

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	W6/2013/729/EM
APPLICATION Site:	8 Rooks Hill, WGC

NOTATION:

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

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

HISTORY:

None

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 0 representations have been received.
Period expired 17-5-13

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.

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.

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.

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 1.8m for floor level. A planning condition to ensure this requirement is reasonable to avoid any potential overlooking to this adjoining neighbour.

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 an EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

There are no other material considerations.

CONCLUSION:

The proposed development would be adequately subordinate to the original property and of an acceptable design. Due to its size and scale it is not considered that it would impact detrimentally on the residential amenity of neighbouring properties and therefore no objection is raised with regard to policy EM1. In addition, there is not a reasonable likelihood of protected species being present.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

- 1-5. EM01a
6. C.13.1: The development/works shall not be started and completed other than in accordance with Drawings AT442-01 & AT442-04 & AT442-05 & AT442-06 received and dated 16 April 2013.

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. EM03
8. 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 amenities of neighbours 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 would not have an unacceptably harmful impact on the residential amenity or the character of the area in which it would be located. It would therefore be in compliance with the Estate Management Scheme.

INFORMATIVES:

None

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