

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 8 DECEMBER 2016
REPORT OF THE DIRECTOR (GOVERNANCE)

6/2016/1679/HOUSE

57 LONGCROFT LANE, WELWYN GARDEN CITY, AL8 6EB

LANDSCAPING TO REAR GARDEN TO INCLUDE RAISED GROUND LEVEL WITH A
LOW BLOCKWORK RETAINING WALL TO CREATE AN ELEVATED PATIO

APPLICANT: MRS C YAN

(Handside)

1. Site Description

- 1.1 The application site is located on the eastern side of Longcroft Lane and comprises of a detached dwelling house with front and rear gardens. The street scene is residential in character with a mixture of properties of different size and design. The site is set back from the highway and includes grass and hard standing to the front.

2. The Proposal

- 2.1 This application is a retrospective application for a raised patio area at the foot of the rear garden.

3. Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because Councillor Bromley has called the application to committee “due to affect the raised platform would have to adjoining properties...the residents here would be impacted through their gardens becoming overlooked and would lose the privacy they have always enjoyed”.

4. Relevant Planning History

- 4.1 6/2016/0208/HOUSE - Erection of single storey rear extension, partial conversion of garage and insertion of roof lights into existing flat roof Granted 31 March 2016
- 4.2 N6/2015/0844/FP - Partial demolition of existing single storey extension and rear facade to create a new single storey rear extension with walled courtyard – Granted 16 June 2015

5. Planning Policy

- 5.1 National Planning Policy Framework
- 5.2 Welwyn Hatfield District Plan 2005
- 5.3 Supplementary Design Guidance, February 2005
- 5.4 Supplementary Planning Guidance, Parking Standards, January 2004

6. Site Designation

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

7. Representations Received

- 7.1 Letters from three dwellings with comments as follows: -
- 7.2 The shed is 7.2meters long which is much larger than any other shed within the area over three times the width of the 8 x 6 shed. The height is higher than the fences at the rear gardens of 9, 10 & 11 Longcroft Gardens making a planned “fenceline” at the rear of these gardens (as well as all the others in that row) broken.
- 7.3 The raised area at the rear of the garden is also very large and raises the garden level to be above that of all the neighbouring houses, meaning that the sense of privacy is not kept with the current planned “fenceline”. With a raised garden height of 0.7metres the 1.8metre fence panel is now effectively only 1.1metres high – just above waist height. Looking into our garden.
- 7.4 Raised garden: tons of earth are only retained by a breeze block wall... is it sufficiently strong? Shed: How a building over 20 feet long can be described as a shed is beyond me... it is certainly not a normal garden shed. Dropped kerb: I have to assume that Planning Permission was granted for this work that has already been done, as it is not on this retrospective application.
- 7.5 I am concerned about the shed construction. It is incredibly long and quite out of character with sheds in other gardens... what worries me is that the developments at 57 Longcroft, have gone ahead with no regard to standards and rules.

8. Consultations Received

- 8.1 None

9. Analysis

- 9.1 The main planning issues to be considered are:

1. **Would the development reflect the character of the conservation area and the dwelling (Local Plan Policies GBSP2, D1, D2 and the NPPF)**
2. **Impact on neighbouring occupiers of nearby units (D1 & D2)**
3. **Parking Provision (M14, Supplementary Parking Document & Interim Parking Standards)**
4. **Other Considerations**

1. Would the development reflect the character of the area and the dwelling

- 9.2 The development is a raised patio area to the rear of the garden at the host property. The works have already been undertaken. The patio is 0.7m higher than the main grassed garden area and measures 9.5m in depth and is the width of the garden. The raised area is grassed and is of a design that is not objectionable nor is it detrimental to the character of the dwelling or area, particularly as the elevated area

is not visible within the public realm. On this basis the proposal is not considered to be objectionable.

2. Impact on neighbouring occupiers of nearby units

- 9.3 A number of objections have been received referencing the raised area and loss of privacy due to views being possible into the rear gardens of neighbouring properties. A site visit has established that views are possible into the rear gardens of properties however it is noted that boundary hedges are present along the boundary which restricts some views and should the boundary hedge be allowed to grow these views would be restricted further. Despite the raised ground level however the development is not considered to result in an overbearing impact or result in the loss of privacy to such an extent that would warrant a refusal of the application. Being located at the foot of the garden it is not considered likely that it will be used on a very regular basis. Therefore whilst some views may be possible they will be reduced in time as planting grows. The application is considered to be acceptable and to accord with Policies D1 & D2 of the Local Plan.

3. Parking Provision

- 9.4 The property benefits from suitable off street parking and is not affected by the proposal.

4. Other Considerations

- 9.5 With regards to the construction of patio area it appears as a suitably constructed garden feature however it is the responsibility of the applicant in this case to ensure it is suitably constructed. Furthermore building control have stated that the retaining wall would not require building regulations.
- 9.6 A further comment was received regarding the dropped kerb. A dropped kerb in this location does not require planning permission as Longcroft Lane is not a classified road, however a licence is required from Hertfordshire County Council.
- 9.7 The fact the application is retrospective is regrettable however LPAs are required to consider such applications in the same manner as if the works had not been carried out.

10. Conclusion

- 10.1 The proposal would be acceptable with regard to the impact on the character and appearance of the site, its surroundings and has no adverse impact upon character and appearance of the Welwyn Garden City Conservation Area. In addition the proposal would not result in any demonstrable and significant adverse impacts on the residential amenity of neighbouring properties sufficient to justify a refusal of planning permission and is considered to be in accordance with policies D1 & D2 of the Local Plan.

11. Recommendation

- 11.1 It is recommended that planning permission be permitted.
1. The development/works shall not be started and completed other than in accordance with the approved plans and details:

PL_001 Revision A & PL_102 Revision A & PL_101 Revision A & EL_104
Revision A & SC_103 Revision A received 9th September 2016

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 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).

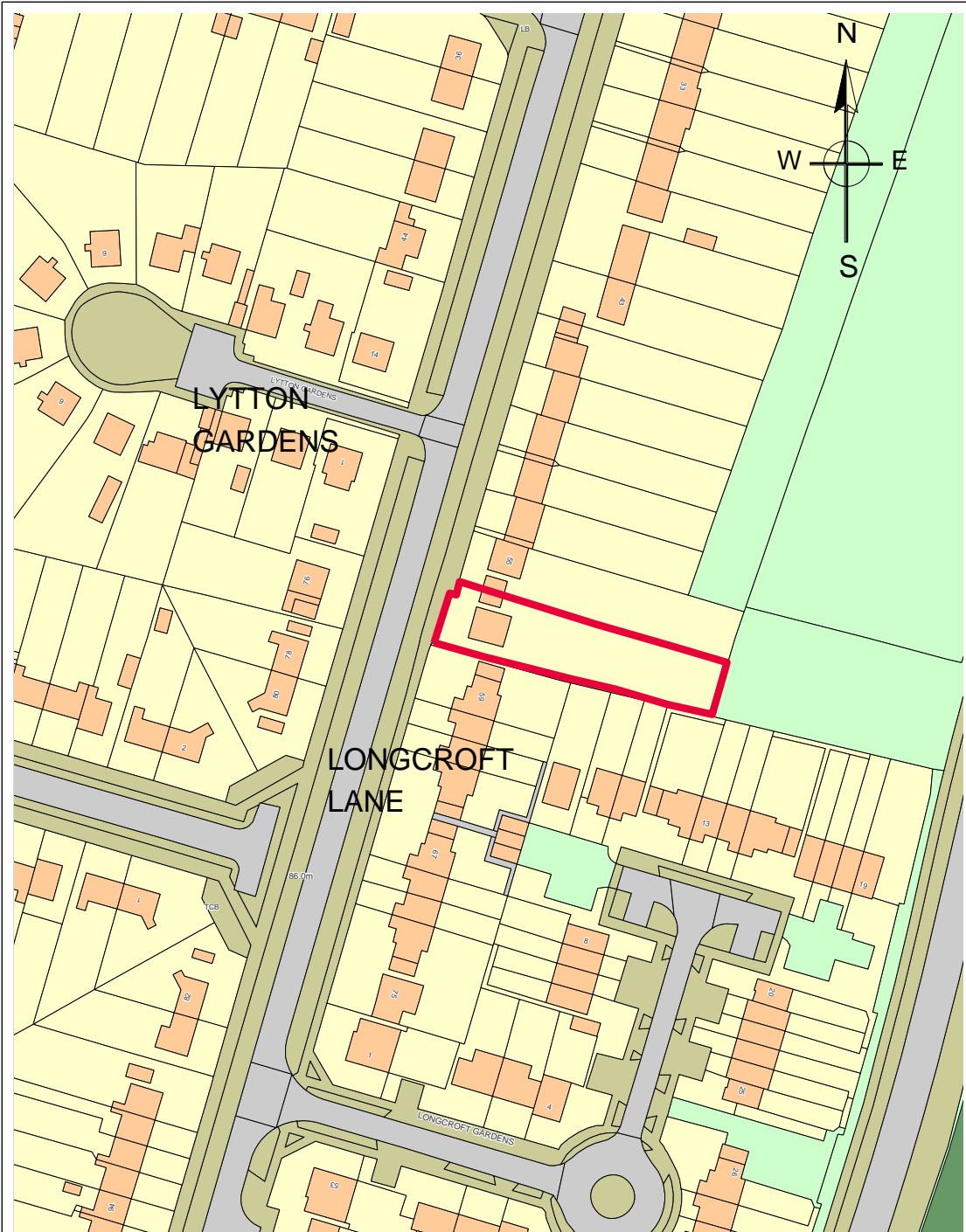
Informative


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.

Rachael Collard, (Strategy and Development)

Date 11/11/2016

Expiry Date: 4/11/2016



 Council Offices, The Campus, Welwyn Garden City, Herts. AL8 6AE	Title: 57 Longcroft Lane, WGC		Scale: DNS
	Project: DMC	Drawing Number: 6/2016/1679/HOUSE	Date: 2016 Drawn: Andrew Windscheffel
© Crown Copyright. All rights reserved Welwyn Hatfield Borough Council LA100019547 2016			