

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

APPLICATION No:	N6/2013/1886/FP
APPLICATION Site:	5 Orchard Close, Cuffley

NOTATION:

The application site is in Cuffley. It is excluded from the Green Belt in accordance with Policy GBSP1 as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

5 Orchard Close is a two storey, detached dwelling located at the end of a cul-de-sac in Cuffley. There is a turning circle to the front (north) and the property sits on higher ground than the road, making it reasonably prominent in the streetscene.

The surrounding area is residential in character. The two adjacent dwellings are bungalows, although the dwelling to the west (number 7) is located on higher ground such that its roof height is similar to that of the host dwelling. The majority of dwellings in the vicinity of the host dwelling are two storey in height, although due to the local topography, whereby the land generally slopes to the north-east, all the dwellings sit at different levels and there is no established pattern of design or style in the streetscene.

At the time of the site visit, works had commenced on site. A single storey garage had been removed from the eastern side of the host dwelling and the rear wall of the host dwelling had been removed.

DESCRIPTION OF PROPOSAL:

This application seeks planning permission for the following works:

- Two storey rear and side extensions (to both sides of the host dwelling)
- Single storey rear/side extension
- Loft conversion to include 1 pitched roof dormer and 2 roof lights to the front elevation and 2 flat roof dormers and 2 roof lights to the rear elevation

PLANNING HISTORY:

None

SUMMARY OF POLICIES:

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP2: Towns and Specified Settlements

R3: Energy Efficiency

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

National Planning Policy Framework

CONSULTATIONS:

EDF Energy – No comments received.

TOWN/PARISH COUNCIL COMMENTS:

Northaw & Cuffley Parish Council – Overdevelopment of the site and will not be in keeping with the rest of the houses within a confined close and could easily cause overlooking of both adjacent properties.

REPRESENTATIONS:

The application was advertised by neighbour notification letters. 6 letters of representation were received. The comments have been summarised below:

- Overdevelopment of the site / inappropriate development for the plot size
- Extensions are much larger than original house / will dwarf neighbouring properties
- Will visually dominate the street / out of keeping with the rest of the street
- Elevated position of plot makes it more prominent
- Rear dormer is out of proportion
- Inadequate parking / parking circle needs to remain unobstructed
- Future loss of greenery to front to accommodate more cars
- Erosion of natural environment
- Loss of natural drainage areas
- Impact on electricity sub-station
- TPO tree – when it sheds its leaves, the site will be more open
- Overbearing to number 4 (which is lower in height)
- Reduce natural daylight to number 4
- Overlooking to number 6
- Imposing to number 21 Kingsmead
- Will directly overlook living room / dining area at 21 Kingsmead
- Will directly overlook living room / balcony at 36 Kingsmead (due to different ground levels)

The issue of land ownership along the boundary with number 4 has also been raised. However this is not a material planning consideration.

DISCUSSION:

The main issues are:

1. The impact of the proposal on the character and appearance of the existing property and the surrounding area
2. Impact on the residential amenity of neighbouring properties
3. Parking provision
4. Other material considerations

1. The impact of the proposal on the character and appearance of the existing property and the surrounding area

The Government attaches great importance to the design of the built environment. The National Planning Policy Framework (NPPF) notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments add to the overall quality of the area; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. They should also be visually attractive as a result of good architecture and appropriate landscaping.

The NPPF goes on to note that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Policy GBSP2 of the Welwyn Hatfield District Plan 2005 notes that development within the specified settlements will be limited to that which is compatible with the maintenance and enhancement of their character and the maintenance of their Green Belt boundaries. Policy D1 requires the standard of design in all new development to be of a high quality and Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan.

The host dwelling occupies a prominent position in the streetscene, because it is located at the end of the cul-de-sac and it terminates views in the street. The properties to either side sit at an angle to the host dwelling, both facing in towards the turning circle and there is generous spacing between the individual dwellings. Both the neighbouring properties are bungalows, however due to the local topography, whereby the land slopes down to the north-east, number 6 (to the west) is located on higher ground such that its roof height is similar to that of the host

dwelling. Many of the dwellings in the vicinity of the host dwelling are two storey in height and the properties along the south-western side of the road are more prominent given their elevated positions.

The proposed extensions to the host dwelling would make a marked difference to its appearance in the streetscene. The existing dwelling is simple in its design and character and the proposal seeks to create a much grander dwelling. The two storey extensions at either side would both measure nearly 3 metres wide and would increase the overall width of the host dwelling from approximately 9.5 metres to over 15 metres wide at first floor level. The proposal involves the insertion of a pitched roof dormer in the centre of the front roof slope and roof lights at either side of the roof as well as the creation of double height bay windows with pitched roof / gable end details above. It also involves the relocation of the front door to the centre of the front elevation, with pillar details to either side.

Concerns have been raised that the design is out of keeping with the surrounding area and that the works constitute overdevelopment of the site. It is felt that the dwelling would visually dominate the street and that it would dwarf its neighbours, especially given its elevated position.

Although the proposal would undoubtedly make significant changes to the host dwelling, and its appearance in the streetscene, it is not considered that the resultant dwelling would detract from the character and appearance of the host dwelling or the streetscene to such an extent as to warrant a refusal of the application. The resultant dwelling would indeed be larger than the original dwelling however it would be roughly symmetrical in its design, which is aesthetically pleasing, and the extensions to either side of the original dwelling have been designed so as to appear subservient to the main dwelling, because the rooflines have been set down from the main roofline by approximately 0.4 metres. Generous spacing would still remain to either side of the host dwelling and vegetation at the front of the application site would partially shield the dwelling from view and would help to soften the overall appearance of the application site in the streetscene.

With regards to changes to the rear of the host dwelling, these would also be substantial. The two storey rear extension would extend out from the rear of the original dwelling by nearly 3 metres and the roof height would match that of the original roof. The two flat-roof dormers to the rear would further increase the bulk of the dwelling as viewed from the sides and concern has been raised that the rear dormers are out of proportion with the host dwelling. The dormers comply with the guidance set out in the supplementary design guidance insofar as they are contained within the roof slope, they are subservient to the roof of the property and the fenestration matches fenestration at the rest of the property. Furthermore they do not extend above the ridge height of the existing dwelling and the dormer cheeks are over a metre away from the flank walls. On balance although the proposed extensions to the original dwelling are large in size, because the main bulk is located to the rear, where it would not impact on the streetscene or the character of the host dwelling as viewed from the front, it is considered that they are acceptable.

In terms of overdevelopment of the site, the original dwelling had a relatively small footprint in comparison to its neighbours and the plot size and it is considered that

there is scope to extend it without the resultant dwelling appearing overly cramped on its plot. Notwithstanding this, it is considered that the limit for development of the site would be reached as a result of this proposal and it is unlikely that planning permission would be granted for any further extensions to the host dwelling in the future.

Overall, it is considered that the proposed extensions would relate sufficiently well to the host dwelling and also the character and appearance of the surrounding area. It follows that there is no conflict with Policies GBSP2, D1 and D2 of the adopted Welwyn Hatfield District Plan 2005 insofar as these seek to ensure that development is designed to a high quality, respects local character and context and is compatible with the character of Cuffley. The proposal further complies with the National Planning Policy Framework, as the significance of the heritage asset would be sustained.

2. Impact on the residential amenity of neighbouring properties

Letters of representation were received from 6 nearby and neighbouring properties, as follows:

Orchard Close – 3, 4, 6
Kingsmead – 21, 34, 36

The letters from number 3 Orchard Close and 34 Kingsmead focus mostly on design issues and make no reference to their residential amenity. It is not considered that the residential amenity of these 2 properties would be affected by the proposal and the impact is therefore not assessed below.

4 Orchard Close

This property is located to the north-east of the application site. It is a chalet bungalow and its driveway runs adjacent to the row of conifers along the north-eastern boundary of the application site. This dwelling sits at an angle to the host dwelling.

The occupiers of this property have raised concerns about the proposed extensions appearing overbearing to their property because their dwelling is lower in height, and they also have concerns about loss of natural daylight to their property.

There is some discrepancy about the boundary line between the host dwelling and number 4, however this is not a material planning consideration. The plans illustrate that the two storey side extension would extend out from the side of the original house by 2.8 metres and it would be 0.4 metres lower than the main roof of the dwelling. The two storey rear element would extend out from the rear of the dwelling by 3 metres and, by reason of the crown roof design and the front and rear dormers in the roof slopes, the mass of building as viewed from number 4 would be greatly increased. The effect is made worse by the difference in ground levels, as highlighted by the occupiers of this property.

Nevertheless, number 6 faces west / north-west on to Orchard Close and although the extensions would indeed be visible from their front windows (to the south-west), they would not be positioned in such a way so as to severely interrupt the outlook from this property. The outlook towards the street and the openness of the turning circle would be largely unchanged and the proposed extensions would only be visible at an angle views towards the south-west. It is recognised that the extensions would extend close to the shared boundary, however it is still considered that generous spacing would remain between the host dwelling and number 4.

With regards to loss of natural light, number 4 is located to the east of the host dwelling and therefore they may be some loss of sunlight in the late afternoon and early evening as a result of the two storey extensions. However the proposed extensions would not be so close to number 4 so as to block out a significant amount of natural light and the impact would mostly affect the front rooms at number 4. Plans held by the Council illustrate that the main living area (the lounge) at number 4 is to the rear (facing east) and the windows at the front of the dwelling serve bedrooms and a dining room. In general it is reasonable to conclude that more time would be spent in the main living areas, such as the lounge, than the bedrooms and therefore any loss of light to the rooms at the front of the dwelling is considered to be acceptable in this case.

With regards to overlooking, the proposal has been designed so as to limit the impact on the neighbouring properties to either side. A planning condition can ensure no further windows are placed on the side elevations of the host dwelling in the future, to prevent any direct overlooking to the neighbours.

On balance, the impact on this property is considered to be acceptable.

6 Orchard Close

This property is located to the other side of the host dwelling, to the south-west. This property sits on elevated ground so that its roof height is similar to the host dwelling. It has been extended to the side in the past (roughly 1999) with a single storey side extension that extends out from the original dwelling at an angle and runs parallel to the shared boundary line with the host dwelling.

The occupiers of this property have raised concerns that there would be overlooking to their property as a result of the extensions, particularly the bay windows at the front. In general the extensions have been designed to avoid any overlooking to number 6. The only windows facing towards number 6 would be the side windows in the bay windows and there would be no other windows on the side elevation of the host dwelling (which a planning condition can ensure remains the case in the future). Any overlooking from the bay windows would be towards the front, 'public' side of the neighbouring property and it would be at an angle. On this basis it is not considered that the impact would be so great as to warrant a refusal of the application on this basis.

It is not considered that this property would be affected in terms of loss of light or outlook and, by reason of the angle at which the two dwellings are placed in relation

to each other, it is not considered that the extensions would appear overbearing to this property.

Overall, the impact on this property is considered to be acceptable.

36 Kingsmead

This property is located to the rear (south) of the application site. The two gardens are back to back, although the garden for number 36 is much larger and the two properties are currently separated by at least 30 metres.

The occupiers of number 36 have raised concerns that the extensions will directly overlook their living room / balcony, due to the difference in ground levels.

Planning permission was granted for a single storey rear extension and roof terrace to this property in 2003. At the time of the application the impact on the residential amenity of neighbouring properties was considered and the case officer noted that the rear boundary treatment of conifers and other vegetation formed a substantial screen to prevent loss of privacy to dwellings to the rear. The screening along the shared boundary is still considered to be sufficient to prevent any significant overlooking towards this property. Furthermore, the applicant has submitted plans that illustrate the planting of new conifer trees above a gabion wall along the rear boundary of the application site. Provided that the planting is completed, which a planning condition can ensure, it is not considered that the proposal would impact on number 36 in terms of loss of privacy, overbearing impact, loss of outlook or loss of light.

21 Kingsmead

This property is located to the south of the application site, adjacent to number 36 (discussed above). The rear of this property faces north-west (not towards the host dwelling) and the property is located at least 23 metres away from the southern boundary of the application site.

The separation distance of 23 metres is considered to be sufficient so that overlooking would not pose a significant problem, especially because of the angle at which the properties are placed in relation to each other, whereby the windows would not directly face each other. Furthermore, the planting of conifers along the boundary, referred to above, would help screen the application site from this property.

Overall, it is not considered that this property would be affected in terms of overlooking, overbearing impact, loss of outlook or loss of light.

3. Parking Provision

Concerns have been raised about inadequate parking provision at the site. The proposal involves the loss of a garage and an increase in size of the dwelling, which could lead to a need for more cars. The original dwelling had 4 bedrooms and the proposal would create 1 additional bedroom in the dwelling, although there may be

scope in the future to create additional bedrooms within the dwelling given the size of some of the rooms.

The application site is within Parking Zone 4 as designated in the Welwyn Hatfield District Plan 2005. The guidance states that a dwelling with more than 4 bedrooms requires a maximum of 3 parking spaces.

The submitted plans show a driveway to the front of the dwelling that would measure between 4 and 11 metres wide and at least 8 metres long. It is considered that 3 cars could be accommodated within this space in tandem whilst still allowing some degree of vegetation to be retained along the application site edges.

4. Other Material Planning Considerations

Sustainable Development: The applicant has completed a sustainability checklist which highlights that the scheme generally responds positively to the topic areas that are required to be considered in accordance with policies SD1 and R3 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance, 2005.

Protected Species: The presence of protected species is a material consideration, in accordance with, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. 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 and amended 2012 Regulations further.

CONCLUSION:

Subject to a planning condition to ensure matching materials are used in the construction of the proposed extensions it is considered that the design would adequately respect and relate to the existing dwelling and the surrounding area. Subject to a planning condition to prevent the insertion of windows in the side elevations in the future and a further condition relating to the planting of trees along the rear boundary of the application site, the impact on the residential amenity of neighbouring properties is also considered to be acceptable. The proposed development is therefore considered to be in accordance with the National Planning Policy Framework and the Welwyn Hatfield District Plan 2005 and the requirements of the Supplementary Design Guidance (Statement of Council Policy).

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2.1 Time limit for commencement of development
2. C.13.1 The development/works shall not be started and completed other than in accordance with the approved plans and details: Site Plan at 1:2500 & 378/LO & 378/BK & 378/01 & 378/02 received and dated 2 September 2013 and 378/03a received and dated 7 October 2013 and 378/05a & 378/07 received and dated 16 October 2013 and 378/04b & 378/06b & 378/08a received and dated 1st November 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.

3. C5.2 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.

4. C.7.10 Other than the windows shown on the approved drawings to which this planning permission relates, no windows or other openings shall be inserted into the side elevations of the extensions hereby permitted without the prior written consent of the Local Planning Authority.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005

5. C.4.2 All tree planting, approved as part of the development hereby permitted, shall be carried out in the first planting and seeding seasons following the occupation of the dwelling, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005 and

also 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 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).

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