

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

<b>APPLICATION No:</b>	<b>S6/2008/0557/FP</b>
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**NOTATION:**

The site lies within the Green Belt, Area of Archaeological Significance and Landscape Region and Character Area as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:**

The site is part of the wider setting of Bedwell Park which consists of a grade II listed building, currently undergoing conversion to residential accommodation.

The Tennis Court House is one of a number of new build dwellings built as part of the enabling development for renovation works to the listed building and wider curtilages. The site is located to the south west of Bedwell Park.

**DESCRIPTION OF PROPOSAL:**

The application seeks retrospective consent for a tennis pavilion to the western elevation of the tennis court. The application shows that the two tennis courts ownership have been subdivided.

The pavilion measures 4.2 x 2.7m floor area, 3.25m to the ridge and 2.25m to the eaves. The building has been finished in cedar shingle roofing tiles, timber walls and windows – the walls have been painted in a mocha colour.

**PLANNING HISTORY:**

S6/2007/1408/FP      Swimming pool - allowed

S6/2007/0592/FP      Swimming pool and summer house – refused – allowed on appeal

S6/2003/941/FP AND S6/2003/942/LB

Conversion, refurbishment and change of use of former golf clubhouse to ten apartments, conversion of existing courtyard buildings to four dwellings, retention of the existing east cottage, erection of nine new dwellings adjacent to the main house erection of one new dwelling within the walled garden with new garage, staff flat plus associated garaging parking and landscaping and selected demolition of modern extensions to the walled garden cottage and main house.

Granted

S6/2001/0208/LB and S6/2001/0210/FP

Full planning permission and listed building consent for an extension to the existing Country Club for a health and leisure facility, change of use of part of the building for nine residential units, office and conference use at the Old Clubhouse, January 2002

Granted

S6/2001/0394/OP

Outline planning permission for the demolition of the single storey extensions, retention of the existing building as a single dwelling, with a single storey side extension on either side, plus two new dwellings and garages at the Walled Garden Cottage (then referred to as The Seminar House), August 2001.

Refused

S6-1996/0484/FP and S6/1996/0483/LB

Full planning permission and listed building consent for single storey extension to provide new laundry, enlarged ladies locker room and removal of vent, August 1996.

Granted

S6/1995/0414/FP and S6/1995/0539/LB

Full planning permission and listed building consent for conservatory,

Granted

S6/1993/0709/FP and S6/1993/0710/LB

Full planning permission and listed building consent for single storey extension to golf club house, December 1993.

Granted

S6/1990/1019/FP and S6/1990/1020/LB

Full planning permission and listed building consent for demolition of maintenance building, external alterations and single storey extensions to enable extended building to be used for hotel, golf and country club, December 1991.

Granted

S6/1987/0135/FP Full planning permission for 18 hole public golf course, July 1987.

Granted

Although not within the defined cartilage of the Tennis Court House, the history for the Walled Garden House is relevant in that this dwelling once comprised part of the wider Bedwell Park.

S6/2007/0596/MA Carport, garaging and storage - refused, dismissed on appeal

S6/2007/1410/MA Ditto (development was slightly smaller than appeal) - refused

## **SUMMARY OF DEVELOPMENT PLAN POLICIES:**

### Hertfordshire Structure Plan

Policy 43 – Landscape Conservation Areas

### Welwyn Hatfield Local Plan

Policy SD1 – Sustainable Development

Policy GBSP1 – Definition of the Green Belt

Policy R29 - Archaeology

Policy D1 – Quality of Design

Policy D2 – Character and Context

Policy D8 – Landscaping

Policy RA2 – Development in Settlements within the Green Belt

RA3 – Extensions to Dwellings in the Green Belt

Policy RA10 – Landscape Regions and Character Areas

Supplementary Design Guidance

### **National advice**

PPS1 – Delivering Sustainable Development

PPG 2 – Green Belts

PPG 15 – Planning and the Historic Environment

## **CONSULTATIONS**

None

## **TOWN/PARISH COUNCIL COMMENTS**

Essendon Parish Council do not object, however query whether the application should be for planning permission or retrospective.

## **RESENTATIONS**

None. Period expired 2<sup>nd</sup> May.

## **DISCUSSION:**

**The main issues are:**

- 1. Impact on the Green Belt**
- 2. Impact on the Character and Setting of the Listed Building**
- 3. Other Material Planning Considerations**

1. The site is within the Green Belt whereby policies RA2 and RA3 are applicable. Policy RA3 indicates that extensions to dwellings (which also includes outbuildings) will only be permitted where the proposal together with other extensions would not result in a disproportionate increase and would not have an adverse visual impact in terms of its prominence, size, bulk and design on the surrounding countryside.

This dwelling was permitted under very special circumstances as part of the enabling works to Bedwell Park and therefore its existence is different to the majority of cases.

Justification has not been submitted as part of the development under very special circumstances and therefore the proposal needs to be assessed on its own merits under the policies above.

Consideration is given to the appeal decision for the swimming pool and summerhouse. Part of the Inspector's reasoning for allowing this development was the swimming pool would not constitute an outbuilding or extension to the dwelling and would therefore not add to floorspace and the summerhouse would be on the site of a previously permitted smaller summer house. It is not known why the Inspector thought that there was permission for a previous summer house as this was not the case. Limited weight is therefore attached to the considerations of this report.

Within the wider original curtilage of Bedwell Park is the Walled Garden House. This site has also been the subject of two planning applications (both refused) and one appeal (dismissed) for a garage/car port. These buildings were both fairly large and refused due to their impact on the Green Belt.

Turning to this application, the structure has already been built and is located adjacent to the original tennis courts. This area is more open than the location of the approved summer house and is separated from the main dwelling by footpaths and landscaped areas to the west of the building.

Whilst the building is of a fairly limited size (11m<sup>2</sup> floor area) and height of 3.25 metres, the case for enabling development submitted at the time of the original application is key to this development. Additionally, the site has been allowed 'extensions' since this time (pool and summer house) under inaccurate information. It is therefore considered that allowing any further development would result in a disproportionate increase and is therefore inappropriate development.

The visual impact is also important. Due to the separation of this building from the main dwelling, any built form has a greater impact. The building would be fairly well screened from the west by trees and by hedging from the south, however this does not mean that permission should be granted or that this overcomes the inappropriateness of the development. Therefore the development would have an adverse impact on the visual amenity of the green belt.

Para 3.2 of PPG2 states that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to state why permission should be granted. Correspondence was sent at the early stages of the application by email requesting information to support the application, nothing has been submitted. Very special circumstances have therefore not been advanced and the proposal therefore fails under RA3 and PPG2.

2. The building is located to the south of the listed building. Due to the separation of the building from the main listed building, it is considered that there would not be any harm to its setting. The proposal therefore complies with PPG15.

3. Allowing development on the site would be likely to create a precedent for a pavilion for the other tennis court. Whilst this is not a reason in itself for refusing development it is a planning consideration of limited weight.

The building has been finished in a mocha colour which was refused when submitted as colour for the summer house. This condition has not been discharged for the summer house development and is considered to be an unacceptable colour for this development by being out of context with the surrounding landscape. The proposal therefore fails to comply with policy D2. However, this could be controlled by condition requesting details of the colour to be submitted.

The location of the building is considered to not have a harmful impact upon the landscape character area and therefore complies with policy RA10.

**CONCLUSION:**

**RECOMMENDATION: REFUSAL AND REASON (S)**

1. The proposed building represents an inappropriate form of development that would result in a disproportionate increase in the size of the dwelling when taken into account with the case for enabling development and the previously approved swimming pool and summer house. By virtue of its prominence, size and bulk would have an adverse visual impact upon the openness and visual amenity of the Green Belt. No very special circumstances have been given for development to be granted. The proposal would thereby be contrary to policies RA1 and RA3 of the Welwyn Hatfield District Plan 2005.

**INFORMATIVES:**

None

**DRAWING NUMBERS:**

4493/TCH/CR/01 & 4493/TCH/SLP/01 Rev B & 4493/TCH/CR/SP/01 Rev B received and date stamped 11 March 2008

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

**Date.....**