

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

DELEGATED APPLICATION

Application No: 6/2019/1688/HOUSE
Location: 69 Lavender Close Hatfield AL10 9FW
Proposal: Erection of a two storey side extension
Officer: Ms Lucy Hale

Recommendation: Granted

6/2019/1688/HOUSE

Context			
Site and Application description	<p>The site is located on the west side of Lavender Close and sits on the corner of a pedestrian walkway connecting Lavender Close and Cornflower Way. The site comprises a two storey detached dwelling with a garage and side gardens.</p> <p>The application seeks planning permission for the erection of a two storey side extension.</p>		
Constraints (as defined within WHDP 2005)	PAR - PARISH (HATFIELD) Wards - Hatfield Villages		
Relevant planning history	None		
Consultations			
Neighbour representations	Support: 0	Object: 5	Other: 0
Publicity	Neighbour letters		
Summary of neighbour responses	<p>There were 5 objections received from occupiers of Lavender Close, Cornflower Way and Ivy Walk:</p> <ul style="list-style-type: none"> • Impact on view • Loss of sunlight • Overlooking and loss of privacy • Overbearing in terms of scale and mass • Out of keeping with building line • The materials do not match • Not in keeping with the immediate area and Hatfield Village • Reduce value of property • Affect street lighting • May provide an area for criminal activity • Concern with access and parking during the build • Concern of safety to pedestrians cyclists, children and dog walkers • No.33 was refused permission for the reposition of a fence 		
Consultees and responses	None		
Relevant Policies			

NPPF
 D1 D2 GBSP1 GBSP2 M14
 Supplementary Design Guidance Supplementary Parking Guidance Interim Policy for car parking and garage sizes

Draft Local Plan Proposed Submission August 2016

SP3 Settlement Strategy and Green Belt

SP4 Travel and Transport

SP9 Place Making and High Quality Design

SADM11 Amenity and Layout

SADM12 Parking, Servicing and Refuse

Main Issues

Is the development within a conservation area?

Yes No

Would the significance of the designated heritage asset be preserved or enhanced?

Yes No N/A

Comment (if applicable):

Would the development reflect the character of the area?

Yes No

Comment (if applicable):

The proposed two storey side extension would be set down from the ridge height and set in from either flank elevation of the existing dwelling and its depth is considered to be in proportion to its overall projection. As a result, the extension is considered to appear subordinate in scale and would not overwhelm the existing dwelling. Furthermore, it would feature a gable end with facing brickwork and flint detailing which would complement and reflect the character and appearance of the existing dwelling.

The extension would project closer to the south boundary of the site and Ivy Walk footpath, however would maintain approximately 1.9 metres, which would comply with the Council SDG which requires 1 metre distance at first floor. The resultant building line and built form in comparison to Ivy Walk would be similar to No. 30 Lavender Close which is opposite the site to the east. It is not considered that the siting of the extension would appear contrived or unduly prominent within the existing pattern and layout of properties within the immediate area.

The proposed development is not considered to result in harm to the character and appearance of the surrounding 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):

A number of objections have been received from neighbouring occupiers which are summarised above.

The neighbouring property is No.11 Ivy Walk which comprises a detached property. No comments have been received from this occupier. The extension would project off the south side elevation of the property, past the front elevation of No.11 and it would be set in from each flank elevation. A 45 degree angle has been shown from the windows on the front elevation of No.11 and outlines that the

extension would not cross this line. Given the orientation of the properties it is acknowledged that there may be an element of overshadowing to their habitable windows as the sun rises, however, throughout the middle of the day and afternoon, the extension would not restrict direct sun light entering these windows and therefore it is not considered that there would be a detrimental impact on their living conditions as a result. A window is proposed on the west side elevation at first floor which is indicated to serve a bathroom. This window would be conditioned as obscure glazed and non-opening above 1.8 metres to preserve the living conditions of the occupiers of No.11.

No.35 Cornflower Way is located opposite the site to the south. This property benefits from windows on its north elevation and therefore, the projection of the extension towards No.35 would result in a reduction in separation distance. A window is proposed to serve the new bedroom and given the reduced distance and new relationship, it is considered reasonable to condition the secondary bedroom window as obscure glazed and non-opening above 1.7 metres. In terms of light and overbearing impact, the proposed extension is considered to be of sufficient distance not to result in a detrimental loss of light to habitable windows or amenity space. Furthermore, given the siting of the extension and the orientation of the dwellings, the south siting of No.35 is not considered to be impacted in terms of light. In terms of overbearing impact and outlook, whilst the extension would project closer to No.35, it is not considered to be of distance or scale to result in harm to the living conditions of this occupier.

No. 30 Lavender Close is located to the east of the site. A first floor window is proposed to serve the new bedroom of the extension. It is not considered that this additional window would give rise to a greater level of overlooking than the existing relationship of these properties both of which benefit from bedrooms facing on to Lavender Close. In addition, the extension would be set back from the existing front elevation by approximately 1 metre which is a larger separation distance than the existing relationship. Whilst concerns have been raised in regard to loss of light and it is noted that the orientation of the properties may result in an element of overshadowing towards No.30, it is not considered that there would be a detrimental loss of light to the habitable rooms of this property which would result in harm to the occupiers living conditions. Whilst it is appreciated that the extension may result in a change of view than the existing, the extension would not be visually overbearing. This loss of a view is not in itself a material planning consideration and is therefore afforded limited weight in the consideration of this application.

A number of objections have also been received from No 18 Ivy Walk and Nos 31 and 33 Cornflower Way. In terms of privacy and loss of light, the properties are considered to be of sufficient distance to be impacted detrimentally. It is considered that the living conditions of the neighbouring occupiers would be maintained to an acceptable. Other comments received are discussed below.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

The existing dwelling benefits from 4 bedrooms. The increased of an additional bedroom would not result in an additional requirement of on-site car parking in line with the Council's Car Parking Guidance than existing. It is noted that the site benefits from a garage and hardstanding. No objections are raised in this regard.

Any other issues

A number of comments have been submitted by neighbours referring to matters which are not material planning considerations such as the loss of a view or value of properties. As these concerns are not material planning considerations they hold limited weight in the consideration of this application.

In regard to noise and disturbance from the building work as well as health and safety are covered by other legislation and therefore can only be given very limited weight in the consideration of this

planning application.

It is generally accepted that most forms of development will result in some noise, particularly during the construction phase. However, this is usually for a relatively short period of time which does not cause an unacceptable or long term impact on the living conditions of neighbouring occupiers. In this case, due to the relatively small scale of the development, together with the temporary nature of the noise impact, it is not considered to be appropriate or reasonable to restrict the hours of construction by imposing a planning condition. The Council's Public Health and Protection Team have advised that noise from construction works commencing on site between 08:00 – 18:00 Monday to Friday and between 08:00 – 13:00 on Saturdays are unlikely to be considered a statutory nuisance covered by the Environmental Protection Act 1990.

An informative will be suggested so that the applicant is aware that planning permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts.

In terms of street lighting and the potential for criminal activity, the development would be contained within the site boundary as to not create additional spaces or areas and it would not impose upon the lighting column along Lavender Close providing light to the footpath.

A comment has been received in regard to an application for a boundary fence in the vicinity. The example provided is not considered to be relevant to the application proposal. Notwithstanding this, each application is decided on its own merits on a case by case basis.

Conclusion

Subject to conditions, the proposed development would comply with all relevant local and national planning policy.

Conditions:

1. The brickwork, roof tile, bond, mortar, flint feature panels, windows, detailing, guttering, soffits and other external decorations on the approved extension must match the existing dwelling in relation to colour, texture and detailing.

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; Supplementary Design Guidance 2005; Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

2. The proposed first floor windows located on the west and south elevation of the extension 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; Policy SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

DRAWING NUMBERS

3. 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
2626-ex-1		Existing Floor Plans	5 August 2019
2626-1		Proposed Floor Plans	5 August 2019
2626-3		Block Plan	3 July 2019
Location Plan		Location Plan	29 July 2019
2626-2		Proposed Elevations	5 August 2019
2626-ex-2		Existing Elevations	5 August 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 or legal interest (easements or wayleaves) 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 Mark Peacock
30 September 2019