

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

APPLICATION No:	W6/2012/2165/EM
APPLICATION Site:	15 Sherrardspark Road

NOTATION:

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

DESCRIPTION OF SITE:

The application site comprises a two storey detached dwelling of neo-Georgian design. The site features a rear conservatory and coal sheds to its side, with a front and rear garden. The site is located within a cul-de-sac of five dwellings, which are of varying layout and scale. However, all of the dwellings are articulated from the street, with green space to their front, resulting in a spacious and green area.

DESCRIPTION OF PROPOSAL:

The application seeks full planning permission for the erection of a single storey rear extension to replace the existing conservatory, and the conversion of the existing coal sheds to form a fully enclosed area as part of the house. The rear extension would measure approximately 3.1m in depth, 5.7m in width and 3.8m in height. This would include the use of a rooflight which would measure approximately 0.3m in height, 2.7m in width and 1.4m in depth. The coal shed conversion would measure approximately 6.2m in width, 2.3m in depth and 3.3m in height. The separate developments would overlap each other at one point, at a total depth of approximately 5.5m across 2.0m of width. The total width of development across the property would amount to approximately 9.95m when taking into account the overlap of the two elements of development.

PLANNING HISTORY:

W6/1997/5086/EM – Erection of rear conservatory. Approved 6 May 1997

SUMMARY OF POLICIES:

1967 Leasehold Reform Act – Estate Management Scheme

Estate Management Scheme Policies October 2008:

EM1 – Extensions and alterations

CONSULTATIONS:

Landscapes and Ecology: Two mature Oaks reside approximately 8m from the existing building. As footprint of building is not going to change, there is unlikely to be an adverse impact upon the trees. However, condition recommended stating that no building materials to be stored within 5m from the base of the trees.

TOWN/PARISH COUNCIL COMMENTS: None

REPRESENTATIONS:

This application has been advertised and no representations have been received. Period expired 12 November 2012

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. Landscaping
4. Other material planning considerations

1. Maintaining or enhancing the character and appearance of the property and surrounding area, and the amenities and values of Welwyn Garden City

Policy EM1 of the Estate Management Scheme is relevant, referring to extensions and alterations. It seeks to preserve the unique architectural heritage of the town and its buildings, by allowing approval only when development is in keeping with design, appearance, materials and architectural detailing used for the existing building.

The proposed development remains at ground floor level, but would not include any amendments to the existing footprint of the dwelling. The height of the rear extension would remain relatively unchanged, with an increase in the maximum height by approximately 0.15m against the existing conservatory. This is considered to be a nominal alteration. The coal sheds conversion would be fully incorporated within the main dwelling and would connect to the rear extension. It would feature a small increase in roof height of approximately 0.8m, to line up in height with the proposed rear extension. Except for a modest rooflight on the rear extension, the proposal features a flat roof, which reduces the visual impact of the development.

Therefore, and after taking into account both elements of the proposal, the development is considered entirely appropriate with regards to its scale.

The development would include matching fenestration and brickwork to the existing dwelling. Furthermore, the existing rear conservatory is not entirely in keeping with the dwelling, and the proposal is considered to enhance its character. It would also be located to the rear of the property and would not be visible from the street scene. It therefore considered that the development would appropriately reflect the design of the existing dwelling and the surrounding area.

The site contains two Oak trees within close proximity of the development. Following consultation with the council's Landscapes and Ecology department for the full planning permission of this application (N6/2012/2056/FP), in which it was stated that no storage of materials should be kept close to the trees, it has been considered that a similar condition should apply.

The development would appropriately comply with policy EM1 of the Estate Managements Scheme.

2. The impact on the residential amenity of neighbouring dwellings

Policy EM1 is again relevant, which seeks to protect the amenity and balance of the surrounding area. 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 dwelling is set within a site containing a relatively large garden. It is considered that given the scale of the proposal, no inappropriate amenity impacts would result from the development. Therefore it would com Policy EM1 of the Estate Management Scheme.

3. Other material 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 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:

The proposed development would sufficiently maintain the character and appearance of the property and surrounding area and would not impact on the residential amenity of neighbouring dwellings. 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. C.13.1 – The development/works shall not be started and completed other than in accordance with the approved plans and details: HET 1261/01 & HET 1261/02 & Site Location Plan received and dated 11 October 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. EM03.a - 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 policies EM1.

8. There shall be no storage of building materials within five metres of the Oak trees as identified within the application.

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

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: None

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