

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No: S6/2014/1353/FP

SITE ADDRESS: The Lodge, 2 Northaw Place, Coopers Lane, Northaw

DESCRIPTION OF DEVELOPMENT: Erection of detached garage

RECOMMENDATION: REFUSE

1. SITE AND APPLICATION DESCRIPTION:

The application site comprises a detached property that was originally the lodge house to Northaw Place, a Grade II* mansion that dates from the late 17th Century. The property is located on the western side of Coopers Lane and is very well screened from the roadside by mature landscaping. The wider setting of Northaw Place has since been re-developed into houses and the vehicular access to the lodge has been re-routed. The Lodge now has its grounds, detached garage and driveway from the gated entrance along Coopers Lane.

This application seeks full planning permission for the construction of a detached garage. This structure would have a maximum height of approximately 4m, an eaves height of 2.5m, a width of 6.5m and a depth of 6.5m.

2. SITE DESIGNATION:

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

3. RELEVANT PLANNING HISTORY:

S6/2014/0753/LUP - Certificate of lawfulness for the erection of a detached outbuilding, refused 30/05/2014

S6/2014/0442/LUP - Certificate of lawfulness for the proposed conversion of garage to habitable accommodation, approved 30/04/2014

S6/2007/0546/FP - Erection of two storey rear extension, creation of lightwell on first floor, creation of double doors to existing conservatory and internal alterations approved 29/05/2007

S2006/1564 – Two storey rear extension and demolition of garage – Refused

S6/2001/909/FP & S6/2001/910/LB – Approval issued for the erection of a part two storey, part single storey extension not implemented

S6/2000/788/FP & S6/2000/789/LB – Single storey side extension to link house and garage to provide an annexe for a dependant relative

S6/909/97/LB & S6/910/97/FP – Two storey side and first floor rear extension not implemented

S6/1998/859/FP – Approval issued for a conservatory although not implemented

4. CONSULTATIONS:

WHBC Landscape and Ecology – no objections subject to relevant conditions

HCC Archaeology – none received

5. NEIGHBOUR REPRESENTATIONS:

None received

6. TOWN/PARISH COUNCIL REPRESENTATIONS

The Town/Parish Council confirmed: “No objection but with regard to trees, we refer to the Arboriculturist”.

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, D2 and D8 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance)

b) The impact on the setting of a listed building and a curtilage listed building (Section 12 of the NPPF)

c) 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 NPPF accepts that within the Green Belt the construction of new buildings should be regarded as inappropriate development. The limited extension of existing dwellings is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. This advice is reflected in Local Plan Policy RA3(i). Policy RA3(ii) states that permission for extensions to existing dwellings within the Green Belt will be allowed only where the proposal 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.

The supporting text to Policy RA3 also covers outbuildings of a scale and size that require planning permission. The Council therefore consider applications for outbuildings as extensions rather than new buildings in the Green Belt. The NPPF does not refer to ancillary buildings or structures within the curtilage of a dwellinghouse.

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 Local Planning Authority considers that the floor space of the original property was approximately 198m². Additions to the property have resulted in a considerable increase in the overall floorspace of the dwelling so that it is now in excess of 300m². Currently the property has a floor area that has been increased by over 65% when compared to that of the original building. This application seeks permission to construct a detach garage with a floor area of approximately 37m². As already stated, the current dwelling is already in excess of 65% larger than the original, and so any further increase in floor space on the site will increase this percentage further. Having regard to all of the above, it is considered that the proposal would amount to a disproportionate increase to the size of the existing dwelling.

Although this is a significant percentage increase, it is not conclusive as the NPPF test is primarily an objective one based on 'size'. It is therefore considered that the overall built form on the site should be taken into account. Having regard to the

increase in size of the dwelling on the site compared with the original dwelling, together with the further development proposed, there would be a substantial increase in built development within the site compared with the original dwelling. In this regard it is also considered that the development, which would also extend built development further to the south than the existing built form – increasing the overall extent of built development, is disproportionate to the original dwelling.

Having regard to the above, the proposal is regarded as inappropriate development in the Green Belt which is by definition, substantially harmful to the Green Belt contrary to the National Planning Policy Framework, March 2012 and Policy RA3(i).

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 curtilage of the house. Due to the nature and positioning of the proposal it would not contribute towards neighbouring towns merging into one another and would only marginally 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. Limited weight should therefore be attached to the impact the development would have on the purposes of including land within the Green Belt.

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 an increase built development on the site, which would be located significantly further forward to the south from the existing built form. This increase in built form adds to the physical permanence of the development at the site and would represent a detrimental impact on the openness of the Green Belt.

Having regard to the above, the proposal would generate additional harm to the openness of the Green Belt which, due to the location and scale of works, has been afforded limited weight.

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. These policies are expanded upon in the council's Supplementary Design Guidance which requires that residential extensions (including outbuildings) 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 outbuildings 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.

Given the positioning of the proposed garage, which would be screened from Coopers Lane by established vegetation, views from the public domain would be restricted. Having regard to this, as the proposal is subservient to the host dwelling in form and materials to be used for construction would be sympathetic to the host dwelling, it is considered that the development would not disrupt the design and character of the host dwelling or the character of the wider surrounding area.

Additionally, it is noted that there are several established trees within the vicinity of the proposed location of the garage that are of significant amenity value and could be detrimentally impacted upon during the construction of the proposal. However, on discussion with WHBC Landscape and Ecology Officers, it is considered that, in the event that permission were to be granted, any harm to this vegetation during construction could be adequately managed through the imposition of a relevant condition. On this basis, no objection is raised in this regard and the proposal is in accordance with policy D8.

Furthermore, given the nature and scale of the works, the proposal is not considered to result in a discernible change to the site with regard to its setting within the Northaw Common Parkland 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. In this respect, the development accords with policies RA3 (ii), RA10, D1, D2 and D8 of the Welwyn Hatfield District Plan and Supplementary Design Guidance, Statement of Council Policy, 2005. Harm to the visual amenity of the Green Belt is therefore 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 and, having regard to the above, none are 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 and would not significantly harm the character and appearance of the surrounding area and the visual amenities of the Green Belt. However, the proposal is considered to represent a disproportionate addition over and above the size of the original dwelling house. The proposal would also cause additional detrimental harm to the openness of the Green Belt, through physical presence. Therefore, the proposal is contrary to the NPPF and Policy RA3 (i) of the District Plan in this regard and would cause significant 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) The impact on the setting of a listed building and a curtilage listed building

The specific historic environment policies within the NPPF are contained within paragraphs 126-141. Paragraph 131 of the NPPF states that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 132 of the Framework outlines that, when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight' should be given to the asset's conservation. Furthermore, though not fully consistent with the NPPF in the above regard, Policy D1 requires proposals to feature high quality design.

The detached garage would be located in excess of 100m away from the Grade II* listed mansion at Northaw Place. Having regard to this, and to the overall build and scale of the proposed development, it is considered that the proposal would preserve the historic and architectural interest of this building.

The application property was formerly the lodge house for the listed Northaw Place and is a curtilage listed structure. As discussed above, the proposal would remain subordinate to the host dwelling, would be constructed of sympathetic materials and is of an appropriate design. On this basis, it is considered that the proposal would preserve the special historic interest of the former lodge house.

Having regard to the above, it is considered that the proposal would preserve the historic and architectural significance of nearby listed and curtilage listed buildings. As a result, the proposal is not contrary to Section 12 of the NPPF and saved policy D1.

c) Impact on the residential amenity of nearby and neighbouring properties (Policy D1 of the Welwyn Hatfield District Plan 2005)

As mentioned above, the construction of an outbuilding is treated similarly to an extension of a dwelling. 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.

The nearest neighbouring property is located approximately 40m away to the north east of the proposed location of the garage. On this basis, and having regard to the build and form of the proposal, it is considered that neighbouring amenity would be preserved in terms of overlooking, overbearing and loss of light. Accordingly, the development would not be in contradiction with saved policy D1, the Supplementary Design Guidance or the relevant paragraphs of the NPPF.

9. CONCLUSION:

The impacts of the proposal have been considered on the visual amenity of the area, including the Green Belt, on the setting of listed and curtilage listed structures and on the amenity of neighbouring dwellings. The development is considered acceptable in terms of the impact on neighbouring amenity and would preserve the setting of listed and curtilage listed buildings.

Though the development would not significantly detrimentally impact upon the character and visual amenity of the Green Belt, the proposal 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 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.

REFUSAL REASON:

1. The proposal represents a disproportionate increase in built development within the site compared with the original dwelling and is therefore inappropriate development within the Green Belt. In addition, the proposal would have a detrimental impact on the openness and character of the Green Belt. 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 and character 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.

NOTE:

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be inspected at these offices).

REFUSED DRAWING NUMBERS:

PL 399-2 Rev. A

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