

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

**APPLICATION No:** S6/2014/0781/FP

**SITE ADDRESS:** Northfield, Woodfield Lane

**DESCRIPTION OF DEVELOPMENT:** Retention of entrance gates, walls and railings

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**RECOMMENDATION:** Refusal

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**1. SITE AND APPLICATION DESCRIPTION:**

The application site is located on the south side of Woodfield Lane, some 125m east of the junction with Kentish Lane. The site accommodates a semi-detached house called Northfield. The application dwelling and the immediate neighbours form a small cluster of residential properties within the wider countryside that forms the Green Belt. This application seeks full planning permission for the retention of a front boundary wall, pillars, railings and gates. This application is a re-submission of planning application S6/2013/1341/FP, which was withdrawn on the 4<sup>th</sup> September 2013.

**2. SITE DESIGNATION:**

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

**3. RELEVANT PLANNING HISTORY:**

S6/2013/2596/FP Erection of a single storey, first floor extension with dormer windows on the east elevation and alterations to existing ground floor windows and doors on the east, west and south elevations – Withdrawn 21 January 2014

S6/2013/2306/NM Non material amendment following approval of planning permission S6/2013/1502/FP - Alterations to windows & doors as approved from single pane doors & windows to multi pane doors & windows on rear elevation to match as built doors & windows to annexe extension. Replacement of existing glazed door with multi pane window at stairs and alteration to glazed side panel at entrance door to increase width – Approved 6 December 2013

S6/2013/1502/FP Alteration to existing south facing ground floor window, erection of lantern to roof of proposed single storey extension, removal of lantern to approved 1st floor extension, replace existing wall to front elevation, alteration to eaves design of approved 1st floor extension, increase floor area of approved single storey extension – Granted 4 September 2013

- S6/2013/1341/FP Retention of gates, pillars and walls to front boundary – Withdrawn 4 September 2013
- S6/2011/2306/S73B Variation to condition 1 (Time Limit) of planning permission S6/2008/2413/FP - Erection of first floor extensions and roof alterations, single storey rear extension – Approved 22 December 2011
- S6/2008/2413/FP Erection of first floor extensions and roof alterations, single storey rear extension – Approved
- S6/2004/0290/FP Renewal of S6/1988/0237/FP – Approved (no change in circumstances)
- S6/1999/0053/FP Renewal of S6/1988/0237/FP – Approved (no change in circumstances)
- S6/1993/0779/FP Renewal of S6/1988/0237/FP – Approved (no change in circumstances)
- S6/1988/0237/FP First floor extension, raising of roof and two storey rear extension – Refused – Allowed on Appeal
- S6/1985/0765 Two-storey and first floor extension – Withdrawn

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

No objections have been received in principle from Hertfordshire County Council, Transport, Programs and Strategy and Welwyn Hatfield Borough Council Landscaping and Ecology.

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

No representations have been received from the public.

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

No representations have been received from the Parish Council.

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

The main planning issues with this application are:

- a) Whether the proposal would amount to inappropriate development within the Green Belt and whether there would be any other harm to it and, if so, whether there are other considerations which clearly outweigh the harm to the Green Belt and any other harm, which together represent the very special circumstances necessary to justify the proposal (NPPF paragraphs 87-90, Local Plan Policies GBSP1, RA10, D1, D2 and SDG),
- b) Impact on the residential amenity of adjoining properties (Local Plan Policy D1, SDG and NPPF)
- c) Impact on the safety and operation of the adjoining highway (NPPF)

## 8. ANALYSIS:

- a) Whether the proposal would amount to inappropriate development within the Green Belt and whether there would be any other harm to it and, if so, whether there are other considerations which clearly outweigh the harm to the Green Belt and any other harm, which together represent the very special circumstances necessary to justify the proposal.

Paragraph 87 of National Planning Policy Framework (NPPF) sets out the general presumption against inappropriate development within the Green Belt. It states that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 89 of the Framework states that the construction of new buildings in the Green Belt is inappropriate. By virtue of s.336 of the 1990 Act as amended, 'a building' includes any structure or erection, therefore, the proposed wall, pillars, railings and gates constitute a building for planning purposes. Because the development is not listed as an exception in paragraph 89 of the NPPF, the wall, pillars, railings and gates are inappropriate development. As such, the development is, by definition, harmful to the Green Belt and conflicts with the NPPF, to which substantial weight is attached.

With regard to the impact to the openness of the Green Belt the NPPF states that the essential characteristics of Green Belts are their openness and their permanence. The application site is located on the south side of Woodfield Lane, some 125m east of the junction with Kentish Lane. The application dwelling and the immediate neighbours form a small cluster of residential properties within the wider countryside that forms the Green Belt. Woodfield Lane runs through an area which is rural in character and appearance, with extensive deciduous woodland bordering both sides of the road in places and opposite the application site. It is acknowledged that the railings and gates allow for views through to the driveway beyond. However, the structure is overly excessive. It appears higher than any other boundary treatment in view and is a robust structure with significant pillars, two of which are approximately 3m in height. It has significantly diminished the openness of the Green Belt because of its height and length contrary to the NPPF and its fundamental aim of keeping land permanently open. Substantial weight should be given to the harm caused.

The wall, pillars, railings and gates are a surprising development when set against the rural surrounds. They draw the eye and appear as an incongruous addition to the locality forming a visually intrusive feature. The development also harms the semi-rural character and appearance of the area, contrary to Policy RA10 of the Welwyn Hatfield District Plan which expects developments in rural areas to, amongst other things, contribute to the local landscape character. Also, it would be at conflict with Policies D1 and D2 which seek high standards of design and that developments respect the character and context of the local area, and it would not satisfy the design principles set out in the Supplementary Design Guidance of the Welwyn Hatfield District Plan 2005.

In addition, Paragraph 80 of the NPPF sets out the five purposes of including land in the Green Belt. These include safeguarding the countryside from encroachment. Whilst the development would be within the residential curtilage of the property, the property is set back from the road by approximately 20m and garden land and a driveway are to the front of the dwelling. The wall, pillars, railings and gates have increased the built urban form within the area close to the site frontage resulting in significant encroachment of development into the countryside conflicting with the purposes of including land within the Green Belt. This view is reflected within a recent appeal ref: APP/C1950/D/13/2190944 for 63 The Ridgeway, in which the Inspector found that although a wall was within the curtilage of the dwellinghouse, the development still resulted in encroachment due to the increased built urban form, and this approach taken is agreed with.

There are no other considerations which clearly outweigh the harm of the development, by reason of its inappropriateness and its harmful impact on the openness of the Green Belt, the purposes of including land within it and the visual amenity and character, so as to amount to very special circumstances.

It is concluded that the proposal is inappropriate development in the Green Belt contrary to the advice contained in the National Planning Policy Framework. The proposal would continue to harm the semi-rural character and appearance of the area, contrary to Policy RA10 of the Welwyn Hatfield District Plan 2005 which expects developments in rural areas to, amongst other things, contribute to the local landscape character. Also, it would be at conflict with Policies D1 and D2 which seek high standards of design and that developments respect the character and context of the local area, and it would not satisfy the design principles set out in the Supplementary Design Guidance of the Welwyn Hatfield District Plan 2005.

#### b) Impact on the residential amenity of adjoining properties

The impact of the proposed development on the residential amenity of neighbouring occupiers is considered in terms of the impact on access to day/sun/sky light, privacy and overbearing impact. Due to the nature of the proposed development and the separation distance from neighbouring dwellings, it is not considered that the amenity of the adjoining occupiers would be maintained to an acceptable level.

#### c) Impact on the safety and operation of the adjoining highway

Woodfield Lane is an un-numbered classified C road designated as a local distributor road. The speed is unrestricted. Although the gates are only set back approximately 4.575m into the site, the grass verge means that they are set back almost 6m from the edge of the carriageway which is sufficient to enable a vehicle to wait clear of the carriageway whilst the gate opens. The proposal is considered unlikely to result in an inconvenience to highway users or impact significantly on highway safety.

### **9. CONCLUSION:**

The proposed development is inappropriate development in the Green Belt by definition. Due to its siting, design and scale, the proposal fails to assist in safeguarding the countryside from encroachment, has caused substantial harm to the openness of the area and is detrimental to the visual amenities of the Green Belt.

It is considered that no very special circumstances exist that would outweigh the harm caused to the Green Belt. The proposal is therefore contrary to guidance set out within the National Planning Policy Framework.

The proposal would continue to harm the semi-rural character and appearance of the area, contrary to Policy RA10 of the Welwyn Hatfield District Plan 2005 which expects developments in rural areas to, amongst other things, contribute to the local landscape character. Also, it would be at conflict with Policies D1 and D2 which seek high standards of design and that developments respect the character and context of the local area, and it would not satisfy the design principles set out in the Supplementary Design Guidance of the Welwyn Hatfield District Plan 2005.

**10. REFUSAL REASON(S):**

1. The proposal is inappropriate development in the Green Belt by definition. Due to its siting, design and scale, the proposal fails to assist in safeguarding the countryside from encroachment, has caused substantial harm to the openness of the area and is detrimental to the visual amenities of the Green Belt. There are no very special circumstances that would outweigh the harm caused to the Green Belt. Therefore, the development would be contrary to The National Planning Policy Framework and the Policies GBSP1, RA10, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance, Statement of Council Policy 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).

**REFUSED DRAWING NUMBERS:**

Site Location Plan 1305/01C & 1305/02 received and dated 28 April 2014

**INFORMATIVES:**

None

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