

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

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| <b>APPLICATION No:</b> | <b>S6/201/1868/FP</b> |
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**NOTATION:**

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

**DESCRIPTION OF SITE:**

The site is located in the southern section of Bedwell Park, which consists of a Grade II listed building currently undergoing conversion to residential accommodation, along with newly constructed dwellings built as part of the enabling development for renovation works to the listed building. Pulham House (formerly known as Tennis Court House) is a large, detached three-storey dwelling lying in approximately 2.25 acres of land, which also comprises an outdoor swimming pool, summerhouse and a tennis court with associated changing pavilion.

**DESCRIPTION OF PROPOSAL:**

The application is for a storage shed measuring approximately 4m in width, 5m in depth and 3.26m in height. The shed is constructed primarily from timber, with a cedar shingle roof.

**PLANNING HISTORY:**

S6/2009/2401/MA – Erection of kennel – Refused 02/02/2010. This application was subsequently allowed on appeal.

S6/2009/2400/MA – Erection of shed – Approved 28/01/2010. This proposal was a smaller shed in the position of the proposed development.

S6/2009/0697/MA – Retention of shed and kennel – Refused 10/08/2009.

S6/2008/1135/MA – Erection of tennis court changing pavilion – Approved 03/09/2008

S6/2008/0557/FP – Erection of tennis court changing pavilion – Refused 01/05/2008

S6/2007/1408/FP – Outdoor swimming pool – Approved 12/11/2007

S6/2007/0592/FP – Swimming pool and summer house – Refused 05/06/2007, 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

dwelling 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 – Approved 11/01/2005

S6/2001/0208/LB and S6/2001/0210/FP – 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 – Approved 21/01/2002

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) – Refused 17/09/2001.

S6/1996/0484/FP and S6/1996/0483/LB – Single storey extension to provide new laundry, enlarged ladies locker room and removal of vent – Approved 02/08/96

S6/1995/0414/FP and S6/1995/0539/LB – Conservatory – Approved 04/08/1995

S6/1993/0709/FP and S6/1993/0710/LB – Single storey extension to golf club house – Approved 16/12/1993

S6/1990/1019/FP and S6/1990/1020/LB – Demolition of maintenance building, external alterations and single storey extensions to enable extended building to be used for hotel, golf and country club – Approved 04/12/1991

S6/1987/0135/FP – Full planning permission for 18 hole public golf course – Approved 03/07/87

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

### National Policy

PPS1: Delivering sustainable development

PPG2: Green Belts

PPS5: Planning and the Historic Environment

PPS9: Biodiversity and Earth Heritage

### East of England Plan 2008

SS1: Achieving Sustainable Development

SS2: Overall Spatial Strategy

ENV2: Landscape Conservation

ENV3: Biodiversity & Earth Heritage

ENV7: Quality in the Built Environment

### Welwyn Hatfield Local Plan:

SD1: Sustainable Development

GBSP1: Definition of the Green Belt

D1: Quality of Design

D2: Character and Context

RA3: Extensions to Dwellings in the Green Belt  
R9: Archaeology  
RA10: Landscape Regions and Character Areas

Supplementary Design Guidance

## **CONSULTATIONS**

None.

## **ESSENDON PARISH COUNCIL COMMENTS**

No comments received.

## **REPRESENTATIONS**

This application has been advertised by way of neighbour notification letter and site notice. The notification period expired on 21<sup>st</sup> December 2011. No representations have been received.

## **DISCUSSION:**

The main issues are:

- 1. Whether there would be harm to the Green Belt by reason of inappropriateness or other harm, and if so, whether such harm would be outweighed by other considerations;**
- 2. Whether there is an impact on the Character and Setting of the Listed Building;**
- 3. Whether there is any impact on the Landscape Character Area or Area of Archaeological Significance;**
- 4. Other Material Planning Considerations.**

1. The site lies within the Green Belt and the development must therefore be assessed against PPG2. PPG2 set what development is not inappropriate and gives a presumption against inappropriate development. 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.

Policy RA3 of the Welwyn Hatfield District Plan states that extensions will only be allowed where 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. PPG2 and Policy RA3 also indicate that the fundamental aim of Green Belt policy is to retain openness and that extensions to dwellings (which also includes outbuildings) will only be permitted where the proposal would not have an adverse visual impact in terms of its prominence, size, bulk and design on the surrounding countryside.

In this instance, a shed has been approved within the application site but of a smaller size (approximately 12m<sup>2</sup>). This is a relatively modest footprint when considered against the size of the main dwelling, however there are other important factors that must be taken into account.

The first is that Pulham House itself was permitted under very special circumstances as part of the enabling works to Bedwell Park and therefore this proposal is being assessed in a different context to that of an average Green Belt dwelling. In dismissing an appeal against the Local Planning Authority's refusal for a car barn and lockable store at the neighbouring property, Walled Garden House (also part of the wider Bedwell Park development), the Inspector expressed the view that *"the enabling development was the minimum necessary to secure the future of the heritage asset. I would not expect further additions to take place other than in very special circumstances"*<sup>1</sup>. It should be noted that this proposal comprised a substantial addition.

The second consideration is that there is an existing tennis court pavilion on the site which was granted planning permission under application S6/2008/1135/MA as a result of a very special circumstances claim (in particular the historical existence of tennis courts on the site prior to any built development), and also a summerhouse which was granted planning permission on appeal in 2007. Cumulatively, these two buildings cover an additional floor area of approximately 48m<sup>2</sup>.

Thirdly, the appeal of the recently refused application for a dog kennel set out several relevant considerations for outbuildings on this site. It was noted that the proposed dog kennel was of modest proportions and when all of the outbuildings within the site are taken into consideration the cumulative increase from the original dwelling's footprint would be approximately 20%. When considered cumulatively with the existing additions the dog kennel was not considered to be a disproportionate addition.

At the time of the site visit the shed and its contents was assessed in detail. The equipment contained within the shed included a large ride on lawn mower and various items for garden maintenance. Several of these items were hung on the walls and it did not appear that smaller building would be able to accommodate the equipment in a way that they would be easily or reasonably accessible when the items are needed.

When assessing the application plot with its extensive landscaping and trees that it contains, the equipment within the shed is considered to be reasonable for general maintenance that would be incidental to a site of this size.

The building is sited in a position that is discrete from the surrounding area and forms an area of lower ground within the plot. The surrounding vegetation prevents the outbuilding from being noticeable from the surrounding area. The building is timber and designed for storage rather than habitable accommodation, due to the headroom, lack of insulation and limited internal floorspace, the building is unlikely to be used for purposes other than storage.

It is clear that the applicant has use a sequential approach to achieve several additional building within the site that have the potential to erode the openness of the Green Belt. Furthermore, the existing development is either at or very close to the limit of what can be considered to be appropriate development under PPG2.

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<sup>1</sup> Planning Inspectorate reference APP/C1950/A/07/2050923, decision date 12<sup>th</sup> December 2007.

However, when considering the site has consent for a smaller outbuilding in this position the proposal would not result in a significantly greater impact upon the openness of the site, even when considered with all of the existing additions. Furthermore, when all extensions and additions are considered, although close to the maximum, the proposed development would comprise a limited addition to the original dwelling.

When permitted development rights were withdrawn at the time of granting planning consent the aim appears to have been to prevent excessive additions that would impact upon the openness of the Green Belt. However, the proposal is considered to be incidental and necessary for the application dwelling. The proposal would be appropriate development and would not have any noticeably greater impact upon the openness and visual amenity of the Green Belt.

2. The structure is located to the south of the listed building, approximately 200 metres away. It is therefore considered that there would not be any harm to the listed building's setting. The proposal therefore complies with PPS5.

3. The location of the building is considered not to have a harmful impact upon the Landscape Character Area and therefore complies with ENV2 and Policy RA10 of the Welwyn Hatfield District Plan. The shed sits on top of the ground and no excavations appear to be involved in its construction, therefore the development will not have any impact on the Area of Archaeological Significance and is in compliance with PPG16 and Policy R29 of the Welwyn Hatfield District Plan.

4. The shed has a small light on the front elevation. No lighting assessment has been submitted with this application, however this light is of a fairly small scale and it seems improbable that in its current form it would have any detrimental impact on the Green Belt or on the amenity of neighbouring occupiers.

## **CONCLUSION**

It is considered that the proposed development would not represent a disproportionate addition to the original dwelling and would not have an adverse impact upon the openness and visual amenity of the Green Belt. The shed represents an appropriate building which is used incidentally to the main use of the large dwelling and grounds. The application is considered to be acceptable and would comply with the relevant requirements of the Welwyn Hatfield District Plan 2005.

## **RECOMMENDATION: APPROVAL WITH CONDITIONS**

### **CONDITIONS:**

1. C.13.1: Development in accordance with approved plans/details 3338-01D & 3338-03 C received and dated 28 October 2011.

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

The proposal has been considered against Planning Policy Statement/Guidance PPS1, PPG2, PPS5, PPS9, East of England Plan 2008 policies SS1, ENV1, ENV2,

ENV3 and ENV7 and development plan policies SD1, GBSP1, D1, D2, RA3, R9 and RA10 of the Welwyn Hatfield District Plan 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).

**INFORMATIVES:** None.

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