

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 3 DECEMBER 2015  
REPORT OF THE DIRECTOR (GOVERNANCE)

S6/2015/1469/FULL

4 CHIPMUNK CHASE, HATFIELD, AL10 9GH

ERECTION OF SINGLE STOREY REAR EXTENSION AND CONVERSION OF A  
LICENSED 5 PERSON HMO INTO A ONE BEDROOM APARTMENT AND AN  
HMO APARTMENT FOR FOUR RESIDENTS

APPLICANT: Mr C Tucker

(Hatfield Villages)

**1. Site Description**

1.1 The application property is a three storey mid-terraced unit, constructed of facing brickwork under a pitched roof, and is currently a licensed House in Multiple Occupation (HMO). The application site is located within a residential area of Hatfield, within a streetscene comprised of a range of two storey, two and a half storey and three storey units constructed of facing red brickwork and render. Facing the site, to the south west, lies an area of open space.

**2. The Proposal**

2.1 This application seeks full planning permission for the erection of a single storey rear extension and conversion of a Licensed 5 person HMO into a one bedroom apartment and an HMO apartment for four residents.

2.2 The single storey extension would have a maximum height of approximately 3.7m, a width of 3.2m and a depth of 5m. The external materials would comprise brickwork under a tiled roof to match that of the host property.

**3. Reason for Committee Consideration**

3.1 This application is presented to the Development Management Committee because Hatfield Town Council has objected to the proposal.

**4. Relevant Planning History**

4.1 Adjacent property no. 2 Chipmunk Chase

6/2015/1750/HOUSE – Retention of conservatory. Granted 05/11/2015 at Development Management Committee.

## **5. Planning Policy**

- 2.1 National Planning Policy Framework (NPPF) March 2012
- 2.2 Welwyn Hatfield District Plan 2005
- 2.3 Supplementary Design Guidance, February 2005
- 5.4 Supplementary Planning Guidance, Parking Standards, January 2004
- 5.5 Interim Policy for Car Parking Standards and Garage Sizes, August 2014
- 5.6 Houses in Multiple Occupation Supplementary Planning Document, February 2012

## **6. Site Designation**

- 6.1 The site lies within Hatfield as designated in the Welwyn Hatfield District Plan 2005.

## **7. Representations Received**

- 7.1 The application was advertised by neighbour notification letters. One letter of objection has been received from an address in Chipmunk Chase. The objection has regard to the proposal harming the character of the area.
- 7.2 The objection also has regard to the loss of a view from the neighbouring property. However, the right to a view is not a material planning consideration and so this element of the objection has not been considered during the determination of this application.

## **8. Consultations Received**

- 8.1 No objections received from Welwyn Hatfield Client Services.

## **9. Parish Council Representations**

- 9.1 Hatfield Town Council have objected to the proposal stating:

*“The Town Council wish to object to the rear extension and the split from a 5 person HMO to a 4 person HMO with an apartment. The Town Council consider this split not in keeping with neighbouring properties and out of character for the area.”*

## **10 Analysis**

10.1 The main planning issues to be considered in the determination of this application are:

- 1. The Principle of development (SD1, H1, H2, H4, R1, GBSP2, NPPF)**
- 2. The quality of the design and the impact on the character and appearance of the area (D1 & D2, SDG & NPPF)**
- 3. The potential impact on the living conditions of adjoining and future neighbours (D1, R19, SDG and NPPF)**
- 4. Other Material Planning Considerations**

- i) Highway and Parking (M14, SPG & NPPF)**
- ii) Refuse and Recycling Storage (D1 & IM2 & M4)**

**1. The Principle of development**

10.2 The National Planning Policy Framework (NPPF) encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing land that has been previously developed. Local Plan Policy R1 which requires development to take place on previously used or developed land is consistent with the NPPF. Furthermore, Policy GBSP2 directs new development towards existing towns and settlements.

10.3 The site is not an allocated housing site and so is considered to be a 'windfall site' and Policy H2 applies. Policy H2 relates specifically to applications for windfall housing development and states that all proposals of this type will be assessed for potential suitability against the following criteria:

- i. The availability of previously-developed sites and/or buildings;
- ii. The location and accessibility of the site to services and facilities by transport modes other than the car;
- iii. The capacity of existing and potential infrastructure to absorb further development;
- iv. The ability to build new communities to support infrastructure and provide demand for services and facilities;
- v. The physical and environmental constraints on development of land.

10.4 The application site is situated within the existing settlement of Hatfield as outlined in the Welwyn Hatfield District Plan 2005. This site has previously been developed and currently comprises a mid-terrace three storey unit. Additionally, the application site is located within the settlement of Hatfield and the infrastructure has been developed to provide good transport links for existing residents. There are also services and facilities available within walking distance of the site. Furthermore, there are no known physical or environmental constraints at this site. The proposal would, therefore not be in contradiction with policies H2, GBSP2, SD1 and R1 and is considered to represent sustainable development in accordance with the NPPF.

10.5 Furthermore, policy H4 relates to the conversion of larger residential accommodation to provide smaller residential units, and states that this form

of development is acceptable subject to the consideration of relevant issues which are discussed below.

- 10.6 Having regard to the above, the proposal would not be contrary to Policies H2, H4, GBSP2, SD1 and R1 and there is no compelling objection to the principle of this site for residential purposes, subject to considerations relating to the size, scale, design, layout and appearance of the proposed development, which are discussed below.

### **2. The quality of the design and the impact on the character and appearance of the area**

- 10.7 Local Plan Policies D1 (Quality of Design), D2 (Character and Context) and GBSP2 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 buildings and surrounding area. In addition, Chapter 7 of the National Planning Policy Framework (NPPF) emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.
- 10.8 Materials to be used in actual construction are to match that of the host dwelling and, as the proposed extension to the property is to the rear of the unit, views of this element of the works would be somewhat restricted from the public domain. Taking this into account, and as the extension has been reduced in depth and remains subordinate in width and height to the host dwelling, it is considered that this element of the proposal would not disrupt the character of the host property, or the character of the wider surrounding built form. Furthermore, the alterations to the front of the dwelling (the insertion of a front door) would not significantly alter the architectural design of the building and are considered acceptable.
- 10.9 Having regard to the above, it is considered that the development would be visually acceptable and would not be contrary to saved policies D1, D2 and GBSP2 of the adopted Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guide or Section 7 of the NPPF.

### **3. The potential impact on the living conditions of adjoining and future neighbours**

- 10.10 Policies D1 and R19 and the Supplementary Design Guidance aim to preserve neighbouring amenity. In addition, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.

- 10.11 The proposed extension to the property would have a maximum height of approximately 3.7m and would extend beyond the rear of the property by 5m. This element of the works would be located approximately 5m away from the existing rear elevation of no. 2 Chipmunk Chase. Taking this into account, it is considered that the build, form, positioning and single storey nature of the rear extension would preserve the amenity of the occupiers of no. 2 Chipmunk Chase, in terms of overbearing, overlooking and loss of light.
- 10.12 Turning to no. 6 Chipmunk Chase, the proposed rear extension would be located approximately 3.2m away from the rear elevation of this neighbouring property. Taking this distance into account, and also as the extension has been reduced in depth and is single storey only, it is considered that the rear extension would not result in significant harm to the amenity of the occupiers of no. 6 Chipmunk Chase, in terms of overbearing, overlooking and loss of light.
- 10.13 The application property is currently used as a licensed five person HMO. Flats do not benefit from any permitted development rights and so the Local Planning Authority would be able to manage the number of residents within the proposed ground floor flat. Taking this into account, as the applicant would require a license to increase the number of residents within the HMO from four to five and having regard to the existing five person HMO use of the property, it is considered that the proposal would not result in such a significant increase, in terms of noise and disturbance resulting from the intensification of occupation of the building, to neighbouring dwellings as to warrant a refusal of permission.
- 10.14 With regards to the amenity standards the HMO would offer future tenants, on discussion with Welwyn Hatfield Housing Department it is considered that room sizes are acceptable and that the retained communal amenity area to the rear is appropriate. Additionally, though the rear amenity space which would benefit the one bedroom apartment only is relatively small, the Local Planning Authority does not have any minimum standards with regards to the size of amenity space. As such, it is not considered reasonable to refuse this application on these grounds alone. Furthermore, the rear window for the proposed rear extension has been altered during the course of this application and is now a high level window. This would prevent direct views into or out of this proposed bedroom.
- 10.15 In conclusion, it is considered that neighbouring amenity would be preserved, in terms of overlooking, overshadowing and overbearing and that the development is acceptable in terms of the living conditions it would provide for current and future residents of the proposed units. Furthermore, having regard to the existing HMO use of the property, it is considered that a four person HMO and a one bedroom apartment would not result in significant levels of noise and disturbance over and above the existing use. It is, therefore, considered that the development would not be contrary to saved policy D1, the Supplementary Design Guidance or the relevant paragraphs of the NPPF.

#### **4. Other Material Planning Considerations**

10.16 i) Highway and Parking (M14, SPG & NPPF)

Paragraph 39 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Saved policy M14 of the District Plan and the Parking Standards Supplementary Planning Guidance (SPG) use maximum standards and are not consistent with the Framework and are therefore afforded less weight. In light of the above, the Council have produced an interim Policy for Car Parking Standards that states that parking provision will be assessed on a case by case basis and the existing maximum parking standards within the SPG should be taken as guidance only.

10.17 In accordance with the adopted Parking Standards SPG and the adopted Houses in Multiple Occupation Supplementary Planning Document the proposed development would require a maximum of 3 spaces. The proposal would afford three off-road spaces and is therefore in accordance with this guidance. Furthermore, there would be secure areas to the rear of the HMO and the one bedroom flat that could be used for cycle storage. As such, parking provision is considered acceptable.

10.18 With regards to highway safety, the proposed development would not alter the vehicular or pedestrian access at the site and it is considered that any increased vehicular movements could be accommodated on the local highway network. On this basis, no objection is raised in this regard.

10.19 ii) Refuse and Recycling Storage (D1 & IM2 & M4)

The Council has adopted a Supplementary Planning Document 'Planning Obligations' which may require a development to provide financial contributions for new bins and recycling facilities. Welwyn Hatfield Borough Council Client Services have been consulted and have raised no objection to the proposal and have not requested a financial contribution. On this basis, and as there are already bins in use for the existing HMO, it is considered that the refuse and recycling for the proposal can be incorporated into the existing service. The proposal, therefore, complies with local planning policy D1 in this regard.

#### **11. Conclusion**

11.1 The impacts of the proposal have been considered on the visual amenity of the area, on the living conditions of occupiers of neighbouring dwellings and on other relevant material considerations. It has been concluded that the proposal is acceptable in terms of the above. As such, the development is in accordance with relevant policies of the adopted Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guide, the adopted Parking Standards SPG, the adopted Houses in Multiple Occupation Supplementary Planning Document and with Section 7 of the NPPF.

## **12. Recommendation**

12.1 It is recommended that planning permission be approved subject to the following conditions:

1. Development in accordance with approved plans and details: P010 & P011 & P012 & P022 & P020 & P013 & P001 & P200 & P005 received and dated 08 July 2015 & P100 Rev. A & P101 Rev. A & P102 Rev. A & P103 Rev. A & P201 Rev. A & P202 Rev. A received and dated 20 October 2015.

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

2. The brickwork, roof tile, bond, mortar, detailing, guttering, soffits and other external decorations of the approved extension/alterations must match the existing dwelling/building in relation to colour and texture.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies 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 inspected at these offices).

*Matthew Heron*, (Strategy and Development)  
Date 28/10/2015

Expiry Date: 30/10/2015