

**WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL**  
**DELEGATED REPORT**

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| <b>APPLICATION No:</b> | <b>S6/2007/1351/FP</b> |
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**NOTATION:**

The site lies within the Metropolitan Green Belt, Landscape Character Area and Woodland Protection Order (Trees) as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:**

The site comprises a two storey dwelling and three-storey tower block with private garden to the rear (south east) on land that slopes downwards in a south-easterly direction. To the front of the site, a driveway provides access to the dwelling, as well as the adjacent dwellings and beyond this to the north-west is further garden curtilage.

This area slopes upwards to the north-west with a gentle incline. However, there is evidence that at some time in the past the land levels have been manufactured with a small area having had probably former building materials deposited with soil. This has increased (in a hump) levels by approximately 1.5 metres higher than would formally have been there. Just beyond this altered land level and beyond the boundary of the application site is a protected oak tree.

Within the vicinity and beyond the access drive (north-west) number 4 has a detached garage. Outside of this cluster of dwellings and further to the north-east there is a relatively recent (approx 2000) garage block. This was built as part of the conversion of the listed buildings which comprises the Coach House.

**DESCRIPTION OF PROPOSAL:**

The application seeks full planning permission to erect a 1 ½ storey detached garage to the north east site boundary of the property. The detached garage would be situated to the far end of the rear garden and would be incidental to the main dwelling.

The garage design and bulk has been amended during the course of the application reducing the overall height to 5 metres (reduction of approx 1 metre) with a crown roof, two dormer windows to the front elevation with lead flank elevations. Furthermore, the design of the front facing elevation has been amended providing two separate garage doors to be finished in timber.

The accommodation would provide for a garage with accommodation (storage) directly above with dimensions of 7.8 metres in width by 7.0 metres in depth.

**PLANNING HISTORY:**

There is no relevant planning history to date.

**SUMMARY OF DEVELOPMENT PLAN POLICIES:**

National Policy  
Planning Policy Guidance Note 2: Green Belts  
PPG15: Historic Environment

Hertfordshire Structure Plan Review 1991 – 2011:  
None

Welwyn Hatfield District Plan 2005:  
GBSP1 – Definition of Green Belt  
R17 – Trees, Woodland and Hedgerows  
R25 – Works to Listed Buildings  
RA1 – Development within the Green Belt  
RA3 – Extensions to Dwellings in the Green Belt  
D1 - Quality of design  
D2 - Character and context  
Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

## **CONSULTATIONS**

Landscaping – objected to the first scheme which was considered could harm the health of the protected trees. Amended plans – verbally confirmed acceptance to proposed foundations and reduction in height of garage should protect crown of oak tree.

## **TOWN/PARISH COUNCIL COMMENTS**

North Mymms Parish Council – Have not commented to date.

## **REPRESENTATIONS**

This application has been advertised and 5 representations have been received. Period expired 3/10/2007. A site notice was also erected and expired on 12/10/2007.

The main planning issues were:

- Use for business purposes
- No information regarding road access, hard landscaping or soft landscaping
- Green Belt
- Excessive height and bulk of building

## **DISCUSSION:**

Evidence has been submitted during the course of the application showing that the area in question does form part of the residential curtilage.

**The main issues are:**

- 1. Impact on Green Belt**
- 2. Design**
- 3. Impact on Neighbouring Amenities**
- 4. Other Issues**

### Impact on Green Belt

PPG2 sets out Government policy on Metropolitan Green Belts. Paragraph 3.1 states that: -

“The general policies controlling development in the countryside apply with equal force in the Green Belt but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances”

Policy RA1 of the Welwyn Hatfield District Plan `sets out the Council's policy with regard to appropriate development within the Green Belt and Policy RA3 discusses extensions to dwellings in the Green Belt, and these policies are consistent with the advice contained within PPG 2, this policy also applies to those outbuildings for which planning permission is required.

The policies advise that extensions to dwellings located within the Green Belt will only be considered as ‘appropriate’ development when they do not individually or when considered with existing or approved extensions to the original dwelling have an adverse and disproportionate impact in terms of prominence, size, bulk and design on the character, appearance, pattern of development and visual amenity of the surrounding countryside.

The detached garage is situated over 5 metres away from the main dwelling and as such can be classed as an outbuilding, however it would still be assessed against Policy RA3 of the Welwyn Hatfield District Plan 2005.

The bulk of the garage has been amended during the course of the application and further information submitted regarding its impact upon the character of the area. The height of the garage is 1 metre higher than what could be built under permitted development. The location of the garage is separated from the dwelling, however due to the built form in this area, it would not be possible to build a garage significantly closer than that proposed. Additionally, it is important to consider the impact in relation to the adjacent permitted garage (no. 4) and that beyond the immediate vicinity at Gable House/Coach house

The garage at no 4 is single and has a pitched roof whilst that at Gable House/Coach House has greater bulk being of 1 ½ storey and 4 bay. In comparative terms, the volume of the garage proposed is larger than no.4 but smaller than Gable House/Coach House.

Consideration is also given, and in connection to the letters of objections, the use of the upper floor. The agent advised that this is to be used for storage as such facilities are not available within the main building. The site visit, and tour of the dwelling, confirmed that storage facilities do not exist. It was suggested (Local Planning Authority) that should planning permission be granted that a condition relating to the use of the upper floor as incidental accommodation to the dwelling rather than ancillary might be appropriate. There was no objection to this. Such a condition would prevent the upper floor from being used for business use.

With such a condition and with the amendments that have been sought, it is considered that the development now comprises appropriate development and is of a bulk, prominence etc that it now complies with policy RA3.

#### Design and impact on Character of Area

National Planning Policy Guidance PPS1-Delivering Sustainable Development requires planning authorities to plan for high quality design which is appropriate in its context.

Policies D1 (Quality of Design) and D2 Character and Context are both relevant, in addition to the material contained within the Supplementary Planning Guidance.

Policy D1 requires all new development to be of a high quality of design incorporating the design principles of the District Plan & Supplementary Planning Guidance. The architecture of new development should contribute to the quality of design in the district, be appropriate to the setting and context of the area and be of the highest quality.

Policy D2 requires that all new development respects and relates to the character and context of the surrounding area. It should be sensitive to the surrounding developments and seek to enhance key characteristics which contribute to the architectural quality.

The proposed detached garage due to the amended design, is now considered to be in keeping with the character of the area and takes the opportunity of improving the character of the area. The materials proposed as well as brick work match and reflect both the main dwelling and changes to the front elevation are in keeping with the wider setting of the listed building and as such is considered complies with policies D1 and D2.

#### Impact on Neighbouring Amenity

The properties most impacted on by the development would be The Folly itself and the adjoining sites at 2 and 4 Warren Wood.

It is considered that the development would not be overbearing or dominant, create unacceptable loss of sunlight/daylight due to the adequate separation distances of approximately 30 metres.

Furthermore, the dormers would not give rise to an unacceptable degree of overlooking as they would serve accommodation incidental to the dwelling (not habitable rooms) and there is an adequate separation distance of approximately 25 metres to the nearest residential property.

Other Issues

The proposal does not specify how the development contributes to sustainable development or energy efficiency.

The plan showing details of the pile and beam foundations (MD/10-07/SE-01) is considered would ensure the ongoing health of the oak tree and would thus comply with policy.

**CONCLUSION:**

The proposal, by virtue of the amended design is considered would not harm the openness of the Green Belt and would comply with local plan policy. With a condition that the accommodation is ancillary to the main dwelling, the intensity of the use of this part of the site should be minimised.

**RECOMMENDATION: CONDITION(S)**

1. C.2.1 – Time Limit
2. C.5.1 – Samples of materials
3. The foundations shall be finished as pile and beam as shown on drawing MD/10-07/SE-01.  
REASON: To ensure that the building works do not prejudice the health and retention of the protected tree, in accordance with policy R17 of the Welwyn Hatfield District Plan 2005.
4. The building hereby permitted shall only be used for a purpose incidental to the enjoyment of the dwellinghouse within the application site and for no other purpose.  
REASON: to ensure the Local Planning Authority retains control over any future development and to protect the amenities of adjoining occupiers in accordance with policy D1 of the Welwyn Hatfield District Plan 2005.

**REASON FOR APPROVAL**

The proposal has been considered against national policies PPG2 and PPG15 and development plan policies of the Welwyn Hatfield District Plan 2005 GBSP1, R17, R25, RA1, RA3, D1, D2 and Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005, in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan (see Officer’s report which can be inspected at these offices).

**DRAWING NUMBERS:**

FOL/002 & FOL/003 & FOL/004 and date stamped 11 September 2007.

FOL/001 Rev B & MD/10-07/SE-01 received and date stamped 29 January 2008

**Signature of author**.....

**Date**.....