

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 21 JULY 2016
REPORT OF THE DIRECTOR (GOVERNANCE)

6/2016/0878/HOUSE

1 MULBERRY MEAD, HATFIELD AL10 9EH

FIRST FLOOR SIDE EXTENSION, LOFT CONVERSION INCLUDING ROOF LIGHTS,
CONVERSION OF GARAGE AND ERECTION OF A GARDEN SHED

APPLICANT: Mr H Islam

(Hatfield Villages)

1. Site Description

- 1.1 The application site is located on a corner plot at the junction of Mulberry Mead to the north and Champion Road to the east. Champion Road is the main route through the wider housing estate. The surrounding area and street scene are residential in character and contains similar dwellings in respect of both size and appearance, all constructed around the same time. The site accommodates a two storey semi detached dwelling with an attached single garage and front and rear gardens. The dwelling is attached to a three storey property by the ground floor garage with a pitched roof.
- 1.2 The dwelling is finished in facing brickwork with white upvc windows and doors. The application dwelling benefits from a garage and two off street parking spaces.

2. The Proposal

- 2.1 This application seeks planning permission for the addition of a first floor side extension above the existing garage; which would be set in 1 metre from the neighbouring property. The first floor element would host brickwork to match the existing dwelling and the tiles within the new roof would match those used in the construction of the existing roof.
- 2.2 The proposal also includes the conversion of the garage to a habitable living space with the insertion of a upvc window on the front elevation and infill brickwork to match the existing dwelling, and the conversion of the loft with two roof lights to the front and two roof lights to the rear.
- 2.3 The application also seeks permission for the erection of a garden shed which would measure approximately 3 metres deep by 2.4 metres wide with a maximum height of 3 metres. The shed incorporating brickwork and tiles that

would match the host dwelling, will be sited in the rear garden on the properties boundary.

3. Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because Hatfield Town Council has submitted an objection.

4. Relevant Planning History

- 4.1 6/6/2016/0228/HOUSE – First Floor Side Extension, Loft Conversion and Roof lights, Garage Conversion and Garden Shed – Refused 06 April 2016
Reason for Refusal:

“The proposed development, by virtue of its design, scale and location would present an incongruous addition to the dwelling and the street scene which would fail the requirement for high quality design, maintain the character and context of the area or retain sufficient off street parking relative to the size and use class of the resultant building. The development therefore fails to comply with policy D1, D2 and M14 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance Statement of Council Policy 2005, the Supplementary Planning Guidance on Parking Standards 2004 and relevant parts of the National Planning Policy Framework 2012.”

5. Planning Policy

- 5.1 National Planning Policy Framework (NPPF) March 2012
5.2 Welwyn Hatfield District Plan 2005
5.3 Supplementary Design Guidance, February 2005
5.4 Supplementary Planning Guidance, Parking Standards, January 2004
5.5 Interim Policy for Car Parking Standards and Garage Sizes, August 2014

6. Site Designation

- 6.1 The site is located within the settlement of Hatfield as designated in the Welwyn Hatfield District Plan 2005.

7. Representations Received

- 7.1 The application was advertised by means of neighbour notification letters. One representation has been received. The objections raised are summarised as follows:
- Not agreeable to the garage conversion which is linked to a neighbouring property by a party wall.
 - No objection to the proposed loft conversion.

- No objection to the proposed garden shed provided drainage and a soakaway system is installed to protect neighbouring garden from flooding.
- Not happy with the proposed first floor side extension because of its design and appearance, would not agree to lintels, girders, beams or any other kind of support structure touching or being affixed in any way to the outside wall of neighbouring house.

8. Town/Parish Council

- 8.1 Hatfield Town Council objects to the application and their comments regarding the proposal state:

“This Council objects to the garage conversion and loss of parking and considered the first floor side extension overbearing on the neighbouring property.”

9. Analysis

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

- 1. The quality of the design and the impact on the character and appearance of the area (D1 & D2 & GBSP2 & NPPF);**
- 2. The potential impact on the residential amenity of adjoining neighbours (D1, R19, SDG and NPPF);**
- 3. Parking provision and highway safety (M14 and Supplementary Parking Guidance and Council’s Interim Policy for Car Parking Standards and Garage Sizes)**
- 4. Other Planning Considerations**

1. The quality of the design and the impact on the character and appearance of the area (D1, D2 & GBSP2 & NPPF)

- 9.2 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.

- 9.3 Furthermore, 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.

- 9.4 It is noted that this site has a previous application which sought permission for a similar proposal. This application for the 'Erection of garden shed, first floor side extension, loft conversion including roof lights and garage conversion' was refused by the Council on 6th April 2016 on the grounds of design and insufficient off street parking. The previous application is very similar to this proposal, with the main amendment being to the first floor side extension. One of the two reasons (although included under one reason) related to the proposal not being of high quality design, presenting an incongruous addition to the original dwelling and not maintaining the character of the area. The second element of refusal was the failure to retain sufficient off street parking relative to the size of the resultant building and the bedrooms.
- 9.5 Turning to the shed, this would measure 3 metres wide by 2.4 metres deep, and would have a height of approximately 3 metres and be within 2 metres of the boundary of the dwelling. The design and location of the shed is considered to be acceptable, such that it is not considered to have an impact on the character of the host dwelling or surrounding area.
- 9.6 The actual design of the first floor side extension proposed in the previous application was the key area of concern. The Supplementary Design Guidance outlines that there should be a minimum of 1 metre distance from an extension and an adjoining flank boundary. Whilst the previous extension met this criteria, it was considered to result in an awkward addition to the dwelling with three different roof forms in a small space resulting in the dwelling appearing overdeveloped and cramped, and failing the requirement of high quality design.
- 9.7 The amended scheme is considered to overcome the previous reasons for refusal of the first floor side extension in terms of design. The proposed extension would host a pitched roof with a gable side, reflecting the design of the host dwelling. The materials would match those of the existing dwelling and the fenestration detailing would reflect those present on the front and rear elevation. The side addition proposes to meet the rear wall of the host dwelling and continue the eaves height to then meet the front elevation of the garage, this would be in line with the ground floor side addition. It would have a far lower ridge height than the two storey host dwelling, set down by approximately 1 metre. It would also be set in by 1 metre from the neighbouring property, which meets the minimum distance required between the first floor side addition and the flank boundary of the dwelling outlined within The Supplementary Design Guidance. It is considered that the amended scheme would reflect the character and style of the host dwelling by virtue of its roof pitch, proposed materials and fenestration detailing, and would be subordinate in scale, set back from the front elevation and set down from the ridge height of the two storey dwelling. The addition is considered to represent an acceptable quality of design and is therefore considered to overcome the previous reason for refusal on design grounds.

9.8 The proposed garage conversion would involve the replacement of garage door with brick infill and a front elevation window. In relation to design, the fenestration would be of similar size, design and positioning to the windows on the original dwelling. Therefore, the detailing is of sufficient quality and is not considered to adversely impact on the character of the dwelling or the surrounding area.

2. The potential impact on the residential amenity of adjoining neighbours (D1, SDG and NPPF).

9.9 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 good standard of amenity for all existing and future occupiers of land and buildings.

9.10 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.

9.11 The proposed shed would be located in the south west corner of the plot, in close proximity to the boundary shared with the adjoining building. The adjoining dwelling currently hosts a shed to the other side of the boundary in a similar location to the proposed shed. The boundary treatment is an approximately 1.8m high close boarded fence. By virtue of its location, size and scale, it is considered that the proposed shed would respect the residential amenity of the adjoining occupiers and their living conditions.

9.12 An objection has been received from Hatfield Town Council outlining that the proposed first floor side extension would be overbearing on the neighbouring property. It is noted that the previous proposal was not considered to impact the residential amenity of the adjoining neighbour and therefore was considered to be acceptable in this regard. By virtue of its orientation, scale and spacing between the addition and adjoining premises, the extension is not considered to impact the amenity of adjoining premises in regards to loss of light or would appear unduly dominant. In regards to loss of privacy, the proposed first floor addition would host a first floor, un-obscured rear window. It is felt that this additional rear window would not cause any significant loss of privacy over the existing first floor rear windows present in the host dwelling. The proposal would therefore maintain the living conditions of adjoining occupiers.

9.13 The conversion of the garage would have no impact on the amenity of adjoining occupiers in regards loss of light, loss of privacy or undue dominance.

9.14 In light of all of the above observations, it is considered that this revised householder extensions would, on balance, respect and sufficiently retain the residential amenity of all surrounding neighbouring properties and the extended dwelling would provide sufficient living conditions for future

occupiers. The proposal is there in accordance with Policies D1, the Supplementary Design Guidance and the relevant paragraphs of the NPPF in this regard.

3. Parking provision and highway safety (M14 and Supplementary Parking Guidance and Council's Interim Policy for Car Parking Standards and Garage Sizes)

- 9.15 Paragraph 39 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 overall need to reduce the use of high emission vehicles. Saved policy M14 of the District Plan and the Parking Standards Supplementary Planning Guidance (SPG) use maximum standards and are not consistent with the Framework and are therefore afforded less weight. In light of the above, the Council have produced an interim Policy for Car Parking Standards that states that parking provision will be assessed on a case by case basis and the existing maximum parking standards within the SPG should be taken as guidance only.
- 9.16 The host dwelling is subject to a condition to retain car parking and garage spaces unless the Local Planning Authority otherwise agrees in writing. Accordingly, this change of use of the garage to living accommodation requires planning permission. The condition was put in place to ensure sufficient off-street parking is retained in the interest of highway safety.
- 9.17 One of the previous reasons for refusal was with regard to parking. It was considered that as a result of the enlargements and conversion of the garage, the site would not retain sufficient off-street parking relative to the size of the resultant dwelling and would therefore fail to comply with Policy M14, the Supplementary Planning Guidance on parking standards and would not retain sufficient parking spaces in the interests of highway safety.
- 9.18 The dwelling hosts three bedrooms and provides three off-street parking spaces (including the existing garage which is considered of sufficient size for its purpose of vehicle storage). Hatfield Town Council has submitted an objection to the garage conversion and resultant loss of parking. However, the proposed plans indicate the resultant dwelling hosting five bedrooms and providing three off-street parking spaces. The Supplementary Planning Guidance on parking standards indicates a requirement for a dwelling of this size to provide three off-street parking spaces in areas, being outside of Zones 1 and 2. It would be reasonable to condition that the applicant implements the proposed parking space provision prior to the conversion of the existing garage in order to meet with the requirements and for these to be retained. Accordingly, the proposal would retain sufficient off street parking relative to the size of the resultant building, and therefore is in accordance with Policy M14 of the District Plan, the SPG Parking Standards and the Council's Interim Policy for Car Parking Standards.

4. Other Planning Considerations

- 9.19 Representations have been received in regards to the consultation with neighbouring properties. The adjoining neighbour outlined that the garage is linked to their property by a party wall and raised issues regarding the building works in terms of lintels, girders, beams and other support which will be affixed to the outside wall of their property. Additionally, drainage issues were raised with regard to the proposed erection of a garden shed.
- 9.20 Consultation for this application has taken place in accordance with the Town and Country Planning (Development Management Procedure) Order 2015. There is no statutory requirement for an applicant to discuss their proposal with neighbours prior to submission although this is advisable. The affect of building works as a result of approving a proposed development in terms of ownership and legal matters are not a material planning consideration. Party wall issues are not a material planning consideration being a civil matter between the parties. The drainage matters are also not a material planning consideration.

10. Conclusion

- 10.1 The proposed development, by virtue of its design and appearance is considered to sufficiently maintain the character and context of the area, and would not have any significantly adverse impacts on the residential amenity of neighbouring dwellings. The amended scheme is considered to have overcome the previous reasons for refusal and as a result, the proposal is in accordance with Policies GBSP2, D1, and D2 of the adopted Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guide and the National Planning Policy Framework.
- 10.2 The proposal has also been considered with regard to parking and highway safety. The proposal is in accordance with Policies M14, the SPG Car Parking Standards and the Council's Interim Policy for Car Parking Standards and the relevant parts of the NPPF.

11. Recommendation

- 11.1 It is recommended that planning permission be approved subject to the following conditions:

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

3774-E01 & 3774-OS1 Revision B & 3774-OS2 Revision B received and dated 6th May 2016 & 3774-P01 Revision C received and dated 7th July 2016.

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

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

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.

PRIOR TO COMMENCEMENT

3. Before the development hereby permitted commences, the area set aside for car parking shall be laid, surfaced and marked out, in accordance with drawing number 3774-OS2 Revision B and shall be retained permanently thereafter for the free parking of vehicles for residents/occupiers of the development permitted and shall not be used for any other purpose.

REASON: To ensure that the spaces are provided in the interests of highway safety in accordance with the National Planning Policy Framework.

Positive and Proactive Statement

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 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. The applicant is advised to take account the provisions of The Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to a shared boundary.
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.

Lucy Hale (Strategy and Development)
Date 05 July 2016

Expiry date: 01/07/2016



 Council Offices, The Campus, Welwyn Garden City, Herts. AL8 6AE	Title: 1 Mulberry Mead, Hatfield		Scale: DNS
	Project: DMC Meeting	Drawing Number: 6/2016/0878/HOUSE	Date: 2016
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