

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

DELEGATED APPLICATION

Application No: 6/2018/3129/FULL
Location: 16 Horsa Gardens Hatfield AL10 9GF
Proposal: Erection of single storey rear extension and conversion of existing terraced single dwelling into 1 x 1B ground floor apartment and 1 x 2B two storey maisonette at first and second floor above
Officer: Ms Lucy Hale

Recommendation: Refused

6/2018/3129/FULL

Context			
Site and Application description	<p>The application site is located on the south west side of Horsa Gardens and comprises a three storey mid-terrace dwelling. The site benefits from a rear garden and small frontage which faces a public park. The character of the immediate area is residential featuring three storey terrace dwellings consistent in style and appearance and forms part of the De Havilland Plain Landscape Character Area.</p> <p>The application seeks planning permission for the subdivision of existing dwelling into two dwellings comprising a 1-bedroom ground floor apartment and a 2-bedroom two storey maisonette above. A single storey rear extension is also proposed.</p>		
Constraints (as defined within WHDP 2005)	LCA - Landscape Character Area (De Havilland Plain) PAR - PARISH (HATFIELD) Wards - Hatfield Villages A4HD - Article 4 HMO Direction		
Relevant planning history	None		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Neighbour letters		
Summary of neighbour responses	None		
Consultees and responses	<p>Hatfield Town Council – Major Objection: <i>‘The first and second floor properties have no access to amenity space contrary to NPPF’</i></p> <p>WHBC Client Services – Objection: <i>‘The bins are collected from the rear of the properties here in Horsa Gardens so in fact all bins for both properties will have to be stored there and then emptied from here as per the current arrangements’</i></p> <p>WHBC Parking Services – Comment: <i>‘There are concerns that the plans do not</i></p>		

	<p><i>include sufficient parking provision. I note that the residents will be entitled to purchase three parking permits in a private parking area however, my understanding is that the purchase of a permit does not guarantee an available space. Furthermore, it has been confirmed that the roads surrounding the development will become adopted highway. This means that the permit scheme currently operating on the surrounding highway will no longer be in place'</i></p>
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Relevant Policies

NPPF
 D1 D2 GBSP1 GBSP2 M14
 Supplementary Design Guidance Supplementary Parking Guidance Interim Policy for car parking and garage sizes
 Others: SD1, D8, R1, R11, R17

Draft Local Plan Proposed Submission August 2016 (Emerging Plan):

SP1 Delivering Sustainable Development
 SP3 Settlement Strategy and Green Belt Boundaries
 SP4 Travel and Transport
 SP9 Place Making and High Quality Design
 SADM1 Windfall Development
 SADM2 Highway Network and Safety
 SADM11 Amenity and Layout
 SADM12 Parking, Servicing and Refuse

Main Issues

Principle of development

Local Plan Policy SD1 states that development proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they will accord with the objectives and policies of the Local Plan. Policy R1 requires development to take place on previously developed land and Policy GBSP2 directs new development into the existing towns and specified settlements within the district. These objectives are consistent with the National Planning Policy Framework (NPPF) which supports the development of under-utilised land and buildings and the efficient use of land taking into account, amongst other criteria, the importance of securing well-designed, attractive and healthy places. Chapter 12 of the NPPF 2018 emphasises the importance of achieving well-designed places and provides the criteria against which planning decisions should be made at paragraph 127.

Policy H4 of the Welwyn Hatfield District Plan 2005 sets out that the Council will, in principle, grant planning permission for proposals to convert large residential units to provide smaller self-contained units. However, such proposals are required to meet several criteria:

- (i) Not affect the visual appearance and character of the area, nor the amenity of neighbouring residential properties by overlooking or loss of privacy;
- (ii) Not result in increased disturbance from extra vehicular movements and car parking;
- (iii) Would preserve the architectural merits of the building; and
- (iv) Adequate amenity space can be provided.

The application site is situated within the existing settlement of Hatfield as outlined in the Welwyn Hatfield District Plan 2005. This site has previously been developed and currently comprises a three storey dwelling. As the

	<p>application site is located within the settlement of Hatfield the infrastructure has been developed to provide good transport links for existing residents. There are also services and facilities available within close proximity of the site. Furthermore, there are no known physical or environmental constraints at this site. The principle of the conversion of an existing dwelling into two flats in this location is not objectionable.</p> <p>The remaining criteria in regard to design and character, neighbour amenity, car parking and vehicle movements and amenity space are considered below.</p>
<p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</p>	<p>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 having regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area.</p> <p>The proposal includes a single storey rear extension with a flat roof. The extension would remain subordinate in scale and would respect and relate to the design and character of the dwelling by virtue of its roof form, materials and fenestration details. The proposed development is not considered to result in harm to the character and appearance of the application dwelling or surrounding area.</p> <p><u>Amenity</u></p> <p>Paragraph 127 NPPF outlines that decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy SADM11 of the Emerging Local Plan (now afforded significant weight in general terms) is similar to the development plan but adds that, as a minimum, for all proposals for C3 dwellings will be required to meet the Nationally Described Space Standard, unless it can be robustly demonstrated that this would not be feasible or viable.</p> <p>The Department for Communities and Local Government, Technical housing standards – nationally described space standard, March 2015 (Space Standards) deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.</p> <p>Flat A is a 1 bedroom apartment. The floor plans submitted indicate the bedroom would accommodate a double bed / two bed spaces thereby facilitating two person occupancy. The proposed bedroom would have an internal floor area of 10.5sqm which falls below the 11.5sqm minimum standard as set out in the Nationally Described Space Standards document 2015. This would result in overly cramped and unsatisfactory living accommodation for the occupants of this unit. The applicant has not demonstrated that accordance with the Spaces Standards would not be feasible or viable. This aspect of the proposal would represent a poor standard of design, contrary to Policy D1 of the District Plan, the SDG, Policy SADM11 of the Emerging Local Plan and the NPPF.</p>

	<p>Notwithstanding this, the overall floor area of the apartment which measures 50sqm, would meet the minimum requirement of a 1 bedroom 2 person apartment.</p> <p>Flat B is a 2 bedroom apartment. The bedrooms would meet the minimum standards for internal floor area and the overall floor area of 88sqm would meet the minimum standard for a two storey 2 bedroom, 4 person apartment.</p> <p>Turning to private amenity space, the Supplementary Design Guidance makes it clear that all new residential developments should provide adequate private gardens. Whilst no specific dimensions are stipulated, gardens should nonetheless be functional and useable in terms of their width, depth, shape and orientation. The Council will look at the size of the unit proposed in relation to the size of the garden. The Block Plan indicates that amenity space would be provided for the ground floor Flat A. This space is considered to be adequately sized to provide high quality amenity space for the future occupiers. No amenity space has been provided for Flat B, however, it is considered that subdividing this space would not be practical for both occupants. In addition, directly adjacent to the site is a large communal open area of grassland which although not private, is considered to provide adequate amenity space for this form of development.</p>
<p>Impact on neighbours</p>	<p>No objections have been received. The immediately adjoining neighbours are Nos. 14 and 18 Horsa Gardens.</p> <p>A single storey rear extension is proposed with a flat roof. Given the scale and siting of the extension, it is not considered to result in a detrimental loss of light or appear overbearing. In addition, no concerns are raised in regard to overlooking or loss of privacy.</p> <p>With regard to noise, whilst it is noted that the use of the site would intensify as a result of the subdivision of units and alterations to the floor plans with kitchen, dining and living space at first floor, it is not anticipated that there would be a material impact that would result in detrimental harm to the living conditions of the neighbouring occupiers.</p>
<p>Access, car parking and highway considerations</p>	<p>In terms of parking, paragraph 105 of the NPPF 2018 states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Furthermore, paragraph 102 outlines that proposals should ensure that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. Saved Policy M14 of the District Plan and the Parking Standards SPG use maximum standards and are not consistent with the NPPF and are therefore afforded less weight. In light of the above, the Council have produced an Interim Policy for Car Parking Standards that states that parking provision will be assessed on a case by case basis and the existing maximum parking standards within the SPG should be taken as guidance only.</p> <p>The Council's Car Parking Standards SPG identifies the application site as falling within Zone 4 where residential dwellings with 1 bedroom require 1.25 spaces and 2 bedroom dwellings require 1.5 spaces. This would result in a requirement of 2.75 space. This figure is rounded up to a total requirement of 3 car parking spaces for the proposal.</p>

Although it is accepted that the site is accessible to some facilities, it does not form one of the most accessible parts of the Borough and is not comparable to the town centres. The application site is located outside of a convenient walking distance from the nearest train station. Therefore the requirement of 3 car parking spaces as set out in the SPG, is considered to be a reasonable requirement for this form of development.

The dwellings along Horsa Gardens face a pedestrian footpath and therefore, there is not a provision of on-site car parking. The applicant has outlined that the dwellinghouse has a provision of 2 allocated parking bays behind the site in the form of a garage and space in front. This would fall below the requirements of 3 car parking spaces. Furthermore, the proposal seeks to subdivide the dwelling into two separate dwellings, the relationship would be far from practical as access would be restricted and inhibited for the occupiers of both dwellings.

It is considered that the potential for a displaced vehicle being parked on-street would be harmful to the character and appearance of the area and the surrounding residential development. In making this assessment consideration has been given to the availability of on-street parking and the density of the surrounding development. The site has an inadequate ability to provide on-site car parking and therefore the imposition of a planning condition requiring an additional space would be unreasonable and would not meet the test specified in the NPPF.

The immediate streetscene of Horsa Gardens is characterised by garages and parking bays. Where on-street parking is witnessed within the locality, it can often result in the problem of vehicles parking on the footpath which causes an obstruction and inconvenience pedestrians. The potential for an additional car parked on the road would add to the parking pressures within the vicinity and consequently would exacerbate the existing problems of inconvenience to pedestrians and other road users.

During the application, the applicant has submitted a further drawing to indicate a proposed car parking space immediately behind the rear boundary of the site within the communal courtyard. Whilst the applicant has outlined that cars do park behind the boundary fences within this courtyard, which was evident following a site visit, this is an informal set up and it is evident that the pressures in the number of cars already present within this courtyard. The space immediately behind these dwellings provides rear garden access and turning space for the allocated spaces directly in front of the garages. Allowing a permanent space in this location would not be an adequate or practical solution and would exacerbate the parking pressures within this area. Furthermore, if planning permission were to be granted it would be difficult to resist similar applications from neighbouring properties. Although each proposal must be considered on its own merits, repetition of this type of development would result in a cumulative impact which would be likely to further increase the stress on parking provision within the locality resulting in a harmful effect on the character of the area.

The applicant has outlined there is an option for additional street permits. Parking Services have confirmed that the residents would be entitled to purchase three parking permits in a private parking area, however, this scheme does not guarantee an available space. Furthermore, it has been confirmed that the roads surrounding the development will become adopted

	<p>highway. This means that the permit scheme currently operating on the surrounding highway will no longer be in place. Therefore, the option of using street permits to facilitate the parking requirement, is not considered to be an adequate substitute and does not overcome the concerns raised above in regard to an increased number of vehicles parked on the street.</p> <p>In conclusion, taking into account the proposed additional space to the rear of the site would not present an adequate car parking space, based on the current car parking allocation for the site, the proposal fails to propose a practical and satisfactory car parking provision for the future occupants of the site and the proposed development. In addition, the layout of the surrounding residential development would become cluttered and its overall appearance would be materially harmed by an increase in the presence of vehicles parked on-street. This adverse harm would be contrary to the saved Policies D1 and D2 concerning high quality design and character and context. These policies are consistent with the NPPF.</p>
<p>Refuse and recycling</p>	<p>Details of bin storage have been provided and are proposed to be located to within the rear garden to serve Flat A and to the front of the site to serve Flat B. Client Services object to the location of the bin storage to the front of the site and would result in an unacceptable distance and movements given the bins are collected to the rear of the site. Furthermore, the proliferation of bins can create a considerable amount clutter which in turn has a harmful impact upon the visual amenity of the streetscene and the character of the area contrary to Local Policies D1 and D2. The existing dwelling benefits from a small fenced area to the front which comprises soft landscaping. The frontages along Horsa Gardens are consistent with some of these areas open with hard surface and others which feature soft landscaping. Whilst precise details have not been included in regard to the elevations and design, the introduction of bin storage and cycle storage within this location would result in clutter and would be harmful to the visual amenity of this immediate area and wider Landscape Character Area.</p>
<p>Conclusion</p>	
<p>The proposed car parking provision is not considered to adequately serve the proposed development. As a result of the existing parking pressures of on-street parking within the locality; the additional pressure to increase the number of vehicles on street would have a harmful effect on the character of the surrounding area. Accordingly, the proposed development would conflict with Policy M14 of the Welwyn Hatfield District Plan 2005, Supplementary Planning Guidance – Parking Standards 2004; Interim Policy for Car Parking Standards and Garage Sizes 2014 (Statement of Council Policy 2005); Policies SP9 and SADM12 of the Emerging Local Plan; and the National Planning Policy Framework 2018.</p> <p>The proposed bedroom of the ground floor apartment, by virtue of its size, would fail to meet the minimum requirements of internal space standards to serve two bed spaces. This would result in overly cramped and unsatisfactory living accommodation for the occupants of this unit. The applicant has not demonstrated that accordance with the Spaces Standards would not be feasible or viable. This aspect of the proposal would represent a poor standard of design, contrary to Policy D1 of the Welwyn Hatfield District Plan 2005, Supplementary Design Guidance 2005; Policy SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and requirements of the National Planning Policy Framework 2018.</p> <p>The proposed development would fail to provide refuse and recycling storage for the first and second floor flat within acceptable carry distance of the highway. The location of the refuse storage would be inappropriately designed and fail to perform its role effectively. Furthermore, the location of the</p>	

refuse storage would result in clutter and harm to the visual amenity and character of the area. This design would be contrary to Policy D1 and D2 of the Welwyn Hatfield District Plan 2005, Policies SP9 and SADM12 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and requirements of the National Planning Policy Framework 2018.

Reasons for Refusal:

1. The proposed car parking provision is not considered to adequately serve the proposed development. As a result of the existing parking pressures of on-street parking within the locality; the additional pressure to increase the number of vehicles on street would have a harmful effect on the character of the surrounding area. Accordingly, the proposed development would conflict with Policy M14 of the Welwyn Hatfield District Plan 2005; Supplementary Planning Guidance – Parking Standards 2004; Interim Policy for Car Parking Standards and Garage Sizes 2014 (Statement of Council Policy 2005); Policies SP9 and SADM12 of the Emerging Local Plan; and the National Planning Policy Framework 2018.
2. The proposed bedroom of the ground floor apartment, by reason of its size, would fail to accord with the Nationally Described Space Standards for C3 dwellings. This would result in overly cramped and unsatisfactory living accommodation for the occupants of this unit. The applicant has not demonstrated that accordance with the Spaces Standards would not be feasible or viable. This aspect of the proposal would represent a poor standard of design, contrary to Policy D1 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005; Policy SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and requirements of the National Planning Policy Framework 2018.
3. The proposed development would fail to provide refuse and recycling storage for the first and second floor flat within acceptable carry distance of the highway. The location of the refuse storage would be inappropriately designed and fail to perform its role effectively. Furthermore, the location of the refuse storage would result in clutter and harm to the visual amenity and character of the area. This design would be contrary to Policy D1 and D2 of the Welwyn Hatfield District Plan 2005; Policies SP9 and SADM12 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and requirements of the National Planning Policy Framework 2018.

REFUSED DRAWING NUMBERS

Plan Number	Revision Number	Details	Received Date
P010		Existing Ground Floor	10 December 2018
P011		Existing First Floor Plan	10 December 2018
P012		Existing Second Floor Plan	10 December 2018
P013		Existing Roof Plan	10 December 2018
P020		Existing Front Rear Elevations	10 December 2018
P021		Existing Side Elevations	10 December 2018
P050	A	Existing and Proposed Block Plan	16 January 2019
P100		Proposed Ground Floor	10 December 2018
P101		Proposed First Floor	10 December 2018
P102		Proposed Second Floor	10 December 2018
P103		Proposed Roof	10 December 2018

P200	Proposed Front Rear Elevations	10 December 2018
P201	Proposed Side Elevations	10 December 2018
P001	Site Location Plan	10 December 2018
P060	Existing and Proposed Parking Plan	16 January 2019

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).

Determined By:

Mr Mark Peacock
4 February 2019