

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No:	N6/2013/1007/FP
APPLICATION Site:	68 Brockswood Lane, Welwyn Garden City

NOTATION:

The site lies within the Central Welwyn Garden City Conservation Area as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application site forms the right hand side of a pair of semi detached dwellings along a road where the properties have a similar architectural style. The property benefits from a front garden area laid to lawn and has a driveway and garage to the side of the dwelling. The road is on a lower level to the front than the houses as the ground falls away at this point in the road. The plot measures approximately 12m in width by 45m in depth. Currently there is a conservatory to the rear of the dwelling.

DESCRIPTION OF PROPOSAL:

The application seeks planning permission for the erection of a two storey and single storey rear extension which would span the width of the dwelling. In addition windows are proposed at ground and first floor level to the side of the existing dwelling,

PLANNING HISTORY:

None

SUMMARY OF POLICIES:

National Planning Policy Framework

PPS10: Planning for Sustainable Waste Management

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

Hertfordshire Structure Plan Review 1991 – 2011:

None

SD1: Sustainable Development

GBSP2: Towns and Specified Settlements

R3: Energy Efficiency

M14: Parking Standards for New Developments

D1: Quality of Design

D2: Character and Context

D8: Landscaping

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

CONSULTATIONS:

None

TOWN/PARISH COUNCIL COMMENTS:

None

REPRESENTATIONS:

This application has been advertised and no representations have been received.

DISCUSSION:

The main issues are:

- 1. Character and appearance;**
- 2. Residential amenity;**
- 3. Parking provision and highway safety;**
- 4. Sustainable development;**
- 5. Protected species; and**
- 6. Other Material Planning Considerations**

1. Policies GBSP2, D1 and D2 of the adopted Welwyn Hatfield District Plan apply which seek to provide a good standard of design in all new development and require that all new development respects and relates to the character and context of the area in which it is to be sited. These policies are expanded upon in the council's Supplementary Design Guidance (SDG) which requires that residential extensions should be complementary in design and be subordinate in size and scale to the existing dwelling.

The site is also located within the central Welwyn Garden City Conservation Area. Paragraphs 121-141 of the NPPF are applicable which refers to conserving and enhancing the historic environment. In particular paragraph 131 requires that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of the heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

The proposed extensions would be located at the rear of the existing dwelling and would extend across the full width of the property, although the proposed two storey element would extend across only a partial part of the rear of the dwelling. The extension would increase the mass and bulk of the existing dwelling substantially, however it would enclose only a modest amount of amenity space at the rear of the dwelling. It is considered that the positioning of the extensions, at the rear, would restrict the views of the extension from the frontage of the street scene, which would minimise its impact on the street frontage. However given the set back of No. 68 Brockswood Lane from the application property, there would be a view between the properties of the side flank elevation of the two storey element when travelling along

Brockswood Lane. Although it is considered that the size of the proposed rear extension would not be readily apparent from the street scene leaving the front elevation and overall appearance of the dwelling from the street scene basically unchanged. Nevertheless the extension has been designed to integrate with the existing property where its ridge height would be set down from the ridge of the existing dwelling helping it to appear subordinate to the original dwelling.

With regard to the detailed design and appearance of the extensions it is considered that the architectural detailing, fenestration of the existing dwelling and surrounding properties would be reflected and it would be constructed from materials to match the existing dwelling, which would be conditioned in the event of an approval. In addition, the proposed single storey extension would be designed with a flat roof which is characteristic of the garden city.

In conclusion, the proposed development would maintain or enhance the character of this part of the Central Welwyn Garden City Conservation Area and would comply with the NPPF and policies GBSP2, D1 and D2 of the District Plan.

2. The impact of the proposed development on the residential amenity of neighbouring dwellings is considered in terms of the impact on neighbouring properties access to day/sun/sky light, privacy and overshadowing. Policy D1 of the District Plan applies which seeks to provide a good standard of design in all new development. The council's SPD on design supplements Policy D1 and expects that residential applications for extensions and alterations should not cause loss of light or be unduly dominant from adjoining properties, as a result of either the length of projection, the height or the proximity of the extension.

No. 70 Brockswood Lane is the adjoining semi detached dwelling. The proposed single storey extension would extend alongside the boundary with this property for a distance of 4m. However, No. 70 has a similar rear extension to that proposed at the application property where there is an existing single storey extension which extends along the boundary of the application site for a similar distance as that proposed. It is therefore considered that this part of the proposal would not unduly impact on the residential amenity of the occupants of this dwelling. Additionally, the two storey element would be set in from the common boundary by approximately 5.7m and given its scale and size it would not cause a detrimental loss of light or be overbearing to the occupants of that property.

No. 66 Brockswood Lane is separated from the application property by approximately 4m which forms the side driveway. That property is set back from the application dwelling by approximately 5m and has been extended with a two storey rear extension alongside the boundary with the application site. The set back of that dwelling would make the proposed extension be in approximately the same line with the front of the dwelling. That dwelling has side windows in the original part of the dwelling which face towards an open part of the application site. These are both secondary window and serve a utility room and toilet at ground floor and a bathroom at first floor. Whilst the proposed extension would reduce the light available to these rooms and would be clearly visible from them, given the windows are only secondary rooms, the development would not impact detrimentally on the residential amenity of the occupants of this property to warrant the refusal of the application in this regard.

With regard to privacy, the proposed windows in the rear extension would look towards the rear garden area and would have only oblique views towards the adjoining dwellings. It is not considered that they would give rise to an undue loss of privacy. Side windows are proposed within the elevation of the original dwelling facing towards No. 68. They would serve secondary rooms. Given the staggered location of the application dwelling and No. 68, these windows would face towards the front garden area of that dwelling, which is already not private as there are views from Brockswood Lane. However, this window would be obscure glazed and non opening below 1.7 above floor level, which is shown on the approved plans.

Therefore overall it is considered that the proposal would retain a reasonable level of residential amenity for the neighbouring properties. No objections are raised with regard to policy D1 and the council's SDG.

3. The application site is located within zone 4 of the Council's parking zones. The property once extended would be a four bedroom dwelling. In accordance with the Council's standards three parking spaces are required to be provided on site. In this instance the property has a large driveway and garage which would accommodate the three spaces and therefore no objection is raised in this respect.

4. The application has included a sustainability checklist which notes that the proposal would be insulated to meet current building regulation standards. It is considered that these provisions would be a reasonable effort to meet the requirements of Policy R3 of the Welwyn Hatfield District Plan 2005.

5. The presence of protected species is a material consideration, in accordance with NPPF, 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 an EPS offence be likely to occur.

It is therefore not necessary to consider the Conservation Regulations 2010 and amended 2012 Regulations further.

6. None

CONCLUSION:

The development would increase the mass and bulk of the property, however the development would be to the rear of the property and has been designed with a ridge lower than the ridge of the existing dwelling. Therefore, no objections are

raised with regard to its mass and bulk. In addition, its general design and appearance are considered acceptable.

Turning to neighbour amenity the proposed development would retain a reasonable relationship with the adjoining properties, provide an adequate level of onsite parking and would satisfactorily meet the requirements of energy efficiency and would not unduly impact on any protected species.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2.1 Time limit for commencement of development
2. C.13.1 Development in accordance with approved plans/details:

2985-OS1 & 2895-OS2 received and dated 16 May 2013; &
2985-P01 Rev F received and dated 9 July 2013.

Pre Development

3. C.5.1: Materials to be approved

Post Development

4. C.7.10: Avoidance of overlooking
5. Other than the windows shown on the approved drawings to which this planning permission relates, no upper floor windows or other openings shall be inserted into the side elevations or roof space of the extension hereby permitted without the prior written consent of the Local Planning Authority.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The decision has 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 viewed on the Council's website or inspected at these offices).

INFORMATIVES:

1. INF11
2. The site is located within the Estate Management Scheme of Welwyn Garden City. In addition to planning permission, Estate Management Consent is also required and needs to be obtained prior to any development commencing on site.

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