

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

DELEGATED APPLICATION

Application No: 6/2021/2791/HOUSE
Location: 28 Theobalds Road Cuffley Potters Bar EN6 4HQ
Proposal: Conversion of loft to habitable space including roof alterations, the addition of side dormers and the erection of a part first floor and part single storey side and rear extension
Officer: Ms Emily Stainer

Recommendation: Granted

6/2021/2791/HOUSE

Context			
Site and Application description	<p>The application property is a single storey bungalow which is located on the west side of Theobalds Road in Cuffley. Planning permission is sought for the conversion of the loft to habitable space including roof alterations, the addition of side dormers and the erection of a part first floor and part single storey side and rear extension. The plans have been amended during the course of the application process.</p> <p>A site visit was made by the case officer but only from public vantage points 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 photographs taken by the case officer in the street scene, provided by the applicant's agent, the existing/proposed plans and historic planning applications on the Council's database. 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 Wards - Northaw & Cuffley - Distance: 0 A4D - ARTICLE 4 DIRECTION - Distance: 0</p>		
Relevant planning history	<p>Application Number: S6/1976/0306/ Decision: Granted Decision Date: 15 July 1976 Proposal: Single storey rear extension</p>		
Consultations			
Neighbour representations	Support: 0	Object: 1	Other: 2
Publicity	Neighbour notification letters		
Summary of neighbour responses	<p>26 Theobalds Road Cuffley - Whilst not objecting in principle to the extension we do object to the dormer windows on the north elevation of the proposal overlooking our property on 2 grounds:</p> <ol style="list-style-type: none"> 1. Right to Light - having occupied our property for 22 years the proposal would directly affect the sunlight into 2 of our bedrooms. 		

	<p>2. Impact on Privacy - the proposed dormer windows will look directly into 4 bedrooms, landing, and the whole of our rear garden. We would ask that the plans be reconsidered with preferably 'Velux-style' windows, or a reduction in the length of dormer windows at the rear of the property (with opaque glass mandatory).</p> <p>Having taken some independent advice we also believe there is an issue with the dormer design, namely, the distance from the rear wall to the dormer should be a minimum of 1350mm, and the windows should be high-level slotted design with obscure glass.</p> <p>30 Theobalds Road - No objection in principle, just a concern of privacy by being overlooked from proposed dormer windows and ask that obscure glazing be fitted to these.</p>
Consultees and responses	Northhaw & Cuffley Parish Council - The Parish Council would like to support and endorse the comments submitted by residents and neighbours to this application.
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 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). Policy SP9 of the Emerging Local Plan and the NPPF are similar in these aims. The application property is currently single storey and benefits from a garage to the side and a single storey rear extension. Permission is sought to extend the dwelling at first floor and single storey and convert the loft to habitable space by extending it via the addition of dormers and roof alterations. Theobalds Road and surrounding roads such as Northhaw Road East predominantly consist of single storey bungalows of a similar style to the application dwelling, with simple hipped roofs. Over time, a number of these properties have been extended and the loft space converted to create habitable accommodation at first floor level. Front, side and rear dormers, rooflights and gable windows are common on these properties which have been converted and there are also examples of rear extensions which extend off the main ridgeline of the host property. Although the proposed extension to the rear would not be subordinate by virtue of its continuation of the ridgeline of the main house, there are numerous examples of similar extensions nearby due to the restricted nature of extending a single storey bungalow. The proposed dormers have been amended during the course of this application. Originally, two	

dormers were proposed on each side of the building, each with two windows. The combined width of the initial dormers on each side would have been approximately 11.8m (5.9m in width) and a height of approximately 1.8m. The amended design includes a single dormer on each side which would measure approximately 10m in width and would be set in from the front and rear of the roofslope by at least 1m. Each dormer would only benefit from two windows and they have been reduced in size from the previous proposal in order to integrate better with the fenestration pattern on the existing house. The amended design is considered to be more appropriate to the existing dwelling and to the context in the surrounding street scene. The plans state that roof tiles, brickwork and render will match existing but there are limited details in respect of window/door materials. Therefore, a condition will be imposed which ensures the materials match existing.

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):

The neighbours either side of the application property (26 and 30 Theobalds Road) both submitted comments on the original proposal. Both properties have previously been extended in the past. The comments submitted refer to a loss of privacy and light from the proposed dormers and the design of the original dormers, including that there should be a reduction in the length of dormer windows at the rear of the property and the distance from the rear wall to the dormer should be a minimum of 1350mm. As the amendments to the design include a reduction in the overall size of the dormers and less windows are proposed than before, it has not been necessary to re-consult neighbours. However, it is worth noting that the single dormer on each side of the property now maintains a distance of approximately 1.9-2m from the front and rear of the property and the side windows are labelled as being obscure glass with a non-opening area below 1.7m above the finished floor level. This overcomes some of the points raised in the comments.

The proposed rear extension would not extend as far back as the rear of the property at No.26 and would project by approximately 4.4m further than the rear wall of No.30. Whilst this would inevitably create additional built form which would be visible from No.30, this neighbouring dwelling is located to the south of the application site, therefore the impact on sunlight would be unlikely to be significantly detrimental. Furthermore, the main bulk would be set back from the boundary line as the single storey extension would be closest to the boundary, at a maximum height of approximately 3.4m. On the opposite side, the built form would also be visible but it would be viewed in the context of that neighbours existing rear extension of a similar style to that proposed. The eaves would not be any higher than existing and the roof would still be hipped away from the boundary, minimising the visual impact of the extension. In terms of the impact from the dormers on light, the comments submitted from No.26 about sunlight do not detail which bedrooms would be likely to be impacted by the proposed extension and where exactly they are located. The historic planning records for this property do not indicate the layout on the first floor. However, a site visit confirmed that there are rooflights in their roof which may be affected. The proposed dormers have been reduced in overall width and have less windows to the original design. The dormer on the side elevation closest to No.26 would retain a separation distance of approximately 2.7m from the common boundary and would not extend any higher than the existing ridgeline, therefore, the impact is likely to be similar to that created by the existing roof.

It is also acknowledged that additional windows in the rear roofslope have the potential to create more overlooking compared to existing, which is currently restricted to ground floor level. Some degree of overlooking is acceptable which would be consistent with a neighbouring relationship generally expected between properties in an established residential area. Additionally, it is noted that dormer windows and rooflights are allowed under permitted development rights, giving an indication

that at a national level they are not considered to not have an unduly detrimental impact on the amenity of neighbouring properties, particularly in respect of privacy. It is therefore viewed that the impact overall would be acceptable in this scenario, subject to a condition requiring the side windows to be obscure glazed and fixed as set out on the plans. This is acceptable as the bedroom in the roof space would have front and rear windows with an acceptable outlook.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

The proposal would result in one additional bedroom in the roof space, an increase from 3 bedrooms to 4. The maximum requirement for a 4 bedroom house in this location is 3 parking spaces on the frontage. It is considered that 2-3 vehicles can be accommodated on the existing driveway and the property is located within close walking distance of Cuffley Village centre, therefore there are no objections in this regard.

Conclusion

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

Conditions:

1. The brickwork, roof tile, bond, mortar, windows, detailing, guttering, soffits and other external decorations of the approved extensions and alterations must match the existing dwelling 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.

2. Any upper floor window 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

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
DPL.04		Block and Location Plan	28 September 2021
DPL.01		Existing Plans	21 February 2022
DPL.02	A	Proposed Floor Plans	21 February 2022
DPL.03	A	Proposed Elevations	21 February 2022

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
24 February 2022