

**WELWYN HATFIELD BOROUGH COUNCIL
ASSISTANT DIRECTOR (PLANNING)**

DELEGATED APPLICATION

Application No: 6/2022/2914/FULL
Location: 5 West View Hatfield AL10 0PJ
Proposal: Retention of a temporary management office to the rear of the property for a period of 12 months
Officer: Ms Elizabeth Mugova

Recommendation: Refused

6/2022/2914/FULL

Context	
Site and Application description	<p>The application site comprises a two-storey detached property located on the corner of West View and Birchwood Avenue. The property faces south west onto the roundabout junction of Birchwood Avenue and the A1001. The frontage is paved, to the rear is a 25m deep garden. The area is predominantly residential in character.</p> <p>Planning permission is sought for the retention of a temporary management office to the rear of the property for a period of 12 months.</p>
Constraints (as defined within WHDP 2005)	<p>SAG - 0 - Distance: 0 GB - Greenbelt - Distance: 37.34 PAR - PARISH (HATFIELD) - Distance: 0 Wards - Hatfield Central - Distance: 0 A4HD - Article 4 HMO Direction - Distance: 0 A4DAS - Hatfield Additional Storeys Article 4 Direction - Distance: 0 FM30 - Flood Zone Surface Water 30mm (1873985) - Distance: 0 FM10 - Flood Zone Surface Water 100mm (2764445) - Distance: 0 FM00 - Flood Zone Surface Water 1000mm (7661787) - Distance: 0 HEN - No known habitats present (medium priority for habitat creation) - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0 HHAA - Hatfield Heritage Assessment Area(Hatfield New Town) - Distance: 0</p>
Relevant planning history	<p>Application Number: E6/1966/1223/ Decision: Refused Decision Date: 02 August 1966 Proposal: Use of residence & surgery as offices.</p> <p>Application Number: E6/1967/1106/ Decision: Granted Decision Date: 04 July 1967 Proposal: Change of use from doctor's surgery to staff accommodation.</p> <p>Application Number: S6/1985/0283/ Decision: Granted Decision Date: 05 July 1985</p>

	<p>Proposal: Conversion of house into four self-contained flats</p> <p>Application Number: S6/1986/1001/FP Decision: Granted Decision Date: 23 February 1987 Proposal: New boundary wall and gates along frontage</p> <p>Application Number: S6/1987/0158/FP Decision: Granted Decision Date: 05 May 1987 Proposal: Two storey side extension incorporating existing single storey garage and kitchen</p> <p>Application Number: S6/1989/0392/FP Decision: Granted Decision Date: 19 June 1989 Proposal: Entrance porch and canopy over garage</p> <p>Application Number: S6/2014/2704/FP Decision: Granted Decision Date: 30 June 2015 Proposal: Change of use to sui-generis (Large HMO)</p> <p>Application Number: 6/2017/0513/FULL Decision: Granted Decision Date: 19 October 2018 Proposal: Change of use from a large HMO for up to 8 people (sui-generis use) to a Guest House (Use Class C1) for up to 21 people - retrospective</p> <p>Application Number: 6/2019/0787/COND Decision: Granted Decision Date: 04 June 2019 Proposal: Submission of details pursuant to condition 5 (refuse and recycling storage area) and 6 (cycle parking area) on planning permission 6/2017/0513/FULL, dated 19/10/2018</p> <p>Application Number: 6/2023/0456/FULL Decision: Awaiting decision Decision Date: Proposal: Installation of a front and rear dormer to facilitate the conversion of a loft into six habitable rooms and storage, spiral fire escape to the right of the property and erection of two rear outbuildings</p>		
Consultations			
Neighbour representations	Support: 0	Object: 1	Other: 0
Publicity	Neighbour letters		
Summary of neighbour responses	<p>1 Birchwood Avenue - Objection</p> <ul style="list-style-type: none"> • The building has already been erected for many months • Intrusion into the garden space, constant noise and drug use 		
Consultees and responses	No representations received		
Relevant Policies			

NPPF
 D1 D2 GBSP1 GBSP2 M14
 Supplementary Design Guidance Supplementary Parking Guidance Interim Policy for car parking and garage sizes

The Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) Incorporating The Proposed Main Modifications (January 2023) (Draft Local Plan)

SP1 Delivering Sustainable Development
 SP9 Place Making and High Quality Design

Main Issues

Design (form, size, scale, siting) and Character (appearance within the streetscene)

District Plan Policies D1 and D2 respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area. The SDG outlines, amongst other things, that new development should respond to building forms and patterns of existing buildings in the detailed layout and design to reinforce a sense of place. Policies SP1 and SP9 of the Council's Emerging Local Plan 2016 are similar in these aims, along with the National Planning Policy Framework (NPPF) which advocates high quality design.

Paragraph 126 of the NPPF clearly advises that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development. At paragraph 130, the NPPF further advises that decisions should ensure developments will function well, be visually attractive, sympathetic to local character and establish a strong sense of place. Paragraph 134 is clear that "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes."

The National Design Guide states that well-designed places have individual characteristics which work together to create its physical character. Context is one of the ten characteristics relevant to this proposal. Context is the location of the development and the attributes of its immediate, local surroundings. It means that a proposal must be well grounded in its locality and more likely to be acceptable to existing communities. Creating a positive sense of place helps to foster a sense of belonging and contributes to well-being, inclusion and community cohesion. Well-designed places:

- understand and relate well to the site
- are high quality and attractive places and buildings
- are influenced by and influence their context positively

The application property was granted permission in 2018 under ref 6/2017/0513/FULL for a short-stay self-catering Guest House (Use Class C1) for up to 21 people. Planning permission is sought for the retention of a temporary management office to the rear of the property for a period of 12 months to facilitate the *"Installation of a front and rear dormer to facilitate the conversion of a loft into six habitable rooms and storage, spiral fire escape to the right of the property and erection of two rear outbuildings"* under application ref 6/2023/0456/FULL which is currently under consideration.

	<p>The outbuilding is single storey with a footprint of approximately 45m². Although the outbuilding is slightly set in within the rear elevation of the host building, views of the outbuilding are partially visible from the streetscene. The rear ground floor of the host building features a bay window, the outbuilding is sited approximately 0.8-2m from the rear elevation. Given the size and siting of the outbuilding, it is considered that the proposal is a disproportionate addition to the rear elevation of the host building, resulting in cramped development when viewed from the rear. As such, it is considered that the retention of the outbuilding would result in significant harm to the character and appearance of the host building and surrounding area.</p> <p>Considering that application 6/2023/0456/FULL has not yet been approved, the need for the management office is not temporary. In addition, it is considered that the harm posed to the character and appearance of the application site and surrounding area is not overcome by the temporary time period of the permission sought.</p> <p>As highlighted above, application 6/2023/0456/FULL is still under consideration, it is considered that if both schemes were submitted as one application, the cumulative impact from the proposal would give rise to a substantial level of visual clutter and cramped development that would significantly harm the character and appearance of the site and surrounding area.</p> <p>As a consequence of the above, it is considered that the outbuilding is a disproportionate addition to the rear elevation of the host building, resulting in a cramped development when viewed from the rear. Consequently, the proposal appears incongruous and visually intrusive leading to unacceptable harm to the character and appearance of the surrounding area. Accordingly, it is considered that the proposal represents a poor standard of design contrary to District Plan Policies D1, D2 and GBSP2; Policy SP9 of the Draft Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.</p>
<p>Impact on neighbours</p>	<p>Policy D1 and the Supplementary Design Guidance (SDG 2005) provide the local policy framework for assessing the impact of development on the residential amenity and living conditions of neighbouring properties. This is assessed in terms of day and sun light, overbearing impact and overlooking/loss of privacy. Policy SADM11 of the Draft Local Plan is similar in these aims.</p> <p>The most likely neighbours to be impacted are those at No 1 Birchwood Avenue and No 6 West View.</p> <p>The objection from No 1 Birchwood Avenue is acknowledged.</p> <p><u>Living conditions of neighbouring occupiers</u> Due to the siting and single storey nature of the outbuilding, it is considered that the proposal would not impact on the amenity of the adjoining occupiers.</p> <p><u>Current occupiers</u> Due to the siting of the outbuilding, the proposal would limit the amount of light to the four ground floor rooms. In addition, the proposal would result in poor outlook to the guest house users. As such, it is considered that the proposal</p>

	<p>would result in poor quality living conditions to the users of the guest house.</p> <p>As a consequence of the above, it is considered that the proposal would have an unacceptable impact on the living conditions of guest house users due to loss of light and poor outlook, contrary to Policy D1 of the Welwyn Hatfield District Plan, Policy SADM11 of the Welwyn Hatfield Draft Local Plan 2016, the Welwyn Hatfield Supplementary Design Guidance 2005 and the National Planning Policy Framework.</p>
Access, car parking and highway considerations	The outbuilding would be used as a management office and storage of building materials during construction of the proposed rear outbuildings. It is considered that the proposal would not intensify the existing use, thereby not warranting any further parking provision.
Conclusion	
For the reasons set out above, the development does not accord with the relevant policies, thus is not acceptable in terms of design and character. It is therefore recommended that planning permission is refused.	

Reasons for Refusal:

1. The proposed retention of the unlawful outbuilding, by virtue of its siting, size and scale, would regularise what is a disproportionate addition to the rear elevation that fails to respond positively to the host property, resulting in a cramped development when viewed. Consequently, the proposal would result in significant harm to the character and appearance of the host building and surrounding area. Accordingly, it is considered that the proposed development represents a poor standard of design in conflict with District Plan Policies D1, D2 and GBSP2; Policy SP9 of the Draft Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.
2. By virtue of its siting, close to the host building, the proposed retention of the outbuilding would result in adverse harm to the amenity of rear ground floor guest house by way of loss of light and poor outlook, contrary to Policy D1 of the Welwyn Hatfield District Plan 2005; Draft Local Plan Policies SADM11; the Supplementary Design Guidance; and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

Plan Number	Revision Number	Details	Received Date
006		Location plan	3 April 2023
004		Existing Floor Plan	3 April 2023
002		Existing Elevations	3 April 2023
005		Block Plan	3 April 2023

001	Proposed Elevations	3 April 2023
003	Proposed Floor Plans	3 April 2023

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).

Determined By:

Mr Ganesh Gnanamoorthy
10 August 2023