

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

DELEGATED APPLICATION

Application No: 6/2022/2306/HOUSE
Location: 5 Densley Close Welwyn Garden City AL8 7JX
Proposal: Garage and loft conversion with rooflights to provide living accommodation, replacement windows and doors, Installation of solar panels to modified garage roof, installation of electric vehicle charger to garage side wall and modifications and alterations to fenestration.
Officer: Mrs Sarah Madyausiku

Recommendation: Granted

6/2022/2306/HOUSE

Context			
Site and Application description	<p>The application site comprises a detached dwelling in a spacious plot. The property is located in the Welwyn Garden City Conservation Area. Densley Close is a small cul-de-sac of similarly styled dwellings and forms part of the original area of the Garden City formed from around the 1920s.</p> <p>The application is for a garage conversion, loft conversion with 2 rooflights to provide living accommodation, replacement windows and doors, Installation of solar panels to a modified garage roof, installation of a electric vehicle charging point to the garage side wall and modifications and alterations to fenestration.</p> <p>The application has been amended during the assessment of the application and a number of solar panels that were proposed on the front section of the garage roof have been removed. Four rooflights have also been removed. A front gable window has also been included.</p>		
Constraints (as defined within WHDP 2005)	CA - Conservation Area: WGC1; - Distance: 0 Wards - Sherrards - Distance: 0		
Relevant planning history	None		
Consultations			
Neighbour representations	Support: 0	Object: 2	Other: 0
Publicity	Site Notice Display Date: 14 October 2022 Site Notice Expiry Date: 4 November 2022 Press Advert Display Date: 12 October 2022 Press Advert Expiry Date: 2 November 2022		

Summary of neighbour responses	<p>Objections from 1 and 3 Densley Close Welwyn Garden City AL8 7JX summarised as:</p> <ul style="list-style-type: none"> - The solar panels are unacceptable. They would be the first in this conservation area and would be very visible from the road, to the detriment of the environment. - Six roof lights is unnecessary and excessive. - The occupier of number 1 Densley Close also objects to the proposed roof light windows in the north facing roof in terms of overlooking to her property. <p>These points are addressed in the main body of the report.</p>
Consultees and responses	<p>No comments/ objections from:</p> <p>-The Gardens Trust</p> <p>An objection is received from Place Services - Conservation Officer, in relation to the number and position of the solar panels and the rooflights.</p>

<p>Relevant Policies</p> <p><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 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</p> <p><u>Draft Local Plan Proposed Submission 2016:</u> SP9 Place making and High Quality Design SADM11 Amenity and Layout SADM15 Heritage</p>
<p>Main Issues</p>
<p>Is the development within a conservation area?</p>
<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>The site is located within the Welwyn Garden City Conservation Area.</p>
<p>Would the significance of the designated heritage asset be preserved or enhanced?</p>
<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comment (if applicable):</p> <p>See Below.</p>
<p>Would the development reflect the character of the area?</p>
<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comment (if applicable):</p> <p>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.</p> <p>Section 72 of the Listed Buildings and Conservations Areas Act (1990) states that ‘special attention shall be paid to the desirability of preserving or enhancing the character or the appearance of that area’. Furthermore, saved 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</p>

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. Policy GBSP2 requires that 'within specified settlements development will be limited to that which is compatible with the maintenance and enhancement of their character'. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan.

The proposals would appear sufficiently subordinate to the main dwelling. The materials proposed would also match the existing property so would be acceptable in design terms – this can be secured by condition. The window replacements are acceptable, the rear ground floor bi-folding doors would not be visible from the street. The installation of gable end windows on the front and rear elevations are also acceptable given their suitable design and given that many other properties within the immediate area have windows within the gable ends.

This application also seeks permission for the installation of tilted solar panels on the garage roof. The Conservation Officer raised an objection to this aspect of the proposal given that the number and location of the panels would be highly visible in the street. The applicant has removed several of the solar panels from the front areas of the garage roof and also provided drawings that show "sight lines" of the remaining solar panels from the street in order to demonstrate their limited visibility from the road. Given that the number of solar panels has been reduced and given the setback nature of the remaining solar panels, they would not form a prominent feature of the garage roof or the street scene.

It was also considered by the Conservation Officer that the proposed rooflights were unacceptable. It is noted that there is a rooflight on the south roofslope of number 1 Densley Close, that is located close by to the application site. Six panels originally proposed, have now been reduced to two. One on the north roofslope and 1 on the south roofslope. The north rooflight would be positioned towards the rear of the dwelling so as to minimise its impact. The south rooflight would be in a similar position to that seen at number 1 Densley Close. Within the application form, it is stated that the rooflights would be "standard velux' style roof windows to roof". Standard rooflights are not considered of a high design standard to preserve the character and appearance of the Conservation Area, it is instead considered reasonable to apply a condition to require these rooflights to be "Conservation style" rooflights that can be fitted as flat as possible to the roofline. On this basis, the proposal is acceptable, and the character and appearance of the Conservation Area would be preserved.

The development proposals would be broadly reflective of the character and appearance of the existing property and would not be out of keeping with the immediate area. The impact upon the character of the Conservation Area would therefore be acceptable, in compliance with the National Planning Policy Framework, Policies D1 and D2 of the District Plan and Policy SP9 and SADM15 of the emerging Local Plan. The proposal would also comply with the provisions of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 in preserving the Conservation Area.

Would the development reflect the character of the dwelling?

Yes No N/A

Comment (if applicable):

See above.

Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)

Yes No N/A

Comment (if applicable):

The property is a detached dwelling. The proposed development would not cause any detrimental overshadowing to neighbouring occupiers. It would not cause any adverse loss of daylight or sunlight or be unduly dominant from any neighbouring properties.

In terms of privacy, the proposed rear and front facing openings, given their separation distance and orientation, would not result in the overlooking of the adjoining neighbours.

The rooflight window to the south roofslope would serve an en-suite. The rooflight window to the north roof slope would face towards number 3 Densley Close and serve a landing. However, there are already existing windows on the first-floor levels on each of these elevations that currently provide views to the north and south. The new rooflight in the roofslopes would not result in any additional, significant overlooking above what is already possible by the side facing windows at first floor. On this basis, the proposal would maintain a sufficient level of amenity for the occupiers of all neighbouring properties to an acceptable level in accordance Policy D1 Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable): The development would result in the loss of the existing garage. There would be no increase in bedroom numbers (with 4 being retained). The two existing off street car parking spaces on the front driveway would be maintained.

Paragraph 105 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. Paragraph 109 states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

Saved Policy M14 of the District Plan and the Parking Standards SPG use maximum standards which are not consistent with the framework and are therefore afforded less weight. In light of the above, the Council have produced an Interim Policy for Car Parking Standards that states that parking provision will be assessed on a case by case basis and the existing maximum parking standards within the SPG should be taken as guidance only.

Further to the above, it is important to consider the Council's SPG on Parking Standards and the Council's Interim policy for Car Parking. As a consequence of the fact that the dwelling already benefits from two car parking spaces, which would be retained, it is considered while the proposed development may result in additional parking pressure it is not considered in this case that this would be sufficient to justify a reason for refusal within this application.

Overall, the development would not have an unreasonable impact on the safety and operation of the adjoining highway in accordance with the National Planning Policy Framework; Policy M14 of the Welwyn Hatfield District Plan 2005 and Supplementary Planning Guidance.

Conclusion

Having regard to the above, subject to a condition requiring matching materials and conservation rooflights, the proposed development is acceptable in terms of its impact upon the existing dwelling, the street scene and neighbour amenity. It would also preserve the character and appearance of the Conservation Area. The application is therefore recommended for approval.

Conditions:

1. The brickwork, roof tile, bond, mortar, windows, detailing, guttering, soffits and other external decorations of the approved extension/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 Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

2. All rooflights hereby permitted shall be conservation style rooflights set as flush as practicable within the roof slope.

REASON: To ensure the setting of the building within the Conservation Area is properly maintained, in accordance with the National Planning Policy Framework.

DRAWING NUMBERS

3. 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
DC 102-10	A	Proposed Block Plan	23 November 2022
DC 102-1	B	Proposed Plans and Elevations	24 November 2022
DC 101-10		Existing Block Plan	3 October 2022
DC 101-1		Existing Plans and Elevations	3 October 2022
DC 101-OS		Location Plan	3 October 2022

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. 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. 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

5. 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.

Determined By:

Mr Derek Lawrence
25 November 2022