

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No: S6/2014/0510/FP

SITE ADDRESS: 3 Lysley Place, Brookmans Park, Hatfield

DESCRIPTION OF DEVELOPMENT: Part single and part two storey rear extension with balcony

RECOMMENDATION: REFUSE

1. SITE AND APPLICATION DESCRIPTION:

The application property is a detached, two storey dwelling constructed of brickwork under a hipped roof. The dwelling is one of three replacement dwellings on the site, falls within the Metropolitan Green Belt and is situated in a Landscape Character Area. The garden to the rear backs on to Ramsey Close and neighbouring dwellings include 'The Well House', to the south, and 'Stocks' to the north. Furthermore, permitted development rights for extensions to the dwelling were removed by condition 6 of planning permission s6/1997/0815/FP, to control the overall impact on the Green Belt.

This application seeks permission for the construction of a part single and part two storey rear extension including a balcony at first floor level. The single storey aspect of the development would be built on the same footprint of an existing single storey element and would have a maximum height of 2.9m and a width of 3.7m. The two storey element of the works would have a maximum height of 7.2m, an eaves height of 5.8m, a width of 6.4m and would extend beyond the rear wall of the application property by a maximum of 3.5m. The development would be constructed of painted render and roof tiles to match the existing dwelling.

2. SITE DESIGNATION:

The site lies within the specified settlement of Brookmans Park as designated in the Welwyn Hatfield District Plan 2005.

3. RELEVANT PLANNING HISTORY:

S6/2005/0932/FP – erection of single storey side and rear extension (revision to planning permission S6/2004/1423/FP. Granted (19/09/2005)

S6/2004/1423/FP – Erection of single storey side and rear extension. Granted (19/11/2004)

S6/2000/0225/FP – Erection of single storey rear extension and enclosure of front porch. Granted (19/06/2000)

S6/1997/0815/FP – Demolition of 3 No. dwelling houses and agricultural buildings, conversion of coach house and barns to 3 No. residential units, construction of 3 No. dwelling houses, and car parking. Granted (13/03/1998)

4. CONSULTATIONS:

None

5. NEIGHBOUR REPRESENTATIONS:

North Mymms District Green Belt Society

“The North Mymms District Green Belt Society objects to this application on the grounds of over development in the Green Belt. Bearing in mind that this property has been extended in the past, the proposed extensions would result in the permitted footprint being considerably exceeded.” (28/04/2014)

6. TOWN/PARISH COUNCIL REPRESENTATIONS

Objects to the proposal for the following planning reasons:

“North Mymms Parish Council objects on the grounds that this proposal would be overdevelopment, particularly as the property is in the Green Belt. Extensions have been carried out in the past and the proposed extension would result in a considerable increase over the size of the original building.” (27/03/2014)

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, RA10, 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)

c) Impact on parking provision (M14 and SPG)

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 (para. 89). This advice is reflected in Local Plan Policy RA3 which allows extensions to dwellings providing that i) it would not result in a disproportionate increase in the size of the dwelling; and ii) it would not have an adverse impact on the character, appearance and pattern of development of the surrounding countryside.

The main issues to consider in terms of Green Belt policy, therefore, are the appropriateness of the development; effect on the purpose of the Green Belt; 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

Permission for extensions to existing dwellings within the Green Belt will be allowed only where the proposal would not individually or when considered with existing extensions to the original building, result in a disproportionate increase in the size of the building. For the purpose of this application, a comparison must be made with the original building as it existed in 1948.

There are a number of ways in which an extended property can be compared to an original building in order to assess whether or not an addition is disproportionate in size. The additional floor area added to the original building is one commonly used indicator, however, each and all other factors, including the proposed additional cubic content, the increase in footprint and any increase in height are also relevant and capable of being taken into account.

The floorspace of the original dwelling has been calculated to be approximately 176.2m². The existing dwelling has been previously extended which has increased the size of the existing property to 257.6m². At present, the floorspace of the application property has been increased by approximately 46% when compared to the original dwelling. The current proposal would increase the overall floorspace of the dwelling to approximately 297m² and would equate to approximately a 69% increase to the size of the original dwelling. This is considered to amount to be a disproportionate increase to the size of the original dwelling

Although this is a significant percentage increase, it is not conclusive as the NPPF test is primarily an objective one based on size. This proposal would add considerable mass and bulk and would be seen as a sizable increase in volume and built development on this site. In this respect, it is also considered that the proposal would be inappropriate development.

Accordingly, the proposal is considered to represent a disproportionate addition over and above the size of the original building and is therefore contrary to the NPPF and Policy RA3 (i) of the District Plan in this regard. This harm carries substantial weight as set out in the NPPF (para.88).

Purposes of including land in the Green Belt

It is necessary to consider whether the proposal would comply with the five purposes of including land in the Green Belt. The proposal is not considered to lead to unrestricted sprawl of a large built-up area due to its location within the existing footprint of the house. Due to its limitation to an extension of an existing dwelling house on an existing plot it would not contribute towards neighbouring towns merging into one another or threaten the countryside from encroachment. It would not impact upon the preservation of the setting and special character of historic towns or assist in urban regeneration, due to its limited nature and rural setting which is not adjacent to a historic town.

Impact upon the openness of the Green Belt

The cumulative addition to the built form of the site which the proposal seeks, is considered to represent an adverse impact on the openness of the Green Belt by virtue of contributing towards the cumulative erosion of the rural and open character of the Green Belt by additions to the built environment and the proposal representing a disproportionate addition over and above the size of the original dwelling house.

The proposal would add mass, bulk and volume to the already extended house. The associated increases in scale, mass, bulk and volume arising from these works would represent a detrimental impact on the openness of the Green Belt. However, given the nature of the proposal, located to the rear of the dwelling, on a large site which would still remain largely undeveloped as a result of the proposed works, and the limitation of the extension within the footprint of the existing extended dwelling house, only limited weight should be afforded to this harm to the openness of the Green Belt.

Impact on character and appearance and the visual amenity of the Green Belt

The National Planning Policy Framework emphasises that high quality design is a core principle of planning and attaches great importance (para.56) to design. Policies D1 and D2 of the adopted Welwyn Hatfield District Plan seek to provide a good standard of design in all new development and require that all new development respects and relates to the character and context of the area in which it is to be sited. The policies are expanded upon in the council's Supplementary Design Guidance which requires that residential extensions should be complementary in design and subordinate in size and scale to the existing dwelling.

The impact of a development is assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area. Part (ii) of Policy RA3 of the Welwyn Hatfield District Plan also requires proposals for extensions to dwellings in the Green Belt not to have an adverse visual impact (in terms of prominence, size, bulk and design) on the character, appearance and pattern of development of the surrounding countryside.

Concerns have been raised regarding the overall scale of the development, which would disrupt the design and character of the existing dwelling. This is as the works, when viewed in context with the existing property, add a considerable amount of mass and bulk and are not subservient in nature. However, as discussed above, the works are to the rear of the dwelling and, therefore, views of the development from

the public domain are restricted. On this basis, and as materials to be used are to match those of the existing dwelling, it is judged that, on balance, the development would not generate significant and demonstrable harm to the character and appearance of the immediate streetscene and the visual interests of its surroundings to the extent that would warrant a refusal of permission.

Furthermore, given the nature of the works within the existing built footprint of the house, the proposal is not considered to result in a discernible change to the site with regard to its setting within the North Mymms Common and Newgate Street Framed Plateau Landscape Character Area and thus accords with policy RA10 in this regard.

Having regard to the above, it is considered that the proposal would not disrupt the character and context of the area, nor cause significant harm to the visual amenities of the Green Belt, to the extent that would warrant a refusal of permission. In this respect, the development accords with policies RA3 (ii), RA10, D1 and D2 of the Welwyn Hatfield District Plan and Supplementary Design Guidance, Statement of Council Policy, 2005. For the above reasons, the proposal would cause moderate harm to the visual amenities of the Green Belt which should be afforded limited weight.

Very special circumstances

The applicant has not sought to demonstrate very special circumstances which are required to outweigh any harm to the Green Belt by reason of inappropriateness and any other identified harm, nor are any evident to the local planning authority upon consideration of the application.

Conclusion

The proposal is not considered contrary to the purposes of including land in Green Belt. The impact on the openness of the Green Belt through physical presence is afforded limited weight. The impact on the character and appearance of the surrounding area, and on the visual amenities of the Green Belt, is also considered to carry limited weight.

However, the proposal is considered to represent a disproportionate addition over and above the size of the original dwelling house and thus it is contrary to the NPPF and Policy RA3 (i) of the District Plan in this regard which would cause harm to the Green Belt which is afforded substantial weight.

No very special circumstances, which demonstrate that the harm to the Green Belt by reason of inappropriateness, harm to openness, and harm to the visual amenities of the Green Belt, are clearly outweighed by other considerations, are evident.

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. Guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.

As part of good practice the 45 degree line test has been considered from neighbouring dwellings. This line test is not contravened by the proposed development. Having regard to this, and also to the orientation of the application property, it is considered that the development would not detrimentally impact on the amenity of neighbouring dwellings, in terms of overshadowing and overbearing. Furthermore, the location of proposed first floor windows would not provide views of primary amenity space, which is located closer to neighbouring dwellings. In addition, views of primary amenity space from the proposed first floor balcony would be restricted. On this basis, it is judged that neighbouring privacy would be preserved.

Taking the above into account, it is considered that the works would not introduce significant harm to neighbouring amenity, in terms of overlooking, overshadowing and overbearing. It is, therefore, judged that the development would not be in contradiction with saved policy D1, the supplementary design guidance or the relevant paragraphs of the NPPF.

c) Impact on parking provision (M14 and SPG)

Local Plan Policy M14 requires parking provision for new development to be made in accordance with the standards set out in the Council's Supplementary Planning Guidance (SPG) Parking Standards 2004. The proposal would result in a property with four bedrooms. The Parking Standards SPG identifies that residential dwellings with four bedrooms require a maximum of 3 car parking spaces. There is ample parking available on hardstanding towards the front of the dwelling. It is, therefore, considered that the proposal is acceptable in terms of parking provision.

9. CONCLUSION:

The impacts of the proposal have been considered on the visual amenity of the area, including the Green Belt, and on the amenity of neighbouring dwellings. In addition the impacts on parking provision have been assessed. The proposal is considered acceptable in terms of the impacts on neighbouring amenity, on parking provision and is judged to be, on balance, acceptable in terms of design, with regard to policies D1, D2 and RA10.

The proposal, however, is considered contrary to the National Planning Policy Framework and policy RA3 due to the substantial weight afforded to the harm to the Green Belt by reason of inappropriate development in, and detrimental impacts upon, the openness, character and visual amenities of the Green Belt, with no very special circumstances evident which demonstrate that the proposal would not cause, or would outweigh, any harm to the Green Belt by reason of inappropriateness and other identified harm.

RECOMMENDATION: REFUSAL AND REASON:

1. The proposal represents a disproportionate addition to the original dwelling house and is therefore inappropriate development within the Green Belt. In addition, the proposal would have a detrimental impact on the openness, character and visual amenities of the Green Belt and surrounding area. The Local Planning Authority do not consider that very special circumstances exist which outweigh the harm, by reason of inappropriateness and other identified harm in the form of impacts on openness, character of the area and visual amenities of the Green Belt. The proposal is therefore contrary to the National Planning Policy Framework and policy RA3 of the Welwyn Hatfield District Plan 2005.

SUMMARY OF REASONS FOR REFUSAL

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).

INFORMATIVES: None

REFUSED DRAWING NUMBERS:

Drawing numbers: 1680 PL03 Rev A; received 07/04/2014 & 1680 PL05, 1680 PL01 Rev A, 1680 PL04 & 1680 PL02; received 08/03/2014

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