

**WELWYN HATFIELD BOROUGH COUNCIL
DIRECTORATE OF STRATEGY AND DEVELOPMENT**

DELEGATED APPLICATION

Application No: 6/2016/0398/HOUSE
Location: 35 Kentish Lane, Brookmans Park, Hatfield, AL9 6NG
Proposal: Conversion of existing loft space including addition of new dormer windows & roof light, external alterations to include reduction of portico, change to fenestration, change of roof finish from plain clay tiles to slate and addition of stone sills and quoins.
Officer: Ms L Hale

Recommendation: Granted

6/2016/0398/HOUSE

Context			
Site and Application description	<p>The application site consists of a two storey detached property located south west of Kentish Lane. The dwelling is finished in render and plain tiles and benefits from a two storey rear extension and a two storey side extension.</p> <p>The applicant seeks planning permission for the conversion of existing loft space including the addition of new dormer windows and roof light. As well as the change to the fenestration, the change of roof finish from plain clay tiles to slate and the addition of stone sills and quoins.</p>		
Constraints (as defined within WHDP 2005)	The site lies within Brookmans Park. It is within the Green Belt in accordance with Policy GBSP1 as designated in the Welwyn Hatfield District Plan 2005.		
Relevant planning history	<p>S6/1980/0131/ - First floor side extension – Granted 15/05/1980</p> <p>S6/1974/0090/ - Two storey rear extension, single storey side extension and double garage – Granted 28/03/1974</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Summary of neighbour responses	N/A		
Town / Parish representations	Ann Morton - North Mymms Parish Council comments that this site is in the Green Belt so the proposal should comply with Green Belt policies on extensions.		
Consultees and responses	<p>1. 1. Matthew Dodds - Herts and Middlesex Wildlife Trust</p> <p>Objection: Bat survey required before application can be determined. Once a suitable survey has been submitted and approved, the objection can be withdrawn provided any required actions are conditioned in the planning</p>		

	<p>approval.</p> <p>2. Ann Morton - North Mymms Parish Council</p> <p>This site is in the Green Belt so the proposal should comply with Green Belt policies on extensions.</p> <p>6. 3. Martin Hicks -Herts Biological Record Centre</p> <p>Until a suitable survey is carried out, the Local Planning Authority (LPA) will be unable to determine if bats are present, how they could be affected. Consequently, it will be unable to answer the tests in the Habitats Regulations and would be unable to determine this application.</p>
Relevant Policies	
<p>NPPF D1 D2 GBSP1 GBSP2 M14 Others RA3</p>	
Main Issues	
Is the development within a conservation area?	
Yes No	
Would the significance of the designated heritage asset be conserved or enhanced?	
Yes No Comment (if applicable): N/A	
Would the development reflect the character of the area?	
Yes No Comment (if applicable): The National Planning Policy Framework (NPPF) states that as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. A Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include 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. In addition, Policy RA3 requires that permission for extensions to existing dwellings within the Green Belt will be allowed if 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. The applicant seeks planning permission for the conversion of existing loft space including the addition of new dormer windows and roof light. As well as the change to the fenestration, the change of roof finish from plain clay tiles to slate and the addition of stone sills and quoins. The applicant originally sought pre-application advice which initially proposed the loft conversion and an additional extension. However, the pre-application advice concluded that the additional extension would not be proportionate in regard to previous extensions on the property; the applicant was advised that submitting an application for a loft conversion would be more favourable. <i>Appropriateness</i> The property on the site has previously been extended with a two storey rear extension, single storey side extension including a double garage, as well as a first floor side extension. The original property has a floor space of 253 sqm which includes a garage which was further on demolished as a result of a side extension. The property has been extended to which the floor space equates to 466 sqm which is an increase of 184% in floor space. The applicant now seeks permission for the conversion of a loft space which would equate to 145 sqm and a 31% increase additional to the 184% increase of previous extensions, which is considered to be a disproportionate increase to the original dwelling.	

The above test is not conclusive, as the NPPF test is primarily an objective one based on size. This proposal includes a loft conversion and two rear and one side dormer. This proposal would not significantly increase the overall bulk and mass of the dwelling as the development would be largely contained within the existing dwelling. Therefore, it is not considered that the bulk and mass of the proposed development would be disproportionate to the original building at the site.

In terms of footprint, the proposed development would be contained within the existing dwelling and therefore, the footprint would not be increased. The only form of bulk and mass would be the addition of dormer windows to the rear and side of the property. The dormers are not considered of significant bulk and mass that would be considered harmful development within the Green Belt. The proposal is therefore regarded as appropriate development in the Green Belt and is not contrary to the National Planning Policy Framework, March 2012 and Policy RA3(i).

Purposes of including land in the Green Belt

With regard to the purposes of including land within it, the application site consists of an existing residential plot within an area of other similar properties, and it is considered that it would not cause harm to the purposes.

Impact upon the openness of the Green Belt

The cumulative addition to the built form of the site which the proposal seeks is not considered to represent an adverse impact on the openness of the Green Belt by virtue of contributing towards an increase in the mass, bulk and volume of the original house. This increase in built form adds only marginally to the physical permanence of the dwelling in the form of dormer windows. Given the location of the development, and having regard to the overall scale of the development, this impact would not be sufficient to cause discernible material harm to openness. Accordingly the harm to openness arising from this impact would not be significant.

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 moderate weight. The impact on the visual amenities of the Green Belt is also considered to carry moderate 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.

Local Plan Policies D1 (Quality of Design), D2 (Character and Context) and GBSP2 aim to ensure a high quality of design and to ensure that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing buildings and surrounding area. In addition, Chapter 7 of the National Planning Policy Framework (NPPF) emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.

The applicant seeks permission for the conversion of existing loft space including addition of new dormer windows and a roof light. The Supplementary Design Guidance outlines that dormer windows should be contained within the roof slope be subservient to the roof of the property and be in proportion of the existing fenestration of the property. They must not extend above the ridge height of the existing dwelling and the dormer cheeks should be at least 1 metre from the flank wall of the property. The proposed dormer windows would be within the roof slope of the rear elevation and would be set in from either flank wall, and set down from the ridge. The proposed dormer windows are considered to match the proposed fenestration detailing of the existing property, additionally they are proposed on the rear elevation and so will not be visible from a public vantage point. Therefore, the dormer windows are considered to maintain the character of the existing property and are considered to be acceptable in this regard. Additionally the applicant seeks permission for a roof light to be located in the centre of the front elevation. There is evidence of roof lights within the street scene of Kentish Lane and so the proposed roof light is not considered to detract from the character of the existing property or the surrounding area.

The applicant also seeks permission for additional windows and change to the positioning, scale and detail. The existing windows are painted timber casements, and the applicant seeks to replace these with timber sash windows with stone sills as well as the existing door painted timber panelled doors and painted timber glazed doors which are proposed to be painted timber panelled doors and powder coated aluminium sliding doors. The proposed detailing will reflect throughout the dwelling. Therefore, it is considered that the development would not detract from the character of the dwelling or streetscene.

The applicant also seeks permission for a re-instated chimney and a new chimney on the rear elevation which would be visible from the street scene, however they are not considered to significantly detract from the character of the dwelling to warrant a refusal.

The applicant also seeks permission for the addition of stone sills and quoins, and a change of roof finish from plain clay tiles to slate. With the addition of the changes to the fenestration detailing, the exterior of the property will change in character to its existing form. However, given the street scene of Kentish Lane which features properties of a variety of style and design. The proposed changes are not considered to detract from the character and appearance of the host dwelling or nearby locality. The development is, therefore, not contrary to policies RA3, D1, D2 of the adopted Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guide and Section 7 of the NPPF.

Would the development reflect the character of the dwelling?

Yes No N/A

Comment (if applicable): See above comments

Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)

Yes No N/A

Comment (if applicable):

The impact of the proposed development on the residential amenity of neighbouring dwellings is considered in terms of the impact on neighbouring properties access to day/sun/sky light, privacy and overshadowing. Policy D1 of the District Plan applies which seeks to provide a good standard of design in all new development. The Council's SPD on design supplements Policy D1 and expects that residential applications for extensions and alterations should not cause loss of light or be unduly dominant from adjoining properties, as a result of the length of projection, the height or the proximity of the extension.

No objections have been received from adjoining neighbours. The adjoining neighbours are No.33 and No.39 Kentish Lane. No comments or objections were received from either neighbour. In terms of residential impact on the adjoining neighbour, the main issue are with regard to the change of fenestration and the insertion of two rear and one side dormer window.

With regard to No.33, the main impact will be the side facing. No.33 has an east facing window

towards the host property which is obscure glazed as it serves a bathroom. Additionally, the proposed side facing dormer window will also be obscure glazed as it will serve an en suite bathroom. Therefore, it is not considered that the proposed dormer will have a detrimental impact on the residential amenity of No.33 Kentish Lane in terms of overlooking or loss of privacy.

With regard to No.39, the applicant does not propose any north east facing windows that would face the side elevation of No.39. The proposal will consist of changing the design of the existing windows, but not the positioning, and therefore it is considered that there would not be a change in residential amenity in which the properties currently benefit.

The applicant proposes the insertion of two dormer windows and an additional window to the rear of the property. The proposed dormers are not considered to result in significant harm to the occupiers of neighbouring properties in terms of overbearing and loss of light. They would not afford direct views of primary private amenity space; the proposed dormers would preserve the privacy of the neighbouring occupiers.

Having regard to the above, it is considered that the proposed development would not detrimentally impact upon neighbouring amenity, in terms of overlooking, overbearing and loss of light. The development, therefore, would not be contrary to Policy D1, the Supplementary Design Guidance or the relevant paragraphs of the NPPF.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

The property is currently a 5-bedroom dwelling and the proposed development of a loft conversion would add an additional bedroom. The property would then be a 6-bedroom dwelling. The property is set back from the highway and has a large driveway which would provide sufficient parking, therefore no objections are raised.

Any other considerations

Herts and Middlesex Wildlife Trust previously objected to the application and outlined that a bat survey would be required before the application can be determined. Once a suitable survey has been submitted and approved, the objection can be withdrawn provided any required actions are conditioned in the planning approval. Therefore, the recommendations of the survey will be conditioned to ensure these measures are implemented.

Conclusion

The proposed extensions, by virtue of their amount, bulk and scale, when considered to the original dwelling would not appear as a disproportionate increase in the size of the original dwelling and is therefore considered to be appropriate development in the Green Belt. Furthermore, the proposal would not result in an excessively bulky and prominent addition that would increase the amount of development on the site which would be considered detrimental of the openness and character of the Green Belt. No very special circumstances to outweigh the harm. Accordingly the proposal is contrary to the National Planning Policy Framework and Policy RA3 of the Welwyn Hatfield District Plan 2005.

It is considered that the design of the proposal would not be objectionable, the materials and fenestration would match the property throughout, keeping the design and character of the dwelling. It is considered that the proposed development would not detrimentally impact upon neighbouring amenity, in terms of overlooking, overbearing and loss of light, therefore the proposal is considered to be acceptable in this regard.

Conditions:

1. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Existing Floor Plans 01 & Existing Elevations 02 & Proposed Floor Plan 03 & Proposed Elevation 04 & 774/LP1 & 774/SP1 & 774/SP2 received and dated 8th March 2016.

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

2. The development shall be carried out in accordance with the required actions and conclusions highlighted in the Bat and Bird Survey by Crossman Associates (Ecological Consultants) dated 18th May 2016.

REASON: To ensure the recommendations and required actions are in accordance with the survey.

1. POSITIVE AND PROACTIVE STATEMENT

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 viewed on the Council's website or inspected at these offices).

Determined By:

Mr A Mangham
28 June 2016