

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

**DELEGATED APPLICATION**

**Application No:** 6/2019/0396/HOUSE  
**Location:** 107 Eddington Crescent Welwyn Garden City AL7 4SX  
**Proposal:** Erection of single storey front extension to facilitate conversion of garage, part two storey rear extension following demolition of conservatory, alterations to openings  
**Officer:** Ms Louise Sahlke

**Recommendation:** Granted

6/2019/0396/HOUSE

<b>Context</b>	
<b>Site and Application description</b>	<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 &amp; part single part two storey rear extension following demolition of existing conservatory &amp; alterations to openings.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>GB - Greenbelt - Distance: 0.71</p> <p>ROW - FOOTPATH (WELWYN GARDEN CITY 067) - Distance: 4.14</p> <p>Wards - Hollybush - Distance: 0</p> <p>HPGU - Hatfield Woodhall - Distance: 0</p> <p>Part of the site is located within flood zone surface water 1000</p>
<b>Relevant planning history</b>	<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/MAISONNETTES AND 111 DWELLING HOUSES</p> <p>Application Number: N6/2004/1483/DE      Decision: Approval Subject to s106      Decision Date: 06 May 2005</p> <p>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,</p>

Application Number: N6/2011/0961/FP      Decision: Granted      Decision Date: 22 July 2011

Proposal: Erection of rear conservatory

Application Number: 6/2018/2824/HOUSE      Decision: Refused      Decision Date: 27 December 2018

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

This application was refused for the following reasons:

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.

	<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>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.</p> <p>The main amendments to this current planning application are the:</p> <ul style="list-style-type: none"> <li>• Rearrangement of the first floor internal layout to relocate bedroom three and;</li> <li>• Reduction in the depth of the part two, part single storey rear extension. The ground floor element has been partly reduced by approximately 1 metre and the first floor element has been reduced by approximately 1 metre. The ground floor front extension has been reduced in depth by approximately 0.3 metres.</li> <li>• The landscaping to the front is being retained.</li> </ul> <p>No formal pre-application advice was undertaken.</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 1	Other: 0
<b>Publicity</b>	Written neighbour notification.		
<b>Summary of neighbour responses</b>	<p>Three letters of objection.</p> <p><u>109 Eddington Crescent. Objection.</u></p> <p>I am objecting to the parking space in the front garden which we will look out on from the front of our house. As it stands now owners of 107 currently only use 1 of their 3 parking spaces for their 2 cars proposed spaces would involve moving cars around which I cannot see happening.</p> <p>I believe the proposal is not in keeping with the rest of the houses. Others have extended while still in keeping and have no impact on their neighbours.</p> <p><u>97 Eddington Crescent. Objection.</u></p> <p>I object to this large and unneighbourly extension. The mass and bulk of the building will be substantially increased and this will result in an overbearing impact on the neighbouring properties, particularly given the small size of our plots and the proximity of our dwellings to the development. The parking layout would result in the loss of any meaningful green space to the front of the dwelling; this would have a significant and detrimental impact upon the character and appearance of the area, particularly if such development is repeated around the area. The housing density in this area is particularly high, plots are small and the space has been intensively used. The development therefore does not lend itself to further significant development as it would tend to result in significant harm to the amenity of the neighbouring properties. The</p>		

	<p>proposal represents an overdevelopment of the plot to the detriment of neighbouring amenity.</p> <p><u>103 Eddington Crescent – Objection.</u></p> <p>(The neighbour) is applying for a single story and two storey extension on his property. The plans he has will bring his home to the fence of my garden. I have a very small garden with very little privacy and light coming to it already. If the building comes to the end of my garden there will be no privacy as this will enable them to see directly into my living room as I have patio doors and into my bedroom windows as they face the garden. The distance from my bedroom window to their home will mean they can see straight into my bedroom very clearly. I have two small children and this makes me feel very uncomfortable as you can see through my bedroom through my hall into theirs also as well as anyone coming in and out the bathroom. I am trying to set up a business as a childminder, I have completed a course passed the first Aid and I am now to be in contact with Ofsted but I feel having building works going on so close to my home will affect my business due to noise and parents being put off by the lack of privacy if their children were to play in my garden. I am hugely concerned where scaffolding and such will go if the building is to be so close to my home as I cannot have near my garden as it will be a huge safety hazard for my business also. Having spoken to other neighbours I have been told they too feel the same way. Please come and view my property so you can see for yourself the distance and privacy problems this will cause. I have also tried to exchange homes previously to a 3 bed as I have two children but have been told on numerous occasions they felt my home was too over looked. This will mean I have even less chance of ever moving.</p>
<p><b>Consultees and responses</b></p>	<p>Hertfordshire County Council - Rights of Way North –No comments received.  HCC - Rights of Way (South) – No comments received.  The Gardens Trust - Do not wish to comment.  The Ramblers' Association – No comments received.</p>
<p><b>Relevant Policies</b></p>	
<p><input checked="" type="checkbox"/> NPPF  <input checked="" type="checkbox"/> D1   <input checked="" type="checkbox"/> D2   <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</p> <p>R7 Protection of Ground and Surface Water</p> <p><u>Draft Local Plan Proposed Submission August 2016</u></p> <p>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</p>	
<p><b>Main Issues</b></p>	
<p><b>Design (form, size, scale, siting) and Character (appearance)</b></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><b>within the streetscene)</b></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 3 to 4 metres in depth on both levels and extend across part of the width of the plot at ground floor level with various height roofs.</p> <p>Permitted development rights have been removed from the properties in Eddington Crescent. There is only one example of a part two, part single storey rear extension granted permission within Eddington Crescent. 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>It is noted that the proposed rear extension has been reduced in depth both at ground and first floor level. The rear extension has also been set in at ground floor level from the boundary line of 109 Eddington Crescent by approximately 1.7 metres. Through the reduction in depth and partial width of the proposed part two, part single storey rear extension, the overall scale, height, width, depth, massing and architectural detailing is considered subordinate in scale and appearance to the original dwelling and associated garage. The proposed rear extension is not considered to be a cramped and overly dominant addition and would respect the form and scale of the original dwelling and associated garage. Finally, the extension is located to the rear of the existing dwelling and would have limited impact on the character of the existing dwelling and streetscene.</p> <p>The architectural detailing and roof design of the proposed development does not truly reflect that used on the host dwelling. However the reduction in the depth of the rear extension improves the overall design and therefore is considered on balance acceptable.</p> <p>The previous reason for refusal is considered overcome. Accordingly, the proposal would represent an acceptable quality of design and would meet the provisions of the National Planning Policy Framework 2019, Policies D1 and D2 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.</p>
<p><b>Impact on neighbours</b></p>	<p><i>Loss of privacy</i></p> <p>The impact on neighbouring properties has been removed from the previous planning application due to the rearrangement of the internal layout which has changed the room from a habitable room requiring a clear glazed and openable window to a non-habitable room which could be obscurely glazed and non-opening.</p> <p>An assessment has been undertaken of the proposed first floor flank window which serves the ensuite. This window is annotated as obscure glazed and</p>

fixed. Therefore would result in satisfactory living conditions for neighbouring properties.

Accordingly, the proposal would be acceptable to the provisions of the National Planning Policy Framework 2019, 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 window and doors would be located behind the existing built form of the garage and within the existing 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 and views would be directed towards the rear of the gardens. Therefore this relationship is considered to maintain the level of privacy to an acceptable level.

The proposed first floor front window would introduce oblique angles of the front elevations and gardens of neighbouring properties. It is considered that the relationship with neighbouring properties in regards to oblique views of their front elevations and gardens remains the same as the existing front 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 characteristics of overdevelopment ‘.

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 rear 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, given this is to the rear of the garden and is single storey with the roof sloping away from these properties, 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

	<p>along the boundary with 103-105 Eddington Crescent. Therefore it is not considered that there is any undue 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.</p> <p>There is currently a light weight conservatory located on the boundary line with 109 Eddington Crescent. This neighbour does not have a rear extension and has a main habitable room adjacent to the boundary line with 107 Eddington Crescent. The plot sizes in this part of Eddington Crescent are narrow and form part of a terrace of small dwellings.</p> <p>It is noted that the proposed rear extension has been reduced in depth and partial width. At ground floor, the extension has been set in approximately 1.7 metres from the boundary line with 109 Eddington Crescent and set back partly by one metre. The first floor element has been reduced in depth by approximately 1 metre. The first floor element is also set in from the boundary line with 109 Eddington Crescent.</p> <p>The proposed rear extension by virtue of its height, reduced width and reduced depth located further away from the neighbouring property's rear boundary line and main habitable rear windows and doors would not appear unduly overbearing and would not result in an undue loss of outlook, daylight and sunlight to the rear of 109 Eddington Crescent and respective garden.</p> <p>The previous reason for refusal is considered overcome. Therefore the proposal would have an acceptable impact on their residential amenity. Accordingly, the proposal meets the provisions of the National Planning Policy Framework 2019, Policy D1 of the District Plan 2005, and Supplementary Design Guidance 2005 in this instance.</p>
<p><b>Access, car parking and highway considerations</b></p>	<p>Policy M14 of the District Plan 2005 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>Under the previous planning application, the proposal was refused on inadequate on-site parking to accommodate the proposed development. No car parking spaces were to be provided.</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.</p> <p>The revised block plan on measurement would comply with the car parking standards dimensions of 2.4 m wide by 4.8 meters deep. However this would be dependent on the removal of the existing side vehicular gates which restrict the required depth of the car parking spaces. Therefore it is recommended that a condition would be included as part of any approved application to remove the existing side gate on occupation of the development.</p>

	<p>No supporting statement has been provided by the applicant to justify the shortfall of one car parking spaces on site. However the Case Officer made an independent assessment of the local area on the site visit and it is noted that there are no parking restrictions. The road is narrow with numerous dropped kerbs and there is 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>It is acknowledged that the current proposal fails to provide adequate on-site parking to accommodate three car parking spaces which will result in increased levels of car parking on the public highway. However the level of harm between the previous refused planning application and the current planning application has been reduced from three car parking spaces to one car parking space on the public highway. This is considered an improved situation between planning applications and it not considered that it would be reasonable to refuse planning permission on inadequate on-site car parking.</p> <p>Therefore based on the improved car parking situation, the reason for refusal is overcome. The proposal would 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 2019.</p>
<p><b>Landscaping Issues</b></p>	<p>There are no changes to the existing landscaping at the front of the site.</p>
<p><b>Any other considerations</b></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>The impact on future occupiers/current residents has been removed from the previous planning application due to the rearrangement of the internal layout.</p> <p>An assessment has been undertaken of the proposed first floor flank window which serves the ensuite. This window is annotated as obscure glazed and fixed. Therefore would result in satisfactory living conditions for its current and future occupants.</p> <p>Accordingly, the proposal would be acceptable to the provisions of the National Planning Policy Framework 2019, 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 properties 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</p>



	<p>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>The safety of scaffolding near to the neighbouring property would be covered by other legislation.</p> <p>The Local Planning Authority cannot determine how neighbours use their car parking on site.</p> <p>Three neighbours 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. This site visit was undertaken.</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. An informative has been added.</p>
<p><b>Conclusion</b></p>	
<p>Subject to conditions, the proposal would meet the provisions of both local and national planning policy. Based on the revised plans, which have reduced the overall size of the proposed extensions, the rearrangement of the internal layout, the inclusion of car parking provision subject to condition and retention of the front garden area, it is considered that the reasons for refusal under the previous planning application have been overcome.</p>	

**Conditions:**

1. The brickwork, roof tile, bond, mortar, detailing, guttering, soffits, windows and doors and other external decorations of the approved extension/alterations must match the existing dwelling/building in relation to colour and texture.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. Prior to occupation of the proposed development, the existing side vehicular gates shall be removed to allow for the creation and occupation of two car parking spaces measuring a minimum measurement of 2.4 metres by 4.8 metres.

Reason: To provide adequate on-site parking to accommodate the proposed development. In accordance with Policies D1 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.

3. The proposed upper floor window located in a wall forming a side elevation of the building hereby approved must be obscure-glazed 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.

REASON: To protect the residential amenity and living conditions of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

#### DRAWING NUMBERS

4. The development/works shall not be started and completed other than in accordance with the approved plans and details:

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
4533 OS2	B	Block Plan	8 May 2019
4533 P01	C	Plans and Elevations as Proposed	8 May 2019
4533 E01		Plans and Elevations as Existing	20 February 2019
4533 OS1		Location Plan	20 February 2019

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 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. 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.

4. 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.
5. The play equipment would require planning permission as does not fall under permitted development. A planning application would be required for this play equipment.

**Determined By:**

Mrs Sarah Smith  
9 May 2019