

**WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT**  
**DELEGATED REPORT**

<b>APPLICATION No:</b>	<b>N6/2013/952/FP</b>
<b>APPLICATION Site:</b>	<b>57 Lemsford Lane, Welwyn Garden City</b>

**NOTATION:**

The application site is in Welwyn Garden City. It is excluded from the Green Belt in accordance with Policy GBSP1 as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:**

57 Lemsford Lane is a two storey, red brick, end-of-terrace dwelling. The terrace is set back from the main part of Lemsford Lane beyond a grassed square and can be accessed by a footpath.

The property has a rear patio area which is on higher ground than the rest of the garden. This is the same for all the properties in the terrace.

The surrounding area is residential in character. There is a mixture of type of dwellings. To the rear (south-west) of the property's garden is woodland and then the motorway. To the south of the application site is a communal garage block. The access road runs alongside the application site. The boundary is marked by tall hedgerow which means views into the property's rear garden are limited.

**DESCRIPTION OF PROPOSAL:**

This application seeks planning permission for a single storey rear extension.

**PLANNING HISTORY:**

None

## **SUMMARY OF POLICIES:**

National Planning Policy Framework

Circular 03/09: Costs Awards in Appeals and Other Planning Proceedings

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP1: Definition of Green Belt

GBSP2: Towns and Specified Settlements

R3: Energy Efficiency

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:**

Herts County Council as Highways Authority – No comments received

Herts Biological Records Centre – The HBRC database does not hold any biological records (habitats or species) for the proposal site though the area to the south is recorded on our database as an Ecology Site – Stanborough Lake. The development, as proposed, will not impact the adjacent Ecology Site and does not affect the roof or loft space of the dwelling, and thus will not have an impact on any bat population or any other known protected species.

Herts Middlesex Wildlife Trust – No comments received

## **TOWN/PARISH COUNCIL COMMENTS:**

None

## **REPRESENTATIONS:**

The application was advertised by neighbour notification letters. No representations were received.

## **DISCUSSION:**

The main issues are:

1. The impact of the proposal on the character and appearance of the existing property and the surrounding area
2. Impact on the residential amenity of neighbouring properties
3. Parking provision
4. Other material considerations

## **1. The impact of the proposal on the character and appearance of the existing property and the surrounding area**

The Government attaches great importance to the design of the built environment. The National Planning Policy Framework (NPPF) notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments add to the overall quality of the area; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. They should also be visually attractive as a result of good architecture and appropriate landscaping.

The NPPF goes on to note that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Policy GBSP2 of the Welwyn Hatfield District Plan 2005 notes that development within the specified settlements will be limited to that which is compatible with the maintenance and enhancement of their character and the maintenance of their Green Belt boundaries. Policy D1 requires the standard of design in all new development to be of a high quality and Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan.

The proposed extension would be situated to the rear of the host dwelling and because of the hedgerow which runs along the side boundary of the site it would not be visible in the streetscene or other views of the application site. The flat roof, simple design is in keeping with the general design principles of Welwyn Garden City and is considered to be appropriate to the host dwelling. It would appear subordinate to the original dwelling, which is in accordance with the Council's supplementary design guidance. Overall, provided that matching materials are used in the construction of the proposed extension it is not considered that it would detract from the character and appearance of the host dwelling or the general area. The proposal is therefore considered to be acceptable in this respect.

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

No representations were received from neighbouring occupiers. The main property which might be affected by the proposal is the attached neighbouring property, number 55. All other nearby properties are considered to be sufficiently removed from the application site so as not to be affected by the proposal.

## **Number 55**

The proposed extension would extend out from the rear of the host dwelling by roughly 3.3 metres along the shared boundary with this property. Because of the sizes of the dwellings and because the property to the other side has also extended to the rear there is the possibility that the extension proposed in this application might appear overbearing to this property and that it might reduce the outlook from their rear ground floor windows to some extent. However, on balance, the impact is considered to be at an acceptable level, especially because the proposed extension would only be single storey in height with a flat roof.

Due to the position of the 2 dwellings and the path of the sun it is not considered that the proposed extension would lead to any significant loss of light to number 55 and it is also not considered that overlooking would pose a problem.

The proposal is considered to be acceptable in this respect.

### **3. Parking Provision**

The proposal would not create any additional bedrooms in the host dwelling and therefore there is no need for any additional parking provision. The proposal is therefore considered to be acceptable in this respect.

### **4. Other Material Planning Considerations**

**Sustainable Development:** The applicant has completed a sustainability checklist which highlights that the scheme generally responds positively to the topic areas that are required to be considered in accordance with policies SD1 and R3 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance, 2005.

**Protected Species:** The presence of protected species is a material consideration, in accordance with, 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 a EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 and amended 2012 Regulations further.

The Herts Biological Records Centre have noted that their database does not hold any biological records (habitats or species) for the proposal site though the area to the south is recorded on our database as an Ecology Site – Stanborough Lake. The development, as proposed, will not impact the adjacent Ecology Site and does not

affect the roof or loft space of the dwelling, and thus will not have an impact on any bat population or any other known protected species.

**CONCLUSION:**

Subject to a planning condition to ensure matching materials are used in the construction of the proposed extension it is considered that the design would adequately respect and relate to the existing dwelling and the surrounding area. The impact on the residential amenity of neighbours is also considered to be acceptable. The proposed development is therefore considered to be in accordance with the National Planning Policy Framework and the Welwyn Hatfield District Plan 2005 and the requirements of the Supplementary Design Guidance (Statement of Council Policy).

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

**CONDITIONS:**

1. C.2.1 Time limit for commencement of development
2. C.13.1 The development/works shall not be started and completed other than in accordance with the approved plans and details: Drawing No.01 received and dated 9th May 2013 unless otherwise agreed in writing by the local planning authority.

**Post Development**

3. C5.2 Matching materials

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

The proposal has been considered against the National Planning Policy Framework and the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which, at the time of this decision indicate that the proposal should be approved. The decision has also been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 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 inspected at these offices).

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