

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

DELEGATED APPLICATION

Application No: 6/2019/0866/HOUSE
Location: 6B Hill Rise Cuffley Potters Bar EN6 4EE
Proposal: Retention of detached garage with a reduction in the height of the existing roof
Officer: Mr Tom Gabriel

Recommendation: Granted

6/2019/0866/HOUSE

Context	
Site and Application description	<p>The application site is located on the eastern side of Hill Rise, to the rear of No. 6 Hill Rise. The site is accessed via a private road to the side of No. 6. The site comprises a two storey dwelling and detached garage. This detached garage is the subject of this planning application.</p> <p>The surrounding area is residential in character and the site is bounded on all sides by detached and semi-detached residential properties in Hill Rise and Orchard Close.</p> <p>The natural ground level on the site gradually slopes in a downward direction from south-west to north-east. Land levels however drop considerably at the site's north-eastern boundary abutting the rear gardens of a number of dwellings on Orchard Close which are set at a lower level.</p> <p>Planning permission is sought for the retention of the detached garage with a reduction in the height of the existing roof. The height of the roof would be reduced by 400mm to 3.6m, with a crown roof.</p>
Constraints (as defined within WHDP 2005)	<p>PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0 Wards - Northaw & Cuffley - Distance: 0 A4D - ARTICLE 4 DIRECTION - Distance: 0</p>
Relevant planning history	<p>Application Number: 6/2016/0038/HOUSE Decision: Granted Decision Date: 06 April 2016 Proposal: Retention of detached garage, and alterations to roof to reduce the height</p> <p>Application Number: 6/2016/1934/HOUSE Decision: Refused Decision Date: 28 July 2017 Proposal: Retention of detached garage, and alterations to roof to reduce the height</p>

Consultations			
Neighbour representations	Support: 0	Object: 1	Other: 0
Publicity			
Summary of neighbour responses	<p>One letter received, objecting on the following grounds;</p> <ul style="list-style-type: none"> • There is no need for a 3.6m high roof level for a garage. • The case has been refused so therefore it should be enforced 		
Consultees and responses	None 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: SP9, SADM11, SADM12			
Main Issues			
Design (form, size, scale, siting) and Character (appearance within the streetscene)	<p>The current garage subject to this application measures 4m in height (from the highest adjacent ground level) and features a crown roof. It would be reduced to 3.6m in height as a result of this proposal (and would still have a crown roof).</p> <p>The garage would be subordinate in size and scale to the dwelling on the site. Its amended design and appearance would be reflective of the dwelling.</p> <p>By virtue of its size and location, the amended garage would not result in a visually dominant or incongruous feature when viewed from street scene.</p> <p>It is therefore not considered that the amended detached garage would result in harm to the design, character or appearance of the dwelling or immediate locality.</p>		
Impact on neighbours	<p>The crown roof of the garage would be reduced by 400mm to 3.6m. It would have an eaves height of 2.5m. This is virtually the same height as the garage approved under ref. 6/2016/0038/HOUSE. It is considered that this height is acceptable and that it would not be reasonable to refuse planning permission in this instance when there has not been a material change in the policy framework since planning application 6/2016/0038/HOUSE granted.</p> <p>The resultant garage would not be a dominant or overbearing structure when viewed from Nos. 7 and No. 8 Orchard Close (to the rear of the application site). Neither would the resultant garage result in significant loss of light sufficient to justify refusing planning permission. The impact in terms of neighbour amenity and living conditions is considered to be acceptable.</p> <p>No other neighbours are affected by the detached garage by virtue of its siting in relation to them.</p> <p>Overlooking to the neighbouring properties would not be an issue due to the presence of the property's boundary treatments.</p> <p>The garage incorporates a barbeque area. Its use would likely impact upon the amenities of the neighbouring properties through the smoke that would arise from its use. However, the occupants of the property could have a separate barbeque in their garden without the specific need for permission from the Council. The impact of the barbeque in the garage building is unlikely to be materially greater than a separate barbeque in any part of the site, in terms of neighbour amenity.</p>		

Access, car parking and highway considerations	None.
Landscaping Issues	It is considered necessary to retain the hedge on the rear boundary of the site in order to enhance the visual amenity of the site and the development. This can be secured by condition.
Any other considerations	It is considered necessary to require the amendments to the roof of the garage to be made within three months of the date of this permission, in the interests of the amenities of the occupiers of the neighbouring. This can also be secured by condition.
Conclusion	
A reduction in the height of the garage by 400mm would result in it having an acceptable impact upon the outlook and amenities of the properties to the rear at 7 and 8 Orchard Close. Loss of amenity for the occupiers of these properties would not arise from the garage of the reduced height. The amended garage would relate to the existing dwelling and the site as a whole in a satisfactory manner. The application is therefore recommended for approval.	

Conditions:

1. The roof of the garage shall be reduced in height in accordance with the approved plans within three months of the date of this notice.

REASON: In the interests of the amenities of the occupiers of the neighbouring properties, in accordance with Policy D1 of the Local Plan and the National Planning Policy Framework 2019.

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
33/19	2	Block Plan	25 April 2019
33/19	3	Existing and Proposed Floor, Elevation and Roof Plans	25 April 2019
33/19	1	Site Location Plan	24 April 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 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.

Determined By:

Mr Mark Peacock
19 June 2019