

**WELWYN HATFIELD BOROUGH COUNCIL  
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

**DELEGATED APPLICATION**

**Application No:** 6/2016/1934/HOUSE  
**Location:** 6B Hill Rise, Cuffley, Potters Bar, EN6 4EE  
**Proposal:** Retention of detached garage, and alterations to roof to reduce the height  
**Officer:** Mr S Dicocco

**Recommendation:** Refused

<b>Context</b>	
<b>Site and Application description</b>	<p>The site contains a two storey detached dwelling on land to the rear of 6 Hill Rise. The site is accessed via a shared private driveway running to the south east of No.6 and No.6A Hill Rise. The site currently hosts a detached garage sited on the east corner of the site, adjoining the boundary separating the plot from No.4 Hill Rise to the south east, as well as No.7 and No.8 Orchard Close to the north east. The site and surrounding topography is such that the land level slopes steeply downwards from south west to north east, resulting in the garage being sited on an elevated ground level to the adjoining properties to the north east, No.7 and No.8 Orchard Close.</p> <p>The detached garage is the subject of this application.</p> <p>The garage was erected without the required planning permission, hosting a pyramid roof above the main parking area, and a hipped roof above a subsidiary storage/covered access way to the north west of the parking area.</p> <p>An application to retain the garage including alterations to the roof to reduce the total height to approximately 3.5m from the highest ground level has been previously approved.</p> <p>Subsequent to this approval, some alterations have been made, reducing the height of the pyramid roof structure only through creating a crown, resulting in a height from the highest ground level of approximately 4.1m.</p> <p>The proposed development would involve alteration to the roof comprising a crown, including alteration in the roof pitch of the side storage/covered pedestrian access. This would further reduce the height of the garage from the highest ground level to approximately 3.9m.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0</p> <p>Wards - NORTHAW AND CUFFLEY - Distance: 0</p> <p>APPS - - Distance: 0</p>
<b>Relevant planning history</b>	<p>Application Number: S6/2002/0470/FP      Decision: Granted      Decision Date: 15 April 2003</p> <p>Proposal: Partial demolition of existing dwelling and erection of two detached dwellings</p>

	Application Number: S6/2004/0437/FP      Decision: Granted      Decision Date: 10 June 2004  Proposal: Partial demolition of existing dwelling and erection of two detached dwellings and garages (amended scheme to S6/2002/0470/FP involving revisions to the size and height of the garages serving No.6 Hill Rise and new dwelling on plot 1)  Application Number: 6/2016/0038/HOUSE      Decision: Granted      Decision Date: 06 April 2016  Proposal: Retention of detached garage, and alterations to roof to reduce the height.		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 1	Other: 0
<b>Publicity</b>	Neighbour Notification		
<b>Summary of neighbour responses</b>	<ul style="list-style-type: none"> <li>• The roof remains too high, impacting light into the rear garden.</li> <li>• The window causes overlooking into a bedroom, dressing room and family lounge.</li> <li>• The garage was built without permission.</li> </ul>		
<b>Consultees and responses</b>	1. Northaw and Cuffley Parish Council – No response 2. Councillor Bernard Sarson – No response 3. Councillor George Michaelides – No response 4. Councillor Irene Dean – No response		
<b>Relevant Policies</b>			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input type="checkbox"/> M14 Others    Supplementary Design Guidance			
<b>Main Issues</b>			
<b>Is the development within a conservation area?</b>			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>Would the significance of the designated heritage asset be conserved or enhanced?</b>			
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A			
<b>Comment (if applicable):</b>			
<b>Would the development reflect the character of the dwelling and area?</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Comment (if applicable):</b> Though the proposed garage is greater in bulk and mass than the previous single pitched roof garage, it is considered that the build, form and location of the garage does not result in a visually dominant or incongruous feature when viewed from the site and within the immediate street scene. The garage is more visually dominant to properties in Orchard Close however this will be discussed later in the report. It is also considered that the proposed materials do not disrupt the harmony of the wider surrounding built form.  Taking into account the above the proposal does not result in significant harm to the character of the immediate street scene and the visual interest of its surroundings.  Having regard to the above, and as the proposal would remain subordinate in build and form to the host property, it is considered that the development would not disrupt the character and design of the			

host property.

**Would the development maintain the amenity of adjoining occupiers?** (e.g. privacy, outlook, light etc.)

Yes  No  N/A

**Comment** (if applicable): A number of concerns have been raised from No. 8 Orchard Close, specifically the dominant impact of the garage, resultant loss of sun light and impact on levels of privacy currently enjoyed.

The proposed garage, when compared with the previously approved planning application, would result in an increased height of eaves alongside the boundary with No.8 and No.7 Orchard Close of approximately 1.5m. It is considered that the increase in height of the proposed garage at approximately combined with the variation in roof design and subsequent increase in eaves height to the north-east side would result in a dominant and overbearing structure when viewed from No.7 and No.8 Orchard Close. By virtue of the above size and scale considerations, the building also results in loss of light to the private rear garden of these properties, as well as, to a more limited extent, the rear windows of the premises, resulting in a detrimental impact on the living conditions of the occupiers of these adjoining premises.

The exiting obscure glazed but openable window in the north east facing elevation of the garage is proposed to be removed, overcoming concerns in relation to overlooking and loss of privacy. If the application were recommended for approval, it would be necessary to remove permitted development rights to the installation of any windows in the north east elevation of the outbuilding in order to preserve the privacy afforded to adjoining premises.

**Would the development provide / retain sufficient parking?**

Yes  No  N/A

**Comment** (if applicable):

**Any other issues**

It is noted that leylandii hedging has been planted along the north-eastern boundary spanning the width of the garage. Though this leylandii hedge does screen a significant proportion of facing wall, the bulk of the roof is still particularly prominent and overbearing. Furthermore, landscaping cannot be retained in perpetuity with a grant of planning permission. In accordance with the above, the hedging screening is afforded limited weight in favour of the proposed retention of the garage following alterations.

**Conclusion**

The development, by virtue of its siting, height, design and bulk, causes loss of light and is unduly dominant from the rear windows and rear gardens of No. 7 Orchard Close and No. 8 Orchard Close, detrimental to the living conditions enjoyed by the occupiers of these neighbouring properties. There are no material considerations which would outweigh the harm resultant from the failure to accord with development plan. Accordingly the development is contrary to Policy D1 of The Welwyn Hatfield District Plan 2005, Supplementary Design Guidance of the Welwyn Hatfield District Plan 2005 and National Planning Policy Framework 2012.

**Reasons for Refusal:**

1. The development, by virtue of its siting, height, design and bulk, causes loss of light and is unduly dominant from the rear windows and rear gardens of No. 7 Orchard Close and No. 8 Orchard Close, detrimental to the living conditions enjoyed by the occupiers of these neighbouring properties. There are no material considerations which would outweigh the harm resultant from the failure to accord with development plan. Accordingly the development is contrary to Policy D1 of The Welwyn Hatfield District Plan 2005, Supplementary Design Guidance of the Welwyn Hatfield District Plan 2005 and National Planning Policy Framework 2012.

## REFUSED DRAWING NUMBERS

2.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
GVBS/0001		Site Location Plan	16 September 2016
GVBS - 6B	2/A	Existing Plans & Elevations	25 April 2017
Hill Rise		Proposed Plans & Elevations	25 April 2017

## 1. POSITIVE AND PROACTIVE STATEMENT

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 Council's website or inspected at these offices).

### **Determined By:**

Mrs L Hughes  
28 July 2017