

**WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL**  
**DELEGATED REPORT**

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| <b>APPLICATION No:</b>   | <b>N6/2011/0769/FP</b>       |
| <b>APPLICATION Site:</b> | <b>77 Eddington Crescent</b> |

**NOTATION:**

The site lies within Welwyn Garden City as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:**

The application site is located to the south of the town centre and on the southern side of the highway. The surrounding area comprises of a semi and terraced house that are located in modest plots. No.75 bounds the property to the east and the plot of No.79 bounds the site to the west, with driveways and garages between both houses. Within the surrounding area a few small single storey additions have been added to the rear of properties. Permitted development rights were removed in the original permission for these properties.

The application site is approximately 27 metres in depth and 11 metres wide. It comprises of a two storey semi-detached dwelling with front and rear associated gardens. There have been no previous additions to this dwellinghouse. The dwelling is finished with facing brickwork and a tile roof. In the rear garden area, but to the west of the dwellinghouse is a detached garage.

**DESCRIPTION OF PROPOSAL:**

The application seeks planning permission for the erection of a two storey rear extension.

The extension would be located on the western side of the rear elevation and form a lean-to. The extension is proposed to be finished with brickwork and a tile roof. It would be 3 metres deep, 4.8 metres wide and a maximum height of 3.7 metres.

**PLANNING HISTORY:**

None

**PLANNING POLICY:**

National Policy:

PPS1: Delivering sustainable development

PPS9: Biodiversity and Geological Conservation

PPG13: Transport

East of England Plan 2008:

SS1: Achieving Sustainable Development

ENV7: Quality in the Built Environment

T14: Parking

Hertfordshire Structure Plan Review 1991 – 2011:

None

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP2: Towns and specified settlements

R3: Energy Efficiency

M14: Parking standards for new developments

D1: Quality of design

D2: Character and context

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

## **CONSULTATIONS**

None

## **TOWN/PARISH COUNCIL COMMENTS**

None

## **REPRESENTATIONS**

The application was advertised by neighbour notification letters and site notice. No letters of representation were received. Period expired 15 June 2011.

## **DISCUSSION:**

The main issues are:

- 1. Impact on the character and appearance of the surrounding area.**
- 2. Impact on the amenity of neighbouring properties.**
- 3. Parking Provision.**
- 4. Sustainable Development.**
- 5. Protected Species**
- 6. Other material planning considerations**

### **1. Impact on the character and appearance of the surrounding area**

Policies GBSP2, D1 and D2 of the adopted Welwyn Hatfield District Plan apply which 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. These policies are expanded upon in the Council's Supplementary Design Guidance which requires that residential extensions should be complementary in design and be subordinate in size and scale to the existing dwelling. The impact of a development is assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area.

This application proposes a modest scale extension to the rear of the dwellinghouse, which would be clearly subordinate to the scale of the original dwellinghouse. Sited to the rear of the dwellinghouse, the extension would not be visible within the street scene and would not, therefore, alter its visual amenity when viewed from that perspective. Similarly, the two metre high boundary treatments that encase the rear garden would ensure the proposal would not be a prominent feature to the rear of

these dwellings. Details of the brickwork and tiles used in the external finish of the extension have not been specified. To ensure that match the original dwellinghouse this application will be subject to an appropriately worded condition. The brickwork used in the base of the conservatory is proposed to match the existing. In addition, sufficient amenity space would be retained to the rear of the dwellinghouse for the enjoyment of the occupiers of this dwelling and the proposal would not result in an overly cramped form of development.

The proposed extension would form a lean-to. Whilst the pitch of the roof would not directly relate to that on the original dwellinghouse or garage, this is due to the position of the windows within the upper floor of the rear elevation. It is therefore considered that the proposal would sufficiently relate to the form of the original dwellinghouse.

In the context of the wider area, the proposal would not be out of keeping with the single storey extensions and conservatories that have already been erected on other dwellings within the street scene.

It is considered that proposed conservatory, by virtue of its siting, scale, form and detailed design would maintain the character and appearance of the original dwellinghouse in accordance with policies GBSP2, D1 and D2.

## **2. Impact on the amenity of neighbouring properties**

The impact of the proposed development on the residential amenity of neighbouring dwellings is considered in terms of the impact on neighbouring properties access to day/sun/sky light, overbearing and privacy. Giving consideration to the scale of the proposal, the siting of windows in the adjoining properties and the orientation of the dwellings, it is considered that the proposed conservatory would not have an unreasonable impact on the daylight or sunlight afforded to the neighbouring residency, have an overbearing impact or the level of privacy currently enjoyed by the neighbouring residents. It is considered that the proposal would not have a detrimental impact on the amenity of adjoining occupiers in accordance with Policy D1.

## **3. Parking Provision**

Parking is considered in terms of the maximum standards outlined in the Council's Parking Standards, Adopted January 2008. For the purposes of these standards the application site is within Zone 4.

The proposed development would not increase the requirement for on-site parking spaces and the proposed development would not alter the number of parking spaces provided within the site. It is therefore considered that the proposal would comply with the requirements of Policy M14.

## **4. Sustainable Development**

The applicant has submitted a statement assessing the proposals against the sustainability checklist contained within the Supplementary Design Guidance. The proposals are considered to be in accordance with policies R3 of the District Plan and SD1 of the Supplementary Design Guidance.

## 5. Protected Species

The presence of protected species is a material consideration, in accordance with PPS9 (Biodiversity and Geological Conservation), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. In the UK the requirements of the EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9(5) of the Conservation Regulations 2010, which states: *"a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions."* The Conservation Regulations 2010, (Regulation 41) contains the main offences for EPS animals, however the existing site and development is such that there is not a reasonable likelihood of EPS being present on site nor would an EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

## 6. Other Material Considerations

**East of England Plan 2008:** On 10th November 2010, The High Court quashed the decision of the Secretary of State for Communities and Local Government to unilaterally revoke Regional Spatial Strategies in England on two grounds:

- That he acted outside his statutory powers in circumventing the need for parliamentary scrutiny of such a fundamental change to the national planning system; and
- He failed to consider the likely environmental effects of revoking Regional Strategies.

Whilst the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Bill, which began its passage through Parliament at the end of last year, the policies in the East of England Plan are re-established and form part of the development plan again and are therefore a material consideration which can be taken into account in reaching a decision.

The application has been considered against policy(ies) in the East of England Plan, which at the time of this decision forms part of the development plan for the borough.

### **CONCLUSION:**

It is considered that the proposal, by virtue of its siting, scale, form and design, would maintain the character and appearance of the surrounding area and would not have a detrimental impact on the amenity of neighbouring properties. Sufficient on-site parking provision is maintained and the proposal has sufficiently addressed the aims sustainability aims of the Development Plan. There is not a reasonable likelihood of EPS being present on site nor would an EPS offence be likely to occur.

### **RECOMMENDATION: APPROVAL**

1. C.2.1 – Three Year Time Limit
2. C.13.1 – The development/works shall not be started and completed other than in accordance with the approved plans and details 1:1250 Site Location Plan &

RW/WH/1 received and dated 4 May 2011 unless otherwise agreed in writing by the Local Planning Authority.

**POST DEVELOPMENT**

3. C.5.2 - Matching Materials

**SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION:**

The proposal has been considered against Planning Policy Statement/Guidance PPS1, PPS9 East of England Plan 2008 policies SS1, ENV7, T14 and development plan policies GBSP2, SD1, R3, M14, D1 and D2 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan.

**INFORMATIVES:**

None

**Signature of author..... Date.....**