

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

<b>APPLICATION No:</b>	<b>N6/2013/1581/FP</b>
<b>APPLICATION Site:</b>	<b>14 Fordwich Road, Welwyn Garden City</b>

**NOTATION:**

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

**DESCRIPTION OF SITE:**

The application site comprises of a two storey semi-detached dwelling which is finished in a red facing brick under a hipped plain tile roof. The property is set back from the highway with a driveway and a garage to the side with a flat roof. The property has a large extension to the rear in which permission was given in the past. This property is located in an area where there are mainly two storey semi-detached dwellings which are linked by flat roof garages. There are also a few examples of detached dwellings.

**DESCRIPTION OF PROPOSAL:**

The applicant seeks for planning permission for the erection of a single storey rear extension with a flat roof, incorporating a rooflight. The proposed extension would measure approximately 7.1m in width and 2.9m in depth. The flat roof would lie at an approximate height of 2.7m, and the rooflight would project 0.2m above the flat roof.

The applicant also intends to construct a porch to be located in the alleyway between the garage and main dwelling. As the area of this porch to the front would be less than 3sqm, this aspect of the development can be achieved under permitted development and therefore, whilst noted, it is not assessed with this decision.

**PLANNING HISTORY:**

W6/1998/5369/EM - Enclosure of front garden with planting of privet hedge –  
Approved 12/10/1998

**SUMMARY OF POLICIES:**

National Planning Policy Framework

**Welwyn Hatfield District Plan**

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:**

This application has been advertised and no representations have been received, period expired 23/08/2013

## **DISCUSSION:**

The main issues are:

- 1. The quality of the design and the impact on the wider character of the Conservation Area**
- 2. The impact of the proposal on the residential amenity of adjoining neighbours**
- 3. Other Material Planning Considerations**

### **1. The quality of the design and the impact on the wider character of the Conservation Area**

The site is located within the Welwyn Garden City Conservation Area. Section 72 of the Listed Buildings and Conservation Areas Act (1990) states that “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*” It is now accepted case law that preserving the character or appearance of a conservation area can be achieved not only by a positive contribution to preservation, but also by development which leaves the character or appearance of the area unharmed.

In terms of the National Planning Policy Framework, Chapter 12 which is concerned with the conservation and enhancement of the historic environment, paragraph 131 of the NPPF (March, 2012) states,

*‘In determining planning applications, local planning authorities should take account of:*

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

- *The desirability of new development making a positive contribution to local character and distinctiveness'*

The NPPF goes on to guide that *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be'*. It is therefore clear that the objective of the policies is to maintain and manage change to heritage assets in a way that sustains and, where appropriate, enhances its significance. That significance is the value of a heritage asset to this and future generation because of its heritage interest, which may be archaeological, architectural, artistic or historic. This significance may derive not only from its physical presence but also from its setting and this means that the wider implications of development within the wider conservation area has to be taken into account.

In terms of the development plan, policies GBSP2, D1 and D2 of the adopted Welwyn Hatfield District Plan apply which seek to provide a good standard of design in all new development and require that all new development respects and relates to the character and context of the area in which it is to be sited. These policies are expanded upon in the council's Supplementary Design Guidance (SDG) which requires that residential extensions should be complementary in design and be subordinate in size and scale to the existing dwelling.

The wider character of Fordwich Road comprises of two storey dwellings with the majority being semi-detached, but with some examples of detached dwellings. The first floor visual gaps between these dwellings on Fordwich Road are an important characteristic of the Garden City concept, as these spaces allow distant views and a feeling of spaciousness.

The applicant seeks permission for a flat roofed, single storey rear extension approximately 7.1m in width and 2.9m in depth. The proposed flat roof would be constructed 2.7m above ground level and the rooflight would project 0.2m above the roof, serving the proposed kitchen/dining area. As the extension would have a flat roof and be single storey, it would not be visible from the public vantage point of Fordwich Road. The proposal would maintain the visual gaps of the streetscene and therefore would preserve and enhance the character of the conservation area.

Extensions to dwellings should be subordinate scale and design to the existing building. It must be noted that the proposed dimensions of the extension are relatively modest when compared to size of the existing dwelling, and the other larger alterations on properties within the surrounding area. A condition requiring the use of matching external materials would be a reasonable requirement to ensure that the quality of design is upheld and historic setting is respected in this conservation area.

Accordingly, the proposal would sustain the appearance of the existing dwelling and the surrounding historic environment. Additionally, it is also considered that the proposal would preserve and enhance the character and appearance of the Welwyn Garden City Conservation Area.

## **2. The impact of the proposal on the residential amenity of adjoining neighbours**

In relation to the impact on the residential amenity of adjoining occupiers 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.

The neighbouring property of no.16 Fordwich Road adjoins the applicant's property. The proposed extension will be built up the boundary with no.16. However as the extension is just single storey, with a level land height to the neighbouring properties, there would be no overly dominant or overbearing appearance when viewed from the neighbour's rear windows. In addition, the resultant property at no.16 would not impact on the level of day/sun/sky light afforded to the adjoining neighbours thanks to the proposed orientation and scale. Accordingly the proposal would not be detrimental to the residential amenity of adjoining occupiers sufficient enough to warrant refusal.

## **3. Other Material Planning Considerations**

### **Sustainability and Energy Efficiency**

Policy SD1 and R3 Welwyn Hatfield's District is relevant for energy efficiency and the NPPF has a general presumption for sustainable development. The application has demonstrated that aspects of sustainability including the proposed rooflight which would reduce reliance on artificial light.

### **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 an 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, by virtue of its appropriate scale, positioning and suitable design, would respect the architectural and visual interests of the existing dwelling and would be subordinate to the scale and proportions of the existing dwelling. The proposed development would be in-keeping with the character and appearance of the street-scene and would therefore preserve and enhance the

character and appearance of the Conservation Area. The proposed development would also have no detrimental impacts on the amenity of neighbouring residents and be sufficiently energy efficient.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

**CONDITIONS:**

1. C.2.1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 91 of the Town and Country Planning Act (As amended)

2. C.13.1 The development/works shall not be started and completed other than in accordance with the approved plans and details: 3089-OS1 & 3089-OS2 & 3089-P01 received and dated 30 July 2013 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.

**POST-DEVELOPMENT**

3. C.5.2. The brickwork, bond, mortar, detailing, guttering, soffits and other external decorations of the approved extension/alterations shall match the existing dwelling, unless otherwise approved in writing by 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 decision has 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 viewed on the Councils website or inspected at these offices).

**INFORMATIVES:**

None

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