

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No:	N6/2013/1278/FP
APPLICATION Site:	7 Densley Close, Welwyn Garden City

NOTATION:

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

DESCRIPTION OF SITE:

The application site comprises of a two storey dwellinghouse with a tall pitched roof with front and rear dormers creating a three storey dwellinghouse internally. Either side of the dwellinghouse are flat roofed, single storey extensions.

The application plot is square in shape located towards the end of the cul-de-sac. With the exception of the projecting single garage, the dwelling is set back from the highway with a small canopy roof above the front entrance. All the existing windows have a horizontal glazing bar design.

DESCRIPTION OF PROPOSAL:

The proposal seeks planning permission for a front porch, erection of a single storey side extension following demolition of existing incorporating an increase in its height, increase to its depth at the rear, four rooflights and a roof lantern and increasing the height of the existing side extension beyond the southern elevation.

PLANNING HISTORY:

N6/1991/0676/FP - Single storey side extension. Granted 14 October 1991

SUMMARY OF POLICIES:

National Planning Policy Framework

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

Welwyn Hatfield District Plan, 2005:

SD1: Sustainable Development

GBSP2: Towns and Specified Settlements

R3: Energy Efficiency

D1: Quality of Design

D2: Character and Context

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

CONSULTATIONS:

Hertfordshire County Council (Transport Programmes and Strategy) does not wish to restrict the grant of planning permission. However, two informatives are advised to be included relating to road deposits and storage of materials.

TOWN/PARISH COUNCIL COMMENTS: None

REPRESENTATIONS:

This application has been advertised by neighbour notification letters and site notice and two representations have been received, raising the following comments:

- The proposed front porch extension would detract from the current design of the house and is unsympathetic to the surrounding area where the houses are of broadly homogenous design, with none having any extensions to the front elevations,
- The proposed extension is not sympathetic to the original property in scale or design and detracts from its overall appearance. It is an enclosed structure making the extension look protrusive and heavy and out of proportion when viewed in relation to the original house.
- The proposed porch is also damaging to the streetscape of this small close, which has architectural balance. None of the other eight properties in Densley Close has a protruding porch. If this planning application is passed, it will set a precedent, which may damage further the close's architectural integrity,
- The first owner and co-designer of 7 Densley Close was a locally well-known sculptor and stonemason who incorporated several original engraved stone tablets into the walls of this house. Perhaps some or all of these could be retained/repositioned as of local artistic value in any plans that are approved which would otherwise lead to their loss.

DISCUSSION:

The main issues are:

- 1. Quality of the design and impact on the character of the area**
- 2. Impact upon the residential amenity of adjoining occupiers**
- 3. Material Planning Considerations**

1. Quality of the design and impact on the character of the area

Section 72 of the Listed Buildings and Conservation Areas Act states that "*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*" It is now accepted case law that preserving the character or appearance of a conservation area can be achieved not only by a positive contribution to preservation, but also by development which leaves the character or appearance of the area unharmed. Chapter 12, paragraph 131 of the National Planning Policy Framework (March, 2012) states, '*In determining planning applications, local planning authorities should take account of:*

- *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

- *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *The desirability of new development making a positive contribution to local character and distinctiveness'*

The National Planning Policy Framework states 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; reflect the identity of local surroundings and materials; are visually attractive as a result of good architecture and appropriate landscaping.

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Policy GBSP2 requires development within specified settlements to be limited to that which is compatible with the maintenance and enhancement of their character. Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location. The impact of a development is assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing buildings and area.

The application site sits within a residential area to the west of the town. Densley Close is a residential cul-de-sac comprising largely of detached properties situated within similar sized plots. The application dwelling is two storeys in height with dormer windows within the front and rear roofspace giving a three storey appearance.

The proposal seeks to increase the height of the single storey extensions, both existing and proposed, to create parapet walls. The height of the existing garage is 3m with the proposed rebuild seeking to increase its height to 3.6m. Furthermore, the existing single storey extension attached to the southern elevation will increase in height by a further 0.55m. When viewed from the front elevation, the proposed height of the parapet walls will be near to the height of the first floor window sills which is unacceptable. It is noted that there are varying parapet heights of single storey extensions within Densley Close however, the poor arrangement of one extension should not be used to justify the similar design of another. Notwithstanding this, the proposed heights of the parapet walls would appear stark and overdominant within the streetscene.

Turning to the proposed front extension, the proposal seeks to extend upon the existing front canopy porch. The existing porch protrudes from the front elevation by approximately 0.5m with a canopy roof approximately 1.5m in depth. The proposal seeks to replace the front porch with a front extension approximately 2.1m in depth, at a width of 3.2m and a height of 3.8m. The overall scale of the proposed porch, in particular its height close to the window sill at first floor, would result in an overly dominant feature within the streetscene which would detract from the design and character of the surrounding area. Furthermore, the proposed front porch would be of height, depth and overall scale that would fail to appear subordinate to the existing

dwelling and would detract from the visual interests of its facade contrary to Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan, 2005.

In accordance with s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal would not enhance or preserve the character or appearance of the area and the proposal is therefore contrary to the NPPF and policy GBSP2, D1 and D2 of the Welwyn Hatfield District Plan, 2005.

2. Impact upon the residential amenity of adjoining occupiers

Policy D1 and the supplementary design guidance paragraph 5.2 (Section 5 Residential Extensions) states in part iii) the extension 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. In addition paragraph 5.7 states that new extensions should be designed, orientated and positioned in such a way to minimise overlooking between dwellings.

The properties most impacted by the proposal are neighbouring properties, No. 5 Densley Close to the north and No.19 Scholars Mews to the south. The existing garage is attached to the neighbouring single storey side extension at No.5 Densley Close. The existing garage already extends further beyond the rear of No.5 by approximately 1m with the proposed replacement side extension resulting in approximately 2m extension beyond the rear of No.5. Windows exist on the rear of No.5 in close proximity to the proposed extension however a 2m extension is not considered to result in an unduly dominant feature when viewed from these windows. Furthermore, the proposal is not considered to detrimentally impact upon loss of sunlight/daylight skylight when compared to the existing extension taking into consideration the extension will only extend a further 1m in depth and the orientation of No.5 to the north east of the application dwelling where a limited amount of light reaches these windows during large parts of the day.

The proposed height increase to the existing single storey side extension extending beyond the southern elevation is considered sufficient distance from No.19 Scholars Mews not to detrimentally impact upon its residential amenity. The proposal is therefore considered in accordance with policy D1 of the Welwyn Hatfield District Plan, 2005.

3. Material Planning Considerations

Sustainable Development: Policy R3 states that the council expects all development to include measures to maximise energy conservation through the design of buildings, site layout and provision of landscaping. The development does not propose any specific measures however the applicant has submitted a sustainability checklist in accordance with policy SD1 and R3 of the Welwyn Hatfield District Plan, 2005.

Protected Species: The presence of protected species is a material consideration, in accordance with the National Planning Policy, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05.

Protected species such as great crested newts, otters, dormice and bats benefit from the strictest legal protection. These species are known as European Protected Species ('EPS') and the protection afforded to them derives from the EU Habitats Directive, in addition to the above legislation. Water voles, badgers, reptiles, all wild birds, invertebrates and certain rare plants are protected to a lesser extent under UK domestic law (NERC Act and Wildlife and Countryside Act 1981).

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 and amended 2012 Regulations further.

CONCLUSION:

In accordance with s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal would not enhance or preserve the character or appearance of the area and the proposal is therefore contrary to the NPPF and policy GBSP2, D1 and D2 of the Welwyn Hatfield District Plan, 2005.

The proposal would not have a detrimental impact on the amenity of the adjoining occupiers.

RECOMMENDATION: REFUSAL AND REASON (S)

1. The proposed front extension by virtue of its height, depth and overall scale and the proposed height of the two side extensions would appear overdominant within the streetscene of Densley Close to such an extent that it would fail to preserve or enhance the character and appearance of the Central Welwyn Garden City Conservation Area and would be detrimental to the visual interests of its surroundings. The proposal is therefore contrary to s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan, 2005 and the National Planning Policy Framework.
2. The proposed front extension would be of height, depth and overall scale that would fail to appear subordinate to the existing dwelling and would detract from the visual interests of its facade contrary to Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan, 2005.

SUMMARY OF REASONS FOR REFUSAL

The decision has been made taking into account material planning considerations and where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework (see Officer's report which can be inspected at these offices).

REFUSED DRAWING NUMBERS:

3018-OS1 & 3018-OS2 & 3018-P01 received and dated 26 June 2013

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