

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

**DELEGATED APPLICATION**

**Application No:** 6/2020/0392/HOUSE  
**Location:** 9 Gorseway Hatfield AL10 9GS  
**Proposal:** Erection of a single storey rear extension.  
**Officer:** Mr Antoine Commenville

**Recommendation:** Granted

6/2020/0392/HOUSE

<b>Context</b>			
<b>Site and Application description</b>	<p>The site consists of a two storey semi-detached dwelling which is located on the northern side of Gorseway within Hatfield Garden Village, north of Hatfield Aerodrome. The surrounding area and street scene are residential in character and contain a mix of dwellings in respect of both size and appearance.</p> <p>Planning permission is sought for the erection of a single storey rear extension.</p>		
<b>Constraints (as defined within WHDP 2005)</b>	<p>PAR - PARISH (HATFIELD) - Distance: 0  Wards - Hatfield Villages - Distance: 0  A4HD - Article 4 HMO Direction - Distance: 0  HAT - Hatfield Aerodrome - Distance: 0  HHAA - Hatfield Heritage Assessment Area(Hatfield Garden Village) - Distance: 0</p>		
<b>Relevant planning history</b>	<p>Application number: S6/1999/1115/OP  Decision: Granted  Decision date: 30 April 2002  Proposal: Residential development (Outline) including access to public highway</p> <p>Application number: S6/2001/1045/DE  Decision: Granted  Decision date: 21 May 2002  Proposal: Erection of 111 houses and 20 flats, together with garaging, parking areas, access roads, footways / cycleways and public open space (Reserved matters application following S6/1999/1115/OP)</p> <p>Application number: S6/2003/0656/DE  Decision: Granted  Decision date: 26 February 2004  Proposal: Erection of 88 new dwellings with associated access roads, garages and parking areas (Reserved matters application following S6/1999/1115/OP)</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 3	Other: 0
<b>Publicity</b>	Neighbour letters		

<b>Summary of neighbour responses</b>	<p>Objections have been received from two neighbouring properties raising the following concerns:</p> <ul style="list-style-type: none"> <li>- Concern about the design of the rear dormer window</li> <li>- Loss of privacy due to dormer window</li> <li>- Encroaching of shared boundary with No. 11</li> <li>- Limited information with regard to foundation</li> </ul>
<b>Consultees and responses</b>	Hatfield Town Council - Hatfield Town Council were concerned with the loss of parking within the application
<b>Relevant Policies</b>	
<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 Others: Supplementary Planning Guidance – Parking Standards, Interim Policy for Car Parking Standards and Garage Sizes  <u>Draft Local Plan Proposed Submission August 2016</u> SP4 Transport and Travel SP9 Place Making and High Quality Design SADM2 Highway Network and Safety SADM11 Amenity and Layout SADM12 Parking, Servicing and Refuse	
<b>Main Issues</b>	
<b>Background discussion</b>	
<p>It is noted that comments have been received from neighbouring properties having regard to the design and appearance of the erected dormer window and the level of overlooking emanating from it.</p> <p>However, it has been found that the application site does benefit from permitted development rights. A dormer window complying with the limitations of Class B, Part 1 of Schedule 2 of the Permitted Development Order (England) 2015 can therefore be erected.</p> <p>Notwithstanding that, it is noted that this application only relate to the single storey rear extension and the rear dormer window does not form part of the assessment. Any assessment of the lawfulness of the rear dormer window shall be made under a certificate of Lawfulness application.</p> <p>Moreover, objections have been raised with regard to the conversion of the front garage into habitable room and the repercussion on the availability of parking spaces. While the proposal initially included the conversion of front garage into habitable room, this part of the proposal has been omitted during the course of the application following Officers' objections.</p>	
<b>Is the development within a conservation area?</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Would the significance of the designated heritage asset be preserved or enhanced?</b>	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <b>Comment</b> (if applicable):	
<b>Would the development reflect the character of the area?</b>	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Comment</b> (if applicable): It is considered that the proposed rear extension would respect the scale and proportions of the existing dwelling and would not harm the character or appearance of the dwelling and surrounding area.	

Moreover, it is likely that a similar extension could be achieved under permitted development without requiring an application to be submitted for planning permission and this is material consideration that has significant weight.

Subject to a condition being imposed which would require that the development is constructed with matching materials to the existing dwelling, this proposal is considered to accord with Policies D1 and D2, of the District Plan, the Supplementary Design Guidance and the NPPF.

**Would the development reflect the character of the dwelling?**

Yes  No  N/A

**Comment** (if applicable):

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

Yes  No  N/A

**Comment** (if applicable): It is noted that objections have been raised with regard to the rear dormer window and potential loss of privacy. However, this application only deals with the single storey rear extension and does not constitute an assessment of the rear dormer window.

It is considered that the proposed single storey rear extension would not result in any significant impacts on the residential amenity of the neighbouring property. The proposal is considered to be acceptable in this regard and so complies with Policy D1 of the District Plan, the Design Guide SPG and NPPF.

**Would the development provide / retain sufficient parking?**

Yes  No  N/A

**Comment** (if applicable): The existing garage would be retained and it is not proposed to increase the number of bedroom. As such no objections are raised.

**Any other issues**

It is noted that this neighbouring property commented that the single storey rear extension would be encroaching the shared boundary. However, it is noted that the proposed floorplan and elevation drawings show the extension to be contained within the application site. Notwithstanding this, such concerns are a private matter which should be discussed between the neighbours. The position of the proposed building in relation to the boundary fence and potential impact on foundation are civil matters that can be addressed through a Party Wall Agreement. An informative will be added to advise the applicant of their responsibilities under that Act.

**Conclusion**

The impacts of the proposal have been considered on the visual amenity of the site and surrounding area and on the amenity of neighbouring dwellings. It has been concluded that the single storey rear extension would sufficiently preserve and relate to the character, appearance of the existing dwellinghouse and surrounding area and would not have any significantly adverse impacts on the residential amenity of neighbouring dwellings. The proposal is therefore considered to comply with Policies GBSP2, D1 and D2, of the District Plan, the Supplementary Design Guidance and the NPPF.

**Conditions:**

1. The brickwork, roof tile, bond, mortar, windows, 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 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:

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
GLA-02L	B	Existing Ground, First and Roof Floor Plan	1 July 2020
GLA-03L	B	Existing Front and Rear Elevations	1 July 2020
GLA-04L	B	Proposed Ground Floor Plan and Roof Plan	1 July 2020
GLA-06L	B	Proposed Front and Rear Elevations	1 July 2020
GLA-05L	B	Proposed Side Elevation and Sections	1 July 2020
GLA-01L	B	Location and Block Plan	1 July 2020

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 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.
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.

4. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

**Determined By:**

Mr Mark Peacock  
10 July 2020