



## **Appeal Statement**

Planning Appeal by Mr J Standing

Statement of David Lane BSc (Hons) DipTP DipTP MRTPI FRSA  
Reconfiguration of First Floor with Revised Roof Shape and Fenestration  
5 Bell Lane, Brookmans Park, Hatfield, AL9 7AY.

**DLA Ref: 17/467**

**LPA Ref: 6/2018/0687/House**

**July 2018**

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## 1.0 INTRODUCTION

### 1.1.0 Background

1.1.1 On the 9<sup>th</sup> March 2018 a detailed planning application was submitted to Welwyn Hatfield Council for the reconfiguration of the first floor with a revised roof shape and fenestration at No 5 Bell Lane, Brookmans Park, Hatfield, AL9 7AY (LA Ref 6/2018/0687/House.

1.1.2 The application was refused planning permission by the Welwyn Hatfield Council for the following 2 reasons, given in a decision notice dated the 9<sup>th</sup> May 2018.

*“1. The proposed extension together with existing extensions, would result in disproportionate additions over and above the size of the original building, as such the proposal represents inappropriate development within the Green Belt. Furthermore, the proposed extension would harm the openness of the Green Belt due to its impact in terms of prominence, size, bulk and design on the character and appearance of the area. Very special circumstances do not exist to outweigh the harm to the Green Belt. Accordingly the proposal is contrary to the aims of the National Planning Policy Framework 2012, Policy GBSP1, GBPP2 and RA3 of the adopted Welwyn Hatfield District Plan 2005 and Policies SP3, SP25 and SADM34 of the Draft Local Plan Proposed Submission 2016.*

*2. The proposed extensions would be of a poor quality of design and they would insufficiently reflect the design and character of the host dwelling. In addition, the extensions would not be subordinate or subservient to the existing building and would be excessive in size. Accordingly, the proposal is contrary to the National Planning Policy Framework 2012, Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance 2005.”*

### 1.2.0 Summary

1.2.1 Contrary to the above I will demonstrate in my Statement as follows:

1. The proposal, as shown on the comparative areas and volumes table, proposes no increase in footprint and only a modest increase in floorspace and volume, such that there is not a dis-proportionate increase, thereby satisfying Government advice on domestic extensions in the Green Belt.
2. The site is located in an area with a mix of building types and sizes within which the appeal property would happily sit.

## 2.0 SITE AND CONTEXT APPRAISAL

### 2.1.0 The Appeal Site

2.2.1 This is described by the Council in their delegated report as follows:-

*“The site is occupied by a detached chalet bungalow, the original building was a single storey bungalow which was originally granted permission in the 1960s following the demolition of a former forge which once stood on the site. Between 2007 and 2008 there were a number of applications to extend the dwelling, which resulted in bungalow being increased in height to allow a first floor element to be created. The property has a large area of hardstanding to its front and a reasonable generous garden to its rear and side.”*

2.2.2 In addition I would add the following comments:

1. Whilst set back from Bell Lane by only a narrow verge, the appeal site is well screened by a 4m high laurel hedge and 2m high close boarded gates to the site frontage, such that only the first floor roof is visible.
2. To the rear are the grounds of The Cock o’ the North public house, which is well treed so obscuring views from the east.
3. To the immediate south of the appeal site is a modest stable block set back from the road with, to the immediate south of this, a large garage sited close to the road frontage.
4. On the opposite side of Bell Lane, to the south of the appeal site, are 1950s detached bungalows and houses of a varied style and with narrow gaps between.
5. The former forge included a substantial 3 storey house.

### 3.0 **PLANNING SITE HISTORY**

- 3.1 This is set out in the Council's delegated report, the appeal bungalow having been erected in 1962 and with extensions to it approved in 2007 and 2008. As noted above the bungalow replaced a forge and its substantial 3 storey house.

## 4.0 POLICY CONTEXT

### 4.1.0 National Policy / Guidance

4.1.1 As the site is located in a Green Belt, Section 9 of the NPPF, 'Protecting Green Belt Land' is particularly relevant, as is Section 7: 'Requiring good design'.

### 4.2.0 Development Plan

4.2.1 The Adopted Welwyn Hatfield District Plan 2005

Policy No.	Title
GBSP1	Definition of the Green Belt
GBPP2	Towns and Specified Settlements
RA3	Extension to Dwellings in the Green Belt
D1	Quality of Design
D2	Character and Context

4.2.2 The proposals map shows the appeal site in a Green Belt.

### 4.3.0 Emerging Development Plan & Evidence Base

4.3.1 The Council in their decision notice refer to 3 policies of the emerging Draft Local Plan Proposed Submission 2016. As an emerging plan I consider no weight can be placed upon it.

### 4.4.0 Supplementary Planning Guidance / Documents

4.4.1 The Council in their decision notice refer to the Supplementary Design Guidance 2005.

## 5.0 DESCRIPTION OF DEVELOPMENT

### 5.1.0 The Appellants Design and Access Statement and Floorspace Schedule

5.1.1 This notes that the rationale for the appeal scheme was to make full use of the first floor, installed as a result of the 2007 permissions. However, the existing first floor bedrooms cannot be used effectively due to their overall low height, as the roof extends out to the eaves.

5.1.2 Consequently, the first floor is to be reconfigured, to provide a much-reduced roof pitch, but so that the proposed ridge is no higher than that existing.

5.1.3 The footprint of the building and first floor floorplate is unchanged from that existing. The floorspace increase at first floor results in a building only 20 sqm larger than was approved in 2007 and with a volume 17% more than was approved in 2007. The resultant increase in floorspace, over that which existed in the 1960 bungalow is 42%, well within the 50% normally allowed by the Council.

### 5.2.0 The Appeal Scheme

5.2.1 **The Ground Floor Plan** This remains as existing, albeit there are internal alterations and some refenestration/additional fenestration.

5.2.2 **The First Floor Plan** Whilst the floor plate remains as existing, the proposal is to build off the existing walls to provide a 2.4m internal height throughout.

5.2.3 **The Elevations** The existing building would change from a bungalow, with large dormers in the roofspace and a two storey gable end, to a two storey house, whilst maintaining the existing ridge height. Two mono-pitch roofs would be provided, one to the northern end, in effect replacing the existing gable and one to the rear, over the existing rear extension.

### 5.3.0 The Council's Delegated Report

5.3.1 In recommending the appeal scheme for refusal the report did accept that:

1. There would be no unacceptable impact on neighbours.
2. There is no objection on parking grounds.
3. There is no unacceptable impact on the listed building of Lower Farm Farmhouse, located some 75m to the north-west.

## 6.0 PLANNING CONSIDERATIONS

6.1.1 Given the nature of the proposal, the LPA's reasons for refusal and the policy backdrop of the NPPF and development plan, I consider the appeal raises the following issues:

1. Is the proposal a proportionate extension in the Green Belt?
2. Is the proposal of a good standard of design?

6.1.2 I will take each issue in turn below but before doing so I will consider the NPPF and development plan backdrop.

6.1.3 **The NPPF** As noted above Sections 7 and 9 of the NPPF are particularly relevant.

6.1.4 **Section 7: Requiring good design** Whilst encouraging good design that responds to local character, bullet Point 4 of paragraph 58 states that planning policies should not prevent or discourage appropriate innovation.

### 6.1.5 **Section 9: Protecting Green Belt Land**

Paragraph 89 of the NPPF sets out the general presumption against development within the Green Belt, with defined exceptions, including Bullet Point 3:

“

- *The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.”*

The NPPF does not confirm what constitutes a disproportionate addition.

### 6.1.6 **The Adopted Welwyn Hatfield District Plan 2005**

The decision notice refers to Policies GBSP1, GBPP2, RA3, D1 and D2 of the adopted District Plan. Taking each in turn below.

### 6.1.7 **Policies GBSP1: Definition of the Green Belt and GBSP2: Town and Specified Settlements**

Policy GBSP1 states that a Green Belt will be maintained in the Borough and with Policy GBSP2 confirming which settlements are excluded from the Green Belt. As noted above, the appeal site is not so excluded and so falls within the Green Belt.

6.1.8 **Policy RA3: Extensions to Dwellings in the Green Belt** The preamble to this policy states that:



*“15.7 The Council is concerned about the impact created by extensions to existing dwellings on the openness of the Green Belt.*

*15.8 The extension of a dwelling may be an appropriate development in the Green Belt provided that it would not result in disproportionate additions over and above the size of the original dwelling. The impact of the development on the character of the area, which may vary between different parts of the Green Belt, will also be a significant factor. As a general principle no extension will be approved that would either by itself or taken together with outstanding permissions and previous extensions to the property, make the property more prominent or visually obtrusive.”*

6.1.9 The policy itself states:

*“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 ...”*

6.1.10 **Policies D1: Quality of Design and D2: Character and Context**

These are broad brush design policies, Policy D1 requiring high quality design and Policy D2 that:

*“The Council will require all new development to respect and relate to the character and context of the area in which it is proposed. Development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area.”*

6.1.11 **Welwyn Hatfield District Plan Supplementary Design Guidance February 2005** In that the appeal scheme seeks to remodel what is a substantial bungalow with a significant number of large dormers, I consider the proposal can be considered under that section of the SPD entitled ‘Character and Context’, rather than the ‘Residential Extensions’ section.

6.1.12 Under Character and Context, page 6 of the SPG, describes the characters of the main urban areas of the District. It notes that Brookmans Park, Cuffley and Digswell are large villages which grew mainly in the 20<sup>th</sup> C as commuter settlements and which are:

*“... generally characterised by detached housing on large plots, albeit within a variety of different settings.”*

- 6.1.13 I consider that whilst Bell Bar is noted in this section as one of a number of “... *other hamlets and small cluster of development...*” Bell Bar should be considered, in respect of its character and context, as an outlier just to the north of and part of Brookmans Park as the majority of the housing on Bell Lane is common to the 20<sup>th</sup> C type and character found in that settlement.

6.2.0 **Issue No 1: Is the proposal a proportionate extension in the Green Belt?**

6.2.1 The property as it currently stands is a substantial 4 bed detached bungalow but has its first floor within the roofspace. That at appeal would have a first floor footprint comparable with the ground floor footprint, such that I do not consider the appeal proposal would result in a disproportionate increase, harmful to the openness and purposes of the Green Belt, even when compared to the original building. I say this for the following 4 reasons.

6.2.2 **Reason No 1 The Extensions are Proportionate**

Whilst neither the NPPF or Policy RA3 provide a definition of what is a proportionate extension, I consider the appeal proposals cannot be considered disproportionate, based on the measurements in Application Document 10, see letter of the 9<sup>th</sup> March 2018 from the Appellants Chartered Architect and his Design and Access Statement as:

1. There is no increase in footprint, the ground floor floorspace remains as existing.
2. There is no increase in ridge height, which remains as existing.
3. The volume is increased from 1,036 cum as existing to 1,212 cum, a 17% increase.
4. The increase at first floor is 20 sqm, albeit the Council calculate an increase in floorspace of 36 sqm i.e. an increase of 12% or 22% respectively.

6.2.3 **Reason No 2 There is No Undue Impact on Openness**

In the explanatory text to Policy RA3 the Council note their concern “... *about the impact created by extensions to existing dwellings on the openness of the Green Belt.*” In the case of the appeal scheme by retaining the existing footprint and ridge height I can see no undue impact on openness.

6.2.4 **Reason No 3 There is No Undue Impact on the Character, Appearance and Pattern of Development in the Immediate Area**

As required by Policy RA3 Criterion (ii) the appeal scheme will:

1. Reflect the residential character and pattern of the majority of the dwellings along Bell Lane by being a large detached dwelling on a substantial plot.
2. Not have an adverse visual impact being largely screened from Bell Lane by the 4m high laurel hedge to the front and the trees in the grounds of The Cock o’ the North PH to the rear.

6.2.5 **Reason No 4**

There will be no harm to the purposes of a Green Belt as the proposal will not:

1. Lead to the sprawl of a large built-up area, the nearest being Brookmans Park to the south (Reason No 1).
2. Lead to the merging of any town, the nearest being Potters Bar some 2 miles to the south and Hatfield some 2 miles to the north (Reason No 2).
3. Lead to encroachment on the surrounding countryside, the proposal being contained within its residential curtilage with no increase in footprint (Reason No 3).
4. Harm the setting and special character of any historic town, the nearest being St Albans, located some 6 miles to the north-west and Old Hatfield, located some 3 miles to the north (Reason No 4).
5. Assist in urban regeneration, the proposal relating to an existing dwelling (Reason No 5).

#### 6.2.6 **Conclusions to Issue 1**

I have shown above that the proposal is a proportionate extension to this existing dwelling and which will not harm the openness or purposes of the Green Belt wherein it is sited nor the character and appearance and pattern of development in Bell Lane. Accordingly the proposal reflects paragraph 89 of the NPPF and Policy RA3 of the adopted Plan.

6.3.0 **Issue No 2: Is the proposal of a good standard of design?**

6.3.1 I consider the appeal scheme is a good design, produced by a local firm of Chartered Architects based in nearby Brookmans Park and who are well used to remodelling existing dwellings in the area. Consequently, I consider the appeal scheme reflects Section 7 of the NPPF, Policies D1 and D2 of the adopted Plan and the Council's SPD. I say this for the following 3 reasons.

6.3.2 **Reason No 1 The Proposal is of a Modern Design** The existing dwelling is a substantial, overly elongated bungalow dominated on the front elevation by 3 large dormers and a somewhat squat gable end wing. By way of contrast and as noted in the Appellant's Architects Design and Access Statement at Section 5 the aim of the appeal proposal has been to provide a more modern form. This is achieved by a mono-pitched roof replacing the existing squat gable end and a pitched roof running to the south from this with the elevations broken up with grey louvered shading, so visually reducing the width of the dwelling.

6.3.3 To the rear, the existing gable wing would be similarly remodelled with a mono-pitch roof, so visually breaking up this elevation.

6.3.4 **Reason No 2 The Proposal Remodels the Existing Dwelling Rather than Extends it**

The Council maintain that the appeal scheme should be treated as an extension to the existing house, rather than as I suggest its remodelling. As is made clear in the Appellant's Architects Design and Access Statement, at paragraph 1.9, the aim was to provide a well designed and well proportioned building but one which was radically different from that existing. Such an approach is acknowledged by Section 7 of the NPPF at paragraph 58, as noted above, wherein such innovative approaches are to be encouraged.

6.3.5 **Reason No 3 The Proposal Fits Well With the Character and Appearance of the Street Scene**

As noted above, Bell Lane is predominantly an enclave of 20<sup>th</sup> C dwellings of a varying design and character and with a listed farmhouse to the north-west and the large public house of The Cock o' The North to the north-east. In this context of varied designs, albeit mostly post-war, I consider the appeal scheme will integrate with and be subsumed by its context.

6.3.6 **Conclusions to Issue 2** I have shown above why I consider the proposed design is perfectly acceptable. It has been prepared by a local firm of Chartered Architects to remodel an existing somewhat squat bungalow by introducing a useful first floor in a modern, high quality style. Consequently, I consider the appeal proposal accords with the thrust of Section 7 of the NPPF by introducing an innovative design whilst respecting the suburban character of much of Bell Lane, so meeting Policies D1 and D2 of the adopted Plan and the SPG.

## 7.0 CONCLUSIONS

7.1 I have shown above that the appeal proposal would reflect the NPPF, in particular Sections 7 and 9, the adopted Plan, in particular Policies RA3, D1 and D2 and the SPG.

7.2 The appeal proposal will be sustainable by:-

1. Providing economic benefits to local builders whilst under construction.
2. Providing social benefits by providing a proper, useful first floor to this existing dwelling.
3. Providing environmental benefits by providing a better, more efficient home.

7.3 In all these circumstances I consider this appeal can be safely allowed as it provides a NPPF and adopted Plan compliant development.