

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

DELEGATED APPLICATION

Application No: 6/2018/2102/FULL
Location: Oak Cottage Residential Home 4 Wilkins Green Lane Hatfield AL10 9RT
Proposal: Retention of two storey rear extension
Officer: Ms Lucy Hale

Recommendation: Granted

6/2018/2102/FULL

Context	
Site and Application description	<p>Oak Cottage comprises a residential care home which is situated to the north side of Wilkins Green Lane. The application site is rectangular in shape measuring approximately 80 metres in depth x 30 metres in width. The site consists of the main building which has been subject to a number of extensions, as well as a large annexe and various outbuildings in the rear garden. The care home and annexe share the rear amenity space and parking area located to the front of the site with single access from the main road.</p> <p>A planning application for a two storey rear extension at the site (ref S6/2014/1091/FP) was allowed on appeal (ref C1950/W/14/3000696). Following a site visit from the Enforcement team, it was determined that condition 2 of this permission had been breached as the development had not been built in accordance with the approved plans. Subsequently, the application seeks planning permission for the retention of the rear extension.</p> <p>A re-consultation was carried out following the submission of accurate drawings and proposed alterations to the roof form and windows of the existing building.</p>
Constraints (as defined within WHDP 2005)	<p>PAR - PARISH (HATFIELD) Wards - Hatfield Villages WCCF - Watling Chase Community Forest</p>
Relevant planning history	<p>Application Number: S6/2014/1091/FP Decision: Refused Decision Date: 07 August 2014 Proposal: Erection of rear extension</p> <p><i>1. The proposed development, by reason of its design, size, height and location would fail to remain subordinate in size and scale to the original building and overly prominent and out of place when viewed from adjoining properties. Furthermore the size of the extensions would result in an overdevelopment of the site which would conflict with the wider pattern of development which comprises smaller scale residential properties in Wilkins Green Lane. Subsequently the proposed development would not be compatible with the maintenance and enhancement of the application building and the character of the area, contrary to the National Planning Policy framework, Policies GBSP2,</i></p>

	<p><i>D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance, Statement of Council Policy 2005.</i></p> <p><i>2. The proposed development by reason of the number of additional windows and their siting would result in direct and perceived overlooking of the neighbouring properties and adjacent private garden spaces, which would result in a loss of privacy and residential amenity to the adjoining occupiers. The proposal therefore fails to comply with Policies D1 and CLT17 of the Welwyn Hatfield District Plan 2005.</i></p> <p>This application was allowed on appeal (reference C1950/W/14/3000696).</p>		
Consultations			
Neighbour representations	Support: 0	Object: 2	Other: 0
Publicity	Site Notice Display Date: 9 January 2019 Site Notice Expiry Date: 30 January 2019		
Summary of neighbour responses	<p>47 Bramble Road:</p> <ul style="list-style-type: none"> Neither the existing or proposed block plan show the outbuilding at the rear boundary. The new extension has significantly increased the building in a site which is already overdeveloped in relation to the neighbouring residential properties. <p>5 Wilkins Green Lane:</p> <ul style="list-style-type: none"> The large scale has significantly extended the building and overdeveloped the site. The side facing windows overlook our accommodation and garden and has caused a loss of privacy. The development is not in keeping with the residential character of the area and has resulted in loss of gardens and excessive car parking 		
Consultees and responses	None		
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 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: CLT17			
<u>Draft Local Plan Proposed Submission August 2016</u> SP1 Delivering Sustainable Development SP3 Settlement Strategy and Green Belt Boundaries SP7 Type and Mix of Housing SP9 Place Making and High Quality Design SADM11 Amenity and Layout			
Main Issues			
Is the development within a conservation area?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Would the significance of the designated heritage asset be preserved or enhanced?			
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A			

Comment (if applicable):

Would the development reflect the character of the area?

Yes No

Comment (if applicable):

Planning application S6/2014/1091/FP was refused permission for a two storey rear extension and subsequently allowed on appeal. The proposed extension featured a gable end with flat roofs either side to the existing crown roof.

Following a site visit it is noted that the development has not been built in accordance with the plans. The crown roof has been extended in line with the footprint allowed at appeal with a two storey flat roof element to the side. Following discussions with the applicant, the drawings have been amended to a pitched roof over the existing flat roof.

The bulk and massing of the roof would be increased compared to that allowed at appeal, however the footprint would remain and part of the flat roof extension has not been implemented. In addition, the continued crown roof and hipped element are considered to respect and relate to the design and appearance of the building. Furthermore, the development is located to the rear of the site and therefore would not be unduly visible from public vantage points. It is considered that the proposed extension would not have an adverse effect on the character of the area.

Would the development reflect the character of the dwelling?

Yes No N/A

Comment (if applicable): See above.

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

Yes No N/A

Comment (if applicable):

The extension would sit in line with that allowed on appeal where the Inspector considered that the extension would scarcely be seen in the outlook from the rear of No. 5 Wilkins Green Lane because of the high and dense conifer boundary screening. The Inspector previously included a condition ensuring the first floor window to serve the landing on the west elevation to face No.5 to be obscure glazed and non-opening below 1.7 metres. Additional windows have been installed along this elevation. Following discussions with the applicant, the furthest window on this elevation to the north which would serve a secondary bedroom window is proposed to be removed to avoid potential overlooking to the occupiers of No.5. The floor plans indicate that the window to previously serve the landing has been positioned marginally north along the elevation and would now serve an office. In line with the Inspectors condition, it would be reasonable to condition as obscure glazed and non-opening below 1.7 metres to maintain the living conditions of the neighbouring occupier to an acceptable level.

In the case of No. 3, the Inspector concluded that there would be a distance of over 30 metres between the main part of the extension and the flank wall of that property and also screening as a result of the staff annex building and the boundary fence. An additional window has been proposed on the east side elevation of the building to serve a secondary bedroom window. It would be reasonable to condition this window as obscure glazed and non-opening below 1.7 metres to maintain an acceptable relationship with the neighbouring occupiers in regard to privacy.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

The parking standards require 0.25 spaces per resident bed space and the staff spaces are to be individually assessed on 1 space per 2 full time staff. There is no proposal to increase the existing parking area which can already accommodate around 16 on-site parking spaces.

The internal floor layout has been amended since the last submission with the change of bedrooms to offices and lounges. As a result, the proposal would involve the creation of 3 additional bed spaces and 1 additional parking space is. In addition 4 more full time staff will require a further 2 parking spaces. This gives a total need of a maximum of 3 additional parking spaces.

As a result of the changes, the parking requirement would be based on 23 bedrooms and the equivalent of 17 full time members of staff. In accordance with the Council's maximum car parking standards, the site would require 15 spaces. It is therefore considered that sufficient off-street parking has been provided in accordance with the Council's SPG and Interim Parking Standards. The proposed development would meet the requirements of Policy M14 and CLT17 of the Welwyn Hatfield District Plan 2005.

Conclusion

Subject to conditions, the proposal would comply with local and national planning policy.

Conditions:

1. The alterations to the building hereby approved and as shown on drawing numbers OCCH 102-1 Rev A and OCCH 102-2 Rev B dated July 2019 shall be commenced within 3 months of the date of this decision and be fully completed within 6 months of the date of this decision.

REASON: To ensure that the existing unlawful and unacceptable works are removed as soon as possible in order to repair and restore the character and appearance of the dwelling and surrounding area and to protect the living conditions of occupiers of neighbouring properties in accordance with the Policies D1 and D2 of the Welwyn Hatfield District Plan 2005; Policies SP9 and SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

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 Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Policies SP9 and SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

3. The window located in the wall forming the west side elevation of the building serving an office and the window on the east side elevation of the building serving a secondary bedroom window 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; SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

DRAWING NUMBERS

4. 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
OI504677		Existing Block Plan	18 December 2018
Location Plan		Location Plan	18 December 2018
OC 102-10	B	Proposed Block Plan	19 December 2018
Block Plan		Proposed Block Plan Showing Existing Outbuilding	24 January 2019
OCCH 102-2	B	Proposed Roof Plan and Elevation	24 July 2019
OCCH 101-1	B	Existing Ground and First Floor Plans	30 July 2019
OCCH 101-2	A	Existing Roof Plan and Elevations	24 July 2019
OCCH 102-1	A	Proposed Floor Plans	30 July 2019

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 paragraph 38 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. 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 Chris Carter
8 August 2019