

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

<b>APPLICATION No:</b>	<b>S6/2009/2677/FP</b>
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**NOTATION:**

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

**DESCRIPTION OF SITE:**

The site is located on the southern side of The Ridgeway and comprises a detached dwelling which has been previously extended.

The existing property comprises of a chalet bungalow finished in painted white render (with red brick corner details) under a plain tile pitched roof. The property has flat roofed side dormers and pitched roof front and rear dormers.

The property is set back from the road with parking on the front driveway and also an attached single garage.

The ground level falls away from the front of the site to the rear boundary, and a rear terrace exists with steps down to the back garden.

The rear garden is long and deep with distant views of open countryside in the distance.

**DESCRIPTION OF PROPOSAL:**

The application is for a replacement dwelling.

The new dwelling will be same overall depth and width of the existing dwelling, but will increase the ground and first floor area to provide a replacement integral single garage.

At first floor level, the floor area will be increase to provide four bedrooms with two en-suite bathrooms, a separate bathroom and dressing room.

To the front of the property, no changes are proposed to the existing driveway or vehicular access. The new dwelling will be set back exactly the same distance as the existing dwelling.

To the rear a new raised terrace area is provided, which will extend further back than the existing one with steps down to the rear garden. A side privacy wall is proposed on both sides along the common boundary with the adjoining neighbours.

In regards to materials, it is proposed to render the external walls and for clay tiles to the pitched roof to match the materials that currently exist on the dwelling.

The boundaries are to be retained apart from new stone boundary walls with timber stepped deck. The materials for the existing parking area are to be retained.

## **PLANNING HISTORY:**

E/989-50 – Extension to lounge – granted 19/10/50

S6/1984/0531/ - Single storey rear extension – Granted - 08/10/1984

S6/1979/0858/ - Loft conversion – approved - 17/03/1980

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

National Policy

PPS1: Delivering sustainable development

PPG2: Green Belts

PPG13: Transport

East of England Plan 2008

SS1: Achieving Sustainable Development

ENV2: Landscape Conservation

T14: Parking

Hertfordshire Structure Plan Review 1991 – 2011:

None

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP1: Definition of Green Belt

R3: Energy Efficiency

M14: Parking standards for new developments

D1: Quality of design

D2: Character and context

RA3: Extensions to dwellings in the Green Belt

RA10: Landscape Character Areas and Regions

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

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

## **CONSULTATIONS**

Landscaping – no objection suggest conditions

Client Services – no objection

## **TOWN/PARISH COUNCIL COMMENTS**

None

## **REPRESENTATIONS**

This application has been advertised by site notice and neighbour letters – no representations have been received. Period expired 11<sup>th</sup> February 2010.

## DISCUSSION:

The main issues are:

1. Whether the proposed dwelling amounts to inappropriate development in the Green Belt and, if so,
2. Whether there are any very special circumstances sufficient to overcome the presumption against inappropriate development
3. Design
4. The impact on the amenities of adjoining neighbouring properties.
5. Other Material Planning Considerations

1. National Planning Guidance in Planning Policy Guidance Note 2 'Green Belts' (PPG2) in paragraph 1.4 identifies that the most important attribute of the Green Belts is their openness. PPG2 sets out a general presumption against 'inappropriate' development in Green Belts, adding such that development should only be permitted in very special circumstances. Although the replacement of existing dwellings may be regarded as not inappropriate, this is subject to the proviso that 'the new dwelling is not materially larger than the dwelling it replaces'. It is for the development plans to then make clear the approach of the local planning authority, including the circumstances (if any) under which replacement dwellings are acceptable.

The adopted Welwyn Hatfield District Plan 2005, states that the overriding presumption is against inappropriate development within the Green Belt. There are, however, certain circumstance where the Council considers that it is acceptable to allow the replacement of an existing dwelling, such as the dwelling being unsound or incapable of habitation. Local Plan policy RA3 accords with PPG2 inasmuch as it sets out the criteria for replacement dwellings in the Green Belt:

*Policy RA 4 - Replacement of Dwellings in the Green Belt*

*Permission for replacement dwellings within the Green Belt will not be granted unless all of the following criteria are met:*

- (i) *The replacement dwelling would not materially exceed the size of the original dwelling in terms of its floorspace, height and volume (existing outbuildings (including detached garages) will not contribute to the calculation of the size of the replacement dwelling except in very exceptional circumstances);*
- (ii) *The proposed dwelling would have no greater visual impact in terms of prominence, bulk and design on the character, appearance and pattern of development of the surrounding countryside;*
- (iii) *The proposed dwelling is designed to reflect the character and distinctiveness of its rural setting and to accord with the design policies elsewhere in the plan and the supplementary design guidance.*

*Permitted development rights may be removed from the replacement dwelling where its volume is similar to that of the original dwelling and the original dwelling has already been extended.*

## Green Belt Issues

The first test necessary to establish whether the proposal would represent inappropriate development within the Green Belt, under the terms of PPG2 and Policy RA4, is to compare what is proposed with the dwelling to be replaced.

The dwelling to be replaced is considered to be the existing dwelling standing on the site. This existing dwelling's recent relevant planning history comprises of loft conversion granted in 1980 and a single storey rear extension granted in 1984. All of these extensions appear to have been completed.

The original dwelling, seems to have been constructed prior to 1948, based on evidence from previous applications, including a 1950 permission for an extension to the lounge according to the Council's records.

Drawings of the existing dwelling have been submitted as part of this full planning application and measurements have been taken from these in calculating the figures in the Green Belt Table below.

This Green Belt Table provides an overall assessment and summary of the existing and proposed gross floor areas from the information supplied by the agent.

In terms of floorspace comparisons, the LPA's assessment of gross floorspace in regards to the existing dwelling is 221 sqm and the proposed floorspace is 339 sqm.

The comparison of floorspace, is but one measure, as Policy RA4 also mentions the use of height and volume. Although drawings of existing and proposed have been submitted by the applicant, a numerical assessment is difficult due to the different roof configurations. In these circumstances, it is considered that greater reliance should be made in terms of a visual comparison from the site visit, and the photos taken during this, and from the submitted drawings in establishing whether the proposal would materially exceed the size of the existing and original building.

There is no question that the proposal would far exceed the size of the original building prior to the current extensions, however, even a comparison of the *existing* dwelling compared with that proposed clearly indicates the replacement dwelling is significantly larger in terms of floor area with a 52% increase according to LPA calculations. This is considered to be materially larger than the existing dwelling.

Notwithstanding this, it is also necessary to consider the height and volume and whether the proposal would also have greater visual impact in terms of prominence, bulk and design on the character, appearance and pattern of development of the surrounding countryside.

In terms of height, the proposed dwelling is the same height as the existing above ground level. As mentioned previously a numerical volume calculation would be difficult to calculate, however from an inspection of the drawings it is clear that the additional 117 sqm has resulted in a significant increase in volume in respect to the existing dwelling, particularly above ground floor level, with the increase in the bulk of the roof contributing to this.

From a visual assessment, it is considered the proposal will have a far greater visual impact on the openness of the Green Belt than either the original or existing dwelling, due to its greater bulk and mass. This view is reached taking into account that the

existing dwelling has, for the main part, a low eaves level with dormer style windows at the front and rear, and the new dwelling will still retain this low eaves level with the use of dormers. Although the proposed design has endeavoured to reduce the increase in size by utilising the space in the new roofspace, the resultant increase in bulk, mass and scale is still very significant.

The proposed dwelling, therefore, materially exceeds the size of the existing dwelling house, not only in terms of floorspace but also in terms of its visual impact and, in doing so, is contrary to the requirements stated in the Criteria of Policy RA4 of the Local Plan.

To conclude, the proposal does not constitute a limited replacement of an existing dwelling as defined by Policy RA4 and, as such, is by definition 'inappropriate development' that conflicts with the aims and intentions of the Local Plan, resulting in harm to the openness of the Green Belt.

**2. Very Special Circumstances**

Turning then to possible very special circumstance advanced in support of the proposal by the applicant. As required by PPG 2 it is for the applicant to show why permission should be granted. None, however, in the Council's opinion have been advanced by the applicant.

**Green Belt Table**

	<b>Floorspace (measured externally of all floors) Sqm</b>	<b>% increase (on existing)</b>	<b>Footprint (measured externally) Sqm</b>	<b>% increase (on existing)</b>
Original dwelling  (including detached garage) (or as at 1948)	115	-	115	-
Existing Dwelling (including garage and covered front porch area)	221	-	180	-

This application :  Replacement Dwelling (including garage)	338	52%	209	16%

### 3. Design

The location of the application site is along a stretch of The Ridgeway which is predominately of large and in some cases very substantial individually designed dwellings in generous plot sizes. The application proposal is also for a dwelling, which in terms of design, would not be out of character with the surrounding area.

The quality of architectural design is therefore not an issue.

The proposal therefore complies with policy D2 of the Local Plan.

### 4. Impact on the amenity of adjoining neighbours

Policy D1 and D2 are relevant along with the Supplementary Design Guidance.

The potential impact of the proposed development would be on the adjoining neighbours at No.65 & 69 The Ridgeway.

No.65:

The proposed dwelling would be no deeper than the existing dwelling and the eaves height would be very similar. The main difference would result from the addition of more dormers and the new ridgeline would be higher. In regards to the impact on sunlight/daylight to this neighbour, the proposal would have no significant impact. The proposal would also not appear unduly dominant or overbearing when viewed from this neighbours property. The main concern related to the side dormers which could potentially overlook this neighbour and it would be reasonable to impose a planning condition for the two rear side dormers to the master bedroom to prevent overlooking and also for the en-suite bathroom. The front side dormer would be the only window to bedroom one, however, this would only overlook the open frontage area of No.65 and so this would have limited impact. Bearing in mind that the front of the building is less private than the rear it is considered that this would not be an issue.

No.69:

Although the new dwelling would increase the size of the building towards the boundary with this neighbour, the depth of the new dwelling would not extend significantly beyond the rear elevation of this adjoining neighbour. There does exist a couple of first floor side dormers on this neighbouring property, but the proposed roof of the new dwelling would slope away from these sufficiently to ensure that there would be no significant loss of sunlight/daylight to these. There are side rooflights proposed in the roof of the proposed dwelling which could cause a loss of privacy to this neighbour and so it would be reasonable to impose a planning condition to ensure that these rooflights are obscure glazed.

Rear Terrace & Side Privacy Walls.

The impact of this on the residential amenity of Nos 65 & 69 is a concern as this terrace and flight of steps would be significantly deeper than the existing terrace.

The rear ground level at No.69 (which forms a terrace around a pool area) would be much lower than the proposed retaining wall and privacy wall above. The impact on this neighbour is considered unacceptable as it would appear overbearing and would result in a loss of sunlight/daylight to this terrace area.

The rear ground level at No.65 is also lower and privacy already is possible a concern as the close boarded fence has already been raised above 2m along this part of the common boundary. The impact of the new deeper rear terrace and privacy wall is also a concern in regards to the impact on this neighbour as it would raise the same concerns as at No.69 with regards to it appearing overbearing and would result in a significant loss of sunlight/daylight to the rear garden area.

It is considered that the proposed rear privacy walls would fail to meet the requirements of the Supplementary Design Guidance in regards to them appearing overbearing to the adjoining neighbours and would also result in a significant loss of sunlight/daylight to their gardens.

## **5. Other Matters**

### Highways

The proposal complies with the requirements of the Supplementary Guidance on Parking Standards as there is at least three parking spaces.

### Trees

The Council's arboriculturalist has recommended the use of planning conditions to ensure that an acceptable landscaping scheme can be approved.

### Landscape character Area

Policy RA10 is relevant. The proposal is not considered to have a harmful impact on the landscape character areas.

## **CONCLUSION:**

To conclude, it is considered that due to the combined size and bulk of the proposed replacement dwelling, that it would be materially larger than the original and existing dwelling and so would harm the openness of the Green Belt, which is its most important attribute and so contrary to Policy RA4 . No very special circumstances are considered to exist.

The proposed side privacy and retaining walls on the common boundary would harm the residential amenity of the neighbours at Nos.69 & 65 The Ridgeway. The proposal is therefore contrary to Policy D1 and the accompanying Supplementary Design Guidance.

**RECOMMENDATION: REFUSAL AND REASONS**

That planning application S6/2009/2677/FP be refused for the following reasons:

- 1. The site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development. The proposed replacement dwelling would materially exceed the size of the original dwelling being replaced as it would be significantly bulkier due to the increase in floorspace and volume. It would also appear a more conspicuous structure and, as a consequence, it would also be more visually intrusive in the countryside to the detriment of the openness, character, appearance and visual amenity of the Green Belt. As such, the proposed development represents inappropriate development and no very special circumstances are apparent in this case to set aside Green Belt policies of restraint, and so is contrary to the advice contained in Planning Policy Guidance Note 2 and would conflict with Policy RA4 of the Welwyn Hatfield District Plan 2005.
  
- 2. The proposed rear side retaining and privacy walls to the new rear terrace and steps would appear overbearing and so harmful to the residential amenity of the adjoining neighbours at Nos.65 & 69 The Ridgeway due to their excessive height and close proximity to these adjoining properties rear private amenity space. Furthermore, the height of these walls would also significantly impact on the sunlight and daylight to these adjoining rear gardens. The proposal is therefore contrary to Policy D1 of the Welwyn Hatfield District Plan 2005 and the accompanying Supplementary Design Guidance and Planning Policy Statement 1 (Sustainable Development).

**INFORMATIVES: None**

**DRAWING NUMBERS:**

001 P2 & 006 P2 & 007 P3 received and date stamped 5<sup>th</sup> January 2010

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