

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

**DELEGATED APPLICATION**

**Application No:** 6/2023/0456/FULL  
**Location:** 5 West View Hatfield Hertfordshire AL10 0PJ  
**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  
**Officer:** Ms Elizabeth Mugova

**Recommendation:** Refused

6/2023/0456/FULL

<b>Context</b>	
<b>Site and Application description</b>	<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 installation of a front extension at roof level which takes the form of a gable feature, 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>
<b>Constraints (as defined within WHDP 2005)</b>	<p>SAG - 0 - Distance: 0            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>
<b>Relevant planning history</b>	<p>Application Number: E6/1966/1223/            Decision: Refused            Decision Date: 02 August 1966            Proposal: Use of residence &amp; 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/</p>

	<p>Decision: Granted Decision Date: 05 July 1985 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: 6/2022/2914/FULL Decision: Awaiting decision Decision Date: Proposal: Erection of a temporary management office to the rear of the property for a period of 12 months</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 4	Other: 0
<b>Publicity</b>	Neighbour letters		
<b>Summary of neighbour responses</b>	<p>Objections were received from the neighbours at No 7 West View, No 1, 2, 3 and 6 Birchwood Avenue and their comments are summarised below:</p> <ul style="list-style-type: none"> <li>• Overlooking impact due to the fire escape</li> <li>• Parking is very limited in this area</li> <li>• Too many buildings, people and cars for the space / facility</li> <li>• Rubbish dumping (and burning)</li> </ul>		

	<ul style="list-style-type: none"> <li>• Noise / people loitering</li> <li>• Endless ongoing maintenance</li> <li>• Police have attended the site on numerous occasions, this is a residential area, to increase the amount of rooms, would make a difficult situation worse</li> </ul>
<b>Consultees and responses</b>	<p>Hatfield Town Council - Major Objection</p> <ul style="list-style-type: none"> <li>• The proposed top floor extension of the existing building would significantly change the character of the building and setting of the area</li> <li>• The additional clientele would add to the parking issues already experienced at this site, which has impacted on neighbouring properties.</li> <li>• Loss of privacy</li> <li>• Overdevelopment due to the two outbuildings</li> <li>• The envisaged high turnover of guests at this low cost hotel is likely to cause harm to the neighbourhood without adding to the local economy.</li> <li>• The development would also create a safety risk as it is not clear whether the emergency services could easily access the rear outbuildings.</li> <li>• Rear buildings would also have a detrimental effect on the neighbouring properties.</li> </ul> <p>WHBC - Public Health and Protection – No objection subject to a condition</p>
<b>Relevant Policies</b>	
<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	
<p><u>The Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) Incorporating The Proposed Main Modifications (January 2023) (Draft Local Plan)</u></p> <p>SP1 Delivering Sustainable Development  SP9 Place Making and High Quality Design  SADM11 Amenity and Layout  SADM12 Parking, Servicing and Refuse</p>	
<b>Main Issues</b>	
<b>Design (form, size, scale, siting) and Character (appearance within the streetscene)</b>	<p>NPPF places great emphasis upon achieving good quality design. Paragraph 126 clearly advises that the creation of high quality, beautiful and sustainable 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. Paragraph 130 of the NPPF further advises that decisions should ensure developments will function well and add to the overall character of the area, 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.”</p> <p>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. The above</p>

objectives are broadly consistent with Policies SP1 and SP9 of the Council's Draft Local Plan 2016.

The Council's Supplementary Design Guidance 2005 (SDG) expands on Policies D1 and D2 of the District Plan and outlines, amongst other things, that:

- Extensions should be designed to complement and reflect the design and character of the dwelling and be subordinate in scale;
- The extension must not reduce the space around the dwelling to such an extent that the dwelling looks cramped on its site; and
- Dormer windows should be contained within the roofslope, 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 1 metre from the flank walls of the property or of the party walls with the adjoining property.

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. The applicant seeks permission for the erection of a front and rear dormer to facilitate loft conversion into habitable space and two rear outbuildings, to create an additional 16 self-contained rooms to the existing guest house.

The roof form would be changed from hipped to a pitched roof to allow the installation of the proposed rear dormer. The cheeks of the proposed rear dormer would be set-in by approximately 0.5m from both sides of the flank wall of the property. As such, the rear dormer would be contrary to the guidance set out in the SDG. The size, scale and positioning of the dormer would overwhelm the roofslope, appearing unduly prominent and detracting from the appearance of the host building.

The proposed front roof level extension would manifest itself as a front gable-end pitched roof design and would greatly alter the appearance and character of the existing building. Furthermore, this extension would be unduly prominent within the streetscene, causing significant harm to the character and appearance of the close, to which it would appear alien, and at odds.

The proposal includes two single storey rear outbuildings each with a footprint of approximately 67m<sup>2</sup>. The outbuildings would have a similar footprint as the host building, and they would be considered as substantial and unacceptable additions to the rear of the property. As such, it is considered that the outbuildings would result in overdevelopment at the application site, causing unacceptable harm to the character and appearance of the site and the surrounding area.

The proposed development would feature an external spiral staircase which would be used as fire escape. It is considered that the staircase would appear visually prominent from public vantage points given its location to the side of the property and would harm the character and appearance of the host building and the wider area.

Moreover, it is considered that the proposed additional 16 self-contained rooms to the existing guest house would significantly change the residential character of the surrounding area. As such, it is considered that the proposed development would be detrimental to the character of the immediate area.

	<p>In summary, the proposed development would have a significant adverse impact on the character of the host building and the surrounding residential area. The proposal would result in overdevelopment and would also represent poor quality design and fails to comply with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005; the Supplementary Design Guidance 2005; Policies SP9 and SADM11 of the Draft Local Plan; and the National Planning Policy Framework.</p>
<p><b>Impact on neighbours</b></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 objections from Hatfield Town Council and neighbours are noted.</p> <p>Whilst the proposed spiral staircase would be used for fire escape, there is no guarantee that it would not be used on a regular basis. As such, it is considered that the staircase would result in overlooking of neighbouring occupiers, leading to loss of privacy, as well as potential for noise disturbance depending on the materials of construction. Therefore, the proposal is considered to result in undue harm to the amenity of neighbours.</p> <p>Views from the proposed rear dormer have potential for overlooking to parts of the front and rear gardens of adjoining properties. However, the degree of overlooking would be consistent with a neighbouring relationship generally expected between residential properties.</p> <p>Given the single storey nature of the outbuildings, it is not considered that these would not impact on the amenity of neighbouring occupiers.</p> <p>As a consequence of the above, it is considered that the proposal would have an unacceptable impact on the living conditions of neighbouring occupiers due to overlooking, and possible noise generation.</p>
<p><b>Access, car parking and highway considerations</b></p>	<p>In terms of parking, paragraph 107 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development; the type, mix and use of the development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Policy M14 of the District Plan and the Parking Standards SPG use maximum standards which are not consistent with the NPPF and are therefore afforded less weight. In light of the above, the Council have produced an Interim Policy for Car Parking Standards that states that parking provision will be assessed on a case by case basis and the existing maximum parking standards within the SPG should be taken as guidance only. The Council's car parking standards SPG for a C1 use (guest house) requires 1 space per bedroom (including staff accommodation).</p> <p>NPPF Paragraph 111 states that development should only be prevented or</p>

	<p>refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.</p> <p>The proposed development would create an additional 16 self-contained rooms to the existing guest house. The Council's car parking guidance would require a development as proposed to provide 16 on-site car parking spaces. The application site benefits from 7 car parking spaces and there is no capacity on site to increase parking spaces. Consequently, the proposal would intensify traffic flow to and from the site and would also result in a significant increase in demand for car parking. During a site visit in the daytime, it was observed that on-street parking along West View was busy. Whilst the site is located within a sustainable location, close to frequent bus services, and unrestricted on-street parking on adjacent streets, given the likely short term nature of use by occupiers it is considered that the proposal would fail to provide adequate off-street parking and as such, would lead to increased pressure for on-street parking. It is therefore considered that the proposed development would have an unacceptable impact on the road network. Consequently, the proposal would significantly impact the character and appearance of the surrounding area.</p> <p><i>Cycle parking</i> Policy M6 outlines that the Council requires proposals for new development to encourage cycling and this includes the inclusion of parking for cycles. The provision of cycle parking as an alternative mode of transport also supports sustainable development which is at the heart of the NPPF. The Council's SPG requires 1 long term cycle parking space to be provided per 10 beds, equating in this case to 2 spaces (round up from 1.6). Although the submitted Planning Statement states that 6 additional cycle parking spaces would be required to accommodate the additional rooms being provided within the guest house, these have not been shown on the plans. However, details of cycle parking can be secured through a suitably worded planning condition in the event of a recommendation for approval.</p> <p>Due to the lack of on-site car parking, the proposal would result in unacceptable impact on the application site and the surrounding area, contrary to local and national policies.</p>
<p><b>Any other considerations</b></p>	<p><i>Environmental Health</i> The Council's Public Health and Protection Team have been consulted and they have no objection to the proposal subject to a condition regarding construction times.</p> <p><i>Response to comments from neighbours</i> The neighbour representations raised further concerns regarding rubbish dumping, noise from people loitering. Such matters are not considered to be material planning consideration and would therefore not restrict the grant of planning permission in the event of a recommendation for approval. The planning system is only concerned with the principle of development – it determines whether development is acceptable in relation to national and local development policies. Residents are advised report such issues directly to the Environmental Health team by email: <a href="mailto:e.health@welhat.gov.uk">e.health@welhat.gov.uk</a> or by telephone: 01707 357 242.</p>
<p><b>Conclusion</b></p>	

For the reasons set out above, the proposed 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 proposal, by virtue of its scale, mass, bulk, layout, and detailed design, would represent a significant overdevelopment of the site, and fails to respect, or relate to, the character and appearance of the surrounding area. The proposed development would therefore be of a poor standard of design which would lead to harm to the character and appearance of the existing dwelling and the surrounding area, 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 which seek to promote high quality design in new development, including extensions.
2. The proposed external spiral staircase, by virtue of its proximity to a neighbouring boundary and the likely nature of its use, would result in unacceptable overlooking impact on the neighbouring occupiers, leading to loss of privacy contrary to District Plan Policy D1; Policy SADM11 of the Draft Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.
3. The proposed development would fail to provide adequate off-street parking. As such, it is considered that the proposal would lead to increased pressure for on-street parking. The proposal is therefore contrary to Policies D2 and M14 of the Welwyn Hatfield District Plan 2005; Policy SADM12 of the draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework.

**REFUSED DRAWING NUMBERS**

4.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
008		Location Plan	28 February 2023
006	B	Existing & Proposed Roof Plan	12 June 2023
004	A	Existing & Proposed First Floor Plan	12 June 2023
003	A	Existing & Proposed Ground Floor Plan	12 June 2023
005	B	Existing & Proposed Loft Plan	12 June 2023
010	A	Proposed Outbuildings	12 June 2023
011	A	Existing & Proposed Block Plan	12 June 2023

009	A	Section_AA	12 June 2023
002	B	Existing & Proposed Side Elevations	12 June 2023
001	B	Existing & Proposed Front & Rear Elevations	12 June 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