

**WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT**  
**DELEGATED REPORT**

**APPLICATION No: S6/2013/2730/FP**

**SITE ADDRESS: Woodfield, Woodfield Lane, Brookmans Park**

**DESCRIPTION OF DEVELOPMENT: Erection of replacement garage**

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**RECOMMENDATION: REFUSAL**

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**1. SITE AND APPLICATION DESCRIPTION:**

The application site comprises of a semi-detached two storey dwelling set within large grounds. The property is set well back from the street scene behind the neighbouring properties that front onto Woodfield Lane. The property and the immediate neighbours form a small cluster of residential properties within the wider countryside that forms the Green Belt. The garage to be replaced is set to the north of the dwelling directly adjacent to the two detached neighbouring properties at Woodfield Lodge and Woodfield Cottage. The ground level is uneven between the application site and the neighbouring properties.

The application proposes a replacement garage that will have the same footprint as existing but will have an increase in height that results in a change in its form. The maximum height will increase by 0.9m and will reach an overall height of 5.7m. The building is proposed to be of brick and hanging slate tiles with natural slate roof tiles.

**2. SITE DESIGNATION:**

The site lies within the Green Belt and North Mymms Common and Newgate Street Farmed Plateau Landscape Character Area as designated in the Welwyn Hatfield District Plan 2005.

**3. RELEVANT PLANNING HISTORY:**

S6/1980/0321/ - 8ft high fencing. Granted 10 July 1980.

S6/1980/0737/ - Single storey extension between swimming pool and garage.  
Granted 27 November 1980

S6/1981/0518/ - Entrance porch. Granted 5 October 1981

S6/1987/0445/FP - Single storey side extension. Refused 31 July 1987

S6/1987/0731/FP - Single storey side and rear extensions. Granted 25 September 1987

S6/1990/0322/FP - Erection of single storey side extension comprising of double garage and study. Granted 28 May 1990

S6/2001/0976/FP - Conversion of detached garage into ancillary residential accommodation. Granted 25 October 2001

S6/2012/1747/AM - Application for the modification of Planning Obligation for planning permission S6/2001/0976/FP (Conversion of detached garage into ancillary residential accommodation). Granted 10 April 2013

#### **4. CONSULTATIONS:**

Welwyn Hatfield Borough's Landscaping Team: No objections

#### **5. NEIGHBOUR REPRESENTATIONS:**

The application was advertised by neighbour notification letters, comments have been received and summarised as follows:

- The garage forms the party wall to Woodfield Cottage, if removed it would compromise the structural integrity of this property.
- Infringement and loss of privacy.
- No provision for guttering, thereby causing drainage issues.
- Proposed structure would be more prominent and visually obtrusive.
- The building is visible from the public highway.
- Loss of light to internal rooms and overshadowing. Loss of visibility.
- Overbearing impact given the proximity of the structure.

#### **6. TOWN/PARISH COUNCIL REPRESENTATIONS**

No representations have been received from Hatfield Town Council.

#### **7. MAIN PLANNING ISSUES AND RELEVANT PLANNING POLICIES:**

The main planning issues with this application are:

**a)** principle of development and the impact of the proposal on the openness of the Green Belt, character and appearance of the existing property and the surrounding area (NPPF paragraphs 79 – 89, Policies GBSP1, RA3, D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance),

**b)** impact on the residential amenity of nearby and neighbouring properties (Policy D1 of the Welwyn Hatfield District Plan 2005)

#### **8. ANALYSIS:**

**a) principle of development and the impact of the proposal on the openness of the Green Belt, character and appearance of the existing property and the surrounding area**

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. In the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

The National Planning Policy Framework (NPPF) states that the extension or alteration of dwellings is not inappropriate in Green Belts, 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 relates to the extension of dwellings in the Green Belt. It states the following:

*“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 and design) on the character, appearance and pattern of development of the surrounding countryside.*

*This policy also applies to those outbuildings for which planning permission is required.”*

Policy RA3 is considered to be consistent with the policies contained in the NPPF relating to Green Belts and therefore significant weight should be given to it in the determination of this planning application.

The main issues to consider in terms of Green Belt policy, therefore, are the appropriateness of the development; effect on the openness of the Green Belt and the character and appearance of the host dwelling and surrounding area; if it is inappropriate development are there any very special circumstances to justify its approval.

#### *Appropriateness of development*

The NPPF accepts that within the Green Belt the extension or alteration of a building is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building (para. 89). Local Plan Policy RA3 contains a broadly similar provision. Neither the NPPF or Policy RA3 provide specific guidance on assessing the size of a property in order to assess whether or not an addition is disproportionate. In this case, an outbuilding currently exists in the site location and is separate from the main dwelling and so the increase in the height of the building is an indicator.

The existing building has a gabled end that faces north towards Woodfield Lodge and a hipped roof facing south. The entire roof would be raised by 0.9m to form a partial hipped roof; this would result in an overall height of 5.7m. The existing maximum height reaches 4.8m. The overall increase in height is not considered substantial when viewed from the perspective of the street scene and between the two neighbouring dwellings at Woodfield Lodge and Woodfield Cottage. It is therefore, not considered significantly inappropriate development.

#### *Openness, character and appearance*

The fundamental aim of Green Belt policy as set out in para. 79 of the NPPF and Local Plan Policy RA3 (ii) is to prevent urban sprawl by keeping land permanently open. Furthermore, as the site lies within North Mymms Common and Newgate Street Farmed Plateau Landscape Character Area, Local Plan Policy RA10 is also

relevant which 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 objectives for this landscape character area are to conserve and restore.

The existing site area of the garage is set amongst two neighbouring properties with the backdrop of Woodfield beyond, it is therefore more associated with the neighbouring properties than the host dwelling. Whilst the overall mass of the roof will increase to its south elevation, this is not so prominent from its north elevation that would be most visible outside the application site boundary. It is noted that the gaps between buildings form part of the rural landscape of the area and they are a component of the local landscape character, whilst some erosion of this visual permeability of the street scene will occur due to the height increase, it is not considered significantly over and above the height of the existing building.

In terms of visual amenity, character and appearance of the host dwelling and surrounding area, the NPPF states that the Government attaches great importance to the design of the built environment. Policy D1 of the Welwyn Hatfield District Plan 2005 requires the standard of design in all new development to be of a high quality and Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan. As stated above, the building is set closer to the neighbouring properties and therefore, not considered to harm the character and appearance of the host dwelling. The style of the building is not considered inappropriate to the style and form of the neighbouring properties that individually differ. In any case, being set back from the road frontage and to the rear of the neighbouring properties this helps to alleviate the visual appearance and the increase in height of the building.

Overall, the scale, massing and location of the building are not wholly considered detrimental to the openness of the Green Belt or the character and appearance of the Local Landscape Character to warrant a refusal of the application in this respect alone. For this reason, the proposal is not considered unacceptable in Green Belt policy terms and therefore complies with Local Plan Policies RA3, RA10, D1 and D2 and advice given in the NPPF.

#### **b) impact on the residential amenity of nearby and neighbouring properties**

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. These considerations can also be applied to outbuildings in terms of impact on neighbouring amenity.

The host dwelling is set within large grounds, however the existing garage that is to be replaced is positioned directly along the boundaries of the neighbouring properties at Woodfield Lodge and Woodfield Cottage. The occupiers of these

properties have both objected to the proposal. The impact upon these dwellings is considered as follows:

#### Woodfield Lodge

This property is located to the north east of the building. It is a detached chalet style bungalow that has dormer windows to the front and rear. The building comes within approximately 2.3m at its closest point and therefore in close proximity of the ground and first floor windows of this property. It therefore will have a detrimental impact upon the outlook of these rear elevation windows as a result of the increase in height. Furthermore, the building is to the south east of these windows and will result in a degree of light loss reaching the internal spaces.

The building being directly along the boundary with this property also impacts upon the private amenity space of the dwelling. Although, the building is to the east of this space resulting in marginal overshadowing as a result of an increase in height, it is the increase in the bulk of the roof of the building that will have an overbearing visual impact upon this properties private amenity space. Whilst the maximum increase in height will be 0.9m from the perspective of the north elevation, to the south the hipped roof form will be raised considerably from 2.8m to 4.8m at the point where the roof reaches the south elevation wall. Furthermore, the eaves height will increase from 2m to 3m.

There are no windows proposed at first floor level of the building apart from the juliet balcony, however this will be positioned to the south elevation of the building and will not overlook the neighbouring properties.

Overall, the impact on this property is judged to be unacceptable and thereby fails to comply with Local Plan Policy D1 and the guidance set out in the SDG.

#### Woodfield Cottage

This property is located to the east of the building. The dwelling is a detached two storey property and the party wall of its flat roof garage is shared with the garage of the application site. Being partially to the west side of Woodfield Cottage the building will cause a degree of overshadowing to the private amenity space of the dwelling but not directly upon the internal space of the property. Whilst the outlook from this property may not be directly affected given its position, from the perspective of the rear garden area this is likely to be a dominant and overbearing form of development, particularly given that the size of the private space is already compromised.

Overall, the impact on this property is judged to be unacceptable and thereby fails to comply with Local Plan Policy D1 and the guidance set out in the SDG.

### **9. CONCLUSION:**

The site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development. The increase in roof height is not considered inappropriate when viewed from outside the site area. As a result, the dwelling would not have a detrimental impact on the openness of the Green Belt or the character, appearance and pattern of development in the surrounding area. As such, the proposed development satisfies the Green Belt considerations made under

Policies RA3 and RA10 of the Welwyn Hatfield District Plan and the National Planning Policy Framework. In terms of neighbouring residential amenity, the scale, mass and location of the building as a result of the increase in height is considered unacceptable and fails to comply with Policies D1 of the Welwyn Hatfield District Plan and the Supplementary Design Guidance.

**SUMMARY OF REASONS FOR REFUSAL**

1. The proposal, by reason of the scale, mass and proximity of the replacement garage, will be overbearing upon the private amenity space of the neighbouring properties in terms of outlook and overshadowing. The proposal is therefore contrary to Policy D1 of the Welwyn Hatfield District Plan 2005 and the Council's Supplementary Design Guidance (Statement of Council Policy, 2005)

**REFUSED DRAWING NUMBERS:**

Drawing Numbers 1495/A1/001 and 1495/A1/002 received and dated 15 January 2014.

**NOTE:**

The decision has been made taking into account material planning considerations and where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework (see Officer's report which can be inspected at these offices).

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