

Part I

Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 9 NOVEMBER 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND
GOVERNANCE

6/2017/1648/HOUSE

16 THE MEADWAY, CUFFLEY, EN6 4ES

ERECTION OF DETACHED ANNEXE IN REAR GARDEN FOLLOWING THE
DEMOLITION OF EXISTING SHED, STUDIO AND GREENHOUSE

APPLICANT: Mr J Ainsworth

(Northaw and Cuffley)

1 Site Description

- 1.1 The application site is in the settlement of Cuffley as designated in the Welwyn Hatfield District Plan 2005. The Meadway is a residential road with bungalows on both sides. The application site comprises the semi-detached bungalow at No 16. It is semi-detached in a pair with No 18, which is positioned to its north. The neighbouring property to the south at No 14 is a detached bungalow with a rear outbuilding that abuts the boundary.
- 1.2 The bungalow has been extended in the past. It has four bedrooms and an attached garage.
- 1.3 The house has a long rear garden (30m), and at the rear of the garden are several outbuildings; a shed, a store and a studio, which are approximately 3m high and are used for purposes ancillary to the residential occupation of the house. These buildings are screened from view from the garden of No 14 The Meadway by a substantial evergreen hedge. The garden is accessed through the garage where the owner parks their car.
- 1.4 The front of the site is partly hard-surfaced and can accommodate a further two or three cars. The remainder of the site frontage is planted with lawn and shrubs.
- 1.5 To the rear of the garden is a line of deciduous trees and, beyond that, the station car park. There is no formal right of access from the garden to the land behind.

2 The Proposal

- 2.1 Full planning permission is sought for erection of an outbuilding to provide an annexe. The outbuilding would be sited at the rear of the garden, replacing the existing outbuildings, which would be demolished.
- 2.2 The outbuilding would measure 8.8m wide and approximately 8m deep. It would have a ridged roof orientated front to back with an eaves height of 2.3m and a

ridge height of 4m. The angle of pitch would be shallow (20 degrees). The external walls would be finished in wood and the roof in concrete interlocking tiles. The front elevation would contain a door, one window and bi-fold doors. The rear elevation would contain two windows. There would be no windows in the side walls. The roof would contain six small skylights with sill heights 2.3m above internal floor level.

- 2.3 The outbuilding would be set in just over 1m from the side boundaries on both sides. It would be between 0.5 and 1.5m from the rear boundary (the boundary line is angled). The front elevation would be approximately 18m from the conservatory on the rear of the main house.
- 2.4 The building would be used as an annex for members of the applicant's family to occupy in association with the main house. It would contain one bedroom and a kitchen, dining room, lounge and bathroom. The annexe would not have space access from the road but would be accessed either through the main house or the garage.

3 Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because the Parish Council objected to the application.

4 Relevant Planning History

- 4.1 S6/2004/0361/FP – Erection of rear conservatory (4m deep). Granted 6.5.2004.
- 4.2 S6/1978/0152 – Single storey side and rear extensions (3m deep). Granted 15.6.1978.

5 Relevant Planning Policy

- 5.1 National Planning Policy Framework
- 5.2 Welwyn Hatfield District Plan 2005
- 5.3 Draft Local Plan Proposed Submission, August 2012
- 5.4 Supplementary Design Guidance, February 2005 (Statement of Council Policy)
- 5.5 Supplementary Planning Guidance, Parking Standards, January 2004
- 5.6 Interim Policy for Car Parking Standards and Garage Sizes, August 2014

6 Site Designation

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

7 Representations Received

- 7.1 The application was advertised by means of neighbour notification letters. Four responses were received, three from residents of Cuffley and one from the Northaw and Cuffley Residents' Association.
- 7.2 Their comments may be summarised as:

- Allegation that the building would be a separate residence
- Precedent set for overcrowding
- No emergency access
- Pressure on inadequate sewerage system
- Overlooking of adjacent properties
- Bulk - out of keeping with countryside style of neighbouring gardens.
- No allowance for extra parking
- Brick outbuilding at No 26 does not set a precedent

8 Town / Parish Council Representations

8.1 Northaw and Cuffley Parish Council objected on the following grounds:

“This appears to be residential accommodation, not an annexe. This is inappropriate development and in no way replaces existing structures equivalently.”

9 Analysis

9.1 The main planning issues to be considered are:

- 1. Principle of the proposed use**
- 2. Features high quality design and respects and relates to the character and context of the area, as a minimum maintaining and where possible enhancing or improving the character of the existing area (D1, D2, SDG 2005).**
- 3. Impact on the living conditions of neighbouring occupiers (D1, SDG 2005)**
- 4. Other Planning Matters**
 - (i) Highways and Parking (M14, D1, SPG 2004, Interim Policy)**

1. Principle of the Proposed Use

- 9.2 The proposal amounts to an outbuilding to be used as an annexe for family members to occupy. As such, it is, in planning terms, a use that is ancillary to the main residential use of the house. The application is not for a separate dwelling unit. If it were to be used as a separate dwelling a planning application for change of use would be required to be submitted. This can be secured by a condition on any decision restricting use of the annexe to family members and not permitting occupation as an independent unit..
- 9.3 The layout of the site does not lend itself to independent occupation of the outbuilding. The access to the rear garden is only achieved through the garage of No 16 via an up-and-over door, which is kept closed. The rear gate is not a formal access and there is no footpath connection. The gate was previously used by the resident (a dog-handler by profession) on an informal arrangement with the owner of the land to the rear.

2. Design and Character

- 9.4 Local Plan Policies D1 and D2 aim to ensure a high quality of design and to ensure that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing

area. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed having regard to the bulk, scale and design of the proposal and how it harmonises with the existing buildings and surrounding area. In addition, the NPPF states 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.

- 9.5 The proposed building would replace the three existing glass and wooden outbuildings. It would be clad in wood – a material commonly used for outbuildings in both urban and rural areas. The roof would be covered in concrete tiles, a material not associated so closely with garden outbuildings. However, the roof would have a shallow pitch so that its bulk would be minimised. The walls would be 2.3m high and set in over 1m from the side boundaries. The highest point of the roof, the ridge, would be 4m high and set in 5.5m from each side boundary. The eaves would be the same height as the existing outbuildings but would be set a further 0.5m in from the side garden boundaries than the existing situation.
- 9.6 The building would be positioned approximately 18m from the rear wall of the existing conservatory and over 20m from the rear wall of the main house (as extended). The garden is over 10m wide and a substantial area of amenity space would remain so that the outbuilding would not appear dominant in its garden setting nor compromise the functionality and usability of the a garden area.
- 9.7 The building would be positioned at the foot of the rear garden and be set well behind and below the height of the main house and garage. It would not be seen from outside the front of the site. The thick screen of deciduous trees on the land behind the garden would effectively screen the roof of the outbuilding from view from the station carpark and from trains on the railway line. Consequently, it would not be visible in the street-scene and would not affect the character of the area when considered from publically accessible places around the site.
- 9.8 Several properties in The Meadway have outbuildings in the rear gardens, some may have been constructed under permitted development rights while others, such as a gymnasium/store at No 26 The Meadway (Ref No S6/2014/2180/FP), have been the subject of planning permission. The proposed development would not be out of character with the surrounding area or result in an unacceptable proliferation of outbuildings in this garden.
- 9.9 In summary, the building has been designed and would be positioned so that it would not adversely affect the character and appearance of the immediate area and would be appropriate size and scale for its garden setting. The proposal would, therefore, be in accordance with the policies of the National Planning Policy Framework 2012 (NPPF), the District Plan and the Supplementary Design Guidance 2005 in this respect.

3. Impact on Neighbours

- 9.10 Policy D1 and the SDG 2005 requires developments to maintain the living conditions of neighbouring occupiers. These are assessed in terms of overbearing impact, loss of day or sunlight and overlooking /loss of privacy.

- 9.11 The neighbours likely to be impacted by the proposal are at No's 14 and 18 The Meadway. The land in The Meadway rises to the west so that the neighbouring property at No 14 is set on land slightly lower than No 16. No 18 is on very slightly higher land.
- 9.12 The proposed outbuilding would have the same eaves height and be positioned further from the boundary than the existing outbuildings. The existing boundary hedge with No 14 is in No 14's garden and under that neighbour's control. It is evergreen, over 3m high and extends 8 or 9m forward of the rear boundary screening the existing sheds from the neighbours' view. This hedge would not be affected by the proposal but would effectively screen it from view from No 14's garden. The garden of No 18 is very slightly higher land than the garden of No 16. Although the depth of the built form would be increased, the increased inset of over 1m from the side boundaries of the site is considered sufficient to prevent an overbearing impact or loss of light to neighbouring rear gardens, over and above existing situation.
- 9.13 The proposed outbuilding would have no side facing windows in the walls. The roof-lights would have sill levels over 2.3m above the internal floor level and would not give rise to overlooking or loss of privacy to neighbouring gardens on either side.
- 9.14 Given the above considerations, the proposed development is considered to maintain the living conditions of neighbouring occupiers and to be in accordance with the NPPF, Policy D1 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance 2005.

4. Others

(i) Parking

- 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 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 standards require 3 spaces for a 4 bedroom house in this location. The provision of a further ancillary accommodation (bedrooms) would not increase the parking requirement to more than three on-site spaces. These are already provided in the form of one garage space and open spaces on the hardstanding on the front of the site. The site could accommodate up to four cars. The on-site provisions are, therefore, adequate in accordance with the Council's Policy and Guidelines.

Conditions

- 9.17 The National Planning Policy Guidance governs the use of conditions in planning and the power to impose conditions when granting planning permission is very wide. If used properly, conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have

been necessary to refuse planning permission. The objectives of planning, however, are best served when that power is exercised in such a way that conditions are clearly seen to be fair, reasonable and practicable. Conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. In considering whether a particular condition is necessary, both officers and members should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. If it would not, then the condition needs special and precise justification.

- 9.18 In this case it is considered necessary and reasonable to impose conditions requiring the proposed development to be implemented in accordance with the submitted plans and details and to require submission of material samples of the external surfaces of the outbuilding.

5. Conclusion

- 9.19 The proposal has been considered in terms of the proposed use, the impact on the visual amenity of the site and surrounding area and on the amenity of neighbouring dwellings. It has been concluded that the proposal would constitute ancillary use of the main house and sufficiently maintain and relate to the character, appearance and spatial pattern of development of surrounding area. It would not have a significantly adverse impact on the residential amenity of neighbouring dwellings. As a result, and subject to the suggested planning conditions, 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 with the National Planning Policy Framework.
- 9.20 The proposal has also been considered with regard to parking matters. It has been concluded that the proposed development would meet the Council's Car Parking Standards and not have any material impact on highway safety/capacity. The proposal is therefore in accordance with Policies M14, the SPG Car Parking Standards and the Council's Interim Policy for Car Parking Standards and Garage Sizes and the relevant sections of the NPPF.

6. Recommendation

- 10.1 It is recommended that planning permission be granted subject to the following conditions:

1. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the roof of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

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.

2. The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of and only by members of the family of the occupants of the dwelling house known as 16 The Meadway, Cuffley.

REASON: To ensure that the building is not occupied as a separate dwelling further to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, the

Supplementary Design Guidance 2005 and the National Planning Policy Framework 2012.

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

Plan Number	Revision Number	Details	Received Date
2017/05	A	Proposed Block Plan	07/08/2017
2017/04		Proposed Floor Plan Layout	07/08/2017
2017/06		Proposed Elevations, Block Plan & Location Plan	07/08/2017
2017/07		Existing Floor Plans & Elevations	07/08/2017

Summary of reasons for grant of permission

The decision has also 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 inspected at these offices).

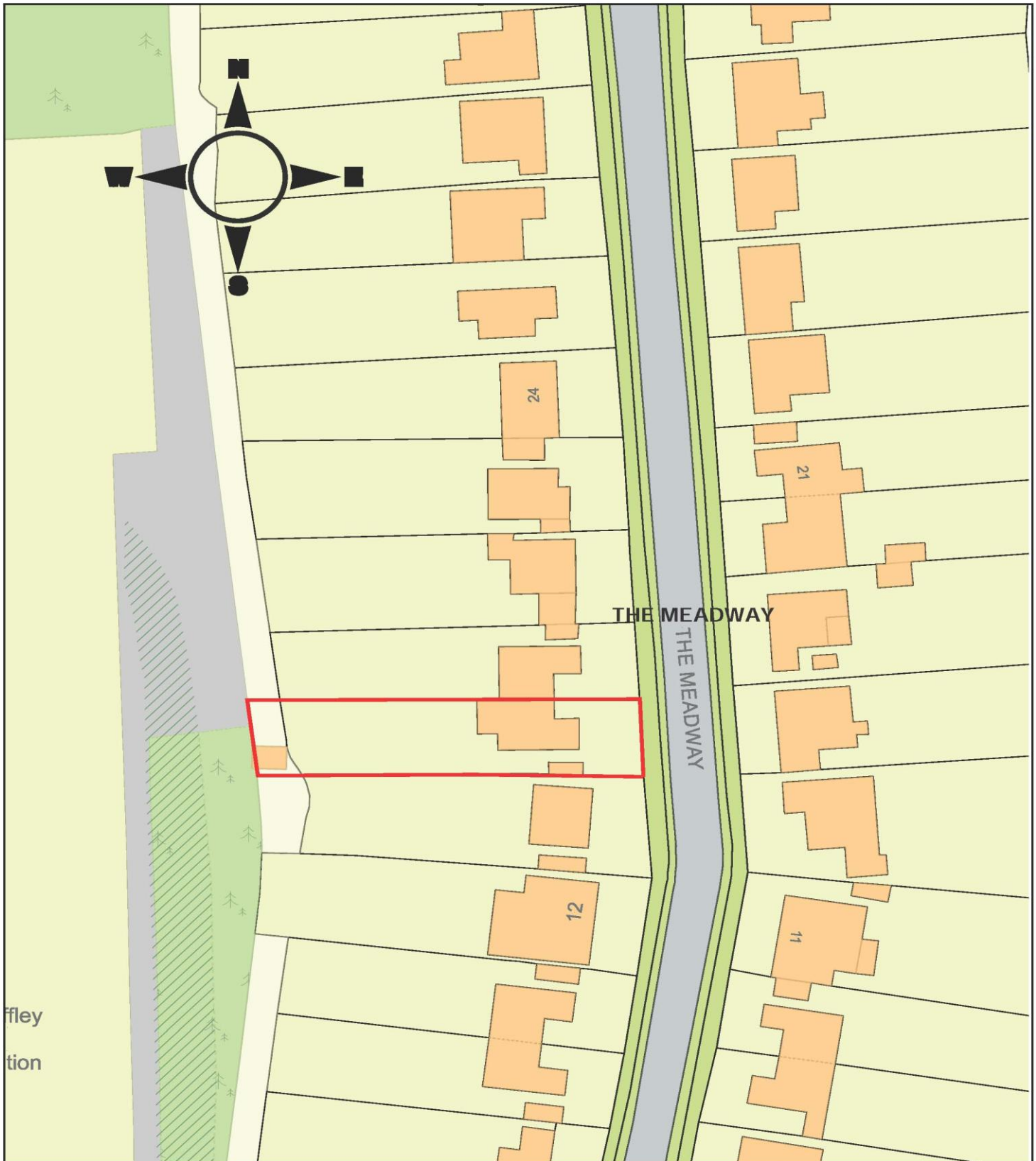
Informatives

1. The applicant should be aware that the use of the outbuilding as a separate dwelling would require a separate grant of planning permission.

June Pagdin (Development Management)

Date of Expiry: 2/10/2017

Time Extension: 10/11/2017



Council Offices, The Campus
Welwyn Garden City, Herts, AL8 6AE

Title: 16 The Meadway Cuffley Potters Bar

Scale: DNS

Date: 2017

Project: DMC Committee

Drawing Number:
6/2017/1648/HOUSE

Drawn: Baras Mast-Ingle

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