

WELWYN HATFIELD COUNCIL  
PLANNING CONTROL COMMITTEE – 15 FEBRUARY 2007  
REPORT OF THE CHIEF PLANNING AND ENVIRONMENTAL HEALTH OFFICER

S6/2006/1711/FP

DEMOLITION OF EXISTING DWELLING AND CREATION OF REPLACEMENT FOUR (4) BEDROOM DWELLING AT 46 VINEYARDS ROAD, NORTHAW

APPLICANT: MR TASS

Northaw & Cuffley

**1 Site Description**

- 1.1 The application site comprises a detached house that is located on the southern side of Vineyards Road within the Metropolitan Green Belt as outlined in the Welwyn Hatfield District Plan 2005. The dwelling is set back 10 metres from the road front and has lengthy rear garden. The eastern boundary extends 135 metres to the rear most point & the western boundary 125 metres to the rear most point. The dwelling spans across 16 metres of the plot that has a 23 metre metre width.
- 1.2 The site takes advantage of access & access crossover with a 1.8 metre high hedge in between. Further hedging to the side boundaries characterises the front aspect in addition to a tree on the eastern boundary & two trees to the western boundary. A 1.2 metre high close boarded fence is located to the eastern boundary adjoining No.48 Vineyards Road at road front & high brick boundary wall to the rear at approximately 1.5 metres in height. To the western boundary adjoining No.44 Vineyards Road there is a 1.8 metre high wire fence in addition to hedgerow that extends into a close boarded fence to the rear. The submitted site layout plan indicates the front of the site 2 metres above the rear garden level.
- 1.3 Surrounding properties comprise large detached dwellings in extensive wooded plots. The dwellings range in size, age and design and many have been extended and altered in recent years.

**2 The Proposal**

- 2.1 The application is for the demolition of the existing dwelling and erection of a replacement dwelling. The new dwelling would measure 13 metres in width x 12.9 metres deep and have a height at front of 7.850 metres & 8.750 metres to the rear elevation. The site plan indicates the dwelling at 3 metres from the western boundary, 6 metres from the eastern boundary & 16.5 metres from the front boundary (including minor projection).

- 2.2 The replacement dwelling proposes a basement level containing a music room, play room, office, store & bath. To the ground floor the internal configuration is indicated as a kitchen, reception, dining, utility, WC & hall.

At first floor there are four bedrooms & associated en-suites. In terms of design, one front gable is proposed that extends forward of the main body of dwelling incorporating three smaller gables over first floor windows. The rear incorporates four small gables as well as a central hipped roof. This central element continues down to the basement with a circular canopy roof over the terrace. This curved feature is replicated within the body of the building at ground floor and lower ground floor. The dwelling would have a partially hipped roof and one chimney is proposed on the eastern side within the roof space. The dwelling would be constructed with facing bricks with a render finish and clay roof tiles.

- 2.3 The proposed dwelling would be two storey to the front elevation & incorporate a basement that would appear in line with a two storey nature, with high level windows when viewed from the south. The floor area of the existing dwelling is 239 square metres compared to the proposed dwelling of 252 square metres.
- 2.4 It is also proposed to construct a garage at 5 metres from the rear of replacement dwelling (10.6 metres in depth x 6 metres in width).

### **3 Planning History**

- 3.1 E-262/52 - Approval issued for a dwelling house
- 3.2 E-1623/67- Permission granted for the replacement of single garage with double garage
- 3.3 S6/1976/048 - Conditional permission implemented for a ground floor extension
- 3.4 S6/2001/0118/FP - Conditional permission implemented for a two storey side and rear extension, pitched roof to garage and porch and creation of vehicular access
- 3.5 S6/2003/0124/FP - Refusal issued for the erection of a two storey and single storey front, side and rear extensions, raising of roof with front and rear dormer windows
- 3.6 S6/2003/1413/FP - Refusal issued for a single storey side extension and part single storey/ part two storey side and two storey rear extension, first floor front extension and raising of roof.

Dismissed on Appeal – Contrary to Green Belt policy in terms of building bulk and scale

- 3.7 S6/2005/1383 - Application withdrawn for a single storey side extensions, two storey rear extension, first floor front extension, raising of roof, and erection of boundary wall withdrawn
- 3.8 S6/2006/296 - Refusal issued for demolition of existing dwelling and creation of replacement 5 bedroom dwelling

## **4 Planning Policy**

### 4.1 Hertfordshire Structure Plan Review 1991 – 2011:

Policy 5

### 4.2 Welwyn Hatfield District Plan 2005

SD1 - Sustainable Development

GBSP2 - Towns and Specified Settlements

D1 - Quality of Design

D2 - Character and Context

RA1 - Development in the Green Belt

RA4 - Replacement of Dwellings in the Green Belt

RA10 - Landscape Regions and Character Areas

R17 - Trees, Woodland and Hedgerows

D8 - Landscaping

M14 - Parking Standards for New Development

## **5 Representations Received**

- 5.1 **Northaw & Cuffley Parish Council** objected to the application stating the proposed building is not the same size as the existing building. The Parish have calculated the existing building is 715.6 m<sup>2</sup> (2348 sqft) and the proposed building is 1089.6m<sup>2</sup> ( 3575 sqft) (approximately). Therefore the proposed building is materially larger than the existing building and contrary to Paragraph 3.6 of PPG2. By moving the dwelling back further onto the site it would result in unacceptable overlooking of No.48 Vineyards Road.
- 5.2 The **Environment Agency** assessed that the proposed development would have a low environmental risk, therefore they could not justify allocating time to make a full submission.
- 5.3 The **Welwyn Hatfield Access Group** requested that the application is subjected to the considerations of Building Regulations Part M and BS8300 Code of Practice.
- 5.4 The **Hertfordshire Biological Records Centre** does not have any known records of bats being present at 46 Vineyards Road, Northaw.
- 5.5 **Thames Water** – There are public sewers crossing the site, therefore no building would be permitted within 3 metres of the sewers. Liaison should be made with Thames Water.

5.6 The application was advertised by means of neighbour notification letters. One letter in support of the application was received raising the following points:

- The demolition of the above dwelling and its replacement with the proposed 4 bedroom dwelling would preserve the character of the area.

5.7 Two letters of objection were received to the application raised the following issues:

- The replacement dwelling would be larger than the footprint of the existing;
- Locating the replacement dwelling further from the road front would affect the appearance of the rural character of the Green Belt;
- Discrepancy to the 45% angle of site indicated on the plan as the plot in question is elevated above No.48 Vineyards Road;
- The height and volume of the proposed dwelling would be greater than the existing;
- The proposed location of the replacement dwelling would be out of keeping with the curve of Vineyards Road;
- The door to the eastern elevation of proposed dwelling would represent an intrusion to No.48 Vineyards Road and the garage at 5 metres to the rear of proposed dwelling with a pitched roof and long driveway would have a detrimental effect on No.48 Vineyards Road;
- The size and position of the basement windows are debatable;
- The relocation of the dwelling & location of garage to the rear would restrict the views enjoyed by both neighbouring properties.

## **6 Discussion**

6.1 The application outlines the proposal to demolish the existing dwelling and erect a replacement dwelling on the site with associated detached garage. The main issues to be considered in the determination of this application are whether:

- The proposal is appropriate development within the Metropolitan Green Belt and whether the proposal would have an impact on the character and openness of the Green Belt.
- The level of impact that the proposal would have on the residential amenity of neighbouring occupiers and future occupiers of the proposed and adjoining dwellings.
- The proposal would include appropriate highway access and parking facilities.
- Are any special circumstances or other material considerations.

**6.2 The proposal is appropriate development within the Metropolitan Green Belt and whether the proposal would have an impact on the character and openness of the Green Belt.**

The first test necessary to establish whether the proposal would represent appropriate development within the Green Belt, under terms of PPG2 & Policy RA4, is to compare what is proposed for the new dwelling to that of the '*original dwelling*'.

- 6.3 In order to fully assess the impact of the proposal it is important to establish what the original dwelling was defined as in 1952 when approved by application E-262/52. The original dwelling had a building footprint of 118 square metres (including both ground & first floor). It has to be acknowledged that the scheme as proposed is larger, with a total new footprint of 379 square metres which includes the basement, ground and first floors. However, in carrying out an assessment of the dwelling as a whole in planning terms, if a basement does not exceed 1 metre in height above natural ground level it does not form part of the calculation of the overall additional floor area. The proposed dwelling therefore, has a net additional volume of 134 square metres, which correlates to a **108%** increase over and above that of the original dwelling. However, the existing dwelling has been subject to significant one and two storey extensions, therefore it can be concluded that the proposed replacement dwelling although it would materially exceed the size of the original dwelling in terms of floor space and volume it only marginally exceeds the size of the existing dwelling as extended in terms of floor space and volume. The replacement dwelling would result in net additional level of floor space of 13 square metres, which correlates to a **5%** increase in floor space over and above that of the existing dwelling. With regard to the Parish Council's calculations, these do not appear to correlate to the drawings as submitted with this application, however, figures represented above directly relate to the proposal before members.
- 6.4 In a recent appeal decision at 'Little Copse' (dated 16/11/04), the inspector gave little weight to percentage increases, noting that the adopted policies allowed for some flexibility as they indicate that extensions may be allowed if they do not have an adverse visual impact on the character, appearance, and pattern of development in the surrounding countryside and the appeal was allowed. Whilst the decision relates to an extension to a dwelling and not a replacement dwelling, it is considered that it still has relevance to this case as the issue was about impact on the openness of the Green Belt.
- 6.5 PPG2 sets out Government policy in respect of Metropolitan Green Belts. Paragraph 3.6 states that; "The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces." Policy RA4 of the Welwyn Hatfield District Plan 2005 sets out the Council's policy with regard to replacement dwellings in the Green Belt, and is consistent with the advice contained within PPG2.
- 6.6 Therefore, it is considered that the dwelling as proposed should be assessed alongside the existing dwelling in terms of visual impact, prominence, bulk, design, appearance and pattern of development within the Green Belt location. It is therefore a question of whether the proposed dwelling would be materially larger than the existing dwelling plus approved extensions and whether, at this size, it would have a greater visual impact in terms of prominence, bulk and

design on the character, appearance and pattern of development within this part of the Green Belt.

- 6.7 Vineyard Road falls in level quite significantly from north east to south west and the site itself falls from north to south as such the impact on the street and the adjoining properties is reduced by setting the proposed dwelling further into the site. In terms of height, the replacement dwelling would not exceed the height of the existing dwelling, as the land is to be levelled which would result in the ridge height of the proposed dwelling being 1 metre lower than that of the original dwelling. The front and corresponding rear elevation of the proposed scheme would be 13 metres in width, which would be a 3.5 metre less than the existing dwelling at ground floor level. This reduction in overall the width of the current scheme consolidates the building volume at ground and first floor. This is also reflected in the form of the roof in that the adoption of a hipped design on the proposed dwelling as opposed to the original gable design means that the overall form of the roof is reduced.
- 6.8 Although the proposed dwelling would have an 1.5 metre increase in building depth from the existing dwelling because of the orientation of the new dwelling this has minimal impact on the site and adjoining dwellings as the relationship with No 44 is such that the properties would be in line with each other and although the dwelling would now be set further back from No 48 the difference in levels would reduce the overall impact in terms of built form.
- 6.9 It is acknowledged that there is a small increase in floor space, volume and indeed, this has been raised in both the neighbour's and the Parish Council objections. As indicated above in para 6.3 the increase in floor space is only marginally greater than that of the existing dwelling and as such meet the criteria of both Green Belt and Local Plan Policy.
- 1..10 The proposed siting would make the new dwelling less prominent than if it were sited in its existing position. From the highway the overall bulk of the proposal is reduced with the sustained ridge height and reduced length of the ridge. From the rear the dwelling would appear as a two storey development, creating no further bulk within the Green Belt. Considered in the context of the existing pattern of development in the surrounding area, the proposal would not have a greater detrimental impact on the openness of the Green Belt than that currently in place with existing dwelling.
- 6.11 It is therefore considered that the development as proposed is not inappropriate development within the Green Belt and as it is only marginally greater in scale than that of the existing dwelling it would not result in any additional significant harm to the openness in this part of the Green Belt.
- 6.12 The proposal would have an impact on the residential amenity of neighbouring occupiers and future occupiers of the proposed dwellings.**
- 6.13 The proposed siting of the dwelling further back within the site would be more prominent visually to the neighbours at No 48 (two storey dwelling). However, relationship between the dwelling due to the difference in ground levels together with a separation distance of approximately 10 metres and given that there are no windows in the flank elevation of No 48 means that the impact in visual terms

would be minimal. As such no significant detrimental impact in terms of amenity would result and thereby warrant refusal.

6.14 No 44 Vineyards Road is currently a chalet bungalow and although the proposed dwelling would be closer to the flank elevation than the existing dwelling the separation distance between the two dwellings would be approximately 11 metres and given that the proposed dwelling would be almost parallel with No 44 the impact on the existing amenity would be minimal. Although there three window at first floor level within the side elevation of the proposed dwelling facing No 44 they are not primary windows and therefore can be provided with obscure glazing which can be secured by condition. There would therefore be no overlooking/loss of privacy from this proposed elevation. Whilst the proposed siting would have more of an impact than the existing dwelling, the proposed overall distance between the two dwellings is unlikely to have a detrimental impact upon the amenity currently enjoyed by the occupiers of this dwelling.

6.15 The building would not be significantly larger than others in this section of Vineyards Road and is not considered to be out of character in this location. Whilst there would be a small increase in floor space and volume, this must be weighed against the reduction in the overall footprint, noting that the proposed dwelling would be more compact and less 'sprawled' than the extended house as approved. In light of the above, it is considered that it would be difficult to substantiate a refusal based on the increase in floor space and volume alone.

6.16 The Northaw area of the Welwyn Hatfield District is characterised by featuring a wide variety of building styles and building sizes. Many of the properties have been extended, and therefore it is considered that there is no strong built form or pattern into which the Vineyards Road falls, it is characterised by a variety of dwellings on large wooded plots. The buildings range from fairly modest detached bungalows such as 'Little Copse' to more ostentatious two storey dwellings such as 'Netherfield', located on the opposite side of Vineyards Road. Generally, the dwellings on the northwest side of the road are larger than those on the southeast. Whilst the replacement dwelling is large, it has been designed sympathetically in terms of its roof design, fenestration and building materials. It is considered that the proposed dwelling would be appropriate in this context and would not have an undue impact on the character of the area. In this respect, the proposal is considered to comply with policies D1, D2 of the Welwyn Hatfield District March 2005 and Supplementary Design Guidance February 2005.

**6.17 The proposal would include appropriate highway access and parking facilities.**

6.18 The proposal would not result in a loss of off-street parking and there would be sufficient amenity space to accommodate the new dwelling. The application requires the provision of 3 car parking spaces for a 4 bed dwelling. The proposal shows a double garage to the rear of proposed dwelling, however there would be sufficient land at the front of the dwelling to provide a number of additional spaces thus complying with this Policy M14.

**1.19 There are any special circumstances or other material considerations.**

6.20 Previous Appeal at 46 Vineyards Road - (APP/C1950/A/04/1153213)

- 6.21 With respect to the considerations given by the Inspector relating to the Appeal (S6/2003/1413/FP - APP/C1950/A/04/1153213) the current application should be weighed against the two main points raised by the Inspector. The first concerned the issue of whether the proposal amounts to appropriate development in the Green Belt and the second issue relates to there being other considerations that would outweigh the harm of inappropriate development.
- 6.22 Following a comparison between the S6/2003/1413/FP scheme and the current application it was noted that there is a substantial reduction in volume achieved and there is no height increase, the substantial reduction in width and overall depth. The overall volume would be more balanced and in line with Green Belt policy. The bulk from the flank elevations would also be reduced therefore it is considered to have overcome the two issues mentioned above.
- 6.23 Policy RA10 is relevant to this application as the area falls within Northaw Common Parkland with a number of key characteristics including ridgelines and valley 'bowls'. The site is at the top of one such ridge facing southwards towards the valley and upwards to the ridge where Northaw Road West cuts across the landscape. The character statement indicates the area should be 'conserved and strengthened' with the policy requiring development to contribute to the conservation, maintenance and enhancement of the local landscape. Should members be minded to approve the application it will be necessary to include suitable conditions in relation to finished floor levels and additional landscaping to ensure that the proposal enhances the character of the area in which it is located.
- 6.24 Policy R17 requires protection and retention of existing landscaping and for new development to incorporate new landscaping in accordance with Policy D8. This policy as well as requiring new planting also requires retention of existing planting. While the landscaping to the boundary with No 44 is predominantly ornamental and although the siting of the dwelling would be approximately 2 metres from this landscaping, adequate protection should be put in place during building works and this can be secured by condition.
- 6.25 The applicant has indicated that no trees would be felled to accommodate the proposal. As the site is located within the Green Belt and the trees on the site represent an important visual amenity which the Local Planning Authority have a duty to protect, it is considered appropriate to include a condition on the decision notice to ensure their protection and to comply with the directions of Policy R17 of the Welwyn Hatfield District Plan 2005

## **7. Conclusion**

- 7.1 To conclude, the proposed replacement dwelling, would not result in a building materially larger in terms of its external size and bulk than the extended dwelling approved in 2001. It is considered that the proposal would not have a significant additional impact on the openness of surrounding Green Belt and therefore complies with the directions of PPG2 'Green Belts' as well Policy RA4 of the adopted Welwyn Hatfield District Plan 2005. The design of the proposed dwelling is acceptable and the proposal would not adversely affect the amenity of occupiers of neighbouring properties.
- 7.2 The proposal, subject to the necessary conditions, satisfies Policies RA1, RA4, RA10, R17, D1, D2 and M14 of the Welwyn Hatfield District Plan 2005 together



with relevant criteria in the Supplementary Design Guidance (Statement of Council Policy) and Supplementary Planning Guidance (Parking Standards).

## **8. Recommendation**

8.1 It is considered that the proposed application should be approved subject to the following conditions:

1. SC01 – Time Limit Full Permission
2. SC09 – Landscaping Scheme
3. SC19 – Materials – Details to be Submitted
4. SC21 - No Additional Windows in First Floor Side Elevations
5. SC25 – Levels
6. SC26 - Setting Out
7. SC32 – Obscured Glazing (to flank elevations)

The windows for Bedrooms 2 & 4 on the first floor of the western elevation shall be finished in obscured glazing, and shall be retained in that form thereafter unless otherwise agreed in writing by the Local Planning Authority.

### Reason

To prevent any overlooking or loss of privacy to adjoining properties, and in accordance with policy D1 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance.

8. SC12 – Tree/shrub protection
9. Prior to the development hereby approved commencing details of the extent and proposed method of disposal of all material generated from the excavation of the basement area shall be submitted and approved in writing. The method as approved shall be implemented in full unless express consent be obtained from the Local Planning Authority.

### Reason

In the interest of the visual amenity of the area and in accordance with D1, D2 and RA10 of the Welwyn Hatfield District Plan 2005.

Chris Conway, Chief Planning and Environmental Health Officer

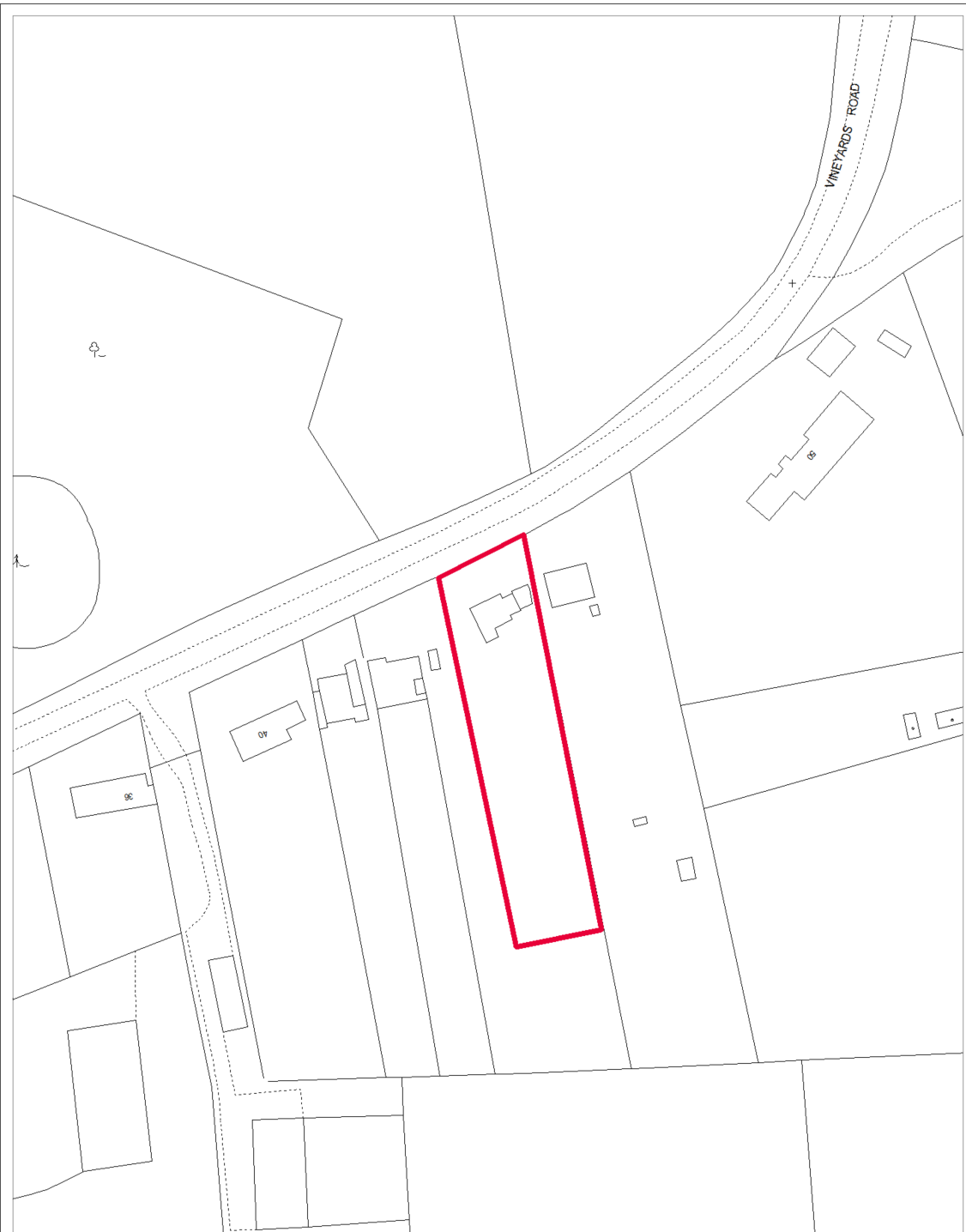
Date 29<sup>th</sup> January 2007

## **Background papers**

Welwyn Hatfield District Plan 2005

Welwyn Hatfield Supplementary Design Guidance; Statement of Council Policy 2005

Welwyn Hatfield Supplementary Car Parking Standards; Statement of Council Policy 2005.



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

Title:

**46 VINEYARDS ROAD, CUFFLEY**

Scale:

Date: 1st February 2007

Project:

Drawing Number:  
2006/1711

Drawn: Rita Gore

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