

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

**DELEGATED APPLICATION**

**Application No:** 6/2018/0383/FULL  
**Location:** 8 Hill Rise Cuffley Potters Bar EN6 4EE  
**Proposal:** Erection of a three storey detached house with a raised patio following demolition of existing dwelling  
**Officer:** Mr David Elmore

**Recommendation:** Granted

6/2018/0383/FULL

| <b>Context</b>                                   |   |
|--|---|
| <b>Site and Application description</b>          | <p>No. 8 Hill Rise is a detached chalet-style dwelling situated within an established residential area in Cuffley.</p> <p>Hill Rise comprises both large detached two storey dwellings and chalet-style dwellings of varying style, all set within generously sized plots. This part of Hill Rise slopes upward from north-west to south-east and the disposition of building heights respects this natural gradient of the land. The host dwelling is positioned further back into its site compared to the predominant building line along Hill Rise.</p> <p>Planning permission is sought for the erection of a three storey detached dwelling with a raised patio, following demolition of the existing dwelling.</p> |
| <b>Constraints (as defined within WHDP 2005)</b> | <p>PAR - PARISH (NORTHAW AND CUFFLEY)</p> <p>Wards - Northaw &amp; Cuffley</p> <p>HEN - No known habitats present (high priority for habitat creation)</p> <p>tpos - TPO283 T1 - Distance: 3.7</p>  |
| <b>Relevant planning history</b>                 | <p>Application Number: S6/2005/0355/FP      Decision: Granted      Decision Date: 13 June 2005</p> <p>Proposal: EXTENSIONS AND ALTERATIONS TO PROVIDE ADDITIONAL GROUND AND FIRST FLOOR ACCOMODATION AND NEW SECOND FLOOR ROOF SPACE ACCOMMODATION</p> <p>Application Number: S6/2002/0088/FP      Decision: Granted      Decision Date: 18 March 2002</p> <p>Proposal: ERECTION OF A SINGLE STOREY REAR EXTENSION; RAISING OF EXISTING ROOF WITH FRONT AND REAR DORMER WINDOWS TO FORM FIRST FLOOR</p> <p>Application Number: S6/1984/0759/      Decision: Granted      Decision Date: 04 February 1985</p> <p>Proposal: Ground and first floor extensions</p>   |

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|--|--|-----------|----------|
|  | Application Number: S6/1978/0692/ Decision: Granted Decision Date: 05 January 1979<br>Proposal: Single storey side extension<br><br>Application Number: E6/1959/1251/ Decision: Granted Decision Date: 17 September 1959<br>Proposal: Extension to garage.   |           |          |
| <b>Consultations</b>   |  |           |          |
| <b>Neighbour representations</b>   | Support: 0   | Object: 0 | Other: 3 |
| <b>Publicity</b>   | Neighbour letters sent   |           |          |
| <b>Summary of neighbour responses</b>  | Comments from the occupiers of No. 1, 3 & 6 Hill Rise summarised as follows: <ul style="list-style-type: none"> <li>• Out of character with neighbouring properties</li> <li>• Imposing building</li> <li>• Out of keeping with design and character of existing dwelling</li> <li>• Parking</li> <li>• Loss of light and view from No. 6 Hill Rise</li> <li>• Compliance with 'Considerate Contractors Scheme'</li> </ul> |           |          |
| <b>Consultees and responses</b>  | Northaw and Cuffley Parish Council – No objection  |           |          |
| <b>Relevant Policies</b>   |  |           |          |
| <input checked="" type="checkbox"/> NPPF<br><input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14<br><input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance (SPG) <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes (Interim Parking Policy)<br>Others: Local Plan Policies SD1, R1, D8 and H2<br><br><u>Draft Local Plan Proposed Submission 2016 (Emerging Local Plan):</u><br>SP1: Delivering Sustainable Development<br>SP3: Settlement Strategy and Green Belt Boundaries<br>SADM1: Windfall Development<br>SP4: Transport and Travel<br>SADM2: Highway Network and Safety<br>SP9: Place Making and High Quality Design<br>SADM11: Amenity and Layout<br>SADM12: Parking, Servicing and Refuse |  |           |          |
| <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<br><b>Comment:</b> N/A  |  |           |          |
| <b>Would the development reflect the character of the area?</b>  |  |           |          |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br><b>Comment:</b> 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. The NPPF outlines in paragraph 17 that decision-taking should always seek to secure high quality design.

Hill Rise is characterised by both large detached two storey and chalet-style dwellings in a variety of architectural styles and materials. The resulting variation in scale and appearance of neighbouring properties allows for some flexibility in the design of the proposed development.

The existing dwelling is set notably further back into its site relative to its adjacent neighbours and the predominant building line along this part of Hill Rise. The proposed dwelling would be re-sited further forward within the application line, more in line with Nos. 6 & 10 Hill Rise. This re-siting forward would therefore be in keeping with the existing area.

The proposed dwelling would be considerably larger in footprint, scale and mass than the existing chalet-style dwelling. There has been much redevelopment along Hill Rise, where smaller dwellings have been extended or replaced by larger dwellings. The proposed dwelling would not be at odds with the size of other dwellings witnessed along Hill Rise. Its height would respect the pattern and rhythm of built form given the natural topography of the street. As such, the proposed development would not appear prominent or obtrusive in its setting.

The spacing between dwellings along this part of Hill Rise varies. A number of the properties have been built up to the boundary at ground floor level whilst maintaining a 1m separation distance at first floor level and others have maintained at least a 1m separation distance at both ground and first floor levels. The dwellings in this area also benefit from generously proportioned front gardens which are generally well landscaped. This has the effect of softening the appearance of dwellings in close proximity to each other. In this case a minimum of 1m separation distance would be maintained between the flank elevations and the adjoining flank site boundaries which is considered to be acceptable in this location and in accordance with the minimum requirement of the SPD.

In terms of style and design, the proposed dwelling would feature a crown roof hipped on all sides with two symmetrical front gables. Crown roofs are a feature of a number of dwellings in the area and so too front gables. This roof form therefore represents an acceptable form of development in this location. Notwithstanding this, in terms of visual amenity and quality of design, some crown roofs are not attractively designed and can significantly detract from the appearance of a dwelling and the overall character of the area. It is therefore considered reasonable to attach a planning condition requiring a cross-section drawing to be submitted to and approved in writing by the Local Planning Authority. Provided that the flat roof is stepped down and concealed behind the surrounding pitched roof, its impact in terms of visual amenity would be limited.

A flat roof dormer would feature to the rear of the proposed dwelling. This dormer would be appropriately set in from the eaves, ridge and flank wall of the proposed dwelling. Overall, its scale would be subservient to the roof of the proposed dwelling. The dormer would also be indiscernible from the street.

Material finishes have been provided alongside this application. The proposed dwelling would be faced in brickwork (Ibstock Bexhill Purple Multi bricks) below a slate roof (Marley Eternit Smooth Grey). All windows would be sash white uPVC. Whilst red/brown concrete/clay roof tiles are predominant along Hill Rise, a slate roof is witnessed very nearby at No. 56 Hill Rise. Overall, the palette of materials proposed are appropriate to character and appearance of the area and can be secured through a planning condition.

Representations have been received from neighbouring properties regarding the proposed dwelling being imposing and out of character with the area. However, having regard to the above assessment it is considered that the proposed development would represent an acceptable standard of design which respects and relates to the existing and emerging character and appearance of the area, in accordance with Policies D1 and D2 of the Local Plan, the SDG and NPPF.

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

Yes  No

**Comment:** Policy D1 requires the standard of design in all new development to be of a high quality. This is expanded upon in the Council's SDG which sets out the guidelines with regard to residential development for the provision of adequate amenity for future occupants and the protection of neighbouring residential amenity. Paragraph 17 of the NPPF seeks high quality design and good standards of amenity for all existing and future occupiers of land and buildings.

Policy SADM11 (Amenity and layout) of the Council's Draft Local Plan Proposed Submission (now afforded significant weight in general terms) is consistent with the above and also sets out that as a minimum, all proposals for C3 dwellings will be required to meet the Nationally Described Space Standards, unless it can be robustly demonstrated that this would not be feasible or viable.

#### *Living conditions of future occupiers*

Good levels of sunlight and daylight would be afforded within the proposed dwelling and its garden area. The external private garden space, in terms of both its extent and design, would meet the reasonable needs and the living accommodation would exceed the Nationally Described Space Standards.

#### *Living conditions of neighbouring occupiers*

The main properties which may be affected by the proposal are the two immediate neighbouring properties, Nos: 6 & 10 Hill Rise. All other nearby properties are considered to be sufficiently removed from the application site so as to remain unaffected by the proposal.

#### *No. 6 Hill Rise*

No. 6 comprises a detached dwelling situated to the immediate south-east of the application site on higher natural ground level. The extent of the proposed first floor and above would extend approximately 1.8m beyond the nearest wall of this property. This depth taken together within the separation distances between the flank walls ensures that the two storey and above element of the proposed dwelling would not appear unduly dominant or result in any adverse loss of light from this property. The proposed dwelling would not project any further back into its site than the existing dwelling. Relative to the siting and scale of the existing dwelling, the single storey rear element would also not result in any harm in amenity terms.

The occupier of No. 6 has outlined that the proposed development would block light toward their facing ground and first floor flank windows and rear living room window. Also, it is contended that views would be blocked from 2 of the first floor windows. In response, whilst the proposed dwelling is materially greater in size and scale than existing, it is not considered that a detrimental loss of light from any windows would ensue. In terms of the side windows, the flank walls of the proposed dwelling and No. 6 are sufficiently separated and its hipped roof form would enable an adequate degree of sunlight and daylight to be afforded to these rooms. Furthermore, first floor rooms on this side both feature primary windows to the front or rear. The effect of the proposed development upon the rear living room window has been assessed and would not adversely affect the level of light into this room.

A first floor side window (serving a bathroom) and 2no side roof lights (serving a bedroom) would face this property. The first floor side window is annotated to be glazed in obscure glass and non-openable 1.7m above finished floor level. This is necessary in the interest of protecting existing levels of privacy and can be secured through a planning condition. The proposed 2no side roof light are positioned high in the roof slope and would not present any adverse overlooking or privacy concerns from this room toward No. 6.

The proposed rear patio would not result in any adverse overlooking or privacy concerns toward No. 6, as a result of its depth, set in distance from the shared boundary and setting on a lower relative ground level.

Subject to the suggested planning condition, it is considered that the proposed development would not harm the living conditions of the occupiers of this property.

*No. 10 Hill Rise*

No. 10 comprises a detached dwelling situated to the immediate north-west of the application site on lower natural ground level.

The internal finished floor level (IFFL) of the existing dwelling has two different heights, as a result of the sites sloping nature. The lower IFFL is to the north-western side of the existing dwelling (comprising utility room and garage). This rises by approximately 0.8m to the IFFL of all other rooms at ground floor. The IFFL of the proposed dwelling would match that of the higher IFFL of the existing dwelling but the existing and proposed ground level of the site would remain unaltered.

The extent of the proposed first floor and above would extend approximately 3m beyond the nearest rear wall of this property. This depth taken together within the separation distances between the flank walls ensures that the two storey and above element of the proposed dwelling would not appear unduly dominant or result in any adverse loss of light from this property. The proposed dwelling would not project any further back into its site than the existing dwelling. Relative to the siting and scale of the existing dwelling, the single storey rear element would also not result in any harm in amenity terms.

In terms of privacy, 2no first floor side windows (serving bathrooms) and 2no side roof lights (serving a bedroom) would face this property. It is considered necessary and reasonable for the bathrooms windows to be glazed in obscure glass and non-openable 1.7m above finished floor level. This can be secured through a planning condition. In terms of the roof lights, these are positioned high in the roof slope and would not present any adverse overlooking or privacy concerns from this room toward No. 10.

Stepping out from the rear doors of the proposed dwelling is a 3m deep patio. This patio has been stepped in 2m from the flank wall and 3m from the shared boundary with No. 10 Hill Rise. These set-in distances, together with the presence of boundary fencing and hedging, would ensure that there would not be any adverse overlooking or privacy concerns toward No.10. Appropriate hard-boundary treatment can be secured through a planning condition. A grant of planning permission can also ensure that existing soft landscaping which may be impacted by the development is suitably protected throughout the course of construction.

Having regard to the notable fall in land level from the application site to No. 10, consideration is also given to the potential for overlooking from the side passageway running parallel to the shared boundary with No.10. The proposed elevations and site level details clearly illustrate and annotate that the existing ground level of this side passageway would remain unaltered. This ensures that there would not be any adverse overlooking or privacy concerns toward No. 10 from any point of this passageway.

Subject to the suggested planning condition, it is considered that the proposed development would not harm the living conditions of the occupiers of this property.

The ground floor rear element of the proposed dwelling features a sizeable flat roof which would present concerns in terms of overlooking and privacy toward No. 6 Hill Rise and No. 10 Hill Rise, if the future occupiers opt to use it as a sitting-out terrace area. A planning condition would restrict the use of this roof for such a purpose.

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

Yes  No  N/A

**Comment:** The proposed site 3D views appears to illustrate that the existing front driveway would be retained, however this is not clear.

The proposed dwelling would serve 5 bedrooms. A 5-bed dwelling in location is expected to accommodate a guideline level of 3 off-street car parking spaces having regard to the Council's SPG and Interim Parking Policy. The existing driveway could practically accommodate two cars and the proposed dwelling features an integral garage for one car. In any event, the extent of hard

landscaping will have to be agreed via a planning condition. On this basis, it is considered that a sensible level of parking provision would be achieved, in accordance with both local and national planning policy.

A neighbour representation has been received regarding on-street parking problems along Hill Rise. Representations are not dismissed lightly, however for the above reasons, it is not considered that the proposed development would lead to any on-street parking issues.

#### **Any other issues**

##### *Landscaping*

Policy D8 of the Local Plan outlines that this type of development should include landscaping as an integral part of the overall design. The plots of properties along this part of Hill Rise are well landscaped and verdant. This is an essential characteristic of the street scene.

No precise details of soft landscaping or the proportion of soft to hard landscaping have been provided alongside this application. Also, precise details of hard boundary treatment lining the site boundaries (in terms of height, scale and materiality) would need to be agreed in the interest of good design and ensuring that the living conditions of neighbouring occupiers are not harmed as a result. A landscaping plan would be subject to an approval of planning permission and can be secured through a planning condition.

The proposed dwelling would likely be sited within the root protection area of hedging and trees just outside this application site. It is important that the health and longevity of landscaping both inside and outside the application is not harmed as a result of the development. To this end, a tree protection plan would need to be agreed in the event of a grant of planning permission. In terms of existing landscaping within the application site, a landscaping plan (explained above) can secure an appropriate layout which produces a development of high amenity value.

##### *Permitting development rights*

The new dwelling would benefit from permitted development rights. The proposed development has been carefully designed to be in keeping with the character and context of the area. Additionally, given that the proposed dwelling would already extend beyond the rear of the adjacent properties, further extensions built within permitted development would likely impact upon the living conditions of neighbouring properties, with particular regard to daylight and overbearing impact. Therefore, in the interest of maintaining good design and protecting the living conditions of neighbouring occupiers it would be reasonable to impose a planning condition withdrawing permitted development rights for extensions, enlargements and alterations under Classes A and B for the new dwelling.

##### *Other issues*

A neighbour representation has been received requesting the developer to comply with the requirements of the code of good practice – Considerate Contractors Scheme. Such a scheme is not a material planning consideration. Any potential impact during construction works with regard to noise, hours of operation and consideration to highway users are outside the parameters of the planning system and addressed under separate legislation.

#### **Conclusion**

Subject to the suggested planning conditions, the proposed development would accord with relevant local and national planning policies.

#### **Conditions:**

1. No development shall take place until details of the proposed crown roof, including a cross-section drawing, is submitted to and approved in writing, by the Local Planning Authority. Subsequently the development must not be carried out other than in accordance with the approved details.

REASON: The proposal contains insufficient information in regards to the detailed design of the roof and this is required in the interests of quality of design and visual amenity in accordance with the National Planning Policy Framework and Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. No development shall take place until a tree protection plan and method statement has been submitted to and approved in writing by the Local Planning Authority. Details shall encompass the protection of approved retained trees and hedgerows within the application site, together with trees and hedgerows sited within the neighbouring properties of number 6 Hill Rise and 10 Hill Rise. The development shall not be carried out other than in accordance with the approved details.

REASON: To protect the existing trees and hedgerows in the interest of visual amenity in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

3. No development shall take place until full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

The landscaping details to be submitted shall include:

- (a) means of enclosure and boundary treatments (including locations, height, scale and appearance)
- (b) hard surfacing, other hard landscape features and materials
- (c) existing trees, hedges or other soft features to be retained
- (d) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

4. All agreed landscaping comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the first building, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of 5 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. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014.

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.

5. The materials to be used in the construction of the external surfaces of the building hereby granted must be in accordance with those details submitted. This includes:

Walls - Ibstock Bexhill Purple Multi bricks

Roof tiles - Marley Eternit Smooth Grey

Windows - Scheco uPVC white sash windows – A rated - U value 1.4km2/m.

The approved materials shall not be changed unless otherwise agreed in writing by the Local Planning Authority.

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.

6. Any upper floor window located in a wall forming a side elevation of the building hereby approved must be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and shall be retained in that form thereafter.

REASON: To protect the residential amenity and living conditions of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A and B of Part 1 of Schedule 2 shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

8. The roof of the single storey rear element of the dwelling hereby approved must not be used as a roof terrace.

REASON: To protect the residential amenity and living conditions of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

#### DRAWING NUMBERS

9. The development/works shall not be started and completed other than in accordance with the approved plans and details:

| <b>Plan Number</b> | <b>Revision Number</b> | <b>Details</b>                         | <b>Received Date</b> |
|--------------------|------------------------|--|----------------------|
| A102               | E                      | Existing Site 3D Views                 | 20 April 2018        |
| A104               | E                      | Proposed Site Plan                     | 20 April 2018        |
| A109               | E                      | Proposed House 3D Views                | 20 April 2018        |
| A103               | E                      | Site Survey                            | 20 April 2018        |
| A107               | E                      | Proposed Elevations                    | 20 April 2018        |
| A110               | E                      | Proposed Ground Floor 3D View          | 20 April 2018        |
| A111               | E                      | Proposed First and Loft Floor 3D Views | 20 April 2018        |
| A101               | E                      | Existing Plans and Elevations          | 20 April 2018        |
| A105               | E                      | Proposed Ground and First Floor Plans  | 20 April 2018        |



|      |   |                              |               |
|------|---|------------------------------|---------------|
| A106 | E | Proposed Loft and Roof Plans | 20 April 2018 |
| A108 | D | Proposed Site 3D Views       | 20 April 2018 |
| A112 | E | Site Level Details           | 20 April 2018 |

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

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).

**Informatives:**

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.
2. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.

**Determined By:**

Mr Michael Robinson  
24 April 2018