

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

DELEGATED APPLICATION

Application No: 6/2018/1520/HOUSE
Location: 171 Parkway Welwyn Garden City AL8 6JA
Proposal: Erection of single storey rear extension
Officer: Ms Louise Sahlke

Recommendation: Granted

6/2018/1520/HOUSE

Context			
Site and Application description	<p>The application site consists of a two storey, terraced property located at 171 Parkway.</p> <p>The application seeks planning permission for the erection of a single storey rear extension. Insertion of rear door.</p>		
Constraints (as defined within WHDP 2005)	<p>CA - Conservation Area: WGC1; - Distance: 0 EM - Estate Management - Distance: 0 Wards - Handside - Distance: 0</p>		
Relevant planning history	<p>Planning</p> <p>Application Number: 6/2018/0947/HOUSE Decision: Withdrawn Decision Date: 25 May 2018 Proposal: Erection of single storey rear extension</p> <p>Application Number: 6/2018/0984/EM Decision: Withdrawn Decision Date: 25 May 2018 Proposal: Erection of single storey rear extension</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	<p>Press Advert Display Date: 20 June 2018 Press Advert Expiry Date: 4 July 2018 Site notice not required as works are to the rear of the property within the Conservation Area.</p>		

Summary of neighbour responses	<ul style="list-style-type: none"> • None
Consultees and responses	No external consultation received.
Relevant Policies	
<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 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes Others R7 Protection of Ground and Surface Water <u>Draft Local Plan Proposed Submission August 2016</u> SP4 Transport and Travel SADM2 Highway Network and Safety SP9 Place Making and High Quality Design SADM11 Amenity and Layout SADM12 Parking, Servicing and Refuse SP10 Sustainable design and construction SADM14 Flood Risk and Surface Water Management	
Main Issues	
<u>History</u> In 2018, a planning application was submitted for a single storey extension. This was withdrawn as objections were raised by the Local Planning Authority. This was in regards to the addition of the bedroom extension in terms of its overall size and depth which was considered a disproportionate and bulky addition to the property and would not reflect the character of other similar designed dwellings. Furthermore, it would erode the spacious character and appearance of this part of the Conservation Area. Under this current application, the proposed single storey rear extension has been reduced to remove the bedroom extension. Following further discussions with the applicant regarding the type of roof within the Conservation Area, the applicant has removed the pitched roof. As there are no increase in the size of the proposal, it is not considered that re-consultation is required.	
Is the development within a conservation area?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Would the significance of the designated heritage asset be preserved or enhanced?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment (if applicable):	
Would the development reflect the character of the area?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment (if applicable):	
Would the development reflect the character of the dwelling?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Comment (if applicable): Parkway is located within the Welwyn Garden City Conservation Area. The estate is characterised by detached, semi-detached and terrace styles of properties.	

As the application site is within the Conservation Area, there is a requirement to pay special attention to the desirability of preserving and enhancing the character or appearance of a conservation area in exercising planning functions. Paragraph 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;

1) In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving and enhancing the character or appearance of that area.

The National Planning Policy Framework 2018 and local planning policies also have a general duty to respect Conservation Areas in exercise of planning functions. In this instance, policies D1 and D2 of the District Plan 2005 are relevant, which seeks to ensure a high quality of design and to ensure that development respects and relates to the overall character of the area.

The proposed development by virtue of the scale, height, bulk and design of the proposed development is considered acceptable.

Accordingly the proposed development would be of a good standard of design which has paid special attention to the desirability of preserving and enhancing the character or appearance of this application site and this part of the Welwyn Garden City Conservation Area. The proposal would comply with the provisions of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005 and Supplementary Design Guidance 2005.

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

Yes No N/A

Comment (if applicable):

In relation to the impact on the residential amenity of adjoining occupiers the impact is measured in terms of neighbouring properties access to day/sun/skylight, overshadowing, loss of privacy/overlooking and impact on outlook.

The proposal is not considered to result in a loss of privacy. There are no side windows in the proposed rear extension.

Concerns are raised by the Case Officer in regards to the main habitable ground floor window at 169 in regards to a loss of daylight, sunlight and outlook. In order to determine the loss of daylight and sunlight to extensions, a BRE 45 degree assessment was used to determine the harm between properties. A 45 degree line is drawn both vertically and horizontally. There are no rear extensions at 169 Parkway. Therefore there is a breach of the 45 degree line as drawn vertically on plan view.

A 45 degree line is drawn vertically from the top of the roof towards the ground floor rear window at 169 Parkway on elevation plan. The results of these tests are that there would additional loss of daylight and sunlight to the existing ground floor window over and above that of the existing situation. However, the tests demonstrate that there would not be a total loss of daylight or sunlight to the existing window. Furthermore, there would be some existing loss of daylight and sunlight caused through the position of the existing fence.

Therefore based on the above assessments, it is not considered that the level of daylight and sunlight to 169 Parkway would be sufficient to warrant a refusal.

The insertion of a rear door would not impact on residential amenity.

It is not considered that there would be a loss of residential amenity of the other adjacent neighbouring properties.

Therefore the proposal is in accordance with planning policy.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

Any other issues

Flood Zone Surface Areas

The proposed single storey rear extension is located within flood zone surface areas 30, 100 and 1000. Due to the small scale of development, it is not considered that the proposed single storey rear extension would unduly impact on these areas.

Conclusion

The proposed development would preserve the appearance of the Conservation Area. The proposed development would not impact unduly on visual or residential amenity. The proposed development would not impact on car parking or impact on ground or surface water. The proposed development is in accordance with planning policy.

Conditions:

1. The brickwork, 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.

DRAWING NUMBERS

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

Plan Number	Revision Number	Details	Received Date
MP-02		Existing Ground Floor Plan	6 June 2018
MP-03		Existing Elevations	6 June 2018
MP-04		Proposed Ground Floor Plan	6 June 2018
MP-05	A	Proposed Elevations	3 August 2018
MP-01		Location Plan & Block Plan	6 June 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. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
3. The applicant is advised to take account the provisions of The Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to a shared boundary.
4. 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
7 August 2018