

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2018/2824/HOUSE
Location: 107 Eddington Crescent Welwyn Garden City AL7 4SX
Proposal: Erection of single storey front extension to existing garage to facilitate conversion of garage & part single part two storey rear extension following demolition of existing conservatory & alterations to openings
Officer: Ms Louise Sahlke

Recommendation: Refused

6/2018/2824/HOUSE

| Context | |
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| Site and Application description | <p>107 Eddington Crescent is a two storey end of terrace dwelling within a new residential estate. It has an unusual relationship with 97-105 Eddington Crescent as the flank elevation faces the rear elevation of this row of terraces.</p> <p>Eddington Crescent is a narrow road with no parking restrictions. However on observation there is pressure on on-street car parking spaces during the day throughout the estate.</p> <p>The proposal is for the erection of single storey front extension to existing garage to facilitate conversion of garage & part single part two storey rear extension following demolition of existing conservatory & alterations to openings.</p> |
| Constraints (as defined within WHDP 2005) | <p>GB - Greenbelt - Distance: 0.71 ROW - FOOTPATH (WELWYN GARDEN CITY 067) - Distance: 4.14 Wards - Hollybush - Distance: 0 HPGU - Hatfield Woodhall - Distance: 0 Part of the site is located within flood zone surface water 1000</p> |
| Relevant planning history | <p>Planning</p> <p>Application Number: N6/2004/0357/DE Decision: Refused Decision Date: 02 July 2004</p> <p>Proposal: RESERVED MATTERS APPLICATION FOLLOWING OUTLINE PERMISSION (C6/482/1988/OP) FOR THE ERECTION OF 332 DWELLINGS, ACCESS ROAD, GARAGES AND PARKING COUNTRYARDS, CONSISTING OF 221 FLAT/MAISONETTES AND 111 DWELLING HOUSES</p> |

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| | Application Number: N6/2004/1483/DE Decision: Approval Subject to s106 Decision Date: 06 May 2005 Proposal: RESERVED MATTERS APPLICATION FOLLOWING OUTLINE PERMISSION C6/0482/1988/OP, FOR THE ERECTION OF 309 HOUSES AND FLATS, ACCESS ROADS, GARAGES AND PARKING COURTYARDS, Application Number: N6/2011/0961/FP Decision: Granted Decision Date: 22 July 2011 Proposal: Erection of rear conservatory | | |
| Consultations | | | |
| Neighbour representations | Support: 0 | Object: 1 | Other: 0 |
| Publicity | Written neighbour notification. | | |
| Summary of neighbour responses | One objection from 103 Eddington Crescent in regards to: <ul style="list-style-type: none"> • With a large wall so close to my patio doors will feel very boxed in and claustrophobic; • Loss of privacy; • Loss of daylight to upstairs rooms. Some issues are not material to the consideration of the planning application. These are: <ul style="list-style-type: none"> • The existing relationship of the dwellings or plot sizes; • Family situation; • Builders being able to look into property; • Impact on home business; • Noise; • Views of other neighbours; • Invitation to view property. | | |
| Consultees and responses | No external consultation received. | | |
| Relevant Policies | | | |
| <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 Others R7 Protection of Ground and Surface Water <u>Draft Local Plan Proposed Submission August 2016</u> SP4 Transport and Travel SP9 Place Making and High Quality Design SADM2 Highway Network and Safety SADM12 Parking, Servicing and Refuse SADM14 Flood Risk and Service Water Management | | | |
| Main Issues | | | |

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| <p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</p> | <p>107 Eddington Crescent is a two storey end of terrace dwelling within a new residential estate. It has an unusual relationship with 97-105 Eddington Crescent as the flank elevation faces the rear elevation of this row of terraces. The properties are located on small plots on a narrow road.</p> <p>The proposal seeks to convert the existing garage into habitable accommodation and insert a rear window. Attached to the front of the existing garage would be a single storey front extension with a connecting crown roof. The position, reduction in spacing between the existing dwelling and garage, height and architecture design of this front extension and garage conversion is considered acceptable. The insertion of a flank side window is also considered acceptable.</p> <p>The proposal also seeks to demolish the existing conservatory and replace this with a larger part two, part single storey rear extension. This would extend approximately 4.2 metres in depth on both levels and extend across the width of the plot at ground floor level with various height roofs.</p> <p>On research of Eddington Crescent, it should be noted that permitted development rights were removed. This condition is normally included on new residential development to ensure that plots are not overdeveloped. There is only one example of a part two, part single storey rear extension granted permission within Eddington Crescent and this is much smaller. It should also be noted that the application plot is not identical to 107 Eddington Crescent, and does not set a precedent for such development as each application is assessed on its own merits.</p> <p>The proposed part two, part single storey rear extension, in regards to its overall scale, height, width, depth, massing and architectural detailing would fail to be subordinate in scale or appearance to the original dwelling and associated garage resulting in cramped and overly dominant additions which would fail to respect the form and scale of the original dwelling and associated garage.</p> <p>The architectural detailing and roof design of the proposed development does not reflect that used on the host dwelling. Again it is acknowledged that some elements of the proposal have been granted within the road, however again this is not a dominant characteristic of the road. These architectural features jar with the host dwelling to its detriment. Therefore harm the character and appearance of the host dwelling, row of terraces that 107 Eddington Crescent sits within and the wider streetscene.</p> <p>Accordingly, the proposal would represent a poor quality of design and would be contrary to provisions of the National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.</p> |
| <p>Impact on neighbours</p> | <p><i>Loss of privacy</i></p> <p>The proposal introduces a first floor flank window which serves bedroom 3. This window is clear and openable. This window is approximately 12 metres away from the rear elevation of the row terraces (97-105 Eddington Crescent) and approximately 3 metres away from the rear boundary line of the small rear gardens of these properties. It should be noted that the most direct relationship is with 99 and 101 Eddington Crescent. The privacy of these neighbours would</p> |

be greatly limited and oppressive by virtue of the close proximity and direct relationship with this clearly glazed, main habitable window. Therefore the proposal would result in a detrimental loss of privacy and overlooking to the rear elevation which includes main habitable windows and doors and all of the small rear gardens of 97-105 Eddington Crescent with the most affected properties being 99-101 Eddington Crescent. Accordingly, the proposal would be contrary to the provisions of the National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.

The proposal would introduce a number of new openings within the proposed extension. However the proposed ground front window would not result in a loss of privacy or overlooking to neighbouring properties opposite due to the level of separation between main habitable windows. Therefore is considered acceptable.

The proposed ground floor doors would be located behind the existing built form of the garage and face down the rear garden therefore would not result in any additional loss of privacy or overlooking to neighbouring properties. Therefore are considered acceptable.

The proposed first floor rear window would introduce oblique angles of the rear elevations and gardens of neighbouring properties. Although the level of projection of this window is greater than the existing rear wall, it is considered that the relationship with neighbouring properties in regards to oblique views of their rear elevations and gardens remains the same as the existing rear windows. Therefore is considered acceptable.

The proposal would introduce a flat crown roof should planning permission be granted. However this would be protected from being used a balcony as this would require planning permission.

Loss of daylight, sunlight, outlook and overdominance

The neighbouring property has raised concerns in regards to a loss of daylight to the upper floor of their property and characteristics of overdevelopment 'boxed in and claustrophobic'.

It is not considered that the conversion of the garage and single storey front extension would result in a loss of daylight, sunlight or overdominance This is because although the front extension is located on the boundary line of 97-101 Eddington Crescent and would be higher than the existing boundary treatment, it is single storey in height with a pitched roof reducing the bulk away from boundary line. Therefore although there is some impact on the outlook of the ground floor windows of 97-101 Eddington Crescent, the impact is not significant to result in a reason for refusal. It is not considered that the single storey front extension would result in a loss of daylight, sunlight, or overdominance to these properties.

The proposed built form of the single storey front extension does not extend along the boundary with 103-105 Eddington Crescent. Therefore it is not considered that there is harm caused by way of a loss of daylight, sunlight, outlook or overdominance of these properties. Therefore the front extension and conversion of the garage is considered acceptable in regards to planning policy.

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| | <p>There is currently a light weight conservatory located on the boundary line with 109 Eddington Crescent. Therefore it is not considered that there is currently an impact on this neighbour. This neighbour does not have a rear extension and has a main habitable room adjacent to the boundary line with 107 Eddington Crescent.</p> <p>The proposed rear extension by virtue of its excessive height, width and depth combined with its proximity to the neighbouring property's rear boundary line and main habitable rear windows and doors would appear unduly overbearing and would result in a loss of outlook, daylight and sunlight to the rear of 109 Eddington Crescent and respective garden. Therefore would have a detrimental impact on their residential amenity. Accordingly, the proposal is contrary to the provisions of the National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.</p> |
| <p>Car parking and highway considerations</p> | <p>Saved Policy M14 of the District Plan and the Parking Standards SPG use maximum standards and are not consistent with the NPPF. Nevertheless the Council has adopted an interim Policy for Car Parking and Garage Sizes which identifies the car parking standards set out in the SPG Parking Standards as guidelines rather than maximums. Applications are determined on a case by case basis taking into account of the relevant circumstances of the proposal, its size context and its wider surroundings. The onus is on the applicant to demonstrate through submitted information that the level of car parking is appropriate.</p> <p>The property once extended would be a 4 bedroom property and would include the conversion of an existing garage. Three on site car parking spaces are required. No plan has been put forward which indicates 3 on-site car parking spaces on the frontage.</p> <p>Part of the side driveway would be lost through the side extension and the existing garage is not retained. The block plan on measurement would not comply with the car parking standards dimensions of 2.4 m wide by 4.8 meters deep and no car parking spaces would be provided.</p> <p>No supporting statement has been provided to justify the shortfall of car parking spaces on site. The Case Officer made an assessment of the local area on the site visit and it is noted that there are no parking restrictions. However, the road is narrow with numerous dropped kerbs and evidence of on-street car parking pressures within Eddington Crescent and wider estate during working hours where it is expected that on-street demand would be less.</p> <p>Therefore the proposal fails to provide adequate on-site parking to accommodate the proposed development resulting in increased levels of car parking resulting in harm to the safety and operation to the public highway. Accordingly, the proposal fails to comply with Policies D1, D2 and M14 of the District Plan 2005, the Supplementary Design Guidance 2005, the Supplementary Planning Guidance on Parking Standards 2004 and the National Planning Policy Framework 2018.</p> |
| <p>Landscaping</p> | <p>None</p> |

| Issues | |
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| <p>Any other considerations</p> | <p><u>Flood zone surface water 1000</u></p> <p>Part of the application site is located within the above constraint. However due to the small scale of development, it is considered that no further details are required in terms of flood protection of the proposed extension.</p> <p><u>Future occupiers/current residents</u></p> <p>An assessment has been undertaken of the proposed first floor flank window which serves bedroom 3. This window is clear and openable. This window is approximately 12 metres away from the rear elevation of the row terraces (97-105 Eddington Crescent) although the most direct relationship is with 99 and 101 Eddington Crescent. The privacy of this bedroom would be greatly limited and oppressive by virtue of the close proximity and direct relationship with the number of habitable ground and first floor rear facing windows and to a lesser degree rear gardens from the row of terrace (97-105 Eddington Crescent) Therefore the proposed development would not provide satisfactory living conditions for its current and future occupants.</p> <p>It would be unreasonable to request that this first floor side window was obscurely glazed and fixed as proposed by the applicant on site as this window serves as the only source of outlook, light and ventilation to this bedroom. Therefore would result in unsatisfactory living conditions for its current and future occupants.</p> <p>Accordingly, the proposal would be contrary to the provisions of the National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.</p> <p><u>Other issues</u></p> <p>A number of points have been raised by the neighbour property that are not material to the consideration of the planning application.</p> <p>The construction hours (potential noise) are restricted by Environmental Health legislation.</p> <p>The existing relationship of the dwellings and plots sizes would have been assessed and considered acceptable under the planning history section.</p> <p>Issues relating to the family situation, or impact on the home business are not material to the consideration of the planning application.</p> <p>The issue raised of builders being able to look into property would be a private matter to resolve between neighbouring properties. The presence of builders on site would be restricted by the construction hours that can take place.</p> <p>Only one neighbour has provided a consultation response to this planning application. All neighbouring properties which share a boundary to the application site were written to as part of this planning application.</p> <p>The Case Officer was invited to visit the neighbouring property and made contact by email to arrange a site visit however no response was received. Two separate site visits were undertaken and it is considered that the Case</p> |

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| | <p>Officer was able to make a full assessment of the site without the need to enter the neighbour's property.</p> <p><u>Play Equipment</u></p> <p>It is noted within the rear garden that the play equipment would require planning permission as does not fall under permitted development. A planning application would be required for this play equipment.</p> |
| <p>Conclusion</p> | |
| <p>The proposal would have a detrimental impact on visual amenity, residential amenity, the living accommodation of current/future residents and the lack of parking would have a detrimental impact on the safety and operation of the public highway contrary to National and Local Planning Policy.</p> | |

Reasons for Refusal:

1. The privacy of bedroom 3 through the clear and openable window would be greatly limited by virtue of the close proximity and direct relationship with the number of habitable ground and first floor rear facing windows and to a lesser degree rear gardens from the row of terrace (97-105 Eddington Crescent) Therefore the proposed development would not provide satisfactory living conditions for its current and future occupants.

Accordingly, the proposal would be contrary to the provisions of the National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.

2. The proposed first floor flank window which serves bedroom 3 is clear and openable. This window is approximately 12 metres away from the rear elevation of the row terraces (97-105 Eddington Crescent) and approximately 3 metres away from the rear boundary line of the small rear gardens of these properties. It should be noted that the most direct relationship is with 99 and 101 Eddington Crescent. The privacy of these neighbours would be greatly limited by virtue of the close proximity and direct relationship with this clearly glazed, main habitable window. Therefore the proposal would result in an unacceptable loss of privacy and overlooking to the rear elevations, which includes main habitable windows and doors, and all of the small rear gardens of 97-105 Eddington Crescent with the most affected properties being 99-101 Eddington Crescent. Accordingly, the proposal would be contrary to the provisions of the National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005.
3. The proposal fails to provide adequate on-site parking to accommodate the proposed development. Accordingly, the proposal fails to comply with Policies D1, D2 and M14 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance 2005, the Supplementary Planning Guidance on Parking Standards 2004 and the National Planning Policy Framework 2018.
4. The proposed part two, part single storey rear extension, in regards to its overall scale, height, width, depth, massing and architectural detailing would fail to be subordinate in scale or appearance to the original dwelling and associated garage resulting in cramped and overly dominant additions which would fail to respect the form and scale of the original dwelling and associated garage. Accordingly, the proposal would represent a poor quality of design and would be contrary to provisions of the National Planning Policy Framework 2018, Policies D1

and D2 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.

5. The proposed rear extension by virtue of its excessive height, width and depth combined with its proximity to the neighbouring property's rear boundary line and main habitable rear windows and doors would appear unduly overbearing and would result in a loss of outlook, daylight and sunlight to the rear of 109 Eddington Crescent and respective gardens. It would therefore have a detrimental impact on their residential amenity. Accordingly, the proposal is contrary to the provisions of the National Planning Policy Framework 2018, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.

REFUSED DRAWING NUMBERS

6.

| Plan Number | Revision Number | Details | Received Date |
|--------------------|------------------------|----------------------------------|----------------------|
| 4533-OS2 | | Block Plan | 2 November 2018 |
| 4533-P01-DIM | | Plans and Elevations as Proposed | 2 November 2018 |
| 4533-E01 | | Plans and Elevations as Existing | 2 November 2018 |
| 4533-OS1 | | Location Plan | 2 November 2018 |

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 Chris Carter
27 December 2018