

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

DELEGATED APPLICATION

Application No: 6/2017/1607/FULL
Location: 1 Stanborough Mews Welwyn Garden City AL8 6DB
Proposal: Change of use from existing double garage to annex (C3)
Officer: Mr R Adenegan

Recommendation: Refused

6/2017/1607/FULL

Context	
Site and Application description	<p>The application property is a semi-detached town house located on the north western side of Stanborough Mews a residential (cul-de-sac) street built in the early 2000's. Stanborough Mews comprise mainly semi-detached town houses with attached garages. The application property is the only house with a detached double garage located on a bend when entering the street. The properties on Stanborough Mews have a mixture of lawn, hedgerows and planting as part of their frontage. The site adjoins Longcroft Green to the rear and is located within Welwyn Garden City as designated in the Local Plan.</p> <p>Planning permission is sought for the change of use of the detached garage for residential accommodation. The proposed accommodation would contain a separate living/kitchen room, a bedroom and a bathroom.</p> <p>The existing garage has a footprint of 5.7m x 5.7m and internal floor space of approximately 5.25m x 5.25m.</p>
Constraints (as defined within WHDP 2005)	<p>CA - Conservation Area: WGC1; - Distance: 26.23</p> <p>EM - 86 - Distance: 0</p> <p>Wards - Handside - Distance: 0</p> <p>CP - Cycle Path (National Cycle Network) - Distance: 17.1</p> <p>CP - Cycle Path (Cycle Facility / Route) - Distance: 17.1</p> <p>HEN - No known habitats present (medium priority for habitat creation) - Distance: 0</p>
Relevant planning history	<p>Planning</p> <p>Application Number: 6/2017/1601/EM Decision: Decision Date: Proposal: Change of use and conversion of existing double garage to self-contained annex</p> <p>Application Number: N6/1999/0156/FP Decision: Granted Decision Date: 02 July 1999</p>

	<p>Proposal: Construction of 11 town houses and 1 two storey house with associated access, car parking and landscaping</p> <p>Application Number: N6/1999/0155/FP Decision: Withdrawn Decision Date: 28 October 1999</p> <p>Proposal: Construction of 15 flats and 7 houses with associated access, car parking and landscaping</p> <p>Application Number: N6/1999/0777/FP Decision: Granted Decision Date: 08 November 1999</p> <p>Proposal: Residential development of 11 town houses and one other dwelling with associated access and parking</p> <p>Application Number: 6/2016/2730/HOUSE Decision: Refused Decision Date: 23 February 2017</p> <p>Proposal: Erection of extension to existing double garage to form home office</p> <p>Application Number: 6/2017/0738/LAWP Decision: Granted Decision Date: 21 June 2017</p> <p>Proposal: Certificate of Lawfulness for the proposed change of use from a garage to habitable room (home office)</p> <p>Application Number: 6/2017/0843/EM Decision: Granted Decision Date: 26 June 2017</p> <p>Proposal: Change of use and alterations to convert double garage to home office</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	<p>Site Notice Display Date: 2 August 2017</p> <p>Site Notice Expiry Date: 23 August 2017</p> <p>Press Advert Display Date: 2 August 2017</p> <p>Press Advert Expiry Date: 16 August 2017</p>		
Summary of neighbour responses	<p>6 neighbouring properties and occupiers were consulted. Two representations have been received making the following comments:</p> <ul style="list-style-type: none"> • Eight neighbouring Stanborough Mews Management Co – Stanborough Mews Management Company Ltd is responsible for the communal gardens and private roadway of Stanborough Mews - a development of 12 family/executive semi-detached properties. The Management Company has no view on the usage of properties within the Mews although is aware that numbers 1 and 3 have been extensively converted to multi-occupancy usage, and the proposed annex appears to be a further extension to the number of residents within these dwellings. The Management Company is concerned over the impact of parking, with a restricted covenant included in 		

	<p>the freehold agreement of each property preventing any parking on the roadway. The loss of a double garage, and increase in potential residents has the potential to impact on available parking in the area and the availability of parking in neighbouring Longcroft Green (c 10 spaces) cannot be guaranteed. Parking needs to be a consideration for this application.</p> <ul style="list-style-type: none"> • #1 owns #3 as well. Between them they rent out 9 rooms to professionals. This has already altered the nature of street as we have lots of itinerant people coming to and fro. Parking is already severely limited, and their tenants have taken to parking in the street behind us - Longcroft Green and most annoyingly in the entrance to the Mews other than at #1 and #3. If permission was granted they would lose another 2/3 car parking spots at #1. This only leaves a single, narrow drive at #3 where it's probably technically possible to have 3-4 cars parked behind each other but this would cause a lot of issues when trying to move cars in and out.
<p>Consultees and responses</p>	<ol style="list-style-type: none"> 1. Hertfordshire County Council - Hertfordshire Transport Programmes & Strategy The development will represent a small intensification of use at the site, but not one that would be considered to have a severe impact to the highway. Vehicle parking provision will be reduced to four spaces from six. 2. WHBC - Conservation – No comment received 3. Councillor Helen Bromley No response 4. Councillor Fiona Thomson No response 5. Councillor Rachel Basch No response
<p>Relevant Policies</p>	
<p><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 checked="" type="checkbox"/> M14 Others SD1, R1, H1, H2, GBSP2 of the Welwyn Hatfield District Plan 2005), Policy SADM1 of the emerging Local Plan 2016. Draft Local Plan Proposed Submission 2016 (emerging Local Plan 2016) Supplementary Design Guidance, February 2005 (Statement of Council Policy) Supplementary Planning Guidance, Parking Standards, January 2004 Interim Policy for Car Parking Standards and Garage Sizes, August 2014</p>	
<p>Main Issues</p>	
<p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</p>	<p>A Certificate of Lawfulness for the conversion of the garage for home office use was granted in June 2017. The application includes the removal of the garage roller shutters to be replaced with a two casement window and entrance door.</p> <p>In the submitted design and access statement, that applicant describes the layout of the proposal as an<i>annex that can be used independently from the main house and utilises the position of doors and windows approved under the previous application. A double bedroom, small kitchen and sitting area and shower room is to be provided.</i> The applicant went further to state that<i>the proposals provide additional living and bedroom space, not uncommon in modern properties, whilst being sympathetic to the existing property and neighbouring properties. The room will be offered for rental or use by the occupants visiting friends and family, will remain part of the property and is not to be marketed on the open market. The existing property exceeds</i></p>

Welwyn Hatfield parking spaces and an additional room is not seen as an issue.”

Based on the information provided by the applicant and notwithstanding reference to the additional accommodation remaining part of the of the property, it is considered that the proposal is capable of being used as a separate dwelling, and as such the main issues for consideration are the principle of the proposal for the creation of an independent residential annex, its impact on the character of the area and the amenity of the existing house and the future occupant(s).

The principle of the development

Policies R1 and GSP2 of the Welwyn Hatfield District Plan 2005 encourages development to take place on previously used or developed land and directs new development towards existing towns and specified settlements. This is in line with the National Planning Policy Framework 2012 (NPPF) which encourages the provision of more housing within towns and settlements and encourages the re-use of land which has previously been developed.

The existing site is already in residential use and seeks the conversion of the existing detached double garage in to a 1 bedroom self-contained annex (unit) Policy H2 applies (Location of Windfall Residential Development) and requires that applications regarding windfall sites will be assessed against a set of 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*

The application site is situated within the existing settlement of Welwyn Garden City as outlined in the Welwyn Hatfield District Plan 2005. This site has previously been developed and currently comprises a semi-detached, two storey dwelling and garage. The application site is located within an existing residential area, and as such the infrastructure has been developed to provide good transport links for existing residents. Furthermore, there are no known physical or environmental constraints at this site. There are also services and facilities available within reasonable walking distance of the site.

The principle of residential development is therefore acceptable when considered against the criteria set out in Policies H2 and SD1, subject to an assessment of the scheme against policies having regard to design, parking, and means of access as well as amenity of the occupiers of future occupiers and the adjoining premises. Residential rear gardens, in accordance with the glossary of the National Planning Policy Framework, are not defined as ‘previously developed land’.

Whether or not the scheme incorporates high quality design, enhance and preserve the context and character of the area

Local Plan Policies D1 and D2, alongside the Supplementary Design Guidance (SDG), seek to ensure a high quality of design which relates to the character and context of the area. The policies require a high quality of design in all new

	<p>development. These policies are in line with the NPPF section 7 in that planning should require good design.</p> <p>The Council's emerging Local Plan contains Policy SADM11 (ii) explicitly mentions minimum space standard for all C3 dwelling development proposals. This policy has not yet been through examination and consequently attracts more limited weight than the adopted plan policy, however there are no outstanding objections to this part of the proposed policy, so it may be accorded more weight. The policy requires all proposals for C3 dwellings to meet, as a minimum, the National Described Space Standard, unless it can be robustly demonstrated that this would not be feasible or viable. As such, in considering the quality of accommodation provided for future occupants, the National Technical Housing Standard, March 2015 is a material consideration. The minimum required internal floorspace for a one bedroom dwelling is 39sq.m in the case of single bed space and 50sq.m for two bed space.</p> <p>The proposed annex which has a footprint measuring approximately 5.7m wide by 5.7m deep, has a ridge height of approximately 4.2m with eaves level set at approximately 2.45m. The garage is set to the rear side of the main house along its boundary with access from the garden. The proposal will introduce windows and door in place of the garage roller shutter. Its interior would include a living/kitchen, a bedroom and a bathroom with gross internal floor area of approximately 27.5sq.m which is at least 11sq.m below the minimum standard for such development. As such, it is considered that the proposal will not provide a satisfactory level of living accommodation for its future occupant(s). In addition, no identifiable amenity space has been provided, accentuating the low quality of the proposal.</p> <p>In summary, it is considered that the accommodation as proposed will not provide a suitable, sustainable and quality living accommodation for its future occupants and would have an adverse impact on the character and amenity of the area, and as such would be contrary to the principles contained in the National Space Standard, Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.</p>
<p>Impact on neighbours</p>	<p>The proposed bedroom window of the new accommodation will be approximately 8m from a first floor bedroom window of the main dwelling. This level of distance would result in direct and perceived overlooking of this habitable room and vice-versa (future occupants) impinging on their privacy.</p> <p>From the design, there is a door linking on to the garden area of the host property. It is not clear from the supporting documents how this arrangement will work between the proposed accommodation and the existing house. Officers can only infer that the private garden area of the main house will be accessed by the occupants of the proposed accommodation which would result in a loss of privacy for the existing occupiers. As such, it is considered that the residential amenity of the existing and future occupants would be adversely affected. Accordingly, the proposal would not provide a satisfactory living accommodation. The proposal is therefore contrary to Policy D1 of the Welwyn Hatfield District Plan 2005 and relevant section of the NPPF.</p>
<p>Access, car parking and highway considerations</p>	<p>The existing dwelling house has five bedrooms. The proposal would result in the loss of a double garage for the viable parking of two cars. The site is within Parking Zone 4, and as such a total of 4 off-street parking spaces are required for the main house and the new accommodation. Whilst the proposed site layout plan shows 4 cars can be accommodated onsite, it would be in form of tandem parking. This arrangement would not afford independent parking for the two units contrary to Council policy and residential design guidance.</p>

	It is therefore considered that the proposal would not provide an acceptable level of parking for the existing and future occupants, which would be likely to negatively affect vehicular and pedestrian flow in the street, and as such contrary to Policy M14 of the Welwyn Hatfield District Plan 2005.
Landscaping Issues	None
Any other considerations	
Conclusion	
The proposal has been considered based on the information provided by the applicant. Whilst there is reference to the retention of the new accommodation as part existing residential dwelling, the applicant has indicated that the proposal is for independent use. As such, the change of use application has been assessed as an independent unit and not in accordance to stated local and national policies. The development would not maintain the character of the area nor preserve the amenity of the occupiers of the existing and future occupants. The accommodation as proposed will not provide a suitable, sustainable and quality living accommodation for its future occupants, and as such would be contrary to the principles contained in the National Space Standard, Policy D1, D2, M14 and GBSP2 of the Welwyn Hatfield District Plan 2005, Policy SADM11 of the emerging Local Plan 2016 and the National Planning Policy Framework, Supplementary Design Guidance of the Welwyn Hatfield District Plan 2005, Supplementary Planning Guidance, Parking Standards 2004, Interim Policy for Car Parking Standards and Garage Sizes 2014.	

Reasons for Refusal:

1. The accommodation as proposed will not provide a suitable, sustainable and quality living accommodation for its future occupants and as such would be contrary to the principles contained in the National Space Standard, Policy D1 of the Welwyn Hatfield District Plan 2005, Policy SADM11 of the emerging Local Plan 2016 and the National Planning Policy Framework 2012.
2. The proposal would result in tandem parking of vehicles on site which would not afford independent parking for the occupants of the existing house and proposed residential accommodation and would be prejudicial to pedestrian and vehicular safety. The proposal would be contrary to Policy M14 of the Welwyn Hatfield District Plan 2005.

REFUSED DRAWING NUMBERS

3.

Plan Number	Revision Number	Details	Received Date
JA/301/-		Existing Elevations & Floor Plans	24 July 2017
JA/305/-		Proposed Elevations & Floor Plans	24 July 2017
JA/306/-		Block Plan	24 July 2017
		Location Plan	24 July 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:

Mr C Carter
19 September 2017