

Part I

Executive Member: Councillor S. Boulton

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 14 NOVEMBER 2019
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE)

6/2019/1947/HOUSE

54 COLLEGE LANE, HATFIELD, AL10 9PQ

ERECTION OF A REAR SINGLE STOREY OUTBUILDING AND FRONT PORCH
EXTENSION

APPLICANT: Mr Jason Glasgow

(Hatfield South West)

1 Site Description

- 1.1 The application site comprises a two storey three bedroomed Victorian end of terrace dwellinghouse, the rear of which has been extended with a two storey extension, the ground floor of which is rendered, the first floor tile hung. The dwelling has been more recently extended with a rear conservatory.
- 1.2 The rear garden slopes upwards and is tiered. Boundary treatment to the rear of the garden consists of a close boarded fence with No. 56 College Lane which is over 2 metres in height, reducing in height in accordance with the rise in ground levels. Both boundaries with No. 52 College Lane and No. 1 Chantry Lane have fences and mature hedges.
- 1.3 The site comprises an existing shed to the rear garden which measures 1.8 metre width and 3 metres in depth.
- 1.4 The site benefits from front and rear gardens and on-street parking spaces into College Lane.

2 The Proposal

- 2.1 The application seeks to address the reasons for refusal of the previous application for a similar scheme (6/2019/1075/HOUSE) refused on 15 July 2019 as a result of the poor quality design of the proposed porch and the inaccuracy of the drawings. It is important to note that officers did not object to the outbuilding within the previous application.
- 2.2 The changes from the previous scheme (6/2019/1075/HOUSE) include:
 - Reduction in depth of the front porch by 0.9 m in depth and 0.2 m in width; and
 - amendment of location plan to match the block plan.

- 2.3 The proposed front porch would measure 2.4m in depth and although the roof would project this distance the final 0.6m would open. The porch would have a pitched roof measuring 3.4 metres at its ridgeline and 2.2 metres at eaves level. The roof would include a rooflight which would be inserted within the southern roof slope of the porch.
- 2.4 It is also proposed to erect an outbuilding to the end of the rear garden which would replace an existing shed. The outbuilding would have a depth of 8 m, a width of 3.6m and a height of 3.5m. The outbuilding would be located adjacent to the boundary with No. 56. The outbuilding would be hosting a studio and workshop and would contain one toilet and a shower.
- 2.5 Both the proposed front porch and outbuilding would be finished in red facing brickwork and natural slate roof tiles to match the existing dwelling.
- 2.6 The property would remain as a 3-bedroom dwelling.

3 Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because Hatfield Town Council have submitted a Major Objection.

4 Relevant Planning History

- 4.1 Application Number: 6/2019/1075/HOUSE
Decision Date: 15 July 2019
Proposal: Erection of a rear single storey outbuilding and front porch extension
Decision: Refused

Reasons for Refusal:

- 1. The proposed front porch, by reason of its size and design, would introduce a large, bulky and incongruous feature to the front of the property, resulting in poor quality design that would detract from the character and appearance of the host dwelling and streetscene. The proposal is therefore contrary to the objectives of Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005; Policies SP9 and SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.*
- 2. Insufficient and inaccurate drawings have been submitted with the application to adequately assess the sitting of the proposed outbuilding against Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005; Policies SP9 and SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.*

- 4.2 Application Number: S6/2006/0320/FP
Decision: Granted
Decision Date: 10 May 2006
Proposal: erection of rear conservatory
- 4.3 Application Number: S6/2004/0040/FP
Decision: Granted
Decision Date: 26 February 2004
Proposal: erection of rear conservatory
- 4.4 Application Number: S6/1998/0045/FP
Decision: Granted
Decision Date: 09 March 1998
Proposal: Erection of first floor rear extension
- 4.5 Application Number: S6/1997/0311/FP
Decision: Granted
Decision Date: 20 May 1997
Proposal: Erection of first floor rear extension
- 4.6 Application Number: S6/1985/0750/FP
Decision: Granted
Decision Date: 23 December 1985
Proposal: Single storey rear extension, car port and new access

5 Relevant Planning Policy

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 Welwyn Hatfield District Plan 2005 (District Plan)
- 5.3 Draft Local Plan Proposed Submission 2016 (Emerging Local Plan 2016)
- 5.4 Supplementary Design Guidance 2005 (SDG)
- 5.5 Supplementary Planning Guidance, Parking Standards 2004 (SPG)
- 5.6 Interim Policy for Car Parking Standards and Garage Sizes 2014 (Interim Car Parking Policy)

6 Site Designation

- 6.1 The site lies within the town of Hatfield as designated in the Welwyn Hatfield District Plan 2005.

7 Representations Received

- 7.1 Neighbours were consulted but no representations have been received.

8 Town Council Representations

- 8.1 Hatfield Town Council – Major Objection submitted with the following comment:

“Members did not find it useful that they could not see the previous reason for refusal. They have no objection to the front porch but consider the outbuilding over development of the site with the rear out building looking more like a separate dwelling/bungalow in the back garden”.

9 Analysis

9.1 The main planning issues to be considered in the determination of this application are:

- 1. Background**
- 2. Quality of design and impact on the character and appearance of the area**
- 3. Amenity and living conditions of neighbouring occupiers**
- 4. Highways and parking provision**

1. Background

- 9.2 It is noted that Class E of Part 1, Schedule 2 of The Town and Country Planning (General Permitted Development) Order (2015) states that development would not be permitted development if the height of the building, enclosure or container would exceed 2.5m in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse. In addition it states that outbuildings should only be used in a manner that is incidental to the enjoyment of a dwellinghouse.
- 9.3 The proposed outbuilding would be within 2 m of adjacent boundaries and would have a part pitched, part mono pitched roof measuring 3.5 m at its ridgeline and 2.3 m at eaves level. It is therefore a material consideration that as a fall-back position, the outbuilding would be permitted operational development if it had a flat roof not exceeding 2.5 m in height.
- 9.4 Whilst the outbuilding would have a footprint of approximately 25 sqm, it would not appear unduly large given the extent of the garden in which it would be sited and measuring approximately 114 sqm and the spacing around and in front of the building measuring approximately 64 sqm. Moreover, the single storey outbuilding would appear subservient in scale to the two-storey house.
- 9.5 The outbuilding would share the same access from College Lane as the main house. The outbuilding would not have its own kitchen nor its own access and it is consequently considered that the annexe would not be capable of being separated off as an independent residential unit. There is no contrary evidence to consider that the outbuilding would not be ancillary to the use of the main building.
- 9.6 The comments received from the Town Council are noted. However, it is not considered that the inclusion of a shower room and toilet within an outbuilding is unusual. It is considered that the use of the outbuilding will be ancillary to the main use of the dwellinghouse. Moreover, if in the future the outbuilding was to be used as a dwelling, a planning application for change of use would

be required and tested against the prevailing national and local planning policies at the time. Where there are sound planning reasons why the creation of an additional dwelling would be unacceptable, it is appropriate to impose a planning condition to the effect that the building permitted must be used solely as accommodation ancillary to the main dwellinghouse. Such a condition is widely used and forms part of national planning guidance, and recommended condition 1 is to this effect.

2. Quality of design and impact on the character and appearance of the area

- 9.7 District Plan Policies D1 and D2 require the standard of design in all new development to be of a high quality and that all new development respects and relates to the character and context of the area in which it is proposed. These policies are expanded upon in the Council's SDG and are consistent with Policy SP9 of the Emerging Local Plan.
- 9.8 The National Planning Policy Framework (NPPF) places a clear emphasis on high quality design and states in paragraph 130 that planning 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 in functions, taking into account any local design standards or style guides in plans or supplementary planning documents. As such, there is also consistency between the Council's District Plan, Emerging Local Plan and the NPPF.
- 9.9 The application dwelling is an end of terrace forming part of a row of 8 no. terraced dwellinghouses. The application site and the most adjacent property feature a front porch to the centre of their front elevation. These properties all feature red facing brickwork and slate roofs.
- 9.10 The proposed front porch would project approximately 2.4m , with 1.8m being enclosed. Its height and eaves level would match the existing porch.
- 9.11 Whilst the extension would inevitably increase the bulk and mass of the dwelling, it is not considered that the size of the extension would overwhelm the original dwelling and it has been designed to relate well to original dwelling by virtue of the pitched roof design, matching height in comparison with the existing, fenestration detailing and matching materials.
- 9.12 Although the porch would be visible within the streetscene, the host dwelling is set back from the highway and would not be over prominent on the existing dwelling. The extension is not considered to result in harm to the appearance of the existing dwelling, row of terraced properties and street scene.
- 9.13 With the exception of the application site, there have been no previous planning applications submitted for outbuildings within this particular row of properties. However, several properties within this row of properties have erected rear shed/outbuilding to the end of their rear garden.

- 9.14 While of a substantial depth, the proposed outbuilding is overall considered to be of an appropriate design. It would be located around 10 m from the extended dwelling and would be mainly hidden from the surrounding properties by mature hedges and fences. The proportions and siting of the proposed outbuilding are such that it would not be detrimental to the character and appearance of the existing dwellinghouse, nor the proposal would result in significant harm to the character and appearance of the site and its surroundings.
- 9.15 Although the proposed front porch and rear outbuilding would increase both the footprint and volume of the dwelling, it is on balance considered that the additions do not dominate the original dwelling or significantly alter its appearance or character. Furthermore, given the setting of the outbuilding within a residential garden bounded either side by other residential gardens and mature landscaping, it is on balance considered that the additions, taken as a whole, would not be disproportionate. Furthermore, a functional rear garden would also be retained.
- 9.16 With regards to the proposed materials which would be used it is noted that the proposed plans state that the porch and outbuilding would be constructed with matching materials to the existing dwelling. It is considered that the use of matching materials would be acceptable in this case and would ensure that the proposed development appropriately respects and relates to the existing dwelling and character of the area. As this information is stated within the submitted plans it is not necessary to have a specific condition controlling the materials which would be used because they would already be controlled by the requirement that works are carried out in accordance with the approved plans.
- 9.17 As a consequence of the above, the proposed development would adequately respect and relate to the existing dwelling and the character of the area. Accordingly, the proposal would represent a good quality of design and would be acceptable to the provisions of Policies D1 and D2 of the District Plan 2005; the Supplementary Design Guidance 2005; Policy SP9 of the Emerging Local Plan and the National Planning Policy Framework 2019.

3. Amenity and living conditions of neighbouring occupiers

- 9.18 With regard to the impact on the amenity of adjoining neighbours, Policy D1 of the District Plan and the Supplementary Design Guidance state that any extension should not cause loss of light or appear unduly dominant from an adjoining property or result in a detrimental loss of privacy. Policy SADM11 of the Emerging Plan aims to preserve neighbouring amenity. In addition to the above, the NPPF sets out the view of the Government in respect of good design, indeed this is noted as forming a key aspect of sustainable development as it can contribute positively to making places better for people.
- 9.19 In particular paragraph 130 outlines that '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'.

- 9.20 It is noted that the previous application was not refused on the basis of neighbour impact. Furthermore, it is noted that the neighbour impact would be lessened with a reduction of depth of the front porch by 0.9 m.

No.56 College Lane

- 9.21 No. 56 College Lane is attached to the application dwellinghouse and also benefits from a front porch.
- 9.22 The front porch would sit approximately 4.2 m away from the most adjacent ground floor window at No. 56. Having regard to this, the limited depth and roof pitching away from this neighbouring property, it is considered that the front porch would not result in any significant harm to the residential amenity of this neighbouring property.
- 9.23 It is noted that the proposed outbuilding would be located close to the shared boundary with No. 56 to the rear of the garden at an elevated position. However, given that the boundary fencing is approximately 1.8m in height and the new building would have mature vegetation to its front, it is considered that its scale, siting and limited height would not have an unacceptable impact upon the amenities of neighbouring occupiers at No. 56 College Lane in terms of daylight, privacy or overshadowing.

No. 52 College Lane

- 9.24 No. 52 College Lane is detached from the application dwellinghouse and benefits from a large front bay window.
- 9.25 Given that the front porch would sit approximately 7.5m away from the middle of this No. 52's bay window and given that this property is set in from the application dwellinghouse it is considered that the front porch would not result in any material harm to the residential amenity of this neighbouring property.
- 9.26 The proposed outbuilding would be sited approximately 2m away from the shared boundary with this adjacent property at No. 52 and its rear roof would be pitching away from this adjacent property. Having regard to this, and given that the outbuilding would be surrounded by mature hedges and tall fencing it is considered that it would not have an unacceptable impact upon the amenities of neighbouring occupiers at No. 52 College Lane in terms of daylight, privacy or overshadowing.

No. 1 Chantry Lane

- 9.27 The nearest habitable windows of No. 1 Chantry Lane are located approximately 7m away from the shared boundary. As a result of the separation distance and modest height of the outbuilding, it is not considered that the outbuilding would appear unduly dominant or result in a detrimental loss of light to the habitable windows of No.1 or have a detrimental impact on their rear amenity space.

4. Highway and parking considerations

- 9.28 In terms of parking, Paragraph 105 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport, local car ownership levels and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Policy M14 of the District Plan and the Parking Standards Supplementary Planning Guidance (SPG) use maximum standards and are not consistent with the NPPF and are therefore afforded less weight. In light of the above, the Council has introduced an Interim Policy on Car Parking Standards and Garage Sizes which in effect supersedes the previous standards and requires that a sensible level of provision is made.
- 9.29 The existing property benefits from 3 bedrooms and hardstanding on the frontage to provide one on-site car parking space. In addition, there is a wide crossover which, although outside of the application site, affords the occupiers of the application dwelling with an additional one parking space. As a consequence of the above the existing parking provision within the site is below the two spaces required by the Council's parking policies. However, it should be noted that no changes are proposed to the existing access arrangements and existing car parking provision. The existing number of bedrooms would remain unaltered and it is not considered that the demand for spaces would change as a consequence of this application being granted.
- 9.30 For all these reasons, it is considered that the proposal would provide an acceptable level of on-site car parking to accommodate the relative size of the dwelling and therefore is in accordance with Policy M14 of the District Plan 2005; the SPG Parking Standards 2004; the Council's Interim Policy for Car Parking Standards 2014; and the National Planning Policy Framework 2019.

10 Conclusion

- 10.1 The proposed front porch and rear outbuilding would be of good quality design which would not add bulk to the extent where the resulting dwelling would look cramped within its plot, would not impinge on the character and context of the area and would maintain the living conditions of the adjoining occupiers to an acceptable level. The proposal would maintain adequate on-site car parking provision.

11 Recommendation

- 11.1 It is recommended that planning permission be approved subject to the following conditions:
1. The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 54 College Lane.

REASON: To prevent the undesirable establishment of a use which is not ancillary to the host dwelling, in the interests of the amenities of the occupiers of the neighbouring properties.

DRAWING NUMBERS

2. 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
HM-19540-01		Existing Floor	06 August 2019
HM-18540-02		Existing Elevations	06 August 2019
HM-18540-03	C	Location Plan, Block Plan, Proposed floor plan and Elevations	21 October 2019

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

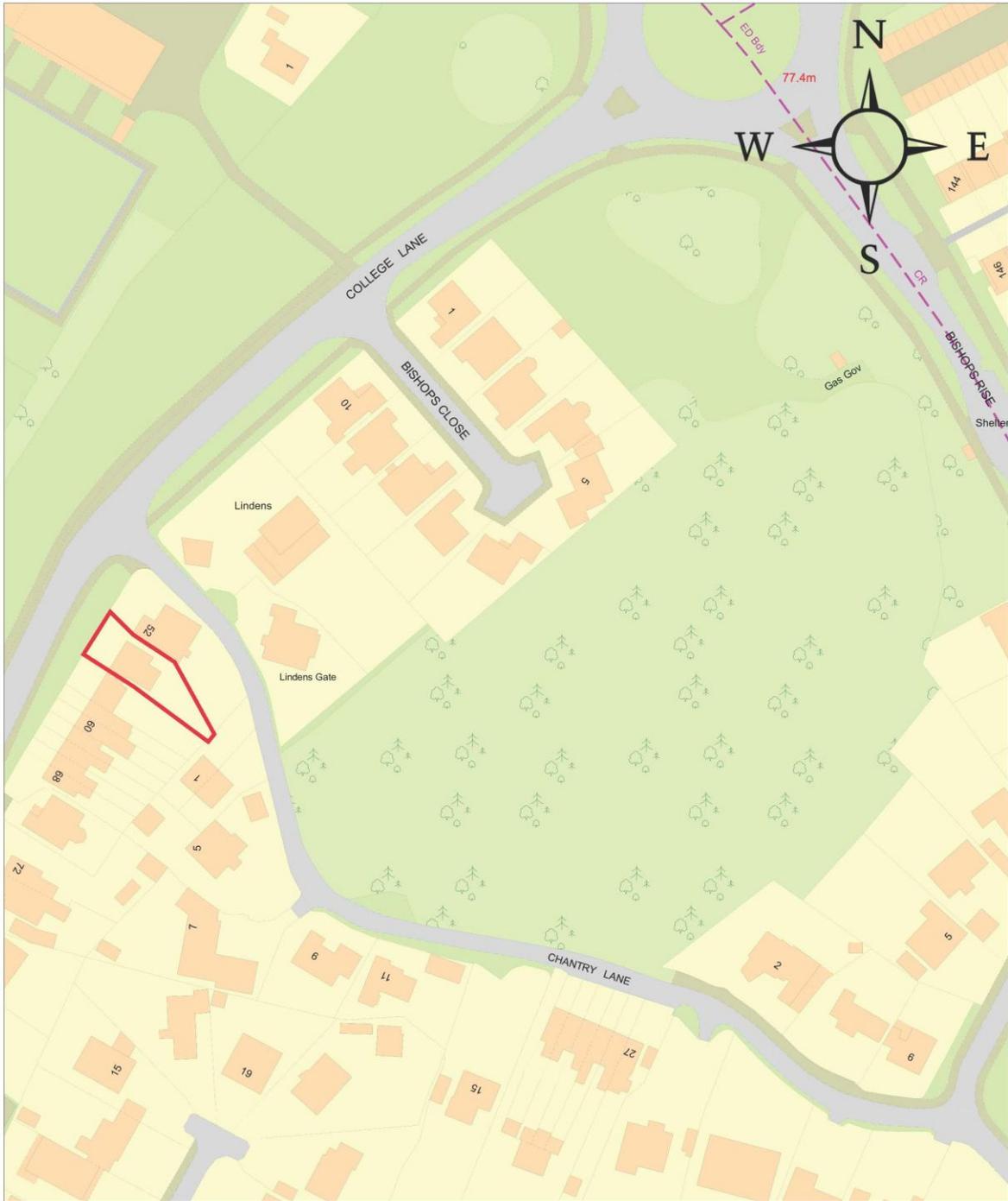
POSITIVE AND PROACTIVE STATEMENT

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 which may affect the land.
2. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be reinstated 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.

Antoine Commenville (Development Management)
Date of expiry: 02 October 2019



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title: 54 College Lane		Scale: DNS
	Project: DMC Committee		Date: 2019
	Drawing Number: 6/2019/1947/HOUSE		Drawn: Emma Small
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