

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

<b>APPLICATION No:</b>	<b>S6/2010/0404/FP</b>
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**NOTATION:**

The site lies wholly within the Metropolitan Green Belt, Landscape Character Area 53 as defined by the Welwyn Hatfield District Plan Proposals Map.

**DESCRIPTION OF SITE:**

The application site is located on the north east side of the Firs Wood Close and consists of a two storey mid-terrace dwelling with a small a rear garden. The dwelling fronts onto a courtyard. Beyond the site boundary to the rear is a large open area of grass with extensive views to open countryside. The application dwelling features a large rear dormer providing additional accommodation within the roof space. A number of neighbouring dwellings feature existing rear extensions and conservatories.

**DESCRIPTION OF PROPOSAL:**

This application seeks full planning permission for the erection of a rear conservatory measuring approximately 3m in depth x 4.3m in width x 3.4m in height.

**PLANNING HISTORY:**

S6/2009/1571/FP – Erection of a Rear Conservatory (Refused 30/10/2009)

Summary of reasons for refusal of planning application S6/2009/1571/FP:

1. The site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development. The proposed conservatory would add considerably to the bulk of the existing building resulting in a prominent addition. The cumulative impact of the existing dormer and the proposed conservatory would result in a disproportionate increase that is not subordinate to the scale of the original dwelling and out of character with the appearance and pattern of development. As such, the proposals would have an adverse effect on the open characteristics of the Green Belt and represent inappropriate development and as no very special circumstances have been advanced of sufficient weight to set aside Green Belt policies of restraint.

**SUMMARY OF DEVELOPMENT PLAN POLICIES:**

National Planning Policy:

PPS1 Delivering Sustainable Development

PPG2 Green Belts

East of England Plan:

SS1 Achieving Sustainable Development

ENV2 Landscape Conservation

ENV7 Quality in the Built Environment

Welwyn Hatfield District Plan 2005:  
SD1 Sustainable Development  
R3 Energy Efficiency  
GBSP1 Definition of the Green Belt  
RA3 Extensions to Dwellings in the Green Belt  
RA10 Landscape Regions and Character Areas  
D1 Quality of Design  
D2 Character and Context  
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 – No response (consulted 06/05/2010)

#### **REPRESENTATIONS**

The application was advertised by site notice and neighbour notification letters. No letters of representation were received. Notification expired 03/06/2010.

#### **DISCUSSION:**

The main issues are:

1. Background
2. Impact on the Green Belt and Landscape Regions and Character Area
3. Landscape Regions and Character Areas
4. Quality of Design and Character and Context
5. Sustainable Development

##### **1. Background:**

The application dwelling has previously been extended by way of a flat roof dormer to the rear which it is understood was constructed under permitted development rights. A number of neighbouring dwellings feature existing extensions or conservatories. These do not benefit from planning permission and are understood to have been constructed in accordance with permitted development rights outside of planning control. Notwithstanding this, the current proposal must be considered on its own merits in the light of the extant development plan and all other material planning considerations.

The current application is a resubmission following refusal of planning application S6/2009/1571/FP which was considered inappropriate development in the Green Belt. The current application proposes a conservatory that has been reduced in scale by virtue of a reduction in depth from approximately 4.25m to 3m.

##### **2. Impact on the Green Belt:**

The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt and it is for the applicant to show why permission should be granted. Very special circumstances to justify

inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The limited extension, alteration or replacement of existing dwellings is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building.

In addition, Policy RA3 requires that permission for extensions to existing dwellings within the Green Belt will be allowed if it would not have an adverse visual impact in terms of its prominence, size, bulk and design on the character, appearance and pattern of development of the surrounding countryside.

The main issues are therefore:

1. Whether or not the proposed extensions would amount to inappropriate development in the Green Belt.
2. The effect of the extensions on the openness of the Green Belt and its visual amenity.

**Whether or not the proposed extensions would amount to inappropriate development in the Green Belt:** In terms of floorspace, the original dwelling measured approximately 69sqm. It is estimated that the existing dormer and loft conversion added approximately 17sqm (half that of the ground and first floor) as no floor plan has been provided. The proposed conservatory would add a further 13sqm resulting in a total cumulative floorspace of approximately 99sqm equivalent to a 43 percent increase over the original dwelling. This level of increase is at the limit of what the Council consider to be proportionate and is acceptable in this case by virtue of the limited increase in terms of scale, height and bulk.

**The effect of the extensions on the openness of the Green Belt and its visual amenity:** PPG2 identifies in paragraph 1.4 that the fundamental aim of Green Belt policy is to keep land permanently open; openness being the most important attribute of the Green Belt. Policy RA3 of the Welwyn Hatfield District Plan requires extensions not to have an adverse visual impact on the character, appearance and pattern of development in the surrounding countryside.

In terms of the effect of the proposal on the openness of the Green Belt it is considered that the proposed increase in volume would materially increase the bulk and mass of the house thereby reducing the openness of the Green Belt. However, in term of visual amenity, the extended house would be seen in the context of a terrace of houses, many of which have been extended in a similar manner. Furthermore, it is likely that a similarly proportioned conservatory or extension could be achieved in accordance with permitted development rights outside the control of the Local Planning Authority. Given the context of the extended house it is considered that the proposal would not have a detrimental impact upon the visual amenity of the Green Belt sufficient to warrant refusal of planning permission. The proposed conservatory overcomes the reason for refusal of planning application S6/2009/1571/FP and are in accordance with PPG2 and Policy RA3 of the Welwyn Hatfield District Plan, 2005.

### **3. Landscape Regions and Character Areas:**

Policy RA10 requires developments to contribute to the landscape character and region. The application site is located with Landscape Character Area 53 where there is a strategy to 'Conserve and Strengthen' the condition and character of the area. The proposal would not have any direct impact upon the local landscape quality of the area and although would not contribute would not be contrary to this policy.

### **4. Quality of Design and Character and Context:**

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 and D2 of the Welwyn Hatfield District Plan 2005 respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location. The residential design guidance emphasises that extensions should complement and reflect the design and character of the dwelling and be subordinate in scale. Additionally, extensions should respect existing spacing and not appear cramped on the site and the locality in general, not cause loss of light, materials should match and any overlooking towards living areas of adjacent dwellings should be minimised.

The proposed conservatory would be highly visible from the open space to the rear of the application site and the countryside beyond. Notwithstanding this, the conservatory is similar in design and scale to existing conservatories within the terrace and is therefore considered to be acceptable in terms of its impact upon the character and appearance of the existing dwelling. The proposals are considered to be in accordance with PPS1, Policy SS1 and ENV7 of the East of England Plan 2008, Policy D1 and D2 of the Welwyn Hatfield District Plan and Supplementary Design Guidance, February 2005 (Statement of Council Policy).

### **5. Impact on Neighbour Amenity:**

The proposed conservatory would abut an existing extension to the east at No.33 Firs Wood Close. As such, no windows would be located within the east facing flank elevation. High level windows are proposed within the west facing flank elevation approximately 2m above ground level. The proposals would not have a significant impact on the residential amenity currently enjoyed by occupiers of neighbouring dwellings. No neighbour letters were received and Northaw and Cuffley Parish Council did not comment. The proposed conservatory is in accordance Policy D1 Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005 (Statement of Council Policy).

### **6. Sustainable Development:**

The applicant has submitted completed the sustainability checklist in accordance with Policies R3 of the District Plan and SD1 of the Supplementary Design Guidance. The applicant has indicated within the submitted sustainability checklist that the conservatory would feature double glazed sealed units and insulated cavity walls.

## **CONCLUSION:**

The proposed extensions overcome the reason for refusal of planning application S6/2009/1571/FP in accordance with PPS1, Policy SS1 and ENV7 of the East of England Plan 2008, Policy D1 and D2 of the Welwyn Hatfield District Plan and Supplementary Design Guidance, 2005 (Statement of Council Policy).

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

**CONDITIONS:**

1. C.2.1 – Time Limit
2. C.13.1 – The development/works shall not be started and completed other than in accordance with the approved plans and details 1:1250 Site Location Plan & 1:500 Block Plan received and dated 14 April 2010 & EN6 4BY/Firw-321 & EN6 4BY/Firw-325 received and dated 03 June 2010
3. C.5.2 – Matching Materials

**SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:**

The proposal has been considered against National Planning Policy PPS1, PPG2 and Policy SS1, ENV1, ENV2, and ENV7 of the East of England Plan 2008 and development plan policies (i.e. Welwyn Hatfield District Plan 2005 GBSP1, SD1, R3, RA3, RA10, D1, D2 and Supplementary Design Guidance), 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).

**INFORMATIVES**

None

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