

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

**DELEGATED APPLICATION**

**Application No:** 6/2021/3332/HOUSE  
**Location:** 24 Brockswood Lane Welwyn Garden City AL8 7BG  
**Proposal:** Erection of a single storey rear extension following demolition of rear conservatory and part first floor rear extension with rear facing dormer window  
**Officer:** Mrs Kerrie Charles

**Recommendation:** Granted

6/2021/3332/HOUSE

<b>Context</b>	
<b>Site and Application description</b>	<p>No.24 is a two storey mid terrace property located upon the northern side of Brockswood Lane. The property benefits from a deep rear garden that backs on to Sherrardspark Wood and an existing conservatory.</p> <p>This application seeks planning permission for the erection of a single storey rear extension following demolition of rear conservatory and part first floor rear extension with rear facing dormer window.</p> <p>Please note that due to the restrictions in place as a result of the Coronavirus pandemic, no site visit was made. However, the case officer was satisfied that the application could be assessed using the photographs and plans submitted by the applicant.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>CA - Conservation Area: WGC1; - Distance: 0</p> <p>EM - Estate Management - Distance: 0</p> <p>Wards - Sherrards - Distance: 0</p> <p>CP - Cycle Path (National Cycle Network) - Distance: 0</p> <p>CP - Cycle Path (CYCLEABLE ROW / AGREEMENTS) - Distance: 7.46</p>
<b>Relevant planning history</b>	<p>Application Number: N6/1997/0453/FP            Decision: Withdrawn Decision Date: 22 October 1997            Proposal: Erection of a two storey and single storey rear extension.</p> <p>Application Number: N6/2004/1679/FP            Decision: Granted Decision Date: 31 December 2004            Proposal: REAR CONSERVATORY</p>

	Application Number: 6/2016/2374/HOUSE Decision: Granted    Decision Date: 03 January 2017 Proposal: Erection of conservatory to rear of property		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 1
<b>Publicity</b>	Site Notice Display Date: 12 January 2022 Site Notice Expiry Date: 2 February 2022 Press Advert Display Date: 22 December 2021 Press Advert Expiry Date: 14 January 2022		
<b>Summary of neighbour responses</b>	No.22 Brockwood Lane has commented on the application. I am not raising an objection but wish to draw attention to how close to the passage between our houses the extension comes. At the rear we have a room on the rear first floor, above the passage, the window of which is against the wall of the neighbour's house. It appears the side of the extension gets very close to edge of the passage wall of No 24 and if plans were ever considered for a two storey extension the wall would literally be beside our first floor room window. The entrance to the passage is faced with a brick façade on both sides and the top with a depth of just under 60 cm. The appearance will be spoilt if building is carried out over about half of the fascia on the side of No 24. Incidentally No 24 has a room over the front half of the passage which also has a brick fascia		
<b>Consultees and responses</b>	Hertfordshire Ecology – No comments, however an informative is suggested. Bats and their roosts are protected at all times by law. To reduce the risk of an offence, work should proceed with caution. In the event of bats or evidence of them being found, work must stop immediately, and advice taken on how proceed lawfully from an appropriately qualified and experienced ecologist or Natural England."  Conservation Officer – No objection but suggests changes to the fenestration.		
<b>Relevant Policies</b>			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input 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			
<b>Main Issues</b>			
<b>Is the development within a conservation area?</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Would the significance of the designated heritage asset be preserved or enhanced?</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Comment</b> (if applicable):			
<b>Would the development reflect the character of the area?</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Comment</b> (if applicable):			
The Government attaches great importance to the design of the built environment. The National Planning Policy Framework (NPPF) notes 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, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

Section 72 of the Listed Buildings and Conservations Areas Act (1990) states that 'special attention shall be paid to the desirability of preserving or enhancing the character or the appearance of that area'. Furthermore, saved Policy D1 requires the standard of design in all new development to be of a high quality and Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area. Policy GBSP2 requires that 'within specified settlements development will be limited to that which is compatible with the maintenance and enhancement of their character'. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan.

The proposal is for erection of a single storey rear extension following demolition of rear conservatory and part first floor rear extension with rear facing dormer window.

Following the demolition of the existing conservatory, the proposed rear extension would have a depth of approx. 4.5m from the rear of the original building. The extension would also cover the majority of the width of the house stopping approx. 1m from the shared boundary with no.22. This gap will enable the existing shared passageway between the properties to remain in use by no.24. Where single storey, the proposed rear extension would feature a flat roof with two low lanterns, which will not be visible from public areas to the front. Although the ground floor fenestration would not match exactly, it is considered that as these would be at ground floor level and located to the rear, the works would have limited visibility. The first floor extension is relatively small and is a continuation of the existing cat slide roof feature. The additional extension would extend the cat slide feature across approx. two thirds of the rear elevation at first floor. A dormer is proposed within the new roof that would match the design and alignment of a dormer within the existing roof. The plans indicate a rendered finish which would be consistent with the existing home, however, a matching finish can be secured by condition.

Subject to a matching materials condition, the proposed development would adequately respect and relate to the existing dwelling, by virtue of its proposed scale, design and architectural form and detailing and would not result in harm to the character and appearance of the streetscene. Furthermore, the proposed extension would preserve the character and heritage of the Welwyn Garden City Conservation Area in accordance with the National Planning Policy Framework; Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance.

**Would the development reflect the character of the dwelling?**

Yes  No  N/A

**Comment** (if applicable):

**Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)**

Yes  No  N/A

**Comment** (if applicable):

Policies D1 and the Supplementary Design Guidance aim to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. With regard to the impact on the amenity of adjoining neighbours, Policy D1 and the SDG states that any extension should not cause loss of light or appear unduly dominant from an adjoining property and should not result in undue overlooking of a neighbouring property or result in a loss of privacy.

One neighbour representation has been received comment on the application, with concerns relating

to how close to the passage between our houses the extension comes.

Both attached neighbours have existing extensions. The proposed extension would be adjacent to the shared boundary with no.26, however, would only extend beyond the rear of No.26 by 2m due to the original staggered rear elevation of the properties. On the opposite side, the proposed extension is set off the boundary by approx. 1m thereby reducing the impact to no.22. The impact upon outlook to these properties is considered acceptable. In addition, the rear of the properties face north therefore, access to light is unlikely to be affected. The rear dormer at first floor would offer views similar to existing first floor windows. As a result, privacy is not unduly affected.

Overall, it is considered that the living conditions of the adjoining occupiers are maintained to an acceptable level in accordance Policy D1 Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005.

**Would the development provide / retain sufficient parking?**

Yes  No  N/A

**Comment** (if applicable): The number of bedrooms within the property would not be increased, therefore parking would not be impacted.

**Any other issues** | N/A

**Conclusion**

The proposed development would complement and reflect the design and character of the existing dwelling and would appear subordinate in scale. The proposed extension would therefore adequately respect and relate to the existing dwelling, representing a high standard of design that would sufficiently maintain and preserve the character, appearance and heritage of the Welwyn Garden City Conservation Area. Furthermore, the proposed extension would not result in any significantly detrimental impacts on the residential amenity of neighbouring properties. The proposal is therefore considered acceptable and is in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guide and the National Planning Policy Framework.

**Conditions:**

1. The brickwork, roof tile, bond, mortar, windows, detailing, guttering, soffits and other external decorations of the approved extension/alterations must match the existing dwelling in relation to colour and texture.

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

**DRAWING NUMBERS**

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

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
5394-E01		Existing Elevation and Floor Plans	25 November 2021
5394-OS1		Location plan	25 November 2021

5394-OS2		Block plan	25 November 2021
5394-P01	D	Proposed Elevation and Floor plans	24 January 2022

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).

### **Informatives:**

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.
2. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
3. 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.
4. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to

leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

**Determined By:**

Mr William Myers  
7 February 2022