

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	W6/2011/318/EM
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NOTATION:

The site lies within the Estate Management Scheme of Welwyn Garden City.

DESCRIPTION OF SITE:

The application site consists of the right hand side of a pair of semi detached properties which are set back from Bridge Road with a large amount of space to the sides and rear. Substantial mature trees are located on the site.

The properties are designed with a double gable to the front. They are an individual pair of properties which are set away from other neighbouring properties. These properties predate Welwyn Garden City and are considered to be key historic buildings on account of their historic interest. They were built as Victorian estate workers cottages in 1876.

DESCRIPTION OF PROPOSAL:

This application seeks consent for the erection of two storey and single storey side and rear extensions.

The proposed extensions to the side would incorporate a two storey element reducing to a single storey garage. Together they would have a width of 6.5 m and would be set back from the principal elevation of the dwelling by approximately 2.5 m.

Two and single storey rear extensions are also proposed. The single storey extensions would be sited along the boundary with No. 54 Bridge Road and would have a depth of 8.5 m. The two storey extension would be set in from the common boundary with No. 54 Bridge Road by approximately 4.2m and would have a depth of 3.6m and width of 4.2 m. A further single storey element would be attached to the other side of the two storey rear extension.

Additionally a driveway and area of hardstanding is proposed to the front of the dwelling and a vehicular access is proposed onto Bridge Road which is a classified road.

This application follows a refused application at this site for similar extensions to the property, reference W6/2010/2723/EM. This application seeks to overcome the objections raised. The alterations from that scheme include;

- Loss of first floor rear extension over proposed ground floor dining room;
- Alterations to front inset dormer window; and
- Reduction in depth of garage by approximately 0.8m.

HISTORY:

Pre application advice was given on the 3 March 2010 for a two storey rear extension. The advice given was that the extension, due to its size and scale would form a dominant addition to the rear of this dwelling that would fail to respect the

character and appearance of the existing dwelling and unbalance this pair of semi detached properties.

W6/2010/2723/EM: Erection of two storey and single storey side and rear extensions. Refused.

Reason;

1. The proposed extensions and alterations by virtue of the amount, scale, form positioning and design would fail to reflect the proportions of and be subordinate to the original dwelling. The proposed development, due to the site's prominent location and design, would result in visually over dominant additions to the dwelling and overdevelopment of the plot that would be detrimental to the character and appearance of the application site, the street scene and the visual interests of its surroundings which would not maintain the values and amenities of the Garden City. The proposal is therefore contrary to Policy EM1 of the Estate Management Scheme.

2. By virtue of the close proximity of the proposed development to the mature Oak tree located in the rear garden, the proposed development would have an adverse affect on the tree where damage to tree roots would be inevitable and would be likely to lead to a decline in health and affect the stability of the tree. This tree has significant amenity value and contributes to the values and amenities of this part of the Estate Management Scheme. As such, the proposed development would be contrary to policy EM3 of the Estate Management Scheme.

SUMMARY OF POLICIES:

1967 Leasehold Reforms Act – Estate Management Scheme:

Estate Management Scheme Policies October 2008:

EM1 – Extensions and alterations

EM3 – Soft Landscaping

EM4 – Hard Landscaping

CONSULTATIONS

Council's Landscaping Department – No objection subject to the inclusion of a condition requesting a detailed method statement of any development within the root protection area of the oak tree on the site.

TOWN/PARISH COUNCIL COMMENTS

None

REPRESENTATIONS

This application has been advertised and one representation has been received from Welwyn Garden City Society. Period expired.

Summary;

- Objects to the application;
- The application should be refused on the same grounds as before;
- Proposal does not maintain the values and amenities of the garden city.

DISCUSSION:

The main issues are:

- 1. Whether the proposal accords with Policy EM1 of the Estate Management Scheme;**

- 2. Whether the proposal accords with Policy EM3 of the Estate Management Scheme;**
- 3. Whether the proposal accords with Policy EM4 of the Estate Management Scheme; and**
- 4. Other Material Planning Considerations**

1. The character and appearance of much of Welwyn Garden City has a quality that consists of carefully designed layouts with formal and symmetrical patterns where the design and detailing of architecture is in groups and individual buildings. Therefore in order to preserve the unique architectural heritage of the town and its building the Council expects that all applications for extensions and alterations respect and do not harm the character and appearance of the building and the street scene.

Policy EM1 of the Estate Management Scheme applies and refers to extensions and alterations and seeks to preserve the unique architectural heritage of the town and its building. It states that extensions and alterations to existing buildings will only be allowed if they are in keeping with the design, appearance, materials and architectural detailing used in the existing building and do not have a detrimental impact on the amenities and values of the surrounding area or the residential amenity of adjoining occupiers. In addition, the policy states that extensions or alterations should not materially affect the residential amenities of adjoining residents through loss of day/sun/skylight, loss of privacy and outlook.

The existing property is a modest property with three bedrooms and has a floorspace of approximately 78sqm. The proposed development seeks to overcome the previously refused application at this site for extensions to the dwelling. These previous extensions had a floorspace of about 116sqm, which was about a 150% increase, and were considered to overwhelm the original property and would be unduly visible and prominent within the street scene of Bridge Road which would have a harmful effect on the existing pair of semi detached dwellings and their surroundings and would not maintain the values and amenities of the garden city.

This current application proposes an increase to the property of about 91sqm. This has reduced from the previous application by about 25sqm and has resulted in the loss of the previously proposed first floor extension over the proposed dining room. A single storey element is proposed only. However the floorspace of the proposal would equate to approximately a 117% increase to the original property, which is still considered to be substantial. The amount of development proposed would still compete with the existing dwelling rather than being subordinate to it as advised in the Council's supplementary design guidance. It would significantly increase the size and scale of the property to such an extent that would be detrimental to its character and appearance.

The amount of extensions proposed would be emphasised by the site's location. The application property forms a pair of semi detached properties that are separated from other properties and appear quite isolated in Bridge Road with large amounts of space to the sides of the properties, resulting in them appearing more prominent when travelling along Bridge Road. Consequently the proposed extensions would be unduly prominent and visually intrusive within the street scene emphasising the substantial increase to the proposed dwelling, which would also have an unbalancing effect on the symmetry of the properties.

Due to the prominent location, size and scale of the extensions and the effect on the symmetry of these properties, the proposed development would appear unduly prominent in the street scene of Bridge Road and an over intensive development of

the site, which would harm the character and appearance of the Central Welwyn Garden City conservation Area, contrary to policies GBSP2, D1 and D2 of the District Plan and the Council's supplementary design guidance which seek to achieve a high quality of design and protect the character of the surrounding area.

Whilst it is acknowledged that large extensions have been permitted on properties within the Estate management Scheme, these differ from that seeking permission. The original property on the application site is small and in comparison to the increase of built form to the original property, the proposed extensions are greater than extensions to other properties. In addition, due to the site's location with large amounts of open space to the sides and views into the site, this application site is prominent within this part of Bridge Road and the Conservation Area, therefore making extensions to the property prominent from Bridge Road.

With regard to the detailed design and appearance of the property, the main feature of the pair of properties to the front are the two projecting front gables. The proposed two storey side extension, when viewed from Bridge Road, would include a lower ridge height and same eaves height as the original dwelling which would incorporate a single inset dormer into the front elevation of this property. Concern was raised on application N6/2010/2724/FP with the dormer which included a gable roof over it. Alterations have been made to this dormer and it is now designed with a flat roof which is considered an improvement from the previous scheme where no objection is raised. However a roof light is proposed on the front elevation of the existing property which is a publicly visible elevation. Such features are uncharacteristic in the garden city and are not usually allowed.

In addition to the above, Policy EM1 also considers whether extensions or alterations materially affect the residential amenities of adjoining residents through loss of day/sun/skylight, loss of privacy and outlook. In this respect, it is considered that due to the set in of the proposed extension from the boundaries of the site, together with its depth at two storey, the proposed extensions would cause no unreasonable loss of light, sun or daylight to the residential amenity of the adjoining properties.

No concerns were raised previously on application reference W6/2010/2723/EM. The application has not included the two storey rear extension which would help to improve the relationship with the adjoining semi detached property, No. 54 Bridge Road. The single storey elements to the rear of the property are not considered to pose any detrimental impact to the occupiers of this property. They would replace existing single storey structures that are located along this common boundary and would infill the existing gap between them and the existing outbuilding which would form the laundry room.

No. 50 Bridge Road would be located approximately 10m from the boundary of the application site. Due to the spacious setting of these properties in Bridge Road and its distance from No. 50 Bridge Road, it is considered that an acceptable relationship would be maintained with this adjoining property.

With regard to privacy, only one window is located in the side of the property which would look towards No. 50 Bridge Road. This would serve a shower room and would be conditioned to be obscurely glazed. Additionally, if approved, a condition would be placed on the permission restricting first floor windows in the side elevations to ensure a satisfactory level of privacy would be maintained.

In conclusion, it is considered that due to the amount of development proposed, the development would not comply with the aims of Policy EM1 of the Estate Management Scheme and objections are raised

2. The site is located on a mature landscaped plot where there is a large Oak tree in the rear garden of the application property which contributes to the visual amenity of the street scene of this part of Bridge Road. Policy EM3 seeks to only allow development which would not result in the loss of landscaping which would harm the character and amenities of the area and where sufficient justification for the works has been given or there are other considerations that apply.

Concern was raised on application W6/2010/2723/EM with the close proximity of the development to this Oak tree and that it would be inevitable that roots would have to be cut which could lead to a decline in health and affect the stability of the tree.

The proposed depth of the garage has been reduced by about 0.8m from the previous scheme, which is the part of the development nearest to this tree. In addition, the applicant has stated that the construction of the foundations with the Root Protection Area (RPA) would be pile and beam and that there would be tree protection in accordance with BS 5857:2005.

The Council's Landscaping department consider that it should be feasible to build within the RPA whilst minimising the impact upon the tree. However, more detail would be required prior to any on site activity and it is recommended that the following information in accordance with BS 5837: 2005 be required as a condition should this application be approved:

- A detailed Method Statement detailing any construction within the RPA. Details of tree protection measures and storage of materials.

In conclusion, information has been submitted with regard to the oak tree and the depth of the garage has been reduced. Subsequently, subject to the inclusion of the above suggested condition, it is considered that the development would not unduly impact on the existing oak tree and therefore no objections are raised.

3. Policy EM4 of the Estate Management Scheme seeks to ensure an appropriate level of soft landscaping is retained. The proposed development seeks consent to increase the hardstanding to the front of the property. This would result in an area of approximately 41sqm of hardstanding to the front of the property with approximately 59sqm remaining as soft landscaping. The Council aim to ensure that a significant proportion, around 50% is retained for soft landscaping to ensure that the appearance and ethos of the garden city is maintained.

In this instance, the property incorporates only a footpath leading to the front of the property. The proposed development would increase this and the amount of hardstanding to the front would equate to approximately 48% of the frontage of the site which is considered to retain an adequate amount that would not result a harmful impact to the values and amenities of the street scene and a balance of soft and hard landscaping would be maintained.

4. 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 a EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

There are no other material considerations relevant.

CONCLUSION:

The proposed extensions to the property are considered, as a result of their size, scale, bulk and design, to be harmful to the sense of spaciousness and verdant character of the street scene which would have a harmful effect on the symmetry of the existing pair of semi detached dwellings and their surroundings and would not protect the values and amenities of the Garden City, contrary to Policy EM1.

However, with regard to neighbour amenity, soft and hard landscaping no objections are raised. Additionally, there is not a likelihood that the proposed development would impact unduly on protected species and the development would seek to ensure that it met Policy R3 of the District Plan

RECOMMENDATION: REFUSAL AND REASON

- 1. The proposed extensions and alterations by virtue of the amount, scale, form positioning and design would fail to reflect the proportions of and be subordinate to the original dwelling. The proposed development, due to the site's prominent location and design, would result in visually over dominant additions to the dwelling and overdevelopment of the plot that would be detrimental to the character and appearance of the application site, the street scene and the visual interests of its surroundings which would not maintain the values and amenities of the Garden City. The proposal is therefore contrary to Policy EM1 of the Estate Management Scheme.

INFORMATIVES:

None

DRAWING NUMBERS:

Drawing No. 02A received and dated 22 February 2010.

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