

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 11 SEPTEMBER 2014
REPORT OF THE DIRECTOR (STRATEGY AND DEVELOPMENT)

N6/2014/1307/FP

7 DENSLEY CLOSE, WELWYN GARDEN CITY, AL8 7JX

ERECTION OF TWO, FIRST FLOOR SIDE EXTENSIONS

APPLICANT: Mr D. Ilett

(Sherrards)

1 Site Description

- 1.1 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 is a flat roofed, single storey extension.
- 1.2 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.

2 The Proposal

- 2.1 The proposal seeks planning permission for two first floor side extensions and the installation of rooflights. The extensions will exist above the flat roofs of the existing single storey side extensions, either side of the dwelling. Each of the two extensions will protrude approximately 3m in width, 4.8m in depth albeit set back from the principal elevation of the existing dwelling by approximately 1.4m and set back from the rear elevation of the existing dwelling by 0.35m. The ridge height is set below the main ridgeline by approximately 0.65m.
- 2.2 A rooflight is proposed upon the rear roofslope of each extension. The proposed first floor extension extending beyond the southern elevation will comprise a 'walk-in' wardrobe and ensuite on the first floor with an ensuite shower room within the roofspace. The proposed first floor extension extending beyond the northern elevation will comprise of two separate 'walk-in' wardrobes and ensuite shower rooms at first floor level and an ensuite shower room within the roofspace.
- 2.3 This proposal follows a previously refused planning application (ref: N6/2014/0539/FP) for two first floor side extensions. This proposal differs from

that previously refused by virtue of both first floor side extensions being reduced in width from 3.9m to 3m in width, the depth of the first floor side extensions being reduced from 5.1m to 4.8m, the set back of the proposed extensions from the principal elevation being increased from 1.3m to 1.4m, the eaves height of the extensions being increased in height to match the eaves of the existing dwelling and the proposed eaves of both first floor side extensions incorporating the projecting flat roof at eaves level to match the existing dwelling which was omitted in the previously refused scheme.

3 Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee as Councillor Mabbott has called it in for the following reasons:

“Cllr Kyriakides has been contacted by resident/s of neighbouring properties regarding the size of the requested development. Apparently, if the extension goes ahead, No.7 will consist of six bedrooms plus ensuite bathrooms. There is much concern that the occupier may be planning to utilise property as a HMO’.

4 Relevant Planning History

- 4.1 N6/2014/0539/FP – Erection of 2 first floor side extensions. Refused 12 May 2014 for the following reason:

- *‘The scale and design of the proposed side extensions would add additional bulk to the side of the dwelling that would fail to appear subordinate in scale to the existing dwelling and would be visually prominent, by virtue of their width and depth, to the detriment of the character and appearance of the streetscene. Furthermore, the eaves design of the proposed side extensions would fail to appropriately reflect the eaves design of the existing dwelling to the detriment of the design and character of the existing dwelling. The proposal would therefore fail to represent high quality design and would fail to sustain or enhance the character and appearance of the Conservation Area contrary to paragraph 131 of the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan and the Supplementary Design Guidance; Statement of Council Policy 2005.*

- 4.2 N6/2013/2219/FP – Demolition of existing side extension and erection of single storey side extension along with alterations to roof and windows at single storey level. Granted 19 December 2013

- 4.3 N6/2013/1337/PA - Erection of first floor side extensions. The officer pre application advised the following (in summary):

- *‘The proposed extension beyond the northern elevation is 3m in width and the extension beyond the southern elevation is 3.9m in width. To create a more balanced appearance against the existing dwelling, it is advised that the proposed 3.9m extension is to be reduced to 3m in width. Furthermore, to reduce the overall bulk and scale and create a more subordinate extension, it is advised that the first floor side extensions in relation to the existing front*

elevation of the dwellinghouse are set back further and the flat roof design element seen along the front elevation of the existing dwelling between the first floor and the roofspace is replicated on the two side extensions’,

- *‘It is advised the proposed front and rear elevation windows reflect both the size and design of the existing windows’,*
- *‘With regards to the proposed rooflights, they would be located upon the rear elevation where public vantage points are minimal and therefore it is considered that the proposed rooflights would have a minimal impact upon the streetscene’.*

4.3 N6/2013/1278/FP - Erection of single storey front, side and rear extension and alterations to roof. Refused 21 August 2013

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

5 Planning Policy

5.1 National Planning Policy Framework

5.2 Welwyn Hatfield District Plan 2005

5.3 Supplementary Design Guidance, February 2005

6 Site Designation

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

7 Representations Received

7.1 Nine representations have been received from Densley Close, Scholars Mews and Pitsfield as well as Welwyn Garden City Society. Their comments can be summarised as:

- The proposed extensions are too big and imposing,
- The extension will spoil the symmetry of this carefully designed Close,
- Will not have sufficient parking for a house of the proposed size,
- Will result in a visually overbearing dwelling in a cul-de-sac of this size,
- The provision of so many en-suite bedrooms might also indicate an intention to rent out rooms,
- With limited parking available at the property it is unclear how the proposed works will be carried out without skips and vehicles intruding into the public highway and obstructing access to properties 8 and 10 Densley Close,

- The proposed extension would result in 7 and 8 Densley Close no longer appearing to have been built in the same thought and deliberation as the other properties, appreciably reducing the charm of the road,
- The roofline of the two new extensions will not line up with the existing roofline at both the top and bottom of the new roofs and therefore will not blend in with the existing structure,
- The existing ground floor layout suggests that it would likely not be possible structurally to support a two-storey extension,
- The size of the proposed extensions, taken together with the existing ground floor extension, appears out of proportion to the size of the original house as well as to the width of the plot,
- Concerns of overlooking and loss of privacy to neighbouring properties,
- The new windows do not relate proportionately to the original and emphasise the lack of symmetry between the old and the new,
- The proposed rooflights do not line up or match the existing small dormers at second floor/roof level and appear visually discordant with the host property.

8 Consultations Received

- 8.1 **Welwyn Hatfield Borough Council Landscaping & Ecology:** No objections subject to conditions with regards to tree protection.

9 Analysis

- 9.1 The main planning issues to be considered are:

- 1. Whether the proposed development would preserve or enhance the character or appearance of the area, and would sufficiently sustain or enhance the Welwyn Garden City Conservation Area and would respect and relate to the character and context of the property and surrounding area (NPPF Paragraph 131, Local Plan Policy D1, D2, Supplementary Design Guidance)**
 - 2. The impact of the proposal upon the residential amenity of adjoining properties (Local Plan Policy D1, Supplementary Design Guidance)**
 - 3. Other material considerations**
1. **Whether the proposed development would preserve or enhance the character or appearance of the area, and would sufficiently sustain or enhance the Welwyn Garden City Conservation Area and would respect and relate to the character and context of the property and surrounding area**

- 9.2 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’.*
- 9.2 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.
- 9.3 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. 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.
- 9.4 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 dwelling has been extended upon previously through a single storey, flat roofed, side extension beyond the southern elevation of the original dwellinghouse, under planning application ref: N6/1991/0676/FP, and a rear conservatory which has no planning history.
- 9.5 The proposal seeks planning permission for two first floor side extensions extending approximately 3m in width beyond both the northern and southern elevations of the existing dwelling above the existing single storey flat roofed side extensions.
- 9.6 The proposal follows a previous refusal for planning permission for two first floor side extensions (application ref: N6/2014/0539/FP). The proposal differs

from that previously refused by virtue of both first floor side extensions being reduced in width from 3.9m to 3m in width, the depth of the first floor side extensions being reduced from 5.1m to 4.8m, the set back of the proposed extensions from the principal elevation being increased from 1.3m to 1.4m, the eaves height of the extensions being increased in height to match the eaves of the existing dwelling and the proposed eaves of both first floor side extensions incorporating the projecting flat roof at eaves level to match the existing dwelling which was omitted in the previously refused scheme. The previous planning application was refused by virtue of the width and depth of the first floor side extensions adding additional bulk to the side of the dwelling that would fail to appear subordinate in scale to the existing dwelling and would be visually prominent to the detriment of the character and appearance of the streetscene. The eaves design of the proposed side extensions also failed to appropriately reflect the eaves design of the existing dwelling to the detriment of the design and character of the existing dwelling.

- 9.7 Prior to the previously refused planning application being submitted, pre application advice was sought for the erection of two first floor side extensions (ref: N6/2013/1337/PA) which advised that, *'The proposed extension beyond the northern elevation is 3m in width and the extension beyond the southern elevation is 3.9m in width. To create a more balanced appearance against the existing dwelling, it is advised that the proposed 3.9m extension is to be reduced to 3m in width. Furthermore, to reduce the overall bulk and scale and create a more subordinate extension, it is advised that the first floor side extensions in relation to the existing front elevation of the dwellinghouse are set back further and the flat roof design element seen along the front elevation of the existing dwelling between the first floor and the roofspace is replicated on the two side extensions'*.
- 9.8 The general advice set out within this pre application was not reflected within the previously refused planning application (ref: N6/2014/0539/FP) by virtue of the two first floor side extensions being more than 3m in width and the set back from the principal elevation not sufficient enough to appear subordinate in scale. Furthermore, the pre application suggested that the flat roof design element seen along the front elevation of the existing dwelling between the first floor and the roofspace be replicated on the two side extensions.
- 9.9 The case officer report for the previously refused application in relation to the two first floor side extensions states, *'Whilst a minimum of 2.35m separation space will exist at first floor level along the shared boundary with No.5 Densley Close and at least 4.8m at first floor level with 19 Scholars Mews, the proposed side extensions at 3.9m wide are considered to add additional bulk to the existing dwelling which would fail to appear as subordinate in scale and design to the existing dwelling. Furthermore, the proposed set back from the front elevation of the existing dwelling by approximately 1.3m is not considered a sufficient enough set back to appear subordinate in scale, creating side extensions of approximately 5.1m in depth'*.
- 9.10 In relation to the eaves design of the previously refused planning application, the case officer report states, *'A projecting flat roof design feature exists on both the front and rear elevation of the existing dwelling and therefore the*

eaves design of the proposed side extensions would fail to appropriately reflect the eaves design of the existing dwelling to the detriment of the design and character of the existing dwelling’.

- 9.11 Taking into consideration the changes carried out as part of the current planning application when compared to the previously refused planning application as outlined above under paragraph 9.6, the proposal is considered to more closely reflect the informal officer’s advice contained within the pre application (ref: N6/2013/1337/PA).
- 9.12 The dwellinghouse is located on a large plot with the dwellinghouse expanding the width of the plot, with the exception of retaining a separation space of approximately 1.3m with the southern boundary of the application site and the flank wall of the single storey side extension. Extensions to the dwelling thus far has remained at single storey level with the spacious character of the plot being retained at first floor level. The existing separation space above ground floor level measures approximately 8.5m in width when measured between the flank wall of the existing dwelling and the southern boundary of the site and approximately 6.1m between the flank wall of the existing dwellinghouse and the northern boundary of the site. Notwithstanding these separation spaces, the spaciousness of the site is further emphasised by the fact that the neighbouring property to the south, No.19 Scholars Mews is set back from the southern boundary of the application site by approximately 13m. These contribute to the character of the conservation area, adding to the overall appearance of the streetscene with views through to the rear of the site and the landscaping features which exist within the site and beyond.
- 9.13 The proposed first floor side extensions will result in the reduction of the separation space either side of the dwelling from 8.5m to 5.5m from the southern boundary of the application site and from 6.1m to 3.1m from the northern boundary of the application site. Paragraph 5.2 (ii) of the Supplementary Design Guidance states, *‘the extension must not reduce the space around the dwelling to such an extent that the dwelling looks cramped on its site. The spacing of buildings adjacent to and in the locality of the site should be reflected’.* The spacing above ground floor level between neighbouring properties No.1, 3 and 5 Densley Close and those directly opposite, No.2, 4 and 6 Densley Close is of a lesser distance when compared to the application dwelling of between approximately 2.5m and 3.7m. Whilst the separation space will be reduced, it is considered that sufficient separation space will be retained in line with the separation spaces that exist between neighbouring properties to not detrimentally impact upon the character of the existing streetscene.
- 9.14 It is acknowledged that the application dwelling and the dwelling directly opposite, No.8 Densley Close, are of a different design to the six dwellings which precede it along Densley Close by virtue of the gable ends existing at the front and the rear with the depth of the dwelling running from west to east rather than north to south. However, the separation space which will be retained will not be to an extent whereby the dwelling will looked cramped on site and would not detrimentally impact upon the character of the streetscene

in accordance with Policy D1 and the Paragraph 5.2 (ii) of Supplementary Design Guidance.

- 9.15 Policy D1 and Paragraph 5.2 (i) of the Supplementary Design Guidance states that, *'extensions should be designed to complement and reflect the design and character of the dwelling and be subordinate in scale'*. Concern has been raised through the consultation process about the scale of the proposal not appearing subservient and would be visually prominent within the streetscene. The first floor of the existing dwelling is approximately 11m in width. The two side extensions at a depth of 3m each are not considered to result in a significantly disproportionate increase to the existing dwelling such that it would not appear subservient. This is largely due to the fact the extensions have been appropriately placed either side of the dwelling rather than one large extension on one side which gives the extension a balanced and subordinate appearance to the existing dwelling. Additionally, the proposed extensions would maintain the balanced appearance of the existing dwelling. Whilst the proposal will add additional bulk to the existing extended dwelling, the proposed extension is considered to be of a scale and design, taking into consideration the width of the extensions, the set down of the ridge height and the set back from the principal elevation, that would not detrimentally impact upon the design and character of the dwelling sufficient to warrant refusal in accordance with Policy D1 and the Supplementary Design Guidance.
- 9.16 Two windows are proposed to the front elevation, two on the northern elevation and two to the rear elevation, all at first floor level of the proposed extensions which will match the scale, design and fenestration of the existing windows and therefore no objections are raised in this regard. Concerns have been raised regarding the position of these and whilst officers consider this is not sufficiently harmful to refuse on these grounds if members are minded to agree with these representations a revised plan condition could be imposed requiring them to be centralised in the extension(s). Two rooflights are also proposed upon the rear roofslope. Taking into consideration the depth of the rear garden at approximately 25m and the limited visibility of the rear elevation from public vantage points along Scholars Mews and Sherrardspark Road, the addition of proposed rooflights upon the rear elevation are not considered to be detrimental to the design and character of the dwelling or surrounding conservation area in accordance with the National Planning Policy Framework and Policy D1 and D2 of the Welwyn Hatfield District Plan, 2005.
- 9.17 It is noted that the materials to be used in the proposal would match the existing dwelling however taking into consideration its location within the conservation area, it would be appropriate to condition the application for sample of materials to be submitted prior to commencement of development.
- 9.18 To conclude, it is considered that the proposal, due to its siting, scale and design, would preserve the character and appearance of the Central Welwyn Garden City Conservation Area and would not result in any harm to the significance of this as a heritage asset. The proposal is therefore in

accordance with the National Planning Policy Framework and Policies D1 and D2.

2. The impact of the proposal upon the residential amenity of adjoining properties

- 9.19 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.
- 9.20 The dwellings most impacted by the proposal are neighbouring properties, No.5 Densley Close to the north and No.19 Scholars Mews to the south.
- 9.21 No. 5 Densley Close is a two storey dwellinghouse with a single storey flat roofed side extension which forms the shared boundary with the application dwelling. In addition to the 2.35m separation space of the proposed side extension from the shared boundary with No.5, the first floor element of No.5 is set back from the shared boundary by approximately 6m. The only window which exists along the side elevation of No.5 is a dormer window which has obscure glazed windows. Two windows are proposed upon the first floor northern elevation of the proposed extension which will form two ensuites. To protect privacy and prevent direct overlooking to the neighbouring dormer window, it would be appropriate to condition these two windows to be obscure glazed and non opening below 1.8m.
- 9.22 In respect of loss of sunlight/daylight/skylight, No.5 is orientated to the north of the application dwelling and whilst the proposed extension may result in some overshadowing within the rear garden, the proposal is not considered to result in a detrimental impact upon loss of sunlight/daylight/skylight by virtue of the separation space between the flank wall of the proposed extension and the first floor side elevation of No.5 of approximately 9m. Furthermore, by virtue of the existing first floor window at No.5 being obscure glazed and the separation distances between the two properties, the proposal is not considered to result in an overbearing or dominant addition when viewed from No.5.
- 9.23 The neighbouring property to the south east, No.19 Scholar Mews is a two storey detached dwellinghouse with the front elevation orientated to face the north east. Whilst the proposed extension will be visible from the windows on the front elevation of No.19, its orientation facing north east in addition to the proposed extension measuring approximately 17m from the corner of No.19, the visibility of the proposed extension is not considered to be overbearing. Furthermore, due to the siting of No.19 to the south of the application dwelling and the distance of the proposed extension to the corner of No.19 of approximately 20m, the proposal is not considered to result in a detrimental loss of sunlight/daylight/skylight to warrant refusal. No windows are proposed

upon the side elevation of the proposed extension, resulting in no loss of privacy/overlooking to No.19.

- 9.24 The proposal as a whole is not considered to result in a detrimental impact on the amenity of adjoining properties and therefore it complies with Policy D1 of the Welwyn Hatfield District Plan, 2005.

10 Other material considerations

- 10.1 Landscaping:** A number of trees exist within the side garden of the neighbouring property to the south, No.19 Scholars Mews. The application site is located within a conservation area and a number of these trees are covered by a Tree Preservation Order (TPO), the trunk of closest TPO is approximately 10m from the southern flank wall of the existing dwelling and therefore there is plenty of protection on the large mature trees, predominantly oak, that surround the site. However, it is considered that these trees have adequate lift to them to accommodate a further extension to the property without the need for further works. Furthermore, no further excavation is required rendering any issues with the roots of the trees.

- 10.2** The trees at the site contribute to softening the appearance of built development within this area. Whilst the location of the proposal would not affect the roots of the extension trees, tree protection would be required around the existing trees to ensure that materials and mechanical damage to the trees does not occur throughout the construction of the development. Details of this can be conditioned.

- 10.3** Therefore subject to the above conditions, the proposal is not considered to impact detrimentally on the trees and landscaping at the site, in accordance with Policies R17 and D8 of the District Plan and the NPPF.

- 10.4 Car Parking:** The proposal will result in an additional two bedrooms, creating a six bedroom dwelling. The maximum car parking standards for a four or more bedroom dwelling within this location requires 3 on site car parking spaces. The proposal will retain the garage in addition to hardstanding to the front of the property which can accommodate at least two cars and therefore the proposal will provide sufficient car parking in accordance with Policy M14 of the Welwyn Hatfield District Plan, 2005.

- 10.5 Consultation Responses:** Concern has been raised about the proposed number of bedrooms all having ensuite shower rooms and the potential to convert the existing dwelling into a house in multiple occupation. The existing dwellinghouse is a C3 use. Permitted developments exists under the Town and Country Planning (Use Classes) Order 1987 (as amended) which allows a current use within C3 to convert to a C4 use (House in Multiple Occupation) without requiring planning permission. No evidence has been put forward which would suggest that the existing dwellinghouse is to be converted into a House in Multiple Occupation and therefore it would be unreasonable to remove permitted development rights in this regard.

11 Conclusion

- 11.1 It is considered that the proposal, due to its siting, scale and design, would conserve the character and appearance of the historic environment in accordance with the National Planning Policy Framework and Policies D1 and D2.
- 11.2 The proposal would not have a detrimental impact on the amenity of the adjoining occupiers.

12 Recommendation

- 12.1 It is recommended that planning permission be approved subject to the following conditions:
1. C.2.1 – Time Limit for commencement of development
 2. C.13.1 – Development in accordance with the approved plans and details: 3018-OS1 Rev.C & 3018-OS2 Rev.C & 3018-E01 & 3018-E02 & 3018-P02 Rev.A received and dated 10 June 2014

Pre Development

3. C.5.1 – Samples of materials

Post Development

4. No development shall commence until full details of the protection of the existing trees on site have been submitted to and approved in writing by the Local Planning Authority. The protection details shall comply with the recommendation of British Standards 5837 (2005). The tree protection shall be in place before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. No fires shall be lit within 20m of the retained tree.

REASON: To protect the existing trees on site in the interest of visual amenity in accordance with policies R17 and D8 of the Welwyn Hatfield District Plan 2005.

5. The two first floor windows upon the northern elevation of the proposed extension shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.8 metres above floor level, and shall be retained in that form thereafter.

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 grant of permission

The decision has also 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 inspected at these offices).

Jackie Phillips, (Strategy and Development)

Date 19 August 2014

Background papers to be listed (if applicable)

