

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

DELEGATED APPLICATION

Application No: 6/2022/1657/HOUSE
Location: 159 Parkway Welwyn Garden City AL8 6JA
Proposal: Installation of three rear rooflights to facilitate the conversion of the loft to habitable space
Officer: Ms Emily Stainer

Recommendation: Granted

6/2022/1657/HOUSE

Context	
Site and Application description	<p>The application property is a two-storey terraced dwelling which is located on Parkway in Welwyn Garden City. Parkway is key component of the design of the original Garden City and is considered a principal axis which provides a dramatic approach to the town centre from the north and south. The formality of its layout and the buildings lining it are important elements of its overall character and appearance. The application property is located on the south-east side of Parkway. Planning permission is sought for the installation of three rear rooflights to facilitate the conversion of the loft to habitable space. This application follows refused applications 6/2021/1643/HOUSE and 6/2022/0529/HOUSE.</p> <p>The proposal has been amended during the application to remove the dormers and instead propose the installation of three rear rooflights. A new 21-day consultation period was issued following this, including neighbour letters, consultees, a new site notice and a new press advert.</p>
Constraints (as defined within WHDP 2005)	<p>CA - Conservation Area: WGC1; - Distance: 0 EM - Estate Management - Distance: 0 Wards - Handside - Distance: 0</p>
Relevant planning history	<p>Application Number: 6/2017/2736/EM Decision: Granted Decision Date: 18 January 2018 Proposal: Erection of single storey rear extension following demolition of existing outbuilding Application Number: 6/2021/1643/HOUSE Decision: Refused Decision Date: 26 October 2021 Proposal: Construction of 2 x rear dormers and 2 x front roof lights to facilitate the conversion of the loft to a habitable space</p> <p>Application Number: 6/2022/0529/HOUSE Decision: Refused Decision Date: 29 April 2022 Proposal: Construction of two rear dormers to facilitate the conversion of the</p>

	loft to habitable space Application Number: 6/2022/0699/EMH Decision: Withdrawn Decision Date: 01 August 2022 Proposal: Loft conversion with rear facing dormers		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 30 August 2022 Site Notice Expiry Date: 20 September 2022 Press Advert Display Date: 31 August 2022 Press Advert Expiry Date: 21 September 2022		
Summary of neighbour responses	None		
Consultees and responses	Place Services Conservation Officer - The amendments to remove the rear dormers and front rooflights and install three rear rooflights have addressed previous concerns. The scheme now raises no objection as the character and appearance of the Conservation Area will be preserved and its significance is not harmed, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF. If the application is approved, it is recommended that a condition requires the submission and approval of details for the rooflights.		
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			
<u>Draft Local Plan Proposed Submission August 2016:</u> SP1 Delivering Sustainable Development SP9 Place Making and High-Quality Design SADM11 Amenity and Layout SADM12 Parking, Servicing and Refuse SADM15 Heritage			
Main Issues			
Is the development within a conservation area?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Would the significance of the designated heritage asset be preserved or enhanced?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Comment (if applicable): See below.			
Would the development reflect the character of the existing dwelling and surrounding area?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Comment (if applicable):			
Policy GBSP2 of the Welwyn Hatfield District Plan 2005 states that development within the specified settlements will be limited to that which is compatible with the maintenance and enhancement of			

their character. Policy D1 requires the standard of design in all new development to be of a high quality and Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area. The above objectives are broadly consistent with Policies SP1 and SP9 of the Council's Emerging Local Plan 2016.

The application site is additionally located within the Welwyn Garden City Conservation Area. Section 72 of the Listed Buildings and Conservation Areas Act states that '*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*'. The specific historic environment policies within the NPPF are contained within paragraphs 189-208. Additionally, section 16 of the NPPF 'Conserving and enhancing the historic environment' is broadly consistent with Policy SADM15 'Heritage' of the Emerging Local Plan.

This application follows the refusal of application 6/2022/0529/HOUSE which was an application for the construction of two rear dormers to facilitate the conversion of the loft to habitable space. The reason for refusal was because the proposed dormers would have failed to preserve or enhance the character and appearance of the Garden City and would harm the significance of the Conservation Area. The proposal which was originally applied for under this latest application also included dormers. However, it was amended at the request of the applicant to 3 rear rooflights and no dormers.

The amended design would ensure the front roofslope remains uninterrupted and the impact on the rear roofslope would be minimal. The Council's Conservation Officer has also commented, noting that no objections are raised as the character and appearance of the Conservation Area will be preserved and its significance is not harmed, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF. This is subject to a condition being imposed which requires the submission and approval of further details for the rooflights. On the above basis the proposed development can be approved.

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

Yes No N/A

Comment (if applicable):

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

Any other issues | None

Conclusion

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

Conditions:

1. No external development above ground level shall take place until additional detailed drawings of the new rooflights have been submitted to and approved in writing by the Local Planning Authority. The drawings must detail the rooflights within the existing building in section and elevation at an appropriate scale and provide details of any materials proposed. The development shall be implemented

using the approved details and subsequently, the approved details shall not be changed.

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, Policy SADM15 of the Welwyn Hatfield Draft Local Plan Submission 2016, the National Planning Policy Framework and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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
2134-001		Existing plans	14 July 2022
2134-002	B	Proposed plans	27 July 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 Derek Lawrence
23 September 2022