

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2007/519/FP
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NOTATION:

The site lies within the Metropolitan Green Belt as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application site consists of a detached two storey dwelling which is set back from the highway with a driveway providing access to a covered car porch to the side of the dwelling and a large gravel hard standing.

To the rear of the property and about half way down the garden there is an open air swimming pool with a couple of outbuildings close by.

The property is individually designed following planning permission granted in 1972, although the current site is now smaller as part of the garden has been severed and now forms part of a new dwelling and residential curtilage of No.125 The Ridgeway.

DESCRIPTION OF PROPOSAL:

The application seeks full planning permission for the removal of the existing covered carport and the building of a two storey side extension, which would have a replacement open car porch on the ground floor to the full depth of the existing property and a new first floor bedroom above and ensuite bathroom. The depth of the extension is approximately 8.3m and approximately 4.8m wide.

The design of the extension would maintain the existing ridgeline height with a set back from the boundary with a flat roof over part of the carport.

A rear conservatory is also proposed which would be approximately 7.5m by 3.5m.

PLANNING HISTORY:

S6/1972/511/FP - Detached house, double garage and access – 6/07/72

The following applications were originally linked with the application property, but are now on land no longer in the ownership of the applicant and so have limited relevance to this application.

S6/1977/481/FP - Double garage and garden store – approved 06/10/77

S6/1993/600/FP - Erection of detached triple garage - approved 28/10/93

S6/1996/695/FP - Change of use of triple garage to self contained dwelling
(Retrospective application) - withdrawn 12/11/96

SUMMARY OF DEVELOPMENT PLAN POLICIES:

Hertfordshire Structure Plan Review 1991 – 2011:

Policy 5 – Green Belts

Welwyn Hatfield District Plan 2005:

SD1 Sustainable Development
GBSP1 – Definition of Green Belt
RA3 – Extensions to dwellings in the Green Belt
R3 - Energy Efficiency
M14 - Parking standards for new developments

D1 - Quality of design
D2 - Character and context
D9 - Access and Design for people with disabilities

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005
Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking
Standards, January 2004

CONSULTATIONS

None

TOWN/PARISH COUNCIL COMMENTS

Northaw and Cuffley Parish Council – comment that ‘this is a Green Belt site and may be contrary to guidance given in PPG2 (Green Belts).

REPRESENTATIONS

1 letter of objection was received from the adjoining neighbour at No.129 which raised the following concerns:

- Loss of light to an existing bedroom window
- Loss of privacy from the proposed balcony
- The plans do not show all the buildings on the site

Period expired 25/06/07

DISCUSSION:

The main issues are:

- 1) **Whether the proposal complies with Green Belt Policy**
- 2) **The impact of the proposal on the character of the existing dwelling and surrounding area including the adjoining Listed Building.**

- 3) **The impact on the amenity of the adjoining neighbours.**
- 4) **Other matters**

- 1) Whether the proposal complies with Green Belt Policy

Green Belt

PPG2 states that the construction of new buildings in the Green Belt is inappropriate unless for one of a range of specified purposes. A limited extension to a residential development and alteration can be one of these, provided that 'it does not result in disproportionate additions over and above the size of the original dwelling'. This is incorporated into Policy RA3 of the adopted local plan.

This proposal therefore needs to be assessed on whether the further increase in its size is appropriate and whether it would result in development that would have a detrimental impact upon the openness of the Green Belt in terms of its size, bulk, prominence and design.

The original dwelling as granted by the 1972 planning permission has been extended already with the addition of a number of outbuildings, some of which are no longer within the residential curtilage of the current property. The remaining outbuildings and structures consist of a swimming pool, pool building and shed which are located considerably well away from the main dwelling house.

Other extensions include a single storey rear extension which has a flat roof and extends across the full width of the property to a depth of approximately 1.8m. It appears that this was probably constructed under permitted development.

A roof has also been added to the side of the building to create an open car porch.

In assessing the impact on the openness of the Green Belt, a comparison of floor space between the original and resultant building is useful. The original dwelling has a floorspace of approximately 233 sqm.

The resultant building (including the existing rear extension of approximately 25sqm) would be approximately 134 sqm (this includes the covered carport area which although open, is still considered to be relevant for the purposes of this calculation).

This would result in an increase of approximately 58% over and above the original dwelling. The areas of the existing outbuildings have been excluded from this calculation.

Turning to a visual assessment, the proposed extension to the side would have the greatest impact due to its prominence within the streetscene and the resultant loss of the existing space to the side of the building which along this part of The Ridgeway provides important visual gaps. Although there are examples of properties along this highway where the flank walls of buildings are close to their side boundaries, the character is predominately of a ribbon form of development of detached dwellings with visual gaps between the buildings at first floor level. It is these visual gaps which emphasises and contributes to the open character of this rural location.

The current proposal would significantly reduce the existing gap to around approximately 0.75m from the common boundary with No.129. It is considered that the proposal will result in a disproportionate increase over and above the size of the

original dwelling which will result in the extension reducing an existing visual gap which would be detrimental to the openness of the Green Belt and the impact of which would be exacerbated by the prominent location within the street scene

In summary, the overall bulk of the resultant dwelling by virtue of the increase in floor space and the erosion of space around the building with its resulting prominence in the street scene is considered to be detrimental to the openness of the Green Belt and thus contrary to policy RA3. No very special circumstances have been demonstrated.

2) The impact of the proposal on the character of the existing dwelling and surrounding area

In regards to design issues, Policies D1 and D2 of the Local Plan are relevant along the accompanying Supplementary Design Guidance (SDG). The proposal will extend the features of the original dwelling as the proposal is to maintain the existing hipped pitched roof and window design. The proposal therefore when considered in isolation would reflect the architectural character of the original dwelling.

Turning to the wider context, Policy D2 is particularly relevant and also the Supplementary Design Guidance which states in regards to residential extensions:

- the extension must not reduce the space around the dwelling to such an extent that the dwelling looks cramped on its site. The spacing of buildings adjacent to and in the locality should be reflected
- for all multi-storey, two-storey and first floor side extensions, a minimum distance of 1m between the extension and the adjoining flank boundary must be maintained: it is important that existing spacing in the street scene is reflected which may result in larger distances being required. This spacing is to prevent over development across plot width and a terracing effect within areas of detached and semi-detached properties, to ensure that the extension does not prejudice the ability of an adjacent occupier to extend without destroying any separation spaces that exist and to preserve the amenity of adjoining dwellings including those whose rear gardens adjoin the proposed extension.

The proposal, as already discussed above would significantly erode the existing space as the extension would be only be approximately 0.75m from the common boundary. The SDG requires as an absolute minimum of 1m and in some cases an even greater distance. In this particular location, the general character of the immediate locality is of spaces larger than 1m, and although there are a few exceptions to this there are examples of much greater distances. The proposed distance therefore falls short of the minimum of 1m and I would suggest that in this location it would not be unreasonable to expect a larger gap to be maintained than the minimum.

The proposal therefore fails to comply with the requirements of Policies D1 & D2 and the Supplementary Design Guidance of the adopted Local Plan.

3) The impact on the amenity of the adjoining neighbours.

Concerns have been raised by the adjoining neighbour at No.129 about the loss of light to a first floor flank wall window which overlooks the location of the proposed two storey side extension. Taking into account the existing set back of this window from

the side boundary together with the resultant gap of approximately 0.75m, the overall distance would be around 4m.

The window appears to be original to this adjoining dwelling, however, having visited the adjoining building it appears that 2 bedrooms have been made into one and that this is not the only window now to the current bedroom (see file for copy of approved drawing for No.129).

The SDG does require a

‘satisfactory level of sunlight and daylight to both the development and surrounding development.....’

The orientation is also relevant, and the proposed development would be directly south of this existing window.

It is acknowledged that the proposal would have an impact on the sunlight/daylight to this adjoining window, however, this is no longer the only window serving a bedroom, but is I would suggest a secondary window compared with the rear dormer window. The owner has indicated that the wall could be reinstated to re-create the original layout, however, it is the current situation which is relevant and a material consideration. Furthermore, it is not the purpose of the planning system to preserve sunlight/daylight levels, but to simply ensure that an adequate level is retained, which is considered to be the case on this situation.

Turning to views from this window, these are not protected by planning policy although the aspect is a consideration. Although the aspect would be onto a flank wall, it is considered that the main window to this current bedroom is the rear dormer which has a pleasing view over the rear garden and into the distance and so it would be unreasonable to withhold planning permission on this basis alone.

A concern has been raised about the proposed balcony, and this would be constructed onto the existing flat roof. The doors onto this are already in existence in the rear first floor elevation.

The application form does not specifically refer to this balcony, but following a site visit it is clear that this is part of the proposal on the application drawings. The question which must be asked is whether these require planning permission.

The General Permitted development Order does allow under Class C ‘any other alteration to the roof of a dwelling house’. Balconies are normally associated under this part of the GPDO and so can be classified as permitted development. However, case law has shown that the volume of the railings themselves does create additional volume, and when considered with the existing extensions and also the proposals this would be over the 70 cubic metre allowance. I am wary of the fact that under the current review of the GPDO that all balconies may require planning permission. The current legislation requires the LPA to ensure that the amenity of neighbours is safeguarded. The proposal would allow overlooking to both rear gardens of Nos.125 & 129 to a degree that would fail to comply with the requirements of the SDG.

The proposal therefore fails to comply with the amenity requirements of Policy D1 and the accompanying Supplementary Design Guidance 2005 in regards to privacy.

4) Other Matters

The site has a large hardstanding area to the front, and so there is ample parking for the extra bedrooms proposed. The proposal therefore complies with the parking requirements of the Supplementary Planning Guidance.

CONCLUSION:

RECOMMENDATION: REFUSAL AND REASON (S)

1. The proposed first floor side extension would, by reason of its proximity to the flank boundary with No.129 The Ridgeway and the resultant loss of existing space within the streets scene, result in a form of development of a cramped appearance and over development of the plot width that fails to reflect the established character of the area to the detriment of the appearance of the locality, and would thereby be contrary to policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance (Statement of Council Policy).
2. The cumulative effect of the proposed development would, when considered in relation to previous extensions to the dwellinghouse, result in a disproportionate impact in terms of the size, bulk and prominence of the existing buildings on the site in this Green Belt location and so would diminish the openness of this part of the Green Belt to the detriment of the rural character of the area contrary to the requirements of Policy RA3 of the Welwyn Hatfield District Plan 2005. There are no very special circumstances which have been advanced to justify a departure from the Green Belt Policies of restraint.
3. The proposed railings to the rear first floor would create an outside balcony area which would, due to their elevated position and close proximity to the side boundaries with Nos.129 & 125 The Ridgeway, result in an unacceptable loss of privacy to these adjoining neighbours contrary to the requirements of Policy D1 of the Welwyn Hatfield District Plan 2005 and the accompanying Supplementary Design Guidance (Statement of Council Policy).

REFUSED DRAWING NUMBERS:

1:1000 Site Location Plan & 1:500 Block Plan (both un-numbered) – received and date stamped 18/05/2007 & 2225-E-01 & 2225-P-01 – both received and date stamped 30/03/07

Signature of author..... Date.....