

**WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT**  
**DELEGATED REPORT**

<b>APPLICATION No:</b>	<b>N6/2012/1700/FP</b>
<b>APPLICATION Site:</b>	<b>34 Sherrardspark Road</b>

**NOTATION:**

The site lies within the conservation area of Welwyn Garden City as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:**

The application site comprises of a two storey detached dwelling with a single storey side extension. The house is of neo-Georgian design, with red brick and Georgian style fenestration. The properties within the wider area are of a similar and consistent design, though varying in size.

**DESCRIPTION OF PROPOSAL:**

The proposal can be split into four areas as follows:

- Erection of a single storey rear extension
- Erection of a single storey side extension, which would increase the size of the kitchen and provide a utility room linked to the garage. This includes the demolition of the single storey outhouse and the removal of the existing ground floor flank wall to the main house
- The forward extension of the most eastward garage to level with neighbouring garage and the removal of the interconnecting wall.
- Increase in width of the existing crossover to 4.8m

In respect to the rear extension, this would be a single storey development in the visual style of a conservatory. It would have a depth of approximately 1.9m and a height of 1.7m, not extending beyond the furthest rear point of the property. Furthermore, the height of the extension would not exceed the ridge height of the existing single storey element of the dwelling.

The side extension would measure approximately 4.9m in length and 2m in height, forming an alignment at the rear with the existing property and essentially filling a gap. The dual garages would be incorporated into a single garage, resulting in the most eastward garage increasing in length by approximately 0.2m to allow both garages to line up.

**PLANNING HISTORY:** None

**SUMMARY OF POLICIES:**

National Planning Policy Framework

East of England Plan 2008 Policies:

SS1: Achieving Sustainable Development

SS2: Overall Spatial Strategy

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

Welwyn Hatfield District Plan 2005 Policies:

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:** None

**TOWN/PARISH COUNCIL COMMENTS:** None

**REPRESENTATIONS:** None, period expired

**DISCUSSION:**

The main issues are:

1. Character and Appearance
2. Residential Amenity
3. Other Material Planning Considerations

**1. Character and Appearance**

Policies GBSP 2, D1 and D2 of the adopted Welwyn Hatfield District Plan are relevant. Collectively, these policies seek to encourage development of a high design standard, which should respect and relate to the character and context of the area in which it is to be sited. Furthermore, the Supplementary Design Guidance (SDG) requests that “extensions should be designed to complement and reflect the design and character of the dwelling and be subordinate in scale.”

Moreover, as the site is located within the Welwyn Garden City Conservation Area, the preservation and enhancement of the appearance and character of the area must be considered in accordance with the National Planning Policy Framework (NPPF).

The proposal would be relatively minor in scale and clearly subordinate against the original dwelling, despite alterations to the rear, side and frontage. The approximate increase in foot space would only be 20% against the existing ground floor level. The garage alterations, whilst forming a large structure for a single garage, would be proportionate in relation to the existing dwelling.

In regards to the architectural design, the proposal is considered to reflect the design and character of the original dwelling. The rear extension would be modest in scale and corresponding in design, whilst the side extension would be visually unassuming and would also harmonise architecturally with the existing dwelling.

The garage, whilst only adding minor bulk, would create a greater visual impact, particularly as it is located at the front of the property and would be the most forward facing aspect of the dwelling. However, in relation to the scale of the existing dwelling, it would be proportionate in size, would correlate in design and would retain the existing roof line. It is therefore considered appropriate development.

Considering the impact of the wider area and with recognition to the conservation area in which it is sited, the completed proposal would be largely invisible from the street scene, with exception to the alterations of the garage. However, it is considered that the amendments of the garage would not adversely impact on the visual amenity on the locality due to only minimal adjustments in scale and a visually appropriate frontage.

The proposal also includes two rear sky lights. These are not considered to be in keeping with the architectural design of the dwelling. However, the development is only minor in scale and would be visually concealed from the street scene.

In regards to the pattern of development within the area, there have been a number of other properties in the locality that have had similar extensions and alterations. Therefore development of this scale and design would not be inconsistent with previous approved applications.

Overall, it is considered that the development would reflect and respect the character of the existing property and the area in which it is sited. Therefore, the proposal would appropriately comply with policies GBSP 2, D1 and D2 of the Welwyn Hatfield District Plan 2005 and its accompanying SDG, as well as the guidance set out within the NPPF.

## **2. Residential Amenity**

Local Plan Policy D1 is relevant along with the SDG.

The impact of the proposed development on the residential amenity of neighbouring dwellings is measured in terms of the impact on neighbouring properties access to day/sun/sky light, overshadowing, loss of privacy/overlooking and impact on outlook.

The property most likely to be materially impacted as a result of the development would be the immediate neighbours of 32 Sherrardspark Road. The side extension

to the property would be adjacent to the boundary between these two properties. It is proposed to maintain a 1m gap between the development and the boundary line, which whilst minimal, is considered appropriate.

The positioning and scale of the development is such that there would be no material impact on the neighbouring dwelling's access to day/sun/sky light and would not cause overshadowing or loss of privacy.

There is the potential for an impact on outlook from the positioning of the side extension. Again however, due to the size and scale of the development, these concerns would not be considered substantial enough to warrant refusal.

Therefore, the proposal sufficiently complies with policy D1 of the Welwyn Hatfield District Plan 2005 and the accompanying SDG.

### **3. Other Material Planning Considerations**

#### **Protected Species**

The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework, 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 neither would an EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

#### **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

However, the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Act. In the meantime, 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. However, the Government's intention to abolish Regional Spatial Strategies is also a material consideration that could be considered to reduce the weight to be attached to policies in Regional Spatial Strategies.

The application has been considered against policies in the East of England Plan, which at the time of this decision forms part of the development plan for the Borough but that the weight accorded to these policies, in light of the above circumstances, has been carefully considered in reaching a decision.

### **Vehicle Crossover**

The extension of a vehicle crossover would not require planning permission as this is a proposed extension of an existing crossover and not the formation, laying out or construction of a means of access to a classified road or trunk road in accordance with part 2, schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995.

### **CONCLUSION:**

The proposal would be a relatively unassuming development consistent with the architectural design of the existing house and the character of the wider area. The side extension would sit in close proximity to the boundary between the 34 and 32 Sherrardspark Road. However, the amenity impacts on neighbouring residents would not cause a sufficient amount of material harm to any of the neighbouring dwellings. The development is therefore consistent with Welwyn Hatfield District Plan 2005 policies GBSP2, D1, D2 and the Supplementary Design Guidance and also regulation set out in the National Planning Policy Framework.

### **RECOMMENDATION: APPROVAL WITH CONDITIONS**

#### **CONDITIONS:**

1. C.2.1 Time limit for commencement of development
2. C.13.1 The development/works shall not be started and completed other than in accordance with the approved plans and details: 397412/1 & site plan & block plan received and dated 23 August 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.

## **Post Development**

### **3. C5.2 Matching materials**

#### **SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:**

The proposal has been considered against the National Planning Policy Framework, East of England Plan 2008 policies SS1, SS2, ENV6, ENV7 and development plan policies SD1, GBSP2, R3, D1 & D2 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which, at the time of this decision indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be inspected at these offices).

#### **INFORMATIVES:**

1. This planning decision does not include the approval and carrying out of works regarding the increased width of crossover. The applicant would need to contact Hertfordshire County Council Highway Authority to apply for these amendments.

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