

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2019/0577/VAR
Location: 1 Howardsgate Welwyn Garden City AL8 6AL
Proposal: Variation of Condition 4 (approved plans and drawing numbers) on planning application 6/2018/1057/FULL
Officer: Mr Tom Gabriel

Recommendation: Granted

6/2019/0577/VAR

Context	
Site and Application description	<p>The site is situated on the corner of Parkway and Howardsgate, an important entrance point to Welwyn Garden City town centre. The building is three storeys high, with a mix of retail, restaurant and pub/club use at ground floor level, a mix of office and club/pub use at first floor, and exclusively office use at second floor level. The roof level hosts three separate mansard style roofs without dormer windows, as well as sections of flat roof to the rear facing an enclosed courtyard. The building is sited within Welwyn Garden City Conservation Area, and falls within Handside Ward.</p> <p>Planning permission was granted in 2018 for the ‘Construction of a dormer roof formation to accommodate an additional storey at third floor level, providing nine flats (7 x 1 bedroom and 2 x self-contained studio flats), including a rear lift tower, ground floor entrance lobby, and external services serving the new floor’ (ref.6/2018/1057/FULL).</p> <p>The current application is for the variation of condition 4 of this permission. The variation would involve the addition of an extension to the flat at the northern end of the building at third floor level onto what is currently a terrace in the approved scheme and the provision of an extra bedroom in this flat. The proposal would also include amendments to the internal layout of the adjacent flat to change it from a studio flat to a one bedroom flat, and alterations to the approved materials for the third floor window frames.</p> <p>The extension would accommodate 8 x one bedroom flats and 1 x two bedroom flat. The access to the flats would be via the approved extensions to the existing staircases serving the first and second floor via fire lobbies and via a rear lift tower. Only one of the flats would benefit from a roof terrace – that at the eastern end of the building.</p> <p>The proposed development is similar to that granted permission in November 2018 (6/2018/1057/FULL). The only changes compared with the approved scheme are:</p> <ul style="list-style-type: none"> • the addition of an extension to the flat at the northern end of the building at third floor level; • the provision of an extra bedroom in this flat; • amendments to the internal layout of one flat to change it from a studio

	<p>flat to a one bedroom flat; and</p> <ul style="list-style-type: none"> • alterations to the approved materials for the third floor window frames from white aluminium frames to white uPVC. <p>The materials for this development were approved as part of the permission. The same materials have been proposed within the current application. These consist of the following:</p> <ul style="list-style-type: none"> • Weinerberger Old English clay tiles for the mansard roof; • Timber frame cladding, with lead as an external finish for the dormers; • A thin acrylic render system to the surface of the horizontal parapet band; • White aluminium for the new windows; • All new external pipes black metal; • External leaf of a facing brickwork
<p>Constraints (as defined within WHDP 2005)</p>	<p>CA - Conservation Area: WGC1; - Distance: 0</p> <p>PRC - Primary Retail Core (Primary Retail Core) - Distance: 0</p> <p>Town - Welwyn Garden City Town Centre - Distance: 0</p> <p>UOL - Urban Open Land (Inset maps 2) - Distance: 0</p> <p>Wards - Handside - Distance: 0</p> <p>CP - Cycle Path (Cycle Facility / Route) - Distance: 6.7</p> <p>FM00 - Flood Zone Surface Water 1000mm (74434) - Distance: 0</p> <p>MIX - Mixed Use Frontages - Distance: 0</p> <p>HEN - No known habitats present (medium priority for habitat creation) - Distance: 0</p> <p>SAGB - Sand and Gravel Belt - Distance: 0</p> <p>HPGU - Welwyn Garden City - Distance: 0</p>
<p>Relevant planning history</p>	<p>Application Number: 6/2017/0400/FULL Decision: Granted Decision Date: 13 November 2017</p> <p>Proposal: Formation of new roof to accommodate additional storey at third floor level to provide 8 self-contained flats (7 x 1 bedroom flats and 1x 2 bedroom flat.), rear lift tower and ground floor entrance lobby.</p> <p>Application Number: 6/2018/0343/COND Decision: Granted Decision Date: 20 March 2018</p> <p>Proposal: Submission of details pursuant to condition 1 (materials samples) on planning permission 6/2017/0400/FULL, dated 13/11/2017</p> <p>Application Number: 6/2018/1057/FULL Decision: Granted Decision Date: 18 June 2018</p> <p>Proposal: Construction of a dormer roof formation to accommodate an additional storey at third floor level, providing nine flats (7 x 1 bedroom and 2 x self-contained studio flats), including a rear lift tower, ground floor entrance lobby, and external services serving the new floor.</p> <p>Application Number: 6/2018/1067/PN11 Decision: Prior Approval Required and Granted Decision Date: 19 June 2018</p>

	<p>Proposal: Prior approval for change of use from offices B1(a) to dwellinghouses (C3) to include the creation of 18 apartments</p> <p>Application Number: 6/2018/3025/PN11 Decision: Prior Approval Required and Granted Decision Date: 24 January 2019</p> <p>Proposal: Prior approval for change of use of part of 2nd floor of the Fountain House from offices (B1) to residential (C3) creating 2 apartments</p> <p>Application Number: 6/2019/0578/VAR Decision: Concurrent application</p> <p>Proposal: Variation of condition 2 (approved drawings) on planning permission 6/2017/2019/FULL</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	<p>Site Notice Display Date: 29 March 2019</p> <p>Site Notice Expiry Date: 19 April 2019</p> <p>Press Advert Display Date: 27 March 2019</p> <p>Press Advert Expiry Date: 10 April 2019</p>		
Summary of neighbour responses	None received.		
Consultees and responses	1. The Gardens Trust - We do not wish to comment		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes			
Others: H2, H6, H10, D5, D6, D7, D9, TCR13, M6, M14, R3, R10, R19, IM2, M4			
<p>The Council have submitted the draft Local Plan Proposed Submission for examination to the Secretary of State with the examination currently being held and public examination hearing dates on going. Those emerging policies are therefore a material consideration in any future application and listed below are the relevant policies: SD1, SP1, SADM1, SP9, SP11, SADM11, SADM12, SADM14, SADM15, SP13, SP15, SP16, SADM19</p> <p>North Supplementary Planning Document (April 2015) Welwyn Garden City Conservation Area Appraisal (2007)</p>			
Main Issues			
Principle of residential development	The principle of the development on this site has been approved through the grant of the previous permission (6/2018/1057/FUL). The issues to consider in this application are whether the proposed amendments to the approved scheme are acceptable or not.		
Design (form, size, scale, siting) and Character (appearance within the streetscene)	The addition of an extension to the flat at the northern end of the building at third floor level would not have a significant impact upon the character and appearance of the building. With the exception of the window frames, it would be constructed with the approved materials and would relate to the existing building and the area in a suitable manner. Its design and form would also preserve the character and appearance of the Welwyn Garden City		

	<p>Conservation Area.</p> <p>The proposed uPVC window frames, to be used in the rear elevations of the extension, are acceptable in terms of the character and appearance of the extensions, the building, the Conservation Area or the street scene.</p> <p>The proposed flats would comply with the national technical space standards.</p>
Impact on neighbours	<p>The proposed amendment to the approved scheme would not have a harmful impact upon the amenities of the neighbouring occupiers in Charter House due to the relationship between the properties. Overlooking from the single bedroom of the enlarged flat (towards Charter House) would not result in a loss of amenity for the occupiers of this building as there are no windows in the flank elevation or roof of this building facing the application site.</p> <p>The extension would have a full height window with bi- fold doors in its southern elevation. While this would otherwise introduce direct overlooking to the bedroom of the opposite flat at a distance of 7.5m and overlooking of the open plan living room and kitchen of the neighbouring flat at a similar distance, albeit at an angle, the provision of a 1.8m high screen obscured in nature, as shown on the plans, would prevent the overlooking of these flats. The proposal would therefore have an acceptable impact upon the residential amenities of the occupiers of a these flats. The proposed screen would not appear overbearing or visually intrusive when viewed from the living room of the adjacent flat as a result of the distance between the windows serving this room and the proposed screen.</p>
Access, car parking and highway considerations	<p>The flats on the site would change from 7 x 1 bedroom and 2 x self-contained studio flats to 8 x one bedroom flats and 1 x two bedroom flat. The proposal would result in there being the same number of flats on the site but one additional bedroom overall. This would not have a material impact upon the number of residents in the development and therefore on the demand for car parking spaces arising from it. Given that the site is in a town centre location with very good access to bus and train services and retail and other facilities, it is not considered that the amended scheme need be provided with parking.</p> <p>The additional bedroom in the development would not require the provision of additional cycle parking space for the development.</p> <p>The amended development would not have a material impact upon the demand for refuse bins arising from the scheme, over and above the approved scheme on the site.</p> <p>It is not considered the development would result in harm to highway safety.</p>
Landscaping Issues	<p>None.</p>
Any other considerations	<p>The loss of the terrace for one of the flats would result in a reduction in the amenity for its occupiers. However, the presence of Parkway Gardens would provide suitable amenity for the occupiers of the flat. Moreover, the other flats in the development have been approved without dedicated amenity space provision and is therefore considered acceptable for the amended scheme on the site.</p> <p>The development was considered acceptable in terms of noise at the time of the previous application on the site. A condition was imposed upon the approved scheme on the site and this may be imposed upon the current scheme, if it considered acceptable.</p>

Conditions:

1. The dwellings hereby approved shall not be occupied until the screening, 1.8m in height and obscured in nature, to be installed along the length of the south boundary of the terrace to the two bedroom dwelling, are installed in accordance with the approved details hereby approved and maintained thereafter.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

2. The development hereby approved shall not be occupied until:
 - (i) The recommendations within the acoustic consultants (AIRO) letter of submission (dated 27th July 2017, submitted with application 6/2018/1057/FULL) referenced DJB/KH/6982/L2 have been implemented.
 - (ii) Following implementation of the recommendations, a further report detailing the performance of that scheme shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority.
 - (iii) Should the report submitted under (ii) not be approved, the further recommendations for sound attenuation shall be submitted and implemented until a satisfactory level of noise attenuation is achieved.

The development shall not be carried out other than in accordance with the final approved scheme which satisfies this condition.

REASON: To protect the residential amenity of future occupiers in accordance with Policy R19 & D1 of the Welwyn Hatfield District Plan 2005.

3. The development shall be implemented using the approved materials given permission under the consent 6/2018/0343/COND and outlined in the Design and Access Statement, filing reference: 6246/3.4 Revision P0 dated 23rd April 2018, with the exception of the third floor windows frames, which shall be white uPVC. The approved materials consist of: Weinerberger Old English clay tiles for the mansard roof; timber frame cladding, with lead as an external finish for the dormers; a thin acrylic render system to the surface of the horizontal parapet band; white aluminium for the new windows; all new external pipes black metal; external leaf of a facing brickwork. Subsequently, the approved materials shall not be changed unless material samples are submitted and approved in writing by the Local Planning Authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

DRAWING NUMBERS

4. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
10-206	P01	Approved Roof Plan	12 March 2019

10-205	P01	Approved Third Floor Plan	12 March 2019
10-214	P01	Approved Courtyard Elevation	12 March 2019
11-206	P01	Proposed Roof Plan	12 March 2019
11-205	P01	Proposed Third Floor Plan	12 March 2019
10-213	P01	Approved Side Elevation-East	12 March 2019
10-211	P01	Approved Side Elevation-West	12 March 2019
10-212	P01	Approved Rear Elevation-North	12 March 2019
10-210	P01	Approved Front Elevation-South	12 March 2019
11-214	P01	Proposed Courtyard Elevation-South	12 March 2019
11-213	P01	Proposed Side Elevation-East	12 March 2019
11-211	P01	Proposed Side Elevation-West	12 March 2019
11-210	P01	Proposed Front Elevation-South	12 March 2019
11-212	P01	Proposed Rear Elevation-North	12 March 2019
98-001		Existing Location Plan	18 March 2019

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 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 viewed on the Council's website or inspected at these offices).

Determined By:

Mr Michael Robinson
14 May 2019