

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	W6/2012/0737/EM
APPLICATION Site:	21 Roundwood Drive, WGC

DESCRIPTION OF SITE:

The application site features a two storey, detached residential dwelling located to the north – west of the town centre and on the southern side of the highway. The site features a number of prominent trees.

DESCRIPTION OF PROPOSAL:

The application proposes to erect two dormer windows on the rear of the property, a two storey side extension, a single storey side and rear extension and a bay window on the frontage of the property. The application also proposes the removal of a chimney stack on the eastern side of the property and the formation of a new chimney stack on the western side of the property.

The single storey side extension would measure approximately 2.6 metres wide, 9.9 metres deep and

The proposed bay window would measure approximately 0.9 metres deep, 5.7 metres tall and 2.5 metres wide.

The proposed two storey extension would measure approximately 2.8 metres wide, 2.9 metres deep and 8.6 metres tall.

The proposed chimney stack on the side of the property would measure approximately 1.85 metres wide, 8.6 metres tall and 0.95 metres deep.

The proposal would also result in the formation of hardstanding on the frontage of the site.

HISTORY: None

POLICIES:

1967 Leasehold Reform Act – Estate Management Scheme

Estate Management Scheme Policies October 2008:

EM1 – Extensions and alterations

EM3 – Soft Landscaping
EM4 – Hard Landscaping

CONSULTATIONS:

Council Landscaping Officer – *“I have been out have a look at the site. As you know there was some confusion about the which trees were to be removed and Lawrie Winter has sent in an amended drawing Showing the removal of two Pines. I have no objection to the removal of the trees as per his amended drawing. I think the extension around the garage is feasible as long as the pile and beam foundations suggested are used. The plan shows the proposed extension to the south west area of the building under the canopy of some trees. However the plan is not indicative of what is on site. What is growing along this western boundary are some large trees with some smaller self sown trees between them. The extension area on the south west side can be achieved without pruning the trees. The foundations will need to be the same pile and beam construction as stated previously.*

If approved there will need to be some tree protection to avoid any unnecessary damage to the retained trees. I would recommend that a condition be attached requesting that tree protection information is supplied to be approved prior to any on site activity. Any proposed tree works should also be submitted for approval prior to any on site activity”.

REPRESENTATIONS

The application was advertised by means of neighbour notification and no representations were received.

DISCUSSION: The main issues are:

- 1. Maintaining or enhancing the character and appearance of the property and surrounding area and the amenities and values of Welwyn Garden City**
- 2. The impact on the residential amenity of neighbouring dwellings**
- 3. The impact on the health of surrounding trees**
- 4. Other material considerations**

1. Policy EM1 of the Estate Management Scheme refers to extensions and alterations and seeks to preserve the unique architectural heritage of the town and its buildings. The proposed two storey side extension would appropriately feature materials and fenestration to match the existing dwelling and would replace an existing two storey section of the building that features a subordinate ridge and is set back from the frontage of the property. The proposed extension would feature a flush roof design and would result in the property increasing in width on the side of the property which adjoins a public walkway. However, given the distance that would remain between the extension and the side of the property and the screening provided by the trees on the boundary of the site, the proposal is not considered to impact adversely on the views when walking along the public pathway, or the character and appearance of the surrounding area to an extent that would warrant the refusal of the application on these grounds.

Turning to the proposed garages, these would appropriately feature materials and fenestration to match the existing property and would feature a flat roof design which is characteristic of single storey extensions in Welwyn Garden City. The proposal would result in additional single storey sections of the property which would be located behind the garage and in this case, given their positioning and scale, they would be visible from the frontage of the street or have an adverse impact on the

character and appearance of the property and surrounding area to an extent that would warrant the refusal of the application on these grounds.

In terms of the proposed dormer windows, it is considered that these would be significant in height, however, the applicant has provided supporting information to demonstrate that the dormer windows, which would be used to facilitate a staircase, are the minimum scale to meet building regulations. As such, although the dormer windows are not considered to be in proportion to the existing fenestration of the property, given their location on the rear of the property and the fact that there are large dormer windows on properties in the surrounding area, the proposal is not considered to have an adverse impact on the character and appearance of the property or surrounding area to an extent that would warrant the refusal of the application on these grounds.

With regards to the proposed bay window on the frontage of the property and relocation of chimney stack on the side of the property, these would appropriately feature materials to match the existing property and would match the proportions of the existing property. There is an existing bay window and chimney stack on the frontage of the property and the proposed bay window and chimney stack would appropriately replicate these. As such, the proposed bay window and chimney stack are not considered to impact adversely on the character and appearance of the property and surrounding area to an extent that would warrant the refusal of the application on these grounds.

Subject to the inclusion of matching materials being conditioned in the event of approval, the proposed development would sufficiently maintain the character and appearance of the property and surrounding area and the amenities and values of Welwyn Garden City in accordance with policy EM1 of the Estate Management Scheme.

Turning to the proposed hard standing, it is considered policy EM4 of the Estate Management Scheme states that 'proposals for hard surfacing for the parking of private vehicles in front gardens will only be allowed where the works would retain an appropriate balance between hard and soft landscaping and do not result in the loss of any existing hedgerows or landscaping along the boundary other than the minimum required to access the hard standing'. The Estate Management Scheme guidance document also states that 'the council will aim to ensure that a significant proportion, around 50 percent, unless individual circumstances indicate that this would not be appropriate, of the frontage is retained as landscaped 'greenery' to retain the appearance and ethos of the Garden City'. The application site has retained an appropriate balance between hard and soft landscaping on the frontage of the site through the presence of grass on the frontage and trees along the boundary of the site. The proposed area of hard standing would appropriately retain this balance and would comply with policy EM4 of the Estate Management Scheme.

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, whether it is overbearing and whether it will impact on outlook. The proposed extensions and alterations would be located on a detached property and on a site which features several trees along the boundary. As such, the proposal would not result in any adverse impact to neighbouring properties to an extent that would warrant the refusal of the application on these grounds.

3. The impact of the proposal on the health of surrounding trees

Policy EM3 of the Estate Management Scheme refers to soft landscaping and states that works to trees and hedgerows will only be allowed where the works would not result in the loss of landscaping which would harm the character and amenities of the area where sufficient justification for the works has been given or there are other considerations that apply.

There are several trees within the frontage of the application site which positively contribute to the soft landscaped character and appearance of the application site and surrounding conservation area. The proposal would result in the removal of two trees on the frontage of the property. The applicant has provided foundation details to ensure that any adverse impact on the health of trees is minimised. Following consultation, a council landscaping officer has stated that they do not have concerns regarding the proposed development subject to the use of the foundation details provided by the applicant and details regarding tree protection measures to be used being submitted for approval prior to any on site activity. Given these comments, it is considered that subject to the inclusion of conditions relating to tree protection measures being submitted and agreed prior to development, the proposal would sufficiently maintain the health of retained trees.

4. Protected Species: The presence of protected species is a material consideration, in accordance with Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981. In the UK the requirements of the EU Habitats Directive is implemented by the of Habitats and Species Regulations 2010 (the 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 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 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 Regulations 2010 further.

CONCLUSION:

The proposed development would sufficiently maintain the character and appearance of the property and surrounding area, would not impact on the residential amenity of neighbouring dwellings, the health of onsite trees, would retain sufficient parking and would be sufficiently energy efficient. The proposal would therefore sufficiently maintain the amenity and value of Welwyn Garden City.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

EM01.a – 1. This consent shall expire three years after the date hereof (or such other extended date as the Council may agree) unless the works hereby approved shall be completed before that date.

2. All works carried out in pursuance of this consent shall be and remain part of the Premises and shall be subject to the terms and conditions of the conveyance in all respects as if such works had at all times formed part of the Premises.

3. This consent or copy hereof shall be annexed to the Conveyance.

4. There shall be no encroachment over the boundary of the plot either above or below ground level, nor any interference with the foundations of the adjoining property without the agreement of the adjoining owner or lessee.

5. This consent now issued is given by the Council only in accordance with the requirements of the Management Scheme/Conveyance or Leasehold Covenants.

REASON: To comply with the requirements of the Estate Management Scheme

6. The development shall not be started and completed other than in accordance with the approved plans and details: 353-P-011 & 353-P-012 received and dated 21 April 2012 & 353-P-01B & 353-P-02A & 353-P-03A & 353-P-04A & 353-P-06 & 353-P-07 & 353-P-08 & 353-D.01 received and dated 21 April 2012 & 353-P-05B & 353-P-06A & 353-P-07A & 353-P-08A received and dated 03 July 2012 unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is carried out in accordance with the approved drawings and any changes must be agreed in advance in writing by the Local Planning Authority.

7. The brickwork, bonding, mortar and architectural detailing (including soffits, eaves, external pipe work and guttering) of the approved extension shall match that used in the existing dwelling, unless otherwise agreed in writing by the Council.

REASON: To protect the character and appearance of the original building and the amenities of the area in accordance with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City and policy EM1.

8. No development shall take place until full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The landscaping details to be submitted shall include:-

- a) proposed finished levels
- b) existing trees, hedges or other soft features to be retained and a method statement showing tree protection measures to be implemented for the duration of the construction

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy EM3 of the Estate Management Scheme.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

It is considered that the proposed development does not have an unacceptably harmful impact on the residential amenity or the character of the area in which it is located. It is therefore in compliance with the Estate Management Scheme

INFORMATIVES:

INF11: Damage to Grass Verges

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.

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