WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	**N6/2010/3143/FP**
APPLICATION Site:	**48 Bridge Road**

NOTATION:
The site lies within the settlement of Welwyn Garden City and in the Welwyn Garden City Conservation Area as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:
The character of the immediate area is predominantly residential consisting of 2 storey semi-detached dwellings. These dwellings are predominately red-brick, neo-Georgian. However, 48/50 and 52/54, which form two pairs of semi-detached dwellings, are of a different design. They are white rendered and yellow brick respectively and are of different architectural styles.

The application site is located to the west of the town centre and on the northern side of the highway, directly opposite the junction with Handside Lane. The site measures approximately 56 metres deep and 17 metres wide. It consists of a two-storey, semi-detached dwelling with front and rear associated gardens. The dwelling has been subjected to a two storey side extension and a conservatory has been added to the rear.

DESCRIPTION OF PROPOSAL:
This application seeks planning permission for the erection of a single storey side and rear extension. The extension would extend 2.9 metres from the rear of the existing two storey side extension. It would be same width as the ground floor of the existing extension and would have a false hipped roof that would stand to a height of 3.25 metres. It would be finished with white painted cement render and plain clay tiles to match existing.

PLANNING HISTORY:
N6/2010/3015/TC - Fell Lawson Cypress tree and replace with Himalayan White Birch or similar, remove Box Elder tree, prune out deadwood and snags and thin out overhang of Two Wild Cherry trees, remove Wild Plum tree and replace with a Himalayan Birch, remove second Wild Plum and prune out storm damaged wood from Birch tree – Granted 24/01/11

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N6/2009/2019/PA - Erection of detached single storey dwelling – Advice Given

N6/2001/1165/FP - Retention of replacement detached garage – Granted – 08/10/2001

N6/1999/0397/FP - Erection of a part single and part first floor side extension – Granted 08/07/1999

N6/1997/0715/FP - Erection of first floor side extension, porch and rear conservatory - 05/01/1998

SUMMARY OF DEVELOPMENT PLAN POLICIES:
National Policy:
PPS1: Delivering sustainable development
PPS5: Planning for the Historic Environment
PPS9: Biodiversity and Geological Conservation

East of England Plan Policies 2008:
SS1: Achieving Sustainable Development
ENV6: The Historic Environment
ENV7: Quality in the Built Environment

Welwyn Hatfield District Plan 2005:
SD1: Sustainable Development
GBSP2: Towns and specified settlements
R3: Energy Efficiency
M14: Parking Standards for New Development
D1: Quality of design
D2: Character and context

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

CONSULTATIONS
None

TOWN/PARISH COUNCIL COMMENTS
None

REPRESENTATIONS
This application has been advertised by means of neighbour notification letters, site notice and press notice. No letters of representation have been received. Period expired 3 February 2010.

DISCUSSION:

1. **Impact on the character and appearance of the Welwyn Garden City Conservation Area.**
2. **Impact on the amenity of adjoining neighbours.**
3. **Sustainable Development.**
4. **Other material planning considerations**

1. Impact on the character and appearance of the Welwyn Garden City Conservation Area.

PPS5 outlines a presumption in favour of the conservation of the historic environment. In this context the proposal should either sustain or where appropriate enhance the historic environment. Policy HE7 of PPS5 outlines that the more significant the element of the historic environment that may be affected by the relevant proposal the greater the presumption in favour of conservation. Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan set out the general design approach to be adopted in respect of development proposals within the Borough. The Supplementary Design Guidance; Statement of Council Policy 2005 provides further detailed guidance as to how new development should respect and relate to the character and context of the area in which it is located.

On its own the proposed extension is modest in scale and clearly subordinate to the scale of the original dwellinghouse. In contrast, when considered with previous extensions and alterations to the original dwelling, it would result in a significant increase in the mass and bulk of the dwellinghouse. However, the proposal would be sited to the rear of the existing property and only glimpses of the side elevation would be visible in the street scene. Consequently from this perspective the apparent mass and bulk of the existing dwellinghouse would not alter considerably and the visual amenity of this property retained.

The proposal would have a false hipped roof. It would link to the existing lean-to structure on the side of the property and would have the same roof pitch. The detailed design of the extension is proposed to match, along with the materials used. The proposal would therefore sufficiently relate to the form and detail design of the existing dwellinghouse.

It is considered that the proposed development, by virtue of its scale and siting would sustain the character and appearance of the application site and the Welwyn Garden City Conservation Area in accordance with PPS5 and Policies GBSP2, D1 and D2.

2. Impact on the amenity of adjoining neighbours.

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, and overshadowing. Giving consideration to the nature of the proposal, the siting of windows in the adjoining properties and the orientation of the dwellings, it is considered that the proposed extension would not have an unreasonable impact on the daylight or sunlight afforded to the neighbouring residency or the level of privacy they currently enjoy. It is considered that the proposal would not be to the detriment of the residential amenity of the adjoining occupiers in accordance with Policy D1.

3. Sustainable development

The applicant has submitted a statement assessing the proposals against the sustainability checklist as required by the Supplementary Design Guidance. The proposals are considered to be in accordance with policies R3 of the District Plan and SD1 of the Supplementary Design Guidance.

4. Protected Species

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

5. Other Material Considerations

East of England Plan 2008: On 10th November 2010, The High Court quashed the decision of the Secretary of State for Communities and Local Government to unilaterally revoke Regional Spatial Strategies in England on two grounds:

- That he acted outside his statutory powers in circumventing the need for parliamentary scrutiny of such a fundamental change to the national planning system; and
- He failed to consider the likely environmental effects of revoking Regional Strategies.

Whilst the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Bill, which began its passage through Parliament at the end of last year, the policies in the East of England Plan are re-established and form part of the development plan again and are therefore a material consideration which can be taken into account in reaching a decision.

The application has been considered against policy(ies) in the East of England Plan, which at the time of this decision forms part of the development plan for the borough.

CONCLUSION:
It is considered that the proposal, due to its siting, scale and design, would sustain the character and appearance of the Welwyn Garden City Conservation Area in accordance with PPS5 and Policies GBSP2, D1 and D2.

The proposal would maintain the amenity of adjoining residents in accordance with Policy D1 and has sufficiently addressed the sustainability aims of the plan.

There is not a reasonable likelihood of EPS being present on the site.

RECOMMENDATION: APPROVAL

1. C.2.1 – Three Year Time Limit

2. C.13.1 – The development/works shall not be started and completed other than in accordance with the approved plans and details 728/01 & 959/03 & 959/04 received and dated 11 January 2011 unless otherwise agreed in writing by the Local Planning Authority.

POST DEVELOPMENT

3. C.5.2 - Matching Materials

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION:
The proposal has been considered against Planning Policy Statement/Guidance PPS1, PPS5, PPS9 East of England Plan 2008 policies SS1, ENV6, ENV7 and development plan policies GBSP2, SD1, R3, M14, D1 and D2 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan.

INFORMATIVES:
None

Signature of author…… Date……..