: None, period expired 17-5-13

DISCUSSION:

The main issues are:

- 1. The quality of the design and impact on the character of the surrounding area**
- 2. The impact on the residential amenity of adjoining neighbours**
- 3. Parking**
- 4. Other Material Considerations**

1. The quality of the design and impact on the character of the surrounding area

Local Plan Policy D1 & D2 is relevant along with the Supplementary Design Guidance.

The proposal is to extend the property to the rear to a depth of 3.6m to create a kitchen and lounge area. This will extend to the full width of the existing property and will be flush with the existing side wall of the dwelling. Above part of the single storey extension will be a first floor extension creating a larger bedroom which will be to the same depth and will have a width of approximately 4m. Above this a flat roof is proposed over the single storey rear extension and a hipped pitch roof over the first floor which will be flush with the current hip of the main roof with a ridgeline which is stepped down.

These changes which relate to the rear of the property are considered to appear subordinate in scale to the original dwelling and will reflect the existing character with window fenestration of a similar style. Subject to the use of matching materials, the proposed extension will be in-keeping with the character of the existing dwelling and will reflect the wider character of the surrounding area, which also include similar extensions to the same type of property at Nos. 2 & 4 Rooks Hill.

The proposal therefore complies with Local Plan Policy D1 & D2 and the SDG and would sustain and enhance the heritage asset, i.e the conservation area.

2. The impact on the residential amenity of adjoining neighbours

Local Plan Policy D1 is relevant along with the Supplementary Design Guidance.

The adjoining properties which are most likely to be impacted by the proposed development are Nos. 6 & 10 Rooks Hill.

In regards to No.6, a proposed party wall is proposed at ground floor level. The depth of this new flank wall and height are considered not to appear overly dominant or over bearing to this neighbour as the scale of this wall is reasonable in this location. No side windows are proposed and so there will be no direct overlooking. Although there will be some overshadowing from the new flank wall during the first part of the day, this will not be so significant as to be harmful to the residential amenity of No.6.

At first floor level the proposed extension is set back sufficiently from the common boundary with this neighbour to ensure that it will not harm the outlook of this neighbour's rear first floor window in terms of sunlight/daylight or from the extension appearing over dominant.

Turning to No.10 Rooks Hill, the proposed extension is considered to be sufficiently distant from this neighbour to ensure that there is no harm to their residential amenity in terms of sunlight/daylight or outlook.

There is a new side window proposed at first floor level to serve the enlarged bedroom which is shown obscure glazed and non-opening below 1.7m for floor level. A planning condition to ensure this requirement is reasonable to avoid any potential overlooking to this adjoining neighbour.

Subject to this planning condition, the proposal would not harm the residential amenity of adjoining neighbours and so complies with Local Plan Policy D1 and the SDG.

3. Parking

No extra parking spaces are proposed and so no issues are raised by this proposal.

4. Other Material Considerations

Energy Efficiency Local Plan Policy R3 is relevant. The application has been submitted with a Sustainability Checklist which confirms that all walls, roof and floors will meet building regulations and so this complies with Local Plan Policy R3.

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

CONCLUSION: The proposed development is typical of rear extensions within the town and would not adversely impact upon the character and appearance of the Conservation Area or the residential amenity of adjoining occupiers.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2.1 Time limit for commencement of development
2. C.13.1 Development in accordance with approved plans/details AT442-01 & AT442-04 & AT442-05 & AT442-06 received and dated 16 April 2013

POST DEVELOPMENT

3. C.5.1 Sample of Materials
4. The proposed first floor side to the new bedroom of the proposed building shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.8 metres above floor level, and shall be retained in that form thereafter.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 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, and Local Development Plan policies SD1, GBSP2, R3, M14, D1 & 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. 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.....