

Part I

Item No:

Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 3 MARCH 2016
REPORT OF THE DIRECTOR (GOVERNANCE)

6/2015/2285/FULL

22 OAKLANDS WOOD, HATFIELD, AL10 8LU

ERECTION OF TWO STOREY SIDE, FRONT AND REAR EXTENSIONS, LOFT
CONVERSION AND CONVERSION OF THE EXISTING DWELLING INTO 3NO
FLATS

APPLICANT: Mr P Mohammad Aghaei

(Hatfield West)

1. Site Description

- 1.1 The application site is situated on the west side of Oaklands Wood and consists of a semi-detached two storey dwelling with an attached single garage and front and rear gardens. Oaklands Wood forms a cul-de-sac of 46 dwellings approved in the late 1990's and developed to a relatively high density. South of the application site is a terrace of six, three storey town houses and to the north is a terrace of two storey properties. A small play area is situated opposite the application site adjacent to the flank boundary of No.33 Oaklands. To the rear of the site is a large playing field which forms part of New Briars JMI School.
- 1.2 The site frontage, as identified by a red line on the submitted Site Location Plan, measure approximately 7.2m in width. The main front elevation of the application dwelling is set back approximately 7.7m from the site frontage. The attached garage, which is situated to the south, is set back a further 3.2m whilst a porch projects approximately 800mm to the front. Block paving in front of the garage provides two off-street car parking spaces in addition to the single garage. The front remainder of the front garden is mostly laid to lawn with a boundary hedge to the site frontage. Externally the dwelling is finished in light red facing brick, concrete plain tiles and white PVCu windows.

2. The Proposal

- 2.1 This application seeks planning permission for the erection of two storey side and rear extensions, loft conversion and the conversion of the existing dwelling into 3no. two bedroom flats.

- 2.2 The two storey side extension would have a maximum height of approximately 7.6m, an eaves height of 5.1m, a width of 3m and a depth of approximately 10.4m. The two storey rear extension would have a maximum height of approximately 5.7m, an eaves height of 5m, a width of 6.3m and would extend beyond the rear elevation of the host building by approximately 2.5m. The single storey rear extension would have a maximum height of approximately 3.7m, a width of 7.5m and would extend beyond the rear elevation of the application property by approximately 4m.
- 2.3 The proposed extensions would be constructed of facing brickwork and tiles to match that of the existing dwelling.

3. Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because Councillor James Broach has 'called it in' stating:

“ The proposed development is out of keeping with the current development of townhouses, and I have grave concerns about the parking provision for the proposed development, as there isn't a great deal of parking available around the current property.”

- 3.2 Hatfield Town Council has also objected to the proposed development.

4. Relevant Planning History

- 4.1 6/2015/1883/PN8 – Prior approval for a single storey rear extension measuring 4 metres deep, 2.45 metres wide and 2.65 metres high. (Prior approval not required 19/10/2015)
- 4.2 S6/2015/1313/FP - Erection of two storey side extension, loft conversion and conversion of existing dwelling into 3no flats. (Granted 13/08/2015)
- 4.3 S6/2011/2219/FP – Erection of two storey side extension and formation of a loft conversion to include two dormers on rear roof slope and two rooflight windows on front roof slope (Granted 13/12/2011)
- 4.4 S6/2005/1462/FP – Part two storey side extension and part first floor side extension (Refused 20/01/2006 and allowed at appeal 30/10/2006)
- 4.5 S6/2001/0802/FP – Erection of rear conservatory (Granted 23/07/2001)
- 4.6 S6/1998/0850/DE – Erection of 45 dwellings, comprising two, three and four bedroom housing, garages and associated access (Granted 07/07/1999)
- 4.7 S6/1997/0787/OP – Outline application for the demolition of existing school buildings and construction of residential development (Granted 16/01/1998)

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 lies within the town of Hatfield as designated in the Welwyn Hatfield District Plan 2005.

7. Representations Received

- 7.1 The application has been advertised by means of neighbour notification letters. One objection has been received from an address in Cole Green Lane. Objections relate to insufficient cycle storage.

8. Consultations Received

- 8.1 **Hertfordshire County Council Transport, Programmes and Strategy** – No objection subject to relevant conditions.

9. Town Council Representations

- 9.1 Hatfield Town Council has objected to this proposal stating:

“Hatfield Town Council wish to object to this application considering the proposal out of keeping with neighbouring properties.

In addition the Council consider the area already has parking issues and insufficient car parking has been provided within the proposal.”

10 Analysis

- 10.1 The main planning issues with this application are:

- 1. Principle of development (SD1, R1, H1, H2, H4, GBSP1, GBSP2, National Planning Policy Framework (NPPF))**
- 2. The quality of the design and the impact on the character and appearance of the area (D1, D2, SDG & NPPF)**
- 3. The potential impact on the residential amenity of adjoining neighbours (D1, R19, SDG and NPPF)**
- 4. Other Material Planning Considerations**
 - i) Highway and Parking (M14 and SPG)**
 - ii) Refuse and Recycling Storage (D1, IM2 & M4)**

1. Principle of development

- 10.2 The National Planning Policy Framework (NPPF) encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing land that has been previously developed. Local Plan Policy R1 which requires development to take place on previously used or developed land is consistent with the NPPF. Furthermore, policies GBSP1 and GBSP2 direct new development towards existing towns and settlements.
- 10.3 The site is not an allocated housing site and so is considered to be a 'windfall site' and Policy H2 applies. Policy H2 relates specifically to applications for windfall housing development and states that all proposals of this type will be assessed for potential suitability against the following criteria:
- i. The availability of previously-developed sites and/or buildings;*
 - ii. The location and accessibility of the site to services and facilities by transport modes other than the car;*
 - iii. The capacity of existing and potential infrastructure to absorb further development;*
 - iv. The ability to build new communities to support infrastructure and provide demand for services and facilities;*
 - v. The physical and environmental constraints on development of land.*
- 10.4 The application site is situated within the existing settlement of Hatfield as outlined in the Welwyn Hatfield District Plan 2005. This site has previously been developed, in accordance with policy R1, and currently comprises a semi-detached two storey dwelling. Additionally, as the application site is located within the settlement of Hatfield the infrastructure has been developed to provide good transport links for existing residents. There are also services and facilities available within close proximity of the site. Furthermore, there are no known physical or environmental constraints at this site.
- 10.5 Taking all of the above into account, the proposal would be located within a sustainable location, in accordance with policy SD1. The development would also not contravene the Council's settlement strategy, in accordance with policies H1, H2, GBSP1 and GBSP2. As such, there is no objection to the principle of development in purely land use terms.
- 10.6 Furthermore, policy H4 outlines that the Council will generally support applications for the conversion of large residential units to provide smaller self contained units provided that it does not result in a development that is detrimental to the appearance of the application building and the visual amenity of the area; would not adversely affect the amenity of neighbouring residential properties; and would provide appropriate amenity space. These issues are discussed below.

2. The quality of the design and the impact on the character and appearance of the area

- 10.7 Local Plan Policies D1 (Quality of Design), D2 (Character and Context) and GBSP2 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 giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing buildings and surrounding area. In addition, Chapter 7 of the National Planning Policy Framework (NPPF) emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.
- 10.8 The proposed two storey side extension, loft conversion (including rooflights to front and rear dormer windows) and hardstanding to front for parking spaces have already been considered and approved under application ref. S6/2015/1313/FP. There has been no significant change in national or local policy that would lead to a different conclusion than that previously made, in terms of the impacts upon the character of the area. As such, these elements of the proposal are considered to be individually visually acceptable.
- 10.9 This proposal differs from that granted permission under application ref. S6/2015/1313/FP as it includes two storey and single storey rear extensions. Given the location of these elements, views from the public domain would be restricted. On this basis, and as the two storey extension would be subordinate in scale to the host property, it is considered that the proposed elements to the rear would not significantly disrupt the design of the host property or the character of the area.
- 10.10 Taking the above into account, when viewed cumulatively, it is considered that the bulk and mass of the proposed development would not result in significant harm to the design and character of the host property or disrupt the harmony of the existing streetscene to the extent that would warrant a refusal of permission. As such, subject to a condition ensuring that the proposal would be constructed of materials to match the existing unit and plain hanging clay tiles for dormer windows, the proposal would be visually acceptable. The development therefore complies with saved policies D1, D2 and D8 of the adopted Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guide and Section 7 of the NPPF.

3. The potential impact on the residential amenity of adjoining neighbours

- 10.11 Policies D1 and R19 and the Supplementary Design Guidance aim to preserve neighbouring amenity. In addition, 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.

- 10.12 The proposed two storey side and front extension would not project beyond the principal elevation of the adjacent neighbouring property No. 21 Oaklands Wood and there are no habitable side facing windows within the northern elevation of this neighbouring unit. Furthermore, the proposed two storey rear extension would extend beyond the rear elevation of No. 21 Oaklands Wood by approximately 3.5m and a single storey element would extend approximately 1.4m beyond this. The extended unit would be approximately 1m away from the garden which benefits this neighbouring dwelling.
- 10.13 The proposed rear extensions would be visible from first floor rear windows at No. 21 Oaklands Wood and the rear amenity space which benefits this neighbouring unit. However, the two storey rear extension is stepped down from the maximum ridge height of the application property (to approximately 5.7m) and, given the orientation of the application property in relation to this neighbouring unit, the proposal would not result in significant harm to the living conditions of the occupiers of No. 21 Oaklands Avenue, in terms of overshadowing.
- 10.14 Taking all of the above into account, it is considered that, on balance, though there would be some impact upon No. 21 Oaklands Wood, the build, form and positioning of the proposed development would not result in significant harm to the living conditions of this unit, in terms of overbearing, overshadowing and loss of light, to the extent that would warrant a refusal of permission.
- 10.15 With regards to potential overlooking of No. 21 Oaklands Wood, proposed first and second floor rear windows would not afford direct views of the private primary amenity space which benefits this neighbouring unit. Furthermore, the proposed first floor window in the southern elevation of the application property, closest to the rear elevation of No. 21 Oaklands Wood, would be obscure glazed and positioned so that there would not be the impression of overlooking from this window. As such, the privacy of this neighbouring dwelling would be preserved.
- 10.16 Turning to No. 23 Oaklands Wood, the proposed two storey rear extension would extend beyond the rear elevation of this neighbouring unit by approximately 2.5m and is stepped away from the shared neighbouring boundary by approximately 1.2m. The single storey rear extension would project a further 1.5m beyond this on the shared boundary with No. 23 Oaklands Wood.
- 10.17 Taking the above into account, though the proposed rear extension may be visible from rear habitable room windows at No. 23 Oaklands Wood and the rear amenity space which benefits this dwelling, it is not considered that the build, form and positioning of the proposal would result in significant harm to the living conditions of the occupants of this neighbouring unit, in terms of overbearing and loss of light. Furthermore, there are no first or second floor windows within the northern elevation of the proposed extensions and first and second floor rear windows would not afford direct views of the private

primary amenity space which benefits No. 23 Oaklands Wood. As such, the privacy of this neighbouring unit would be preserved.

- 10.18 Additionally, given that the application property is located within an established residential area, it is not considered that there would be significant levels of noise and disturbance resulting from the intensification of the residential use at the site, in accordance with policy R19.
- 10.19 Turning to the amenity the proposal would afford future occupants, the applicant has confirmed that the rear external amenity space would benefit the proposed ground floor flat only. There would be views of this amenity area from first and second floor windows which would benefit the remaining flats. However, given that future occupants would have the choice as to whether or not to purchase the property, it is not considered reasonable to refuse the application on these grounds alone.
- 10.20 Though there would be no external amenity space for the proposed first and second floor flats, there are several public recreation areas within 600m of the site which, although not private, would provide adequate amenity space for the size and type of unit proposed. The lack of private amenity space in this at the application site is therefore considered acceptable by virtue of the close proximity of public open space and the flattened accommodation type proposed.
- 10.21 Taking all of the above into account, it is considered that the development would not detrimentally impact upon the living conditions of the occupiers of neighbouring units, in terms of overbearing, overlooking and loss of light. Furthermore, the proposal would provide adequate amenity for future occupiers of the proposed dwellings. The proposal therefore complies with saved policies D1 and R19, the Supplementary Design Guidance or the relevant paragraphs of the NPPF.

4. Other Material Planning Considerations

- 10.22 *i) Highway and Parking (M14 and SPG)*
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.
- 10.23 The SPG identifies the site as within zone two, one of the most accessible areas of the Borough where, in this case, a maximum parking provision of three spaces applies which can be provided within the application site. The amenity space to the rear would provide a secure area for bicycle storage for the ground floor flat and, though there is no secure area to the rear to allow for

cycle parking for the remaining flats, it is not considered reasonable to refuse the application on these grounds as occupants could potentially store bicycles within the units themselves. As such, parking provision is considered acceptable.

10.24 Turning to highway safety, no objection has been raised by Hertfordshire County Council Transport Programs and Strategy. The site benefits from a dropped kerb which presently aligns with the existing driveway for the site. However, the additional parking spaces would require an extension to the existing dropped kerb, otherwise vehicles seeking to park in the spaces would be mounting the kerb prejudicial to highway safety and potentially damaging the highway. Furthermore, there is a street lamp towards the north east corner of the site which would be impacted by proposals. The County Council generally seek to restrict overlong dropped kerbs due to their potential impact on pedestrian safety. However, given that the existing streetscene features long stretches of dropped kerb, is a cul-de-sac location and that there have been no recorded accidents in the last five years, an objection on these grounds alone would be difficult to uphold. A condition is suggested to ensure that, prior to occupation of the development, the amended access and on-site car parking shall be laid out in accordance with a scheme which has been submitted to and agreed in writing by the Local Planning Authority.

10.25 It is also considered that the slight increase in trip generation associated with the proposed development can be accommodated on the highway network without significant impact on highway safety and the free flow of traffic. Taking all of the above into account, the proposal would not have a significant detrimental impact upon highway safety.

10.26 *ii) Refuse and Recycling Storage (D1, IM2 & M4)*

The proliferation of bins can create a considerable amount clutter which in turn has a harmful impact upon the visual amenity of the streetscene and the character of the area contrary to Local Policies D1 and D2. Inappropriate storage of bins on the highway can also disrupt pedestrian and the traffic movements. In this case the submitted Site Plan shows bins stored to the front of the site, however, no additional details have been provided. Therefore, to ensure that appropriate bin storage is provided for the proposed flats without resulting in an adverse impact upon the amenity of adjoining occupiers or the streetscene, a planning condition is suggested requiring details of the design of the bin store to be submitted to and approved by the Local Planning Authority in accordance with Policies D1, D2 of the District Plan 2005.

11. Conclusion

11.1 There is no objection of the principle of development, with regards to saved policies SD1, R1, H1, H2, H4, GBSP1 and GBSP2.

11.2 The impacts of the proposal have been considered on the visual amenity of the area, on the amenity of neighbouring dwellings and on other relevant material considerations. It has been concluded that the proposal is acceptable

in terms of the above. As such, the development is in accordance with relevant policies within the adopted Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guide and with relevant provisions of the NPPF.

12. Recommendation

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

1. Development in accordance with approved plans and details: HDI-5004/1 & HDI-5004/2 & HDI-5004/5B received and dated 09 November 2015.

2. With the exception of dormer windows, which must be constructed of plain clay hanging tiles, 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

3. Prior to first occupation of the approved development, details of the location, design and specification of the refuse bin and recycling materials storage bins and areas to serve the residential units shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the refuse and recycling materials storage bins and areas shall be in accordance with approved details and shall remain in use with the approved development for the duration of its lifetime.

REASON: To ensure a satisfactory standard of refuse and recycling provision and to protect the residential amenity of adjoining and future occupiers in accordance with Policies IM2, R5 and D1 of the Welwyn Hatfield District Plan 2005.

4. Prior to the first occupation of the development hereby permitted on-site car parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with approved plan HDI-5004/5B and retained thereafter available for that specific use in association with the approved development. Concurrent with this, the vehicle crossover to the site shall be widened to serve the parking.

REASON: To ensure the permanent availability of the parking /maneuvering area, in the interests of highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

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 inspected at these offices).

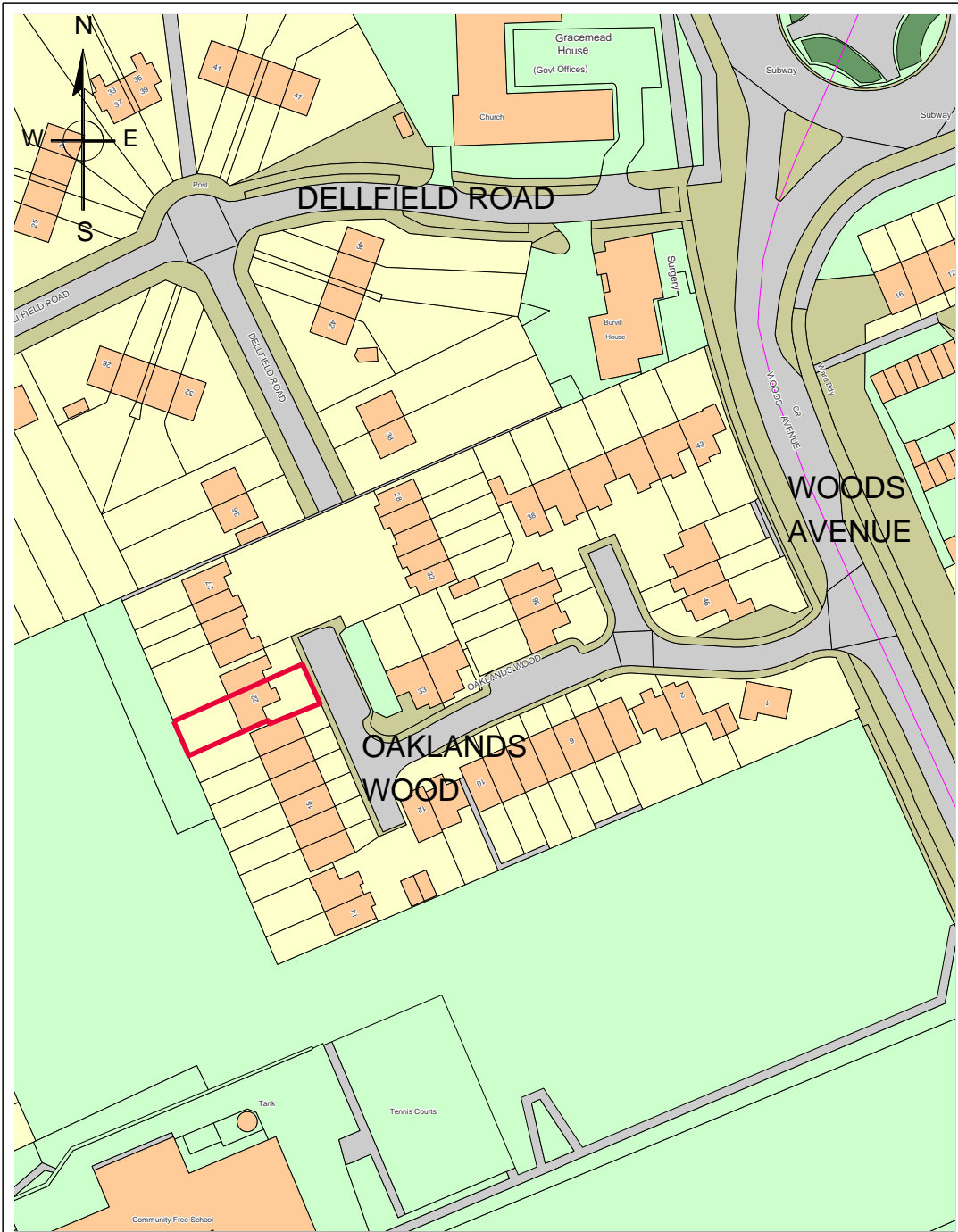
INFORMATIVES:


1. INF6 – Street Numbering

Matthew Heron, (Strategy and Development)

Date: 10/02/2016

Expiry Date: 04/03/2016



 Council Offices, The Campus, Welwyn Garden City, Herts. AL8 6AE	Title: 22 Oaklands Wood, Hatfield		Scale: DNS
	Project: DMC Meeting		Date: 2016
	Drawing Number: 6/2015/2285/FULL		Drawn: Andrew Windscheffel
	© Crown Copyright. All rights reserved Welwyn Hatfield Borough Council LA100019547 2016		