

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

DELEGATED APPLICATION

Application No: 6/2021/1831/HOUSE
Location: 35 Northaw Road East Cuffley Potters Bar EN6 4LU
Proposal: Partial demolition of the bungalow, erection of single-storey side and rear extension, extension of roof to form loft conversion with side dormers and alterations to the front facade, insertion of skylights
Officer: Ms Emily Stainer

Recommendation: Granted

6/2021/1831/HOUSE

Context	
Site and Application description	<p>The application dwelling is a detached property located on the east side of Northaw Road East in Cuffley. Planning permission has recently been approved for the demolition of the side garage and the erection of a single storey side extension and insertion of a new window on the side elevation, windows on the rear elevation and a rooflight in the rear extension.</p> <p>This application now seeks permission for the partial demolition of the bungalow, the erection of a single storey side and rear extension, the extension of the roof to form a loft conversion with side dormers and alterations to the front façade with the insertion of skylights. The design has been amended during the application process and a 10 day re-consultation was issued to all notified parties as a result. No further comments were received. Further amended plans were then submitted as a ground floor side elevation did not match the revised ground floor plan (which was consulted on) and to make minor amendments to the window design and location.</p> <p>A site visit was not made by the case officer due to the restrictions in place as a result of the Coronavirus pandemic (COVID-19). However, a suitable level of information has been acquired in which to make a full and thorough assessment by use of the case officer's photographs taken from the streetscene under a previous application earlier in the year, photographs provided by the applicant and imagery online. The specific merits of this case means that a full and complete assessment can be made in respect of this particular application.</p>
Constraints (as defined within WHDP 2005)	<p>PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0</p> <p>Wards - Northaw & Cuffley - Distance: 0</p> <p>A4D - ARTICLE 4 DIRECTION - Distance: 0</p>
Relevant planning history	<p>Application Number: S6/1975/0142/ Decision: Refused Decision Date: 07 May 1975 Proposal: Loft conversion</p>

<p>Application Number: S6/2004/0848/FP Decision: Refused Decision Date: 06 September 2004 Proposal: Change of use from residential dwelling house to part day nursery, part residential dwelling</p> <p>Application Number: 6/2021/0631/PN27 Decision: Prior Approval Required and Granted Decision Date: 21 April 2021 Proposal: Prior approval for the construction of an additional storey to facilitate the enlargement of the dwellinghouse to a maximum of approximately 9.607m in height</p> <p>Application Number: 6/2021/1453/HOUSE Decision: Granted Decision Date: 05 July 2021 Proposal: Erection of a single storey side extension, insertion of new windows/doors on side and rear elevation and rear rooflight following the demolition of the side garage</p>			
Consultations			
Neighbour representations	Support: 0	Object: 1	Other: 0
Publicity	Neighbour notification letters		
Summary of neighbour responses	40 Theobalds Road - This property seems to be getting bigger by the week from a single floor bungalow to a three storey house, let's hope the footing that were put down in the 30's will be suitable for this sort of load.		
Consultees and responses	None		
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			
Draft Local Plan Proposed Submission 2016: SP1, SP9, SADM11, SADM12			
Main Issues			
Is the development within a conservation area?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Would the significance of the designated heritage asset be preserved or enhanced?			
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A			
Comment (if applicable):			
Would the development reflect the character of the area?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Comment (if applicable):			
Policies D1 and D2 of the adopted Welwyn Hatfield District Plan (2005) are of relevance and seek to provide a good standard of design in all new development and require that all new development respects and relates to the character and context of the area in which it is to be sited. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG), which also requires that residential extensions should be complementary in design and be subordinate in size and scale			

to the existing dwelling. The above objectives are broadly consistent with Policies SP1 and SP9 of the Council's Emerging Local Plan 2016.

The proposal would not involve an increase in the ridge height or the eaves of the existing property, however the dwelling would be extended to the side to increase the width, then the roof would be remodelled to alter the pitch to facilitate a loft conversion with side dormers and rooflights. The Council's SDG states that extensions must not reduce the space around the dwelling to such an extent that the dwelling looks cramped on its site. The spacing of buildings adjacent to and in the locality of the site should be reflected. The proposal would retain a 1m separation distance at ground floor level on the side of the dwelling which is being extended. This increases slightly at first floor. The depth of the existing building would not be increased, however the existing flat roof element to the rear would be increased in height to match the height of the main dwelling. Although the bulk of the dwelling would be increased, there are examples of similarly designed dwellings on the road (e.g. 40 Northaw Road East and 45 Northaw Road East), therefore it would not appear at odds with the streetscene, nor would it dominate the plot or give it the appearance of being overdeveloped.

The Council's Supplementary Design Guidance (SDG) states that new dormer windows should be contained within the roof slope, be subservient to the roof of the property and be in proportion to the existing fenestration of the property. They must not extend above the ridge height of the existing dwelling and the dormer cheeks should be at least 1m from the flank wall of the property or of the party wall with the adjoining property. The proposed side dormers are set down from the ridge height, however they are large in terms of their coverage across the roof slope. The surrounding area is predominantly characterised by bungalows, some of which have now been extended in the loft space to create habitable accommodation at first floor. Due to this, large side dormers are not an uncommon feature on the road. Therefore, whilst the dormers would be larger than usually permitted, the character of the road is a material consideration in the determination of this application, to which significant weight is attached. Subsequently it is judged that it would be unreasonable to refuse permission based on the existing dormers at other neighbouring properties, therefore no objections are raised to the design of the scheme overall. The materials would also match existing and this is labelled on the submitted plans.

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):

Local Plan Policy D1, in conjunction with the SDG outlines that development will be required to protect a good standard of amenity for buildings and external open spaces. The impact of the proposed development on the residential amenity of neighbouring dwellings is considered in terms of the impact on neighbouring properties access to day/sun/sky light, privacy and overshadowing. One comment has been received from a neighbour to the rear. Following the submission of amended plans for the use of more obscure glazed windows on the side dormers, the installation of rooflights in the dormers, installation of a front window and changes to the internal layout, a 10 day re-consultation was also carried out and no further comments were received.

The resultant dwelling would be more visible from the neighbouring dwellings either side, but due to the separation distances between them and the design of the proposal with an eaves height similar to the existing flat roof element and a roof which is hipped away from the boundary, the proposed development would not result in a detrimental impact upon the residential occupiers of properties nearby with regard to a loss of light or over dominant appearance.

In terms of overlooking, one of the new bedrooms at first floor would only have one window which is

side facing, towards the neighbouring property at 37 Northaw Road East. It would not be appropriate to restrict the only window to this habitable room to be obscure glazed and fixed as this would result in undesirable living conditions for the future occupiers of that room. As the property presently benefits from two bedrooms at ground floor level which have side facing windows (one facing the flank wall of No.37 and the other with a window into the attached garage), the relocation of the bedrooms to the loft space, even with one with a side facing window, would represent an improvement above the existing situation. It is acknowledged that the window would overlook 37 Northaw Road East to some extent, but due to the single storey nature of that property it would overlook the roof rather than any habitable windows.

All of the other side windows at first floor (with the exception of a walk-in wardrobe) are labelled as obscure glazed on the plans. To prevent overlooking to neighbours and ensure that the works do not prejudice the ability of adjacent occupiers to convert the loft space in future, it is considered reasonable and necessary to impose a planning condition which requires all side windows at first floor to be obscure glazed and fixed below a height of 1.7m above floor level, with the exception of the window to bedroom 2. This is acceptable as the remaining bedrooms would all have windows to the front or rear of the house with a sufficient outlook. Views from windows within the rear elevation would predominantly be to the rear garden of the application site. Whilst some additional overlooking to neighbouring gardens may result, this would not be sufficiently harmful to warrant refusal of planning permission on these grounds.

The additional side windows and doors at ground floor may increase overlooking to some extent as well. However, these are unlikely to require planning permission by virtue of their location at single storey level. No objections are raised in this regard.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

Saved Policy M14 of the Welwyn Hatfield District Plan 2005 and the Parking Standard Supplementary Planning Guidance (SPG 2004) use maximum parking standards that are not consistent with the NPPF and are, therefore, not afforded significant weight. The proposal would increase the number of bedrooms at the property from a 3 bedroom to a 4. A dwelling of this size in parking zone 4 requires a maximum of 3 parking spaces, an increase of 0.75 spaces from the existing situation.

The dwelling currently benefits from a driveway which can accommodate at least 2-3 vehicles. The property is also in close proximity to bus stops and is located approximately 0.2 miles away from Cuffley village centre, where it would be possible to walk or cycle to. It is therefore considered that an appropriate amount of on-site parking will be available considering the sustainable location of the dwelling.

Any other issues

The occupier of 40 Theobalds Road has outlined concerns about the structural footings of the property being able to withstand the proposed works. This is not a material planning consideration. However, an informative has been added advising the applicant of the need to ensure the proposal also complies with Building Regulations.

Conclusion

Subject to the suggested condition, the proposed development would be in accordance with the relevant national and local planning policies.

Conditions:

1. With the exception of the side window serving bedroom 2 on the drawings hereby approved, all upper floor windows located in a wall or roof slope forming a side elevation of the building 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 and the National Planning Policy Framework.

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
A100		Location & Site Plans	14 June 2021
A101		Existing & Proposed Block Plans	14 June 2021
A104		Existing Elevations	15 June 2021
A102		Existing Floor Plans	15 June 2021
A103		Existing Roof Plan & Sections	15 June 2021
A105	A	Proposed Ground Floor Plan	12 August 2021
A108	A	Proposed Sections	12 August 2021
A109	A	Proposed Front and Rear Elevations	12 August 2021
A106	B	Proposed Loft Plan	9 September 2021
A107	B	Proposed Roof Plan	9 September 2021
A110	B	Proposed Side Elevations	9 September 2021

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. 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.
5. 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 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

Determined By:

Mr Mark Peacock
9 September 2021