

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

DELEGATED APPLICATION

Application No: 6/2023/2081/HOUSE
Location: 21 St Josephs Green Welwyn Garden City AL7 4TT
Proposal: Erection of a single storey rear extension and single storey side extension to link up with a garage conversion, solar panels, air condition/ashp unit, new side gate, cycle store and landscaping works
Officer: Mrs Kerrie Charles

Recommendation: Granted

6/2023/2081/HOUSE

Context	
Site and Application description	<p>No.21 Josephs Green is a three-storey detached dwelling with garage located within a residential development. The entrance to the dwelling is within the side elevation.</p> <p>This application seeks planning permission for the erection of a single storey rear extension and single storey side extension to link up with a garage conversion, solar panels, air condition/ashp unit, new side gate, cycle store and landscaping works.</p> <p>A planning application for this site was recently approved under planning application reference 6/2022/2781/HOUSE for the “erection of single storey rear extension, garden office/study room and pergola, air conditioning/ashp units and solar panels to roofs”.</p>
Constraints	<p>SAG - 0 - Distance: 0 ROW - FOOTPATH (WELWYN GARDEN CITY 067) - Distance: 44.25 Wards - Hollybush - Distance: 0 HPGU - Hatfield Woodhall - Distance: 0</p>
Relevant planning history	<p>Application Number: 6/2022/2251/HOUSE Decision: Refused Decision Date: 29 November 2022 Proposal: Erection of a single storey rear extension, replacement single storey side/front extension, garden office/study room and pergola, air conditioning/ashp units and solar panels to roofs</p> <p>Application Number: 6/2022/2781/HOUSE Decision: Granted Decision Date: 02 February 2023 Proposal: Erection of single storey rear extension, garden office/study room and pergola, air conditioning/ashp units and solar panels to roofs</p>
Consultations	

Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 19 October 2023 Site Notice Expiry Date: 9 November 2023		
Summary of neighbour responses	None received		
Consultees and responses	The Gardens Trust - we do not wish to comment. Public Health and Protection – No objection subject to the suggested condition.		
Relevant Policies and Guidance			
National Planning Policy Framework			
The Welwyn Hatfield Borough Council Local Plan 2016-2036:			
<ul style="list-style-type: none"> • SP1 Delivering Sustainable Development • SP3 Settlement Strategy and Green Belt Boundaries • SP9 Place Making and High Quality Design • SP10 Sustainable Design and Construction • SADM11 Amenity and Layout • SADM12 Parking, Servicing and Refuse • SADM18 Environmental Pollution 			
Planning Guidance:			
<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 			
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>This planning application seeks permission for a single storey rear extension and single storey side extension to link up with a garage conversion, solar panels and air conditioning/air source heat pump units, as well as hard and soft landscaping works. A similar application was previously approved under planning reference 6/2022/2781/HOUSE. The proposed plans within this application show the extension to span the width of the existing dwelling and adjoin to the existing detached garage.</p> <p>Since the approval of the previous application, the Welwyn Hatfield Local Plan 2016 was adopted at a meeting of the Council on 12 October 2023. The Welwyn Hatfield Local Plan is now the Statutory Development Plan for the Borough. This means it has full weight in determining planning applications and development decisions within the Borough. The newly adopted Local Plan replaces the previous Local Plan which comprised 'saved' policies from the Welwyn Hatfield District Plan 2005.</p> <p>Policy SP9 states that proposals will be required to have been informed by an analysis of the site's</p>			

character and context so that they relate well to their surroundings and local distinctiveness, including the wider townscape and landscape, and enhance the sense of place. Policy SP9 goes on to state that development proposals will need to respect neighbouring buildings and the surrounding context in terms of height, mass and scale and also be of a high quality architectural design that creates coherent and attractive forms and elevations and uses high quality materials. The Council's SDG is also relevant.

The revised scheme would increase the bulk and mass at the rear of the dwelling which would be visible within the streetscene due to the position of the dwelling and the shared garage with the adjoining property. The amenity space within the rear garden would be reduced, however it is considered that on balance, a functional and useable garden would remain. Taking into consideration the rear part of the proposed extension being single storey and being constructed with a flat roof and matching materials, on balance the proposed works would be considered acceptable in this regard.

The proposed side extension would be attached to the single storey rear extension and would project outwards, in front of the existing detached garage which adjoins with the property next door. The existing garage provides a sense of symmetry which is aesthetically pleasing. The proposed single storey side extension with a flat roof would obscure parts of the garage, unbalancing the symmetrical appearance. However, it is noted that this would only be visible from specific public vantage points within the street scene, which face directly towards this area of the site. This is because the application dwelling and the adjoining dwelling would largely obscure this part of the site from other viewpoints. In addition, the extension would be built close to the rear building line of the rear elevation of the dwelling and as such it would be considerably set back from the elevation which faces Eddington Crescent. For these reasons, it is considered that this aspect of the proposal would, on balance, be acceptable.

Policy SP10 of the Local Plan states that proposals that adopt sustainable design and construction principles within an integrated design solution will be supported. The use of renewable and low carbon energy infrastructure should be used where appropriate and consistent with other policies. It is acknowledged that the proposed solar panels would be positioned on the front roof slope of the dwelling and garage roof, which would be visible from public vantage points. However, there are already solar panels on the rear roof slope and the panels would be aligned in a similar manner, by being evenly spaced from the sides of the roof slope and the ridgeline of the host dwelling. Due to the existing arrangement of the dwelling within the street scene, these roof slopes do not directly face the main road in Eddington Crescent either as they are oriented to the east and west. In addition, it is a material consideration that application 6/2022/2781/HOUSE was granted in February 2023 and remains an extant permission. This represents a reasonable fallback if this application was not approved. As such, there are no objections in regards to the proposed solar panels.

The proposal also includes the addition of a gate and a cycle shed. The proposed garden gate would be constructed of grey aluminium and several plants would be removed to facilitate access to the gate. The proposed plans also demonstrate a new cycle storage shed which would be slightly taller than the boundary wall, however it would be set back within the garden. It would also be finished with shiplap timber with a mineral felt roof. This can be secured by condition. Taking into consideration the proposal and the proposed materials to be used, the new gate and shed would not be detrimental to the character of the existing dwelling and surrounding area. The removal of some of the planting would not be unduly detrimental either as some of the plants would remain. The decking/permeable paving slabs would be limited in height and as such would not be widely visible from outside of the site, therefore no objections are raised in this regard in visual terms either.

The air conditioning units and air source heat pump would be visible from the road but would be of a modest scale that would not detract from the character of the surrounding area and are therefore considered acceptable.

Therefore, the proposed development by virtue of its siting, scale and design, would relate well to the design, character of the existing building and surrounding area and comply with Policies within the Welwyn Hatfield Borough Local Plan and the National Planning Policy Framework.

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 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 is also relevant. No neighbour representations have been received.

It is not considered that the proposed development would result in a detrimental impact on the residential amenity of any neighbouring occupiers in terms of a loss of light, appearing unduly dominant or resulting in an undue impact on privacy. In terms of the hard landscaped features which comprise of decking and permeable paving slabs, these will be located in the rear garden. No elevation details have been provided. However, the applicant's agent has confirmed via email that the decking would be no more than 200mm above the natural ground level, because this is the difference between the internal floor and external ground level. A condition can be imposed securing this as the maximum height.

In terms of the air source heat pump and air conditioning unit, these units have the potential to create additional noise compared to the existing situation. Policy SADM18 of the Local Plan states that when considering development proposals, the Council will adopt an approach to ensure that pollution will not have an unacceptable impact on human health, general amenity, critical environmental assets or the wider natural environment. This includes noise pollution and prevents any proposals that would be very disruptive, intrusive or that would have unacceptable adverse effects on human health from being approved.

The Council's Public Health and Protection Officer has reviewed the proposal and raises no objection to the proposal in principle. They have not recommended any noise mitigation conditions on this basis. However, it is considered necessary to add a condition to state that the proposal shall be maintained in accordance with manufacturer's instructions and that the noise emitted from all external plant and equipment should not exceed the background noise level (LA90), at any time, at the closest residential neighbour. Therefore, subject to the suggested condition, it is considered that the impact of the noise source would not have an adverse impact on the residential amenity of the occupiers of neighbouring buildings or nearby properties.

Overall, it is considered that the living conditions of the adjoining occupiers would be maintained to an acceptable level in accordance with Policy SADM11 of the Local Plan, the Supplementary Design Guidance 2005 and the NPPF.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

Paragraph 111 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 SADM12 of the Local Plan states that the type and quantum of vehicle and cycle parking provided within development proposals will be informed by the standards set out in the Council's parking standards taking account of:

- a. The site's location and accessibility to public transport, services and facilities;
- b. The nature and degree of parking demand likely to be associated with the development and opportunities for shared parking; and
- c. The need to promote more sustainable forms of travel within the borough.

Off street parking would be reduced for this site following the proposed extension and garage conversion. However, two parking spaces would still be provided for the site and no further bedrooms would be created resulting from this development. A cycle storage shed is also proposed within the rear garden, which will encourage a more sustainable mode of travel. The site has sufficient off-street parking and is in a reasonably accessible location with access to services and facilities by means other than a private car, such as bus routes or cycling, therefore, on balance, no objections are raised.

Any other issues	N/A
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Conclusion

Subject to the suggested conditions, the proposal would comply with the Local Plan and is therefore recommended for approval.

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

2. The noise emitted from the air source heat pump and air conditioning unit hereby approved shall not exceed the background noise level (LA90), at any time, at the closest residential neighbour. The noise level must be achieved with the plant equipment running at a typical maximum load setting. The plant/equipment shall be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are always maintained.

REASON: In the interests of residential amenity in accordance with Policy SADM11 and SADM18 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

3. The approved cycle shed must be finished with shiplap timber and a mineral felt roof, and the approved garden gate must be finished with grey aluminium, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

4. The decking/paving hereby approved shall be no greater than 200mm in height when measured from the existing ground level.

REASON: In the interests of visual and neighbouring amenity in accordance with Policies SADM11 and SP9 of The Welwyn Hatfield Borough Council Local Plan 2016-2036 (October 2023) and the National Planning Policy Framework.

DRAWING NUMBERS

5. 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
3579-PR00	A	Proposed Ground Floor Site Plan	19 December 2023
3579-EX01	A	Existing Ground Floor Site Plan	19 December 2023
3579-PR01	A	Proposed Ground Floor Plan	19 December 2023
		Location plan	11 October 2023
3579-EX02		Existing Ground Floor Plan	11 October 2023
3579-EX03		Existing Roof Plan	11 October 2023
3579-EX04		Existing Front and Rear Elevations	11 October 2023
3579-EX05		Existing Side Elevations	11 October 2023
3579-PR02		Proposed Roof Plan	11 October 2023
3579-PR04		Proposed Front and Rear Elevations	11 October 2023
3579-PR05		Proposed Side Elevations	11 October 2023
3579-PR06		Existing and Proposed Sections	11 October 2023
3579-EX00	A	Existing location plan	13 October 2023

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. 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.
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:

Ms Emily Stainer
5 January 2024