

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

<b>APPLICATION No:</b>	<b>N6/2013/1821/FP</b>
<b>APPLICATION Site:</b>	<b>77 Eddington Crescent, Welwyn Garden City</b>

**NOTATION:**

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

**DESCRIPTION OF SITE:**

The application site is located on the southern side of the highway and measures approximately 27 metres deep and 11 metres wide. It comprises of a two storey semi-detached dwelling with front and rear associated gardens. There have been no previous additions to this dwellinghouse. The dwelling is finished with facing brickwork and a tile roof. In the rear garden area, but to the west of the dwellinghouse is a detached garage.

The surrounding area comprises of a semi and terraced house that are located in modest plots. No.75 bounds the property to the east and the plot of No.79 bounds the site to the west, with driveways and garages between both houses. A public right of way (No.67) runs along the rear of the site and either adjacent property, and north along the side of No.75 to the right.

Within the surrounding area a few small single storey additions have been added to the rear of properties. Permitted development rights were removed in the original permission for these properties.

**DESCRIPTION OF PROPOSAL:**

The proposal seeks the erection of a two storey and single storey rear extension.

**PLANNING HISTORY:**

N6/2011/0769/FP

**SUMMARY OF POLICIES:**

National Planning Policy Framework

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 one representation objecting to the application has been received, raising concerns summarised below:

- proposal too close to No.75 which could affect their roof/guttering/kitchen extractor vent and may cause damp issues – extractor fan on the west side of No.75 should not be blocked in any roof and roof should be not affected in any way
- loss of privacy and overlooking by moving the upstairs window on its south (rear) orientation currently set back from the rear of No.75 to a position level with No.75, thus directly overlooking the patio area of No.75
- concern about structural impact of foundations on No.75
- concern that extension would negatively impact upon roof drainage at No.75 by affecting the overhang on the roof of No.75 which houses their eaves and guttering
- request a review of the existing roof on the application site closest to No.75 where currently it has a recess to allow light to the rear door/window of no.75 with it currently being too close and could be further away

Period expired 9/10/13.

**DISCUSSION:**

The main issues are:

- 1. Principle of development**
- 2. Character and appearance;**
- 3. Residential amenity;**
- 4. Sustainable development;**
- 5. Protected species;**
- 6. Other Material Planning Considerations: Parking provision and land ownership**

**1. Principle of development**

The site lies in the town of Welwyn Garden City. Policy GBSP2 says that development in such areas will be limited to that which is compatible with the maintenance and enhancement of their character and the maintenance of their Green Belt Boundaries. Accordingly, as the proposed development lies within the

existing town of Welwyn Garden City, the principle of the development proposed is considered acceptable subject to compliance with Policies GBSP2, D1 and D2 of the District Plan.

## **2. Character and Appearance**

The existing character of the area is of a mix of two and three storey dwelling houses and flatted buildings in close proximity to each other set within modest sized plots. Two storey dwelling houses characterise the area immediately surrounding the application property. The rear of the property abuts open Green Belt land and a public right of way (No.67) which runs past the rear of Nos 79 and 75 on either side and north along the eastern side boundary of No.75. The application property and No.75 are of similar mass and bulk, staggered so that No.75 projects approximately 1.3m beyond the application property on its rear elevation. They both feature the same roof height, with No.75 featuring a rear gable to accommodate its rear projection.

The existing house occupies a footprint of approximately 4.3m deep and 5.7m wide, across two storeys. The proposed extension would be approximately the same width (5.5m), stepped in slightly at the western side, and 2.4m deep across the ground floor and the majority of the first floor. In terms of footprint alone the extension is considered to read as a subordinate addition to the original house which has not been extended. At first floor level, it would be recessed where it adjoins No.75. Here, for a depth of 1.4m, it would measure 1.3m deep to match the rear elevation building line of No.75 across both of its floors.

The design of this rear element would feature a gable projection which almost matches the ridge height of the main dwelling house roof. It is evident that this seeks to relate to the rear gable design of No.75. However this design would add considerable bulk and mass given that it would take place across the majority of the rear elevation of the house save for the recessed join with No.75. Coupled with its ridge height, the resultant scale and volume of the extension would dominate the rear of the house. The extension would therefore fail to be subordinate to the original dwelling house which is a key requirement for household extensions as set out in the Council's Supplementary Design Guidance (SDG). Whilst it would feature materials matching those of the original house, this would not overcome this fundamental issue of poor quality design.

The works would not be discernible from the street scene of Eddington Crescent due to their rear siting. The land to the rear benefits from Green Belt designation with its associated open character affording direct views of the works from the rear along the public right of way here, and from the side of the garden to No.75 to the east along the public right of way also. Whilst a few small single storey additions have been added to the rear of properties nearby, the character of the area is fairly consistent due to the masterplanning of the site and surrounding properties, with little prominent alterations of the scale proposed apparent from the street scene or rear public right of way. Therefore the works would appear as a dominant addition to the original house which detracts from the character and appearance of the original house and surrounding area when viewed from the rear and the public right of way.

The design of the recessed element is considered poor quality due to the incoherent approach to its roof where the single storey element would feature a sloping lean-to roof on the projecting ground floor element and the second storey would feature a flat roof projecting off the eaves of the original house roof to a depth flush with the rear of No.75. This would sit at odds with the pitched roof of the existing and proposed gables at either side and that of both original houses. Its projection at second storey level would not enable a design which sits subordinate to the original house due to emphasising its projecting bulk. Its flat roof would not sit subservient to the sloping roof of the original house due to its prominence arising from this projection. A single storey element at the join with No.75 here with a flat roof would more clearly achieve these aims.

No objection is raised to the proposed fenestration, although the use of a balcony and window on the western side elevation present amenity issues addressed in the next section of this report which could be mitigated by standard conditions.

Therefore the mass, bulk, scale and design of the proposal is not subordinate to the original dwelling house. It would result in a dominant form of development which is not considered to represent a high quality of design which respects and relates to its character and context. The proposal is therefore not compatible with the maintenance and enhancement of the character and appearance of the area and contrary to policies GBSP2, D1 and D2 of the District Plan, the Supplementary Design Guidance, 2005, and the NPPF.

### **3. Impact on the residential amenity of adjoining occupiers**

The impact of the proposal on the residential amenity of neighbouring dwellings is considered in terms of how the proposal impacts properties in terms of overshadowing and the level of access to day/sun/sky light afforded by the proposal, whether the proposal would be overbearing and cause loss of outlook, and in terms of overlooking/privacy.

The application property lies approximately 8m to the east of No.79 which has a rear elevation approximately 2m further to the south than it. The group of garages between both sites are single storey with pitched roofs and lie approximately 2m south of the application property and 1m south of No.79. In light of this the 2.4m depth of the extension, whilst across two floors and featuring a roof pitch nearly matching that of the original house, is not considered sufficient to cause an overbearing impact, loss of day/sun/sky light, loss of outlook or overshadowing to the rear of No.79 due to the siting of that property, as it would only project about half a metre beyond its rear building line.

It would feature a window on the first floor of its western elevation facing that property, however its siting would ensure it directly faces the flank wall of that property and not its rear garden. Because of this, and the fact it would not serve a habitable room (bathroom), whilst oblique views to the rear garden of No.79 could be possible, subject to a condition to ensure obscure glazing and non-openable elements below 1.7m above first floor level, this is not considered sufficient to cause a detrimental impact to the occupiers of No.79 with regard to overlooking or loss of privacy.

The concerns raised during consultation with regard to loss of privacy, overlooking, and access to light at No.75 are noted. However the bulk, mass and two storey scale of the works are not considered sufficient to cause a detrimental impact to the occupiers of No.75 with regard to overshadowing, access to day/sun/sky light, overbearing or loss of outlook. This is due to the stepped in design of the extension flush with No.75 for a depth of 1.4m, and its depth elsewhere approximately 1m deeper towards the south.

With regard to overlooking and loss of privacy, the limited projection of the windows adjacent to No.75 forward of their current recessed siting which limits direct views to the rear patio of No.75 would have some impact. They would sit flush with no.75 and thus would afford greater opportunities for overlooking from here. However they would still retain their south (rear) orientation, and as per existing, views to the rear patio area at the immediate rear of no.75 would be oblique, with the primary orientation towards the rear gardens and beyond. For this reason, regarding the concerns raised, the proposal is not considered sufficient to warrant refusal on the grounds of overlooking or loss of privacy.

The proposal seeks a Juliet balcony to the rear of the first floor extension. This would be oriented south as per the existing first floor rear windows, and thus would directly overlook the application site rear garden and land beyond the site. However it would increase the likelihood of its use as a platform from which to enjoy views from the property and as such presents an opportunity for increased overlooking than existing, including to the rear gardens of Nos 79 and 75 where oblique views would be afforded. As such, it is considered reasonable that if approved, a condition is secured to ensure its removal from any permission. Subject to such a measure, the proposal is otherwise not considered to give rise to a loss of privacy or overlooking to a neighbouring property sufficient to warrant refusal.

The proposal therefore accords with policy D1 in this regard.

#### **4. Sustainable development**

The proposal includes a sustainability checklist which notes that the proposal would be insulated to building regulation standards. Given the limited extent of the works in this application, it is considered that this is a reasonable effort to meet the requirements of Policy R3 of the Welwyn Hatfield District Plan 2005.

#### **5. 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.

**6. Other planning considerations:**

**Parking Provision:** The site lies within zone four as outlined in the Supplementary Planning Guidance (SPG), Parking Standards, January 2004. This says that three bedroom houses as it is at present should feature a maximum of 2.25 parking spaces, and four bedroom houses which this proposal would result in should feature a maximum of three parking spaces. Policy M14 applies which reiterates these standards. The application site already features a garage which could accommodate one vehicle parking space and a driveway approximately 9.5m long and 2.5m wide which could accommodate off-street parking for a small and medium car. In light of this, and the fact that these standards are maximum standards, the proposal is considered to accord with the SDG and policy M14 in this regard.

**Outstanding matters raised in letter of representation:** The concerns relating to foundations/structural stability, roof runoff/drainage, and kitchen extractor are not planning considerations and would be covered by building regulations which the applicant would need to comply with in order to build the proposed extension.

**CONCLUSION:**

The proposal would fail to be subordinate to the original dwelling house and would fail to sufficiently maintain the character and appearance of the property and surrounding area. It would not impact on the residential amenity of neighbouring dwellings, would be sufficiently energy efficient and would maintain sufficient parking provision.

**RECOMMENDATION: REFUSAL AND REASON:**

1. The proposal, by virtue of its mass, bulk, scale and design, would fail to be subordinate to the original dwelling house and would result in a dominant form of development which would not represent high quality design and would fail to be compatible with the maintenance and enhancement of the character and appearance of the area. The proposal is therefore contrary to policies GBSP2, D1 and D2 of the District Plan, the Supplementary Design Guidance, 2005, and the NPPF.

**SUMMARY OF REASONS FOR REFUSAL**

The decision has been made taking into account material planning considerations and where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework (see Officer's report which can be inspected at these offices).

**INFORMATIVES:** None

**REFUSED DRAWING NUMBERS:**

Drawing number: 3108-OS1 & 3108-OS2 & 3108-P01 received and dated 22 August 2013.

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