WELWYN HATFIELD BOROUGH COUNCIL

EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE

DELEGATED APPLICATION

**Application No:** 6/2021/2015/HOUSE

**Location:** 33 Northaw Road East Cuffley Potters Bar EN6 4LU

**Proposal:** Erection of a part two storey and first floor rear extension, balcony over ground floor extension with glazed balustrade and alterations to fenestration on rear elevation.

**Officer:** Ms Kelsey Collins

# **Recommendation:** Granted

6/2021/2015/HOUSE

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| **Context** |
| **Site and Application description** | The application site comprises of a detached bungalow, with side dormers which has an existing single flat roofed garage to the side elevation and a flat roof addition to the rear. The land levels slope steeply from the front of the site to the rear.Permission is sought for the erection of a part two storey and first floor rear extension, balcony over the ground floor extension with glazed balustrade and alterations to fenestration on rear elevation. |
| **Constraints (as defined within WHDP 2005)** | PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0Wards - Northaw & Cuffley - Distance: 0A4D - ARTICLE 4 DIRECTION - Distance: 0  |
| **Relevant planning history** | Application Number: E6/1957/0397/ Decision: Granted Decision Date: 16 May 1957Proposal: Addition of bedroom and lounge to dwelling.Application Number: E6/1972/4024/Decision: Granted Decision Date: 24 October 1972Proposal: Front porch |
| **Consultations** |
| **Neighbour representations** | Support: 0 | Object: 0 | Other: 0 |
| **Publicity** | Neighbour letters |
| **Summary of neighbour responses** | None received  |
| **Consultees and responses** | None received  |
| **Relevant Policies** |
| [x]  NPPF[x]  D1 [x]  D2 [ ]  GBSP1 [x]  GBSP2 [x]  M14[x]  Supplementary Design Guidance [x]  Supplementary Parking Guidance [x]  Interim Policy for car parking and garage sizes   |
| **Main Issues** |
| **Is the development within a conservation area?** |
| [ ]  Yes [x]  No |
| **Would the significance of the designated heritage asset be preserved or enhanced?** |
| [ ]  Yes [ ]  No [x]  N/A**Comment** (if applicable):  |
| **Would the development reflect the character of the area?** |
| [x]  Yes [ ]  No**Comment** (if applicable): A number of dwellings within the vicinity of the application dwelling have incorporated rear extensions of varying designs, notably the neighbouring property No. 31. The proposed rear extension will not be viewable from the street scene and the lower ground floor will extending to the same depth as the host dwelling squaring off the rear of the dwelling to create study, the two storey aspect will be sited above and incorporate a balcony, with a pitch roof to the match the existing roof line. The insertion of a floor to ceiling window in the rear elevation is not a common design feature of extensions within this area however, the proposal is to the rear and is not considered to be of a scale to appear overly prominent or out of keeping with the existing dwelling.It is considered that the proposed development would be acceptable in terms of its appearance and would maintain the character of the area. In this respect, no objections are raised with regard to District Plan Policies D1, D2; the SDG; and the NPPF. |
| **Would the development reflect the character of the dwelling?** |
| [x]  Yes [ ]  No [ ]  N/A**Comment** (if applicable): See above  |
| **Would the development maintain the amenity of adjoining occupiers?** (e.g. privacy, outlook, light etc.) |
| [x]  Yes [ ]  No [ ]  N/A**Comment** (if applicable): The dwellings most impacted by the proposal are adjoining dwellings, No.31 & 35 Northaw Road East. To the north of the dwelling is No.31 which is a detached bungalow and has been extended to the rear, and extends past the building line of the application site, with no flank windows, the proposal also does not include and flank windows facing No.31, therefore the proposal is not considered to detrimentally impact upon the residential amenity of No.31.To the south of the dwelling is No.35 whose rear elevation is approximately in line with the existing rear elevation of the applicant site, the neighbouring property has a flat roof extension which extends higher than the existing rear addition of No.33, the proposal includes a set of patio doors at first floor level leading from the living room onto the balcony area, these will face onto the blank side elevation of No.35 extension, to protect the privacy of the neighbouring property it is considered the balcony screen should be obscure glazed and be erected prior to the use of the terrace and retained in that form thereafter. It is considered, the amenity of adjoining neighbours would be maintained to an acceptable level in accordance with District Plan Policy D1; the SDG; and the NPPF.   |
| **Would the development provide / retain sufficient parking?** |
| [x]  Yes [ ]  No [ ]  N/A**Comment** (if applicable):The proposal does not increase the amount of bedrooms and so parking is not a consideration for this application.  |
| **Conclusion** |
| The proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, the Welwyn Hatfield District Plan and Supplementary Design Guidance. |

 **Conditions:**

 1. Before the balcony area hereby approved are brought into use, opaque glass side screens shall be constructed to the south side elevation, as detailed on the approved plan 5279 P0-01 Rev B and shall remain in perpetuity.

 REASON: To ensure that the development is carried out in accordance with the approved plans and details in the interest of protecting the amenity of the occupier of the adjoining premises in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 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:

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| **Plan Number** | **Revision Number** | **Details** | **Received Date** |
| 5279-E02 |  | Existing Plans & Elevations | 2 July 2021 |
| 5279-P01 | B | Proposed Plans & Elevations | 2 July 2021 |
| 5279-OS1 |  | Location Plan | 2 July 2021 |
| 5279-OS2 |  | Block Plan | 2 July 2021 |
| 5279-E01 |  | Existing Plans & Elevations | 2 July 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. 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.

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 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 Derek Lawrence

14 September 2021