

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No: S6/2015/0789/MA

SITE ADDRESS: Wildewood Kentish Lane Essendon Hatfield AL9 6JG

DESCRIPTION OF DEVELOPMENT: Erection of single storey rear extension with roof terrace

RECOMMENDATION: Approval with Conditions

1. SITE AND APPLICATION DESCRIPTION:

The application site is located on the east side of Kentish Lane and comprises of a large detached dwelling within landscaped grounds approximately 1.6 hectares in area. North east of the dwelling is a former garage which has been extended and partially converted and now incorporates parking for three vehicles, a one bedroom staff annexe at the ground floor and a two bedroom staff annex at first floor. To the north of the site are three further outbuilding used for gardening purposes. An open-air swimming pool with a terrace is situated to the south west of the application dwelling.

The site is accessed via a private drive from Kentish Lane with gates adjoining the highway. Dense planting provides effective screening along the site frontage to Kentish Lane. The site boundary to the north east is defined by a 2m high close boarded fence and mixed. To the south east the site adjoins the residential garden of Courtyard Cottage. The wider area is semi-rural in character comprising agricultural fields and paddocks, woodland and hedgerows.

The proposal seeks the erection of a 4m deep curved rear extension with a flat roof and an overhang of 1m with pillars below. The flat roof above the extension would host a roof terrace serving the master bedroom. The extension will have a width of 9.7m and be placed centrally to the rear of the host dwelling.

2. SITE DESIGNATION:

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

3. RELEVANT PLANNING HISTORY:

S6/1997/0173/FP - Demolition of existing dwelling, glasshouses and barns and construction of replacement dwelling and garage A(S) 03/12/1997

S6/1997/1052/FP - Demolition of existing dwelling, glasshouses and barns and construction of replacement dwelling and garage (variation to planning permission

S6/0173/97/FP to add conservatory, attic dormers and garden store) A(G)
02/03/1998

Permitted development rights removed: Town and Country Planning (General Permitted Development) Order 1995, Schedule 2, Part 1, Class A, B, C and E

S6/1999/0484/FP - Erection of garden store A(G) 02/08/1999
S6/2001/1195/FP – Conversion and extension of existing garage to form living accommodation for staff A(G) 12/08/2002
S6/2003/1120/FP – Alteration to roof of detached garage A(G) 15/09/2003

Condition 3: The extension hereby approved shall be used only as storage in conjunction with the use of the rest of the property as a single family dwelling and shall not be let, sold or otherwise occupied as a separate residential unit.

S6/2005/0246/FP - Erection of an orangery and pool enclosure R 29/04/2005
S6/2005/0586/FP - Erection of an orangery to side of building A(G) 30/06/2005
S6/2005/0881/FP - Erection of swimming pool enclosure R 07/09/2005
S6/2011/0198/MA - Conversion of existing residential unit in ground floor of detached outbuilding into a garden room and retention of first floor staff annex A(S) 10/05/2011
S6/2011/0208/MA - Erection of side extension to create new orangery with basement R 12/04/2011 (Refused and Allowed at Appeal 27/07/2011)
S6/2011/2227/MA - Erection of linked swimming pool and gym and erection of terrace with retaining walls R 10/02/2012 (Dismissed at Appeal 16/05/2012)
S6/2012/1258/MA - Erection of swimming pool enclosure R 27/09/2012 (Dismissed at Appeal 12/12/2012)

4. CONSULTATIONS:

No objections have been received in principle from 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 Town/Parish Council.

7. MAIN PLANNING ISSUES AND RELEVANT PLANNING POLICIES:

The main planning issues with this application are:

- a) Whether or not the development is considered appropriate within the Green Belt or very special circumstances exist which outweigh the harm (Local Plan Policies D1, D2 and RA3 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance Statement of Council Policy 2005 and the National Planning Policy Framework)
- b) Whether or not the scheme incorporates high quality design in accordance with the principles of the Welwyn Hatfield District Plan (2005) and relates to the character and context of the area (D1, D2, Supplementary Design Guidance (SDG) and National Planning Policy Framework (NPPF))
- c) The impact of the proposal on the residential amenity of the adjoining properties (D1 and Supplementary Design Guidance (SDG))

8. ANALYSIS:

- a) Paragraph 79 of the National Planning Policy Framework (NPPF) identifies the essential characteristics of Green Belts are their openness and their permanence. There is a presumption against inappropriate development within the Green Belt, outlined in paragraph 87. Paragraph 89 clarifies that an extension or alteration to a building, providing it does not result in disproportionate additions over and above the size of the original building. Policy RA3 is in line with the NPPF in that it is concerned with the impact created by extensions on the openness of the Green Belt, yet recognises that the extension of a dwelling may be considered appropriate development so long as the development would not result in disproportionate additions over and above the size of the original dwelling (i). Policy RA3 goes on to state that the visual impact of a development, in terms of prominence, bulk size and design, on the character, appearance and pattern of development of the surrounding countryside is an important consideration in assessing a proposal (ii). Permission will only be allowed where criteria (i) and (ii) of Policy RA3 are met.

The property as it exists was the result of the demolition of an existing dwelling, glasshouses and barns and the construction of a replacement dwelling including a conservatory, dormers and a garden store (S6/1997/1052/FP). This application was an amendment of a previous application for a replacement dwelling and garage only (S6/1997/0173/FP). Application referenced S6/1997/1052/FP included a condition restricting permitted development rights for Class A, B, C and E of Schedule 2, Part 1 to allow the Council to have strict control on any future proposed alterations, extensions and outbuildings to the site. A materially larger replacement dwelling was allowed to be constructed due to very special circumstances (that the new dwelling would be set back from the main road, the overall footprint would be less and the demolition of all the outbuildings buildings associated with the commercial nursery would improve the visual appearance of the site).

For the purpose of determining applications to extend a replacement dwelling within the Green Belt, the Council consider that it is the size of the demolished dwelling, as originally constructed or as existed on 1st July 1948, which is the 'original' dwelling. Notwithstanding this, in allowing planning application S6/2011/0208/FP the Inspector opined that on this particular site, a comparison with the demolished dwelling would be misleading as it would ignore the other building that existed on the site prior to the 1998 permission for a replacement dwelling. For the purpose of determining this application, the replacement dwelling as permitted under application referenced S6/1997/1052/FP is considered the 'original' dwelling.

Since the construction of the 'original' building, the property itself has been extended to the side at ground floor level with an orangery (S6/2011/0208/MA). The detached garage and garden store originally permitted has also been extended and benefitted from retrospective planning permission in its most recent form (S6/2011/0198/MA). The built form on the site has also been increased through the erection of three outbuildings with and without planning permission. It is noted that a 'garden store' was granted planning permission in August 1999

under planning reference S6/0484/99/FP although the design and location are different to what exists on site.

Policy RA3 makes reference and intends to protect the openness of the Green Belt from inappropriate extensions to dwellings. As a result, within the determination of this application, the entirety of the 'original' dwelling, including the storage space on the second floor. The second floor space was not included in the assessment of floor space increase in the consideration of applications referenced S6/1997/0173/FP and S6/1997/1052/FP. As the harm in terms of built form existed, and has existed since, regardless of the spaces current habitable use, it should be included as 'original' when calculating the proportionate nature of cumulative additions.

It is noted that there is some difference between the figures noted within the officer report of the application approved for the original dwelling and the drawings provided in this application. The original plan, only available from application referenced S6/1997/0173/FP, does not include a scale bar, so measurements cannot be accurately taken. Within the officer report for the application referenced S6/1997/0173/FP, the floor space of the replacement dwelling is stated as 466m². Within the officer report for application referenced S6/1997/1052/FP, the officer states that the floor space of the dwelling is the same with a 29.2m² conservatory and 72.5m² garage additions. Taking from this, the footprint of the host dwelling approved was 233m² plus 29.2m² and the garage at 72.5m². This totals 334.7m² total footprint for the original dwelling as approved.

Drawing number 1460.P.02 submitted to support this application shows the existing dwelling including the conservatory at 290m². With the original garage, this totals a footprint of 363m². These measurements are in line with the only previous application with measurable drawings of the host dwelling (S6/2011/0208/MA). It is noted that the original conservatory within the above referenced drawing has a footprint of 34.8m² as opposed to the 29.2m² noted within the officer report. It is not known whether the difference in size is a discrepancy in the measurements and drawings given to assess this application, the original drawings, or the original dwelling was not built to the approved plans.

For clarity, within the following calculations, the dimensions used to measure the 'original' floor space and footprint of the main dwelling will be measured externally from the drawings provided within this application.

Drawing number 251/p 04A of application referenced S6/1997/1052/FP will be used to measure the original footprint and floor space of the garage and garden store.

The footprint and floor space of the outbuildings will be taken from drawing number 10424-A3-OB 1 which was provided for the assessment of a previous proposal referenced S6/2011/2227/MA. The footprint and floor space of the garage as it exists will be taken from drawing number 10424/S/001 of the most recent approved application referenced S6/2011/0198/MA.

The Green Belt Table below provides an overall assessment and summary of the existing and proposed footprint and gross floor area calculated using the submitted drawings:

	Floor Area (Sqm measured externally)	Approximate percentage increase over original dwelling	Footprint (Sqm measured externally)	Approximate percentage increase over original dwelling
Original dwelling (including ground, first and second floor as well as garage approved within the original application)	778		363	
Existing Dwelling (including orangery extension, outbuildings which required consent, staff annex and extension to garage)	1069	37%	526	45%
Cumulative total including current proposal	1102	42%	559	54%

The existing floor area including the orangery extension, all outbuildings which required consent, the staff annex and the extended part of garage totals approximately 1069m². The floor area of the proposed ground floor rear extension would measure approximately 33m². The cumulative floor area would total approximately 1102m² or a 42% increase over-and-above the floor area of the original dwelling.

The cumulative footprint would measure approximately 559m² which is equivalent to a 54% increase over-and-above the original dwelling which had a footprint of approximately 363m².

The cumulative footprint and floor space increase are considered to be on the border of representing proportionate cumulative development within the Green Belt. These are not the only forms of measuring disproportionate; however, they are reflective of other forms such as volume. Whilst volume calculations have not been provided to support this application, it is considered that the volume increase would be broadly in line with the footprint and floor space calculations provided within this assessment due to the inclusion of the space within the roof of the main dwelling as original. Due to the relative modesty of the increase in floor space and footprint, this proposal is considered to represent proportionate development within the Green Belt when considered cumulatively with the additions to the 'original' dwellinghouse.

In regard to the visual impact of a development, in terms of prominence, bulk size and design, on the character, appearance and pattern of development of the surrounding countryside the site is well screened and within a spacious plot. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also reaffirms that the essential characteristics of Green Belts are their openness and permanence.

Areas that are free of built development within the site contribute to the openness of the Green Belt. A loss of openness occurs through the presence of a built form within the Green Belt, regardless of whether or not it can be seen.

The proposed development is to the rear of host dwelling at ground floor level. The development is attached and subordinate to the host dwelling. The flat roof minimises the bulk of the built form and the impact on the openness of the Green Belt. By virtue of its scale and siting, the proposed ground floor rear extension will not have a detrimental visual impact in terms of prominence, bulk size and design, on the character, appearance and pattern of development of the surrounding countryside.

- b) Local Plan Policies D1 and D2, alongside the SDG, seek to ensure a high quality of design which relates to the character and context of the dwelling and surrounding area. The policies require extensions to complement and reflect design and character, be subordinate in scale, and not look cramped within the site in regards to bulk. These policies are in line with the NPPF section 7 in that planning should require good design.

The extension at ground floor level hosts a flat roof, reflecting the existing flat roof additions to either side of the host dwelling. The proposal includes the removal of four existing two storey pillars, but will reinstate the pillar design at ground floor level to support the overhanging flat roof which will be used as a terrace presenting clear glass balustrades. The eaves detailing along the flat roof extension will be reflective of the eaves below the two storey pillars present to the front of the property. The fenestration details within the ground floor extension will match those used in the host dwelling and be spaced appropriately to continue the strong level of symmetry throughout the dwelling. The rear extension will continue the convex design present in the middle section of the rear of the host dwelling from which it extends. The proposal includes the insertion of timber sash windows to the sides of the extension to match those present in the existing dwelling. The proposal is subordinate to the host dwelling and will not increase bulk to result in the dwelling looking cramped within its setting.

Accordingly, the proposal is considered to be of good design which would complement and reflect design and character of the host dwelling, be subordinate in scale to the existing dwelling, and result in a property which would not be cramped within its site in regards to bulk.

- c) With regard to the impact on the amenity of adjoining neighbours, policy D1 and the SDG states that any extension should not cause loss of light or appear unduly dominant from an adjoining property. The impact of the proposed development should be assessed in regard to loss of day/sun/sky light, whether it is overbearing and will impact on outlook from an adjoining property.

No adjoining dwellings are in the general vicinity of the new works that will be affected by siting or overlooking considerations. In addition, the application site is well screened from public view and therefore the proposal complies with policy D1 of the Welwyn Hatfield District Plan, 2005.

9. CONCLUSION:

The proposed ground floor rear extension is proportionate to the original dwelling and therefore falls under the exceptions regarding new built form being considered inappropriate within the Green Belt listed in section 9, paragraph 89 of the National Planning Policy Framework. The extension is of good design which is reflective of the host dwelling, subordinate in its nature, fails to add sufficient bulk to result in the dwelling looking cramped within its setting and respects the residential amenity of the occupiers of adjoining premises. Accordingly, the proposal complies with Policies RA3, D1 and D2 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance Statement of Council Policy 2005 and the National Planning Policy Framework 2012.

10. CONDITIONS:

1. C.2.1 - Time limit for commencement of development
2. C.13.1 - Development in accordance with approved plans and details 1:1250 Site Location Plan & 1460.P.01 & 1460.P.02 & 1460.P.04 & 1460.P.05 received and dated 13 April 2015
POST-DEVELOPMENT
3. C.5.2 – Matching materials

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

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).

INFORMATIVES:

None

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