

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

DELEGATED APPLICATION

Application No: 6/2024/0616/HOUSE
Location: 41 Northaw Road East Potters Bar Hertfordshire EN6 4LU
Proposal: Erection of a single storey rear extension, a single storey side extension and front porch, following the demolition of the existing side addition, increase in ridge height to facilitate an enlarged loft conversion with the addition of four side dormers, erection of a raised patio to the rear and fenestration alterations
Officer: Ms Elizabeth Mugova

Recommendation: Granted

6/2024/0616/HOUSE

Context	
Site and Application description	<p>The application site is located on the east side of Northaw Road East and comprises a bungalow featuring two side dormers. The site slopes relatively steeply from west to east.</p> <p>The applicant seeks permission for:</p> <ul style="list-style-type: none"> • single storey rear extension; • single storey side extension following the demolition of the existing side addition; • front porch; • increase in ridge height to facilitate an enlarged loft conversion with the addition of four side dormers; • raised patio to the rear and • fenestration alterations.
Constraints	<p>NPA - Northaw and Cuffley Neighbourhood Plan Area - Distance: 0 PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0 Wards - Northaw & Cuffley - Distance: 0 HEN - No known habitats present (medium priority for habitat creation) - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0</p>
Relevant planning history	<p>Application Number: E6/1974/0186/ Decision: Refused Decision Date: 27 March 1974 Proposal: 2 bedrooms in roof space</p> <p>Application Number: E6/1974/0400/ Decision: Granted Decision Date: 31 December 1974 Proposal: Loft conversion</p>

Consultations			
Neighbour representations	Support: 0	Object: 8	Other: 0
Publicity	Neighbour letters		
Summary of neighbour responses	<p>43 Northaw Road East - Objection</p> <ul style="list-style-type: none"> • overdevelopment • loss of side access via the utility • side extension should retain its current position and be set back • neighbourhood Plan states that extensions should not be made right up to boundary line (plot boundary) • loss of privacy due to over sized dormers • dormers should be scaled back, should not be as close to the boundary • ridge height should not be raised • wrap-around extension should be avoided • extension overwhelms the property • raised patio should be rejected • loss of privacy due to rear juliet balcony • front porch fails to maintain building line • will not be allowing any access to our property for building works purposes • proposal should be accompanied by a Construction Management Plan • side-elevation windows will be permitted on this development. Please note that the works to No.45 had a tendency for scope creep from the original plan to the finished design <p>20 The Meadway – Objection</p> <ul style="list-style-type: none"> • proposed ridge height is not in conformity with the Neighbourhood Plan • original building would not be a dominant element of the host property • oversized dormers dominate the host dwelling • The proposed porch appears to bring forward the front elevation • It is questionable whether the 1930s foundations are sufficient for the weight of the multiple dormers. <p>56 The Meadway – Objection</p> <ul style="list-style-type: none"> • out of character with the rest of the Meadway • overdevelopment • overlooking and loss of privacy <p>54 The Meadway – Objection</p> <ul style="list-style-type: none"> • overdevelopment • overlooking • loss of privacy from windows, balcony and raised garden patios <p>28 The Ridgeway – Objection</p> <ul style="list-style-type: none"> • over development of the site • side dormer windows should be full obscured glass with no opening elements below 1.8m from internal floor level • loss of privacy due to the proposed juliet balcony and raise patio • the application does not comply with criteria in the Neighbourhood Plan <p>48 Theobalds Road – Objection</p> <ul style="list-style-type: none"> • object to raising the roof height 		

	<ul style="list-style-type: none"> • overbearing • overdevelopment • out of character • loss of privacy • due to the plans to increase the height of the roof space, and my property which slopes down adjacent to theirs, this Juliet balcony will be very intrusive • side extension and garage which will set a precedent for future developments, which nobody has been allowed to do in the vicinity • proposal does not comply with the Neighbourhood Plan <p>79 Cranfield Crescent – Objection</p> <ul style="list-style-type: none"> • proposal fails to comply with the Neighbourhood Plan • overdevelopment • loss of privacy due to the proposed raised patio and the Juliet balcony • Further fault is no obscured glass on side dormer windows and no opening elements below 1.8m from internal floor level <p>62 The Meadway Objection</p> <ul style="list-style-type: none"> • overdevelopment of the site, • proposal does not comply with the Neighbourhood Plan. • loss of privacy due to the raised patio • side dormer windows should have full obscured glass for privacy, with no opening elements below 1.8m from internal floor level
Consultees and responses	<p>Northaw & Cuffley Parish Council – Objection</p> <ul style="list-style-type: none"> • overdevelopment • overshadowing • proposal is out of character in the area • development is not in keeping with the Neighbourhood Plan specifically relating to policies D1b, c, d, e, and k and Appendix 2: Design code and guidance (Household extensions).
Relevant Policies and Guidance	
<p>National Planning Policy Framework</p> <p>The Welwyn Hatfield Borough Council Local Plan 2016-2036:</p> <ul style="list-style-type: none"> • SP1 Delivering Sustainable Development • SP3 Settlement Strategy and Green Belt Boundaries • SP9 Place Making and High Quality Design • SADM2 Highway Network and Safety • SADM11 Amenity and Layout • SADM12 Parking, Servicing and Refuse <p>Northaw and Cuffley Neighbourhood Plan 2022-2036:</p> <ul style="list-style-type: none"> • D2 Local Character <p>Planning Guidance:</p> <ul style="list-style-type: none"> • Supplementary Design Guidance 2005 • Supplementary Planning Guidance Parking Standards 2004 • Interim Policy for Car Parking Standards and Garage Sizes 2014 • Planning Practice Guidance 	

Main Issues
Is the development within a conservation area?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Would the significance of the designated heritage asset be preserved or enhanced?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Comment (if applicable):
Would the development reflect the character of the area?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Comment (if applicable):
<p>Paragraph 131 of the NPPF 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.</p> <p>Local Plan Policy SP1 requires the need to deliver sustainable development whilst ensuring development is built to high design standards reflecting local character. Policy SP9 emphasises this need to deliver a high-quality design that fosters a positive sense of place. Proposals should be informed by an analysis of the site's character and context so that they relate well to their surroundings and local distinctiveness, including the wider townscape and landscape. Development proposals must respect neighbouring buildings and the surrounding context in terms of height, mass and scale. They should also be of a high-quality architectural design that creates coherent and attractive forms and elevations and uses high quality materials. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG). In terms of the character of the area, paragraph 2.4 of the SDG outlines, amongst other things, that new development should:</p> <ul style="list-style-type: none"> • Respond to building forms and patterns of existing buildings in the detailed layout and design to reinforce a sense of place; • Use local materials and building methods/details to enhance local distinctiveness; and • Ensure that the scale, height, massing, and space around the new development in relation to the adjoining buildings is considered. <p>Also, the SDG outlines that dormer windows should be contained within the roof slope, be subservient to the roof of the property and be in proportion to the existing fenestrations of the property. They should not extend above the ridge height of the existing dwelling and the dormer cheeks should be at least 1m from the flank wall/party wall of the property.</p> <p>Moreover, Policy D2 of the Northaw and Cuffley Neighbourhood Plan (NCNP) concerns the local character and Appendix 2 provides further guidance in support of Policy D2, with extracts from local character assessments that should be used to inform all development proposals. Under the heading 'Household Extensions' it states:</p> <ul style="list-style-type: none"> • The original building should remain the dominant element of the property regardless the amount of extension. The newly built extension should not overwhelm the building from any given point. • The pitch and form of the roof used on the building adds to its character and extensions should respond to this where appropriate. • Extensions should consider the materials, architectural features, window sizes and proportions of the existing building and recreate this style to design an extension that matches and complements the existing building. <p>In terms of loft extensions, page 52 of the NCNP has a diagram which demonstrates acceptable and unacceptable alterations to a roof. The unacceptable examples show a wide flat roofed dormer with an annotation which states, "Loft conversions incorporating a long shed dormer which is out of scale</p>

with the building”.

Northaw Road East is characterised by detached bungalows situated within spacious plots. A number of dwellings were originally built to the same design, however, there has been a number of redevelopments in the area, where the bungalows have created a first floor level.

Planning permission is sought for the erection of a single storey rear extension, a single storey side extension and front porch, following the demolition of the existing side addition, increase in ridge height to facilitate an enlarged loft conversion with the addition of four side dormers, erection of a raised patio to the rear and fenestration alterations.

The objections from the neighbours and the Parish Council are acknowledged.

It is important to note that some of the objections submitted by neighbours and Northaw and Cuffley Parish Council relate to Policy D1 of the NCNP. However, Policy D1 applies only to a closed list of development types which does not include householder extensions. Policy D1 states “As appropriate to their scale, nature and location, development proposals for plot sub-division, infill and back land development should respond positively to the following issues and design features”. Therefore, no weight is attributed to Policy D1 in the consideration of householder applications such as this.

The proposal includes an increase in ridge height to facilitate an enlarged loft conversion with the addition of four side dormers. Land levels at the application site fall in a downward slope from the front towards the rear. There would be a marginal increase in the overall height of the resultant dwelling of approximately 0.5m. It is therefore considered that the increase in ridge height would not disrupt the rhythm of the streetscene.

The proposal includes four long shed dormers which the NCNP consider unacceptable alterations to a roof. While the dormers do not exceed the ridge of the dwelling, they are set very minimally below the ridge, as well as only being minimally set up from the eaves. The dormers therefore occupy the majority of their respective roofslope and would be substantial in comparison to the host dwelling. The dormers are not reflective of the character of the original dwelling and are not considered to represent high quality architectural design. Consequently, the dormers would not fully accord with the NCNP. Additionally, there would be a degree of conflict with Policy SP9 and the SDG. However, the appearance of the resultant dwelling is not considered in isolation; Policy SP9 requires proposals to be respond to the site’s character and surrounding context, including the street scene, having regard to neighbouring buildings in terms of height, mass and scale. There are examples of similar large, long shed dormers within the immediate vicinity of the application site (Nos. 33, 35, 40, 44, 45, 46 and 47). As such, it is considered that these examples inform the character of the area, and this is a material consideration in assessing this application. On balance, it is considered that the proposed dormers would not appear discordant with the character of the area and are therefore considered acceptable in this instance.

The proposed front porch would be limited in depth (approx. 1.2m) with a pitched roof that complements the host dwelling, it would be in keeping with the host dwelling and surrounding area. As such, there is no objection raised regarding this element of the proposal.

The proposed rear extension would be approximately 4m deep and would cover the full width of the rear of the host dwelling and would feature a pitched roof and facilitate loft conversion. The adjoining properties at No 39 and 41 Northaw Road East have had rear extensions and therefore, the impact of the proposal in terms of scale and appearance, would be acceptable. Furthermore, the application site benefits from a large rear garden, therefore, the resultant dwelling would not appear to be cramped when viewed from the rear gardens of adjoining properties.

The application site benefits from a single storey side extension which is set back from the front elevation. The proposal would infill the gap in front of the side extension and would be in line with the

front building line. Additionally, the side extension would feature a parapet wall which would conceal the edge of the dormers facing No. 43 Northaw Road East. In this instance, it is considered that this element of the proposal would not detract from the character and appearance of the host dwelling and the surrounding area.

The proposed raised patio would extend across the width of the rear of the host dwelling and would have a depth of approx. 2m and would be raised by between 1.2m and 1.5m. The patio would be largely screened from neighbours' view by the existing fence and hedge and for this reason would not have a harmful impact on the character and appearance of the host dwelling and surrounding area.

The amendments to the fenestration are similar to other extended dwellings in the immediate area and would be acceptable. The proposed external materials would match the existing dwelling.

Overall, subject to a condition requiring matching external materials, it is considered that on balance, the resultant dwelling would not appear discordant with the character of the area or result in an overdevelopment of the site.

Would the development reflect the character of the dwelling?

Yes No N/A

Comment (if applicable): See above

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

Yes No N/A

Comment (if applicable):

The NPPF is clear that planning should be a means of finding ways to enhance and improve the places in which people live their lives. This means that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy SADM11 provides the local policy framework for assessing the impact of development on the residential amenity and living conditions of neighbouring properties and aims to ensure adequate amenity for future occupiers of the proposed development. This is expanded upon in the Council's SDG which outlines that development should be designed and built to ensure that there is a satisfactory level of sunlight and daylight, that adequate amenity space is provided and that overlooking is minimised. Policy D2 of the NCNP Neighbourhood Plan is also relevant.

The most likely neighbours to be impacted are those at No 39 and 43 Northaw Road East; 46 and 48 Theobald's Road.

The proposed side dormer windows would have potential overlooking and privacy impacts on the neighbouring occupiers at No. 39 and 43 Northaw Road East. The plans state that dormer windows would be obscure glazed below a height of 1.7 metres. In order to maintain privacy of this neighbouring property, a condition is attached to ensure that these flank windows would be obscure glazed and fixed shut below 1.7 metres.

The rear juliet balcony has the potential for overlooking to parts of the front and rear gardens of adjoining properties at No. 39, 43 Northaw Road East, 46 and 48 Theobald's Road. However, the degree of overlooking would be consistent with a neighbouring relationship generally expected between residential properties and would not result in undue harm to the amenity of neighbours.

Turning to the proposed raised patio, due to the land levels which slope towards the rear, limited depth and height and screening by the fence and hedge, it is considered that the patio would not

unduly impact on the living conditions of neighbouring occupiers in terms of overlooking or loss of privacy. Therefore, an obscure screen would not be required on the side elevations to protect the amenity of neighbouring occupiers at No 39 and 43 Northaw East.

In terms of the side extension, there would be a marginal increase in the overall height of the resultant dwelling. Therefore, this element of the proposal is not likely to worsen the existing impact on neighbour amenity with the adjoining property at No. 43 Northaw Road East.

Subject to the suggested condition, it is not considered that the proposal would have an adverse impact on the amenities of neighbouring occupiers and would comply with the Northaw and Cuffley Neighbourhood Plan; Welwyn Hatfield Borough Council Local Plan; and the National Planning Policy Framework.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

The proposal would increase the number of bedrooms from three to four. The Council's car parking guidance for a dwelling with three bedrooms in this location is 3 spaces per dwelling. The application site benefits from a large frontage which would provide adequate on-site car parking provision for the resultant dwelling in line with the Council's SPG.

Concerns have been raised regarding impact on highway safety during construction. Whilst the proposal would generate some traffic during construction, this would be for a temporary period of time and the proposed extension would not have any adverse impacts on highway safety. An informative regarding highway safety is suggested and added to the decision notice.

Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise. The proposed dormers would not fully accord with the NCNP. Additionally, there would be a degree of conflict with Policy SP9 and the SDG. However, breach of a particular development plan policy does not necessarily equate to a failure to accord with the development plan as a whole. In this case, the appearance of the resultant dwelling is not considered in isolation; Policy SP9 requires proposals to be respond to the site's character and surrounding context, including the street scene, having regard to neighbouring buildings in terms of height, mass and scale. There are examples of similar large, long shed dormers within the immediate vicinity of the application site which inform the character of the area, and this is a material consideration in assessing this application. On balance, it is considered that the proposed dormers would not appear discordant with the character of the area and are therefore considered acceptable in this instance. Overall, subject to conditions outlined above, the proposal is considered to comply with the development plan and the NPPF.

Conditions:

1. The development must not be carried out other than in accordance with the details of external materials specified on the submitted application form. Details of any alternative materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority prior to above ground development. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of maintaining the character and visual amenity of the area, in accordance with the

Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

2. The side dormer windows [facing No 39 and 41 Northaw Road East] of the building hereby approved must be obscure-glazed to a level equivalent to Pilkington Level 3 or above 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. Obscure glazing does not include applied film or one-way glass.

REASON: To protect the residential amenity and living conditions of adjoining occupiers in accordance with the Welwyn Hatfield Borough Council Local Plan 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
1		Location Plan	2 April 2024
3		Existing Layouts and Elevations	2 April 2024
2		Proposed Block Plan	10 May 2024
4		Proposed Layouts and Elevations	10 May 2024

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 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.

3. (a) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

(b) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

(c) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
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 Mark Peacock
14 June 2024