

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2011/0991/FP
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NOTATION:

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

DESCRIPTION OF SITE:

The application site comprises of a semi detached dwellinghouse with a single storey side extension. To the rear of the dwelling is open countryside.

DESCRIPTION OF PROPOSAL:

The proposal is for a first floor side extension above the existing side extension which was granted planning permission in 2003. The extension will create a fourth bedroom in addition to a family bathroom and ensuite. Proposed on the rear elevation of the first floor extension is a Juliette balcony.

PLANNING HISTORY:

S6/2003/1374/FP – Erection of single storey side extension after demolition of existing extension. Granted

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy

PPS1: Delivering sustainable development

PPG2: Green Belts

PPS9: Biodiversity and Geological Conservation

East of England Plan 2008

SS1: Achieving Sustainable Development

ENV7: Quality in the Built Environment

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP1: Definition of the 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 Regions and Character Areas

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

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

CONSULTATIONS

Hertfordshire Highways comment that the extension will not impact upon highway safety or capacity. No works within the public highway are required.

TOWN/PARISH COUNCIL COMMENTS

Essendon Parish Council commented that, 'generally most councillors were content with the proposal. One councillor was concerned at the possible 'terracing' effect (particularly if the adjacent neighbour also builds a two storey extension) and the loss of relieving view to the countryside beyond. Bathrooms should have obscured glazing.

REPRESENTATIONS

This application has been advertised by neighbour notification and site notice and 0 representations have been received. Period expired 14th July 2011.

DISCUSSION:

The main issues are:

- 1. The impact of the proposal on the openness of the Metropolitan Green Belt**
- 2. The impact of the proposal on the design and character of the dwelling and surrounding area**
- 3. The impact of the proposal on the amenity of adjoining dwellings**
- 4. Other material planning considerations**

1. The impact of the proposal on the openness of the Metropolitan Green Belt

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. It is for the development plans to then make clear the approach of the local planning authority, including the circumstances (if any) under which extensions to dwellings are acceptable.

Local Plan Policy RA3 accords with PPG2 in as much as it sets out the criteria for extensions to dwellings in the Green Belt:

Policy RA3 – Extensions to Dwellings in the Green Belt

Permission for extensions to existing dwellings within the Green Belt will be allowed only where all the following criteria are met:

(i) The proposal would not individually or when considered with existing or approved extensions to the original dwelling, result in a disproportionate increase in the size of the dwelling;

(ii) It would not have an adverse visual impact (in terms of its prominence, size, bulk or design) on the character, appearance and pattern of development of the surrounding countryside.

The dwellinghouse has been extended upon previously through a single storey side extension. The existing side extension equates to a floor area of 35.6m² with the proposed floor area of the first floor side extension equating to 35.97m². The floor area of the original dwellinghouse measures 94.98m². The proposal in addition to the existing side extension accumulates in a 71.6% increase upon the floorspace of the original dwellinghouse. The cumulative effect of the proposed extensions in addition to existing extensions would result in a disproportionate increase in the size of the original dwelling. The proposed increase in floorspace would have an adverse affect on the open characteristics of the Green Belt as a result of increasing its developed appearance and adding considerably to the bulk of the building. The proposed extension does not constitute an appropriate form of development within the Green Belt and no very special circumstances have been given that would justify the approval of this proposal and therefore fails to comply with National Planning Policy Guidance 2 Green Belts and Policy RA3 of Welwyn Hatfield Council District Plan 2005.

2. The impact of the proposal on the design and character of the dwelling and surrounding area

Policy D1 requires the standard of design in all new development to be of a high quality. Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. Development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area.

The architectural style, windows, detailing and materials are appropriate to the original dwelling and the design of the scheme does not have an adverse visual impact upon the character and appearance of the existing dwelling. The extension would be constructed of materials that are in keeping with the existing dwelling and the local area. No letters of objection have been received and Essendon Parish Council did not object. An approximate 1 metre separation space would be maintained at first floor level between the flank wall of the extension and the boundary with adjoining dwelling, No.14. The proposal would not have a significant impact on the design and character of the dwelling and surrounding area in compliance with policy D1 and D2 of the Welwyn Hatfield District Plan, 2005.

3. The impact of the proposal on the amenity of adjoining dwellings

Policy D1 and the supplementary design guidance paragraph 5.2 (Section 5 Residential Extensions) states in part iii) the extension should not cause loss of light or be unduly dominant from adjoining properties, as a result of either the length of projection, the height or the proximity of the extension. In addition paragraph 5.7 states that new extensions should be designed, orientated and positioned in such a way to minimise overlooking between dwellings.

The proposed extensions would not result in loss of light or have an overbearing impact on the occupiers of the adjacent properties. In the interest of neighbour amenity, the first floor window on the side elevation should remain fixed and obscure glazed by way of a planning condition. The extension would not have a detrimental impact upon the privacy currently enjoyed by neighbouring occupiers. The proposals are in accordance with Policy D1 and Supplementary Design Guidance.

4. Other material planning considerations

Car Parking: Supplementary Planning Guidance on Parking Standards identifies the site as within Zone 4. Residential dwellings with four bedrooms located within Zone 4

require a maximum 3 car parking spaces. Two off street parking spaces are provided to the front of the dwelling. The plans submitted do not show provision for a third car parking space on site. However, Hertfordshire Highways have commented that the extension will not impact on highway safety and capacity and therefore the potential addition of a third car on the highway by not making provision for a third car parking space on site is not considered to impact on highway safety. The proposal is therefore considered to comply with policy M14 of the Welwyn Hatfield District Plan, 2005.

Landscape Character Area: Policy RA10 states that proposals for development in the rural areas will be expected to contribute, as appropriate, to the conservation, maintenance and enhancement of the local landscape character of the area in which they are located. The application site is located within the Little Berkhamsted Settled Plateau Landscape Character Area. The objectives of this area are to conserve and strengthen. Taking into consideration the scale of the proposal, it is not considered to detract from these objectives. The proposal therefore complies with policy RA10 of the Welwyn Hatfield District Plan, 2005.

Sustainable Development: Policy R3 states that the council expects all development to include measures to maximise energy conservation through the design of buildings, site layout and provision of landscaping. The development does not propose any specific measures however the applicant has submitted a sustainability checklist in accordance with policy SD1 and R3 of the Welwyn Hatfield District Plan, 2005.

Protected Species The presence of protected species is a material consideration, in accordance with PPS9 (Biodiversity and Geological Conservation), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05.

Protected species such as great crested newts, otters, dormice and bats benefit from the strictest legal protection. These species are known as European Protected Species ('EPS') and the protection afforded to them derives from the EU Habitats Directive, in addition to the above legislation. Water voles, badgers, reptiles, all wild birds, invertebrates and certain rare plants are protected to a lesser extent under UK domestic law (NERC Act and Wildlife and Countryside Act 1981).

The existing site and development is such that there is not a reasonable likelihood of EPS being present on site nor would a EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

East of England Plan 2008: On 10th November 2010, The High Court quashed the decision of the Secretary of State for Communities and Local Government to unilaterally revoke Regional Spatial Strategies in England on two grounds:

- That he acted outside his statutory powers in circumventing the need for parliamentary scrutiny of such a fundamental change to the national planning system; and
- He failed to consider the likely environmental effects of revoking Regional Strategies

However, the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Bill. In the meantime, the policies in the East of England Plan are re-established and form part of the development plan again and are therefore a material consideration which can be taken into account in reaching a

decision. However, the Government's intention to abolish Regional Spatial Strategies is also a material consideration that could be considered to reduce the weight to be attached to policies in Regional Spatial Strategies.

The application has been considered against policies in the East of England Plan, which at the time of this decision forms part of the development plan for the Borough but that the weight accorded to these policies, in light of the above circumstances, has been carefully considered in reaching a decision.

CONCLUSION:

The proposal fails to comply with PPG2 Green Belts and Policy RA3 of the Welwyn Hatfield District Plan 2005.

RECOMMENDATION: REFUSAL AND REASON (S)

- 1. The site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development. The proposed extension would result in a disproportionate increase that is not subordinate to the scale of the original dwelling. The proposed extensions would have an adverse affect on the open characteristics of the Green Belt as a result of increasing its developed appearance and adding considerably to the bulk of the building. As such, the proposals represent inappropriate development and as no very special circumstances have been advanced of sufficient weight to set aside Green Belt policies of restraint, is contrary to the advice contained in Planning Policy Guidance Note 2 and would conflict with Policies RA3 of the Welwyn Hatfield District Plan 2005.

DRAWING NUMBERS:

12EV1-1 Rev.B Sheet 4 of 4 & 12EV1-1 Rev.B Sheet 1 of 3 & 12EV1-1 Rev.B Sheet 2 of 3 & 12EV1-1 Rev.B Sheet 3 of 3 & 12EV1-2 & 12EV1-3 received and dated 8th June 2011

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