

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

**DELEGATED APPLICATION**

**Application No:** 6/2020/1702/HOUSE  
**Location:** 3 Buttercup Close Hatfield AL10 9FH  
**Proposal:** Erection of single storey rear extensions following demolition of existing conservatory; garage conversion and first floor extension over existing garage  
**Officer:** Mr Tom Gabriel

**Recommendation:** Granted

6/2020/1702/HOUSE

<b>Context</b>	
<b>Site and Application description</b>	<p>The application site comprises a mid-terrace dwelling in a reasonably sized plot.</p> <p>The application is for the erection of single storey rear extensions following the demolition of the existing conservatory; a garage conversion and a first floor extension over the existing garage with alterations to the front drive.</p> <p>It is a re-submission following the refusal of the previous application on the site and has been amended in the following manner: a reduction in the width of the rear extension of 2.58m and its depth by 3m, adjacent to the boundary with 69 Campion Road.</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 - Distance: 0</p>
<b>Relevant planning history</b>	<p>Application number: S6/1999/0971/FP  Decision: Granted (PD rights removed: Class A &amp; B of Schedule 2, and, in respect of plots 1-74 inclusive as shown on drawing 4772/DL/101/L, Classes A, B, D, or F of Schedule 2 in the interest of visual and residential amenity, and highway safety)  Decision date: 13 February 2001  Proposal: Erection of 144 houses and 24 flats with associated access roads, garages, parking areas and public open spaces, cycleways and footways</p> <p>Application Number: S6/2003/1465/FP  Decision: Granted  Decision Date: 28 November 2003  Proposal: Erection of a rear conservatory</p> <p>Application Number: 6/2020/0692/HOUSE  Decision: Refused  Decision Date: 26 June 2020  Proposal: Erection of single storey rear extension following demolition of conservatory, garage conversion and first floor side extension with alterations to the front drive</p>

<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 1	Other: 0
<b>Publicity</b>	Neighbour letters were sent out.		
<b>Summary of neighbour responses</b>	<p>One objection was received which is summarised as follows:</p> <ul style="list-style-type: none"> <li>• the extension would greatly affect the light reaching my kitchen and garden;</li> <li>• the proposed changes to the driveway would also affect my garden;</li> <li>• I object to a wall being attached to my existing wall and to the change of use of the garage to another room, as this may affect privacy and create noise.</li> </ul>		
<b>Consultees and responses</b>	Hatfield Town Council – Members note that changes have been made to overcome the reasons for refusal of the previous application, however, they are still concerned that this is overdevelopment of the site, losing a majority of the amenity space and the building line of the extension way beyond the line of adjoining terraced properties		
<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 <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 Welwyn Hatfield Draft Local Plan 2016: SP9, SADM11, SADM12			
<b>Main Issues</b>			
<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 (if applicable):</b>			
<b>Would the development reflect the character of the area?</b>			
<input type="checkbox"/> Yes <input type="checkbox"/> No			
<p><b>Comment (if applicable):</b> A few of the surrounding dwellings have been extended at ground floor level such that the resultant dwelling at 3 Buttercup Close would reflect the character of the area. The dwellings that have been extended include 9 Buttercup Close, 63 Campion Road, 107 Campion Road and a number in Daffodil Close, amongst others. Though these extensions have been at ground floor level, the proposed ground floor extension at 3 Buttercup Close would not be out of keeping with the area.</p> <p>Few first floor extensions have been found in the area (though one was granted at 10 Campion Road in 2014). However, the proposed first floor extension at 3 Buttercup Close would be between the existing dwelling and the attached two storey dwelling at 69 Campion Road and it would not be prominent in the street scene. While the extension would be set down from the existing roof of the dwelling and set back from the front elevation of the dwelling, it would have the effect of making the dwelling appear a little cramped within its plot. However, within the context of the area, where there are different height roofs and different spacings between dwellings at first floor level, and the proposed first floor extension at 3 would not be prominent, it would, on balance, be acceptable.</p> <p>The proposed garage conversion would also have an acceptable impact upon the character of the area.</p>			
<b>Would the development reflect the character of the dwelling?</b>			
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
<b>Comment (if applicable):</b> The extensions would be suitably subordinated to the existing dwelling and with matching materials of construction, they would reflect the character of the dwelling. The			

converted garage would also have an acceptable impact upon the character of the dwelling.

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

Yes  No  N/A

**Comment** (if applicable): The rear extension would be 3m high on the boundary with both neighbours. It would extend to the rear of the dwelling at 1 Buttercup Close by 4.12m and would have an acceptable impact upon this dwelling. Sited to the north of the dwelling at 1, it would not result in a significant or harmful degree of overshadowing for that dwelling.

The ground floor element of the rear extension would extend 3m beyond the rear wall of the neighbouring dwelling at 69 Campion Road, the first floor element by 2m (it would be set off the boundary with 69 by one metre). It is considered that this relationship between 69 and the extended dwelling at 3 Butterfly Close is such that the rear extension there would have an acceptable impact upon the amenities of 69 Campion Road and would not appear overbearing or visually intrusive when viewed from the ground floor windows at the rear of that dwelling, or result in a harmful loss of light for that property. While the rear garden of 69 is relatively small and enclosed to the rear by the flank gable wall of a garage, the extension would not result in a significant or detrimental degree of enclosure or overshadowing of the rear garden of 69.

The impact of the first floor side extension for the flank window at 69 Campion Road facing the application site would be acceptable as this appears to be a secondary window.

In terms of the neighbour's comments, it is not clear how the proposed changes to the driveway would affect the neighbour's garden as the part of the driveway adjacent to that garden is already laid as hardstanding.

In terms of the use of the garage as another room, this would not harm privacy as there would only be a window in its front elevation which would not cause overlooking or loss of privacy for the neighbouring properties. Any noise which may arise from the use of the garage as a room may be addressed through noise insulation under the Building Regulations.

In terms of the comments about a wall of the extension being attached to the neighbouring property, it is not clear which wall this may be but this would be covered by the Party Wall Act.

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

Yes  No  N/A

**Comment** (if applicable): In terms of parking, paragraph 105 of the NPPF 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. Policy M14 of the District Plan 2005 and the Parking Standards Supplementary Planning Guidance (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.

The proposal would result in the loss of a garage parking space, it is notable that the size of the garage falls below the minimum dimensions set out in Interim Policy for car parking and garage sizes. Whilst the additional room is labelled as a snug/study, it could be used as a bedroom and an increase in the number of bedrooms from three to four. The Council's parking guidance SPG recommends that in this area 2.25 spaces are provided for a 3-bed dwelling and 3 spaces should be provided for a 4-bed dwelling.

The submitted plans show three parking spaces can be provided within the red line of the application site should additional parking be required. Whilst it appears that some of the land required for two of the parking spaces lies within the communal access/ turning area, the applicant has signed

Certificate of Ownership A confirming that there are no other owners of any part of the land to which the application relates. On the basis of the information submitted, it is concluded that adequate on-site parking can be provided. Should planning permission be granted, it would be reasonable to impose a condition requiring the parking spaces to be laid out and made available prior to occupation of the extended dwelling. An informative is also suggested in respect of land ownership.

### **Conclusion**

The proposed extension is considered acceptable in terms of neighbour and street scene impact and upon parking and highway safety. The application is therefore recommended for approval.

### **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

3. 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>
D079_A_100	P01	Site Location Plan	14 July 2020
D079_A_101	P01	Plans As Existing	14 July 2020
D079_A_102	P01	Elevations As Existing	14 July 2020
D079_A_103	P01	Site Plan And Section As Existing	14 July 2020
D079_A_104	P02	Plans As Proposed	14 July 2020
D079_A_105	P02	Elevations As Proposed	14 July 2020
D079_A_106	P02	Site Plan And Section As Proposed	14 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 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. 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.
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  
5 October 2020