

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No: S6/2014/1091/FP

SITE ADDRESS: Oak Cottage Residential Home, 4 Wilkins Green Lane, Hatfield

DESCRIPTION OF DEVELOPMENT: Erection of a rear extension

RECOMMENDATION: Refusal

1. SITE AND APPLICATION DESCRIPTION:

The application site is situated to the north of Wilkins Green Lane and accommodates a residential care home for the elderly, an attached manager's annex and gardens to the front and rear. The area surrounding the application site is characterised by large detached properties on spacious plots. The neighbouring properties vary in design.

The application site is rectangular in shape measuring approximately 80m in depth x 30m in width. The care home and manager's annex share the rear amenity space and parking area located to the front of the site with single access from Wilkins Green Lane. The existing main building has previously been extended.

This application seeks full planning permission for the erection of a two storey rear extension to the existing care home. The footprint of the proposal would measure approximately 7.5m in depth x 10.2m in width and would wrap around the rear and east side of the existing rear extension. The resulting extension would project approximately 4m further than the existing extension, part of which is to be demolished. Approximately 1.3m would be added to the width of the existing rear extension. A further first floor extension would infill the area between the proposed rear extension and the original building.

2. SITE DESIGNATION:

The site lies within the settlement of Hatfield and the Watling Chase Community Forest as designated in the Welwyn Hatfield District Plan 2005.

3. RELEVANT PLANNING HISTORY:

S6/2013/1469/FP – Erection of a single storey side and rear extension and two storey rear and side extensions – refused 05/12/2013 for the following reasons:

1. The proposed development by reason of its scale, height, depth, bulk and design would be out of character with the surrounding area as it would appear overly prominent and out of place when viewed from adjoining properties. Furthermore the size of the extensions would result in an overdevelopment of the site which would conflict with the wider pattern of development which comprises smaller scale residential properties in Wilkins Green Lane. The proposal therefore would fail to meet the design requirements of Policies D1, D2 and CLT17 of the Welwyn Hatfield District Plan 2005.

2. The proposed development by reason of the proximity to the flank boundaries of the plot and new window positions would result in direct and perceived overlooking of the neighbouring properties and adjacent private garden spaces, which would result in a loss of privacy and residential amenity to the adjoining occupiers. The proposal therefore fails to comply with Policies D1 and CLT17 of the Welwyn Hatfield District Plan 2005.

S6/2013/0023/FP – Erection of two storey side and rear extension – refused
28/03/2013

S6/2009/2047/FP – Erection of rear conservatory and retention of existing
outbuilding – Approved 17/12/2009

S6/2008/1822/FP – Erection of two storey rear extension to create four additional
bedrooms – Approved 13/02/2008

S6/2007/1947/FP – Erection of two storey rear extension to create four additional
bedrooms – Approved 13/02/2007

S6/1990/188 – Erection of single storey extension incorporating a two-bedroom
residential annex – Approved 30/10/1990

S6/1987/502 – 2 storey side extension – Approved 25/09/1987

S6/86/436 – Single storey extension to rest home for elderly – Refused 31/07/1986

S6/1985/217 – Dormer extension & fire-escape staircase – Approved 06/06/1985

S6/1984/0735 – Change of use to a rest home for the elderly – Approved 15/02/1985

4. CONSULTATIONS:

No objections have been received in principle from Welwyn Hatfield Borough Council Landscaping and Ecology.

5. NEIGHBOUR REPRESENTATIONS:

No representations have been received from the public.

6. TOWN/PARISH COUNCIL REPRESENTATIONS

No representations have been received from the Town Council.

7. MAIN PLANNING ISSUES AND RELEVANT PLANNING POLICIES:

The main planning issues with this application are:

- a) Impact on character and appearance of the area (CLT17, D1, D2, SDG and NPPF)
- b) Impact on residential amenity of future occupiers and neighbouring properties (CLT17, D1, SDG and NPPF)
- c) Other material planning considerations

8. ANALYSIS:

a) Impact on character and appearance of the area

Local Plan Policies D1 and D2 aim to ensure a high quality of design and to ensure that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area. These objectives are broadly consistent with a core principle of the National Planning Policy Framework (NPPF) that planning should seek to secure high quality design. Local Plan Policy CLT17, which deals specifically with residential homes, requires the scale of extensions not to be detrimental to the established character of the surrounding residential area.

The proposed development would be sited to the rear of the main building and so would be set back from the front elevation. As such there will be no changes to the existing front elevation and so there would be no material impact on the character of the streetscene.

The original building has been previously extended with single storey extensions, a large annex and two storey extensions to the rear. These existing extensions have considerably increased the size of the original building.

This proposal would add a further substantial increase the size of the existing building and, in particular, the depth of the building. The footprint of the proposal would measure approximately 7.5m in depth x 10.2m in width and would wrap around the rear and east side of the existing rear extension. The resulting extension would project approximately 4m further than the existing extension (part of which is to be demolished) and approximately 1.3m would be added to the width of the existing rear extension. A further first floor extension would infill the area between the proposed rear extension and the original dwelling.

The depth of the original building measured approximately 9.9m along its west elevation. Cumulatively, this proposal would result in a rear extension measuring 17.1m, increasing the total depth of the building to 27m. This is a substantial increase by any measure and when considered cumulatively with the existing extensions, the proposed development would fail to remain subordinate in scale to the original building. The apparent size of the extension would be accentuated by its bulky and poorly proportioned design. In visual terms, whilst the extension is set in from the flank wall of the original building, there is very little articulation along its length to break up its bulk and massing. Some attempt has been made to reduce the scale of the first floor and roof by setting it in 500mm across the rear and by adding a gable element, however, the benefits of these elements is limited given the overall scale of the extension. In terms of quality of design, these features would appear crude and contrived given that the gable feature would be flanked by flat roofs at first floor level and the pitch of the lean to roof would not match the main roof.

Turning to the east elevation, it is proposed to add approximately 1.3m to the width of the existing extension and infill the area between the proposed extension and the original building. This part of the proposal would also be covered with sections of flat roof as well as three gable elements.

The existing building is characterised by a hipped roof with feature gables above some windows. Whilst there is a section of flat roof in a corner between the main dwelling and the rear extension, this is a small infill area which is well concealed. More importantly, its existence does not demonstrate that this type of development is worthy of repetition, in fact quite the opposite. Repetition of this type of development would fail to respect or relate to the original building and would have a deleterious effect on its character and appearance.

Although there are a variety of architectural styles present in the area, the awkward massing of the resulting building would make it stand out as an incongruous and discordant element when viewed from neighbouring properties. The elevational treatment and roof form would appear crude, inelegant and visually discordant from the main building.

This part of Wilkins Green Lane is characterised by detached dwellings built to varying designs within large plots, with deep front gardens. The application property is situated within the middle of this group in Wilkins Green Lane and has approximately the same set back from the highway as its adjoining neighbours. The scale of the existing building is, however, already substantially greater than its adjoining neighbours due to the existing two storey rear extensions and also the single storey annex.

The proposed extensions would substantially increase further the scale of existing building and as such would create a development which would be markedly different in scale to that of the established character of the other dwellings in Wilkins Green Lane which are much more modest in scale by comparison. Such a change would result in the new building appearing out of keeping with the wider pattern of development that has been established by these other dwellings in Wilkins Green Lane.

These concerns over the increase in scale of the development are further reinforced by the potential visual impact when viewed from neighbouring sites. Whilst it is acknowledged that the visual impact on the streetscene would be very limited, views towards the application site from the adjoining dwellings at No.3 & 5 Wilkins Green Lane are however much more of a concern.

In respect to No.5, this property is currently screened in part from the existing rear extensions by a tall dense conifer hedge with views mainly limited to the existing roofs. However, garden designs are subject to change, whereas the extension would remain in perpetuity. It is noted that there is already a potential threat to this existing hedge as it could be actionable under the "high hedge regulations". The permanence of the hedge cannot be guaranteed and without it, there would be clear views of the existing building and also the new extensions.

These factors add further weight to the conclusion that the scale of the development would be too large for this site and to ensure that the character of the area is at least maintained. Although there would still be a large rear garden area remaining for residents, the new development would be visually out of scale with the character of the area and would represent an overdevelopment of the site.

In summary, the design, size and height of the resulting extension would fail to remain subordinate in size and scale to the existing dwelling and would be perceived as an incongruous and discordant element, harmful to the character and appearance of the application building and the surrounding area. The proposal therefore fails to comply with the National Planning Policy Framework, Policy D1, D2 and CLT17 of the Welwyn Hatfield District Plan 2005 which require new development to be well designed and respectful of the character and context of the area in which it is proposed.

b) Impact on residential amenity of future occupiers and neighbouring properties

The impact of the proposed development on the residential amenity of neighbouring occupiers is considered in terms of the impact on access to day/sun/sky light, privacy and overbearing impact. No neighbour objections were received from neighbouring occupiers and Hatfield Town Council did not comment on this application.

The adjoining neighbours at Nos.3 & 5 Wilkins Green Lane are the most likely to be impacted by this proposal. The neighbouring properties are detached and have a very linear relationship with the original application building.

The annex serving the care home is built within 1m of the boundary with the adjacent dwelling to the east (No.3). The remainder of the flank boundary shared with No.3 is screened by a hedge to a height of approximately 1.8m. The flank boundary with the adjacent property to the west (No.5) is also screened by a hedge. The part of the hedge adjacent the existing application building is informal with un-topped trees varying in height up to approximately 9m. Beyond the existing building, the hedge appears to be neatly topped at approximately 3m.

Given the depth and height of the proposal, the outlook from the neighbouring properties would be affected. The extended building would appear dominant and overly prominent when viewed from the adjacent gardens. The existing building is already significantly deeper than the adjacent properties and the additional depth combined with the proposed additional bulk would be excessive.

Significant reliance is again made on the retention of existing boundary hedges to reduce this harm, however, as discussed above, the permanence of these hedges cannot be guaranteed and without them, there would be clear views of the existing building and also the new extensions. In any event, the existing hedges would only providing screening to the ground floor of the extension, whereas the first floor and roof would be clearly apparent.

In terms of loss of light from the proposed extensions, this was not raised as a concern in the last application, as no overshadowing to the main habitable rooms of

these adjoining properties would result. This still remains the same in this application.

Turning to privacy, it is noted that No.5 has clear glazed windows within the side elevation facing the application building which are secondary windows to a bedroom at first floor level and a lounge at ground floor level. In addition this neighbour also has a clear glazed conservatory to the rear of the property.

It has already been stated that the current boundary treatment separating the No.5 from the application site is tall and dense. But it is reasonable to conclude that planting and hedges cannot be solely relied upon as a permanent screen. The existing boundary treatment is not worthy of formal protection (which would be through a Tree Preservation Order) and may also be subject to an application for removal in the future (under high hedge regulations) or suffer from disease or storm damage.

Two first floor windows serving a bedroom are proposed within the rear elevation of the proposed extension. Whilst there are windows to the rear of the existing extension, the new windows would be a further 7.5m into the plot and therefore more intrusive into the gardens of neighbouring properties, particularly No.5 Wilkins Green Lane. Three new windows are proposed at first floor level within the west elevation, facing the common boundary with No.5, however, the potential for additional overlooking from these windows is limited as one would be a high level window serving an office, one would serve a landing and one would serve an en-suite (shown as obscure glass). Whilst the degree of potential overlooking from the proposed first floor windows towards No.5 would be limited in this proposal, it is also relevant to consider the impact of the windows in terms of a perceived increase in overlooking. The existing and proposed extension would result in a total of five windows at first floor level facing No.5 and extending deep into the garden of this property which would result in a conspicuous presence that would spoil the neighbouring occupiers' reasonable enjoyment of their property.

The proposed first floor windows to the eastern side of the building would have a greater separation from the side boundary of the plot and so the potential for overlooking is reduced for the adjoining neighbour at No.3. Notwithstanding this, the development would still impact upon the privacy of the rear garden of No.3 as a result of three new first floor windows that would face east towards No.3. Two of these windows would serve resident bedrooms (Room 13 & 14) and one would serve an en-suite (obscure glazed). In total, four first floor windows within the extension would face the common boundary with No.3, which would result in an unacceptable degree of perceived overlooking to the neighbouring occupiers.

The properties beyond the rear boundary would retain a sufficient separation distance to ensure that the occupants would not suffer any impact of the resultant building's additional depth. The application building and these properties would retain a sufficient back-to-back distance of over 60m to ensure that the adjoining occupiers would not suffer a loss of privacy.

In summary, the proposed development would have an unneighbourly and unacceptable impact on living conditions at the adjacent properties due to loss of

privacy and outlook. In these respects the scheme would fail to achieve an acceptable quality of development, thus conflicting with the National Planning Policy Framework; Policies D1 and CLT17 of the Welwyn Hatfield District Plan 2005; and Supplementary Design Guidance, 2005 (Statement of Council Policy).

c) Other material considerations

Parking Provision: The parking standards of the Welwyn Hatfield District Plan 2005 require 0.25 spaces per resident bed space and the staff spaces are to be individually assessed on 1 space per 2 full time staff. There is no proposal to increase the existing parking area which can already accommodate around 16 off road parking spaces.

The existing 20 bedrooms and 13 full time staff requires 10.5 parking spaces under the current parking new build requirements. So there is a surplus of approximately 5.5 parking spaces if this comparison is made.

The proposal would involve the creation of 8 additional bed spaces and so 2 additional parking spaces are required for this. In addition 4 more full time staff will require a further 2 parking spaces. This gives a total need of a maximum of 4 additional parking spaces. The current over provision of 5.5 existing parking provision is therefore considered to be acceptable in absorbing this additional requirement. The proposed development would therefore meet the requirements of Policy M14 and CLT17 of the Welwyn Hatfield District Plan 2005.

Watling Chase Community Forest: The proposed development would not require the removal of any mature trees or vegetation that is considered to be worthy of retention. The proposal would not therefore have an adverse impact upon the Watling Chase Community Forest and so it would be unreasonable to require a condition for additional planting.

Protected species: 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 or (Amendment) Regulations 2012 further.

Planning history: It is noted that a two storey rear extension was granted in 2008, however, this was never built and the planning permission has subsequently expired. As a result there can be no fallback position and this planning history is not a positive attribute of the current scheme that could be considered to weigh in its favour. In any event, this previous approval was much smaller in scale and limited to increasing the depth of the building and not its width and so does not have any bearing on the concerns raised above. The current scheme must be considered strictly on its own merits.

Noise: In terms of noise nuisance, the proposed increase in accommodation is unlikely to generate any significant noise or disturbance than that which already exists. Although the proposal would create accommodation for additional occupants, this would not significantly intensify the use of the site. The additional capacity of the

site would therefore unlikely to result in any material further noise and disturbance to the neighbouring occupiers than which already exists.

9. CONCLUSION:

The proposed development would involve significant additions to the existing building which are not subordinate in scale and would not respect the character and appearance of the original property. As a result the building would appear far larger than the neighbouring properties and too dominant to the rear. The proposed development would therefore have an unacceptable impact upon the character and appearance of the locality. The extended building would result in an unacceptable degree of overlooking and perceived overlook to the neighbouring properties and their rear gardens, which would have an unacceptable impact upon the residential amenities of the adjoining occupiers. The application would therefore fail to comply with the design requirement of Policies D1, D2 and CLT17 of the Welwyn Hatfield District Plan 2005.

10. REFUSAL REASON(S):

1. The proposed development, by reason of its design, size, height and location would fail to remain subordinate in size and scale to the original building and overly prominent and out of place when viewed from adjoining properties. Furthermore the size of the extensions would result in an overdevelopment of the site which would conflict with the wider pattern of development which comprises smaller scale residential properties in Wilkins Green Lane. Subsequently the proposed development would not be compatible with the maintenance and enhancement of the application building and the character of the area, contrary to the National Planning Policy framework, Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance, Statement of Council Policy 2005.
2. The proposed development by reason of the number of additional windows and their siting would result in direct and perceived overlooking of the neighbouring properties and adjacent private garden spaces, which would result in a loss of privacy and residential amenity to the adjoining occupiers. The proposal therefore fails to comply with Policies D1 and CLT17 of the Welwyn Hatfield District Plan 2005.

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).

REFUSED DRAWING NUMBERS:

1:1250 Site Location Plan & EL/2012/01 Rev A & EL/2012/02 Rev A & EL/2012/03 Rev A & EL/2012/04 Rev B & EL/2012/05 Rev G & EL/2012/07 Rev G & EL/2012/08 Rev G received & EL/2012/09 Rev A & EL/2012/10 Rev G & OC 1012-1 & OC 102-10 REV B & OC 101-10 and dated 12 June 2014

INFORMATIVES:

Notwithstanding the outcome of this planning application, the Applicant is advised that in principle the extension of the care home is acceptable subject to overcoming the reason for refusal of this planning application, namely the quality of design and impact on the amenity of neighbouring occupiers. For a detailed explanation, please see the Officer's delegated report which can be viewed on the Council's website or inspected at these offices.

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