

**WELWYN HATFIELD BOROUGH COUNCIL  
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

**DELEGATED APPLICATION**

**Application No:** 6/2017/1998/HOUSE  
**Location:** Warrenwood Manor Hornbeam Lane Brookmans Park Hatfield AL9  
 6JF  
**Proposal:** Erection of single storey extension at basement level  
**Officer:** Mrs S Smith

**Recommendation:** Granted

6/2017/1998/HOUSE

<b>Context</b>	
<b>Site and Application description</b>	<p>The application site is located approximately 2km to the south of the village of Essendon. It forms part of the wider Warrenwood site which extends to 24.05ha.</p> <p>Access to the site is via Kentish Lane (B158), which serves Hornbeam Lane which leads to the site, a number of cottages and also forms a public bridleway. The wider site comprises of associated buildings including a stable building and manege to the north of Hornbeam Lane.</p> <p>The application site is to the south of this lane and comprises of a detached dwelling set back from the lane. To the side of the dwelling is a detached garage building and store, which is linked to the main property by a basement.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>GB - Greenbelt - Distance: 0            LCA - Landscape Character Area (West End - Brickendon Wooded Slopes) - Distance: 0            PAR - PARISH (ESSENDON) - Distance: 0            PAR - PARISH (HATFIELD) - Distance: 97.05            ROW - BRIDLEWAY (ESSENDON 018) - Distance: 15.7            Wards - Brookmans Park &amp; Little Heath - Distance: 0            CP - Cycle Path (CYCLEABLE ROW / AGREEMENTS) - Distance: 12.68            FM00 - Flood Zone Surface Water 1000mm (74554) - Distance: 0            FM00 - Flood Zone Surface Water 1000mm (7608135) - Distance: 0            FM00 - Flood Zone Surface Water 1000mm (7608519) - Distance: 0            WILD - Hornbeam Lane (Wildhill) - Distance: 0            HEN - Existing S41 NERC Act habitat - Distance: 0            HEN - No known habitats present (high priority for habitat creation) - Distance: 0            SAGB - Sand and Gravel Belt - Distance: 0            TPO - TPO3 G37 - Distance: 0</p>
<b>Relevant planning history</b>	<p>S6/1989/652/OP Demolition of existing house &amp; construction of replacement dwelling – refused 18 Aug 1989. Appeal lodged and upheld 15 Jun 1990.            S6/1993/350/OP Renewal of OP to demolish and build replacement dwelling – approved 08 Jul 1993.</p> <p>S6/1996/189/OP Renewal of OP to demolish and build replacement dwelling –</p>

approved 10 May 1996.

S6/1998/291DE Details pursuant to S6/1996/189/OP relating to replacement dwelling – approved 20 Jul 1998.

S6/1998/1132/FP Revised siting of dwelling house approved under S6/1998/0291 – approved 17 May 1999 subject to existing dwelling being removed before commencement of replacement.

S6/2000/387/FP Variation to Condition 5 of S6/1998/1132/FP to allow retention of existing dwelling for 6 months after new dwelling commenced – approved 17 Jul 2000.

S6/2000/1520/FP Variation to Condition 5 of S6/1998/1132/FP to allow retention of existing dwelling for 12 months after new dwelling commenced – approved 29 Jan 2001.

S6/2001/499/FP Replacement dwelling house (revision of S6/1998/1132/FP) showing additional 12 dormer windows and a basement – approved 27 Aug 2002, subject to condition requiring existing dwelling to be removed prior to commencement of approved replacement.

S6/2009/2574/FP - Erection of new dwelling, three bay garage block, garden store together with retention and alteration of the existing stables, landscaping and all other ancillary works, following demolition of partially constructed dwelling, adjoining stables and garage blocks - Granted conditionally in January 2010.

S6/2012/2656/S73B - Time extension of planning permission S6/2009/2574/FP (Erection of new dwelling, three bay garage block, garden store together with retention and alteration of the existing stables, landscaping and all other ancillary works. Following demolition of partially constructed dwelling, adjoining stables and garage blocks) - Approved February 2013.

S6/2012/2658/S73B - Variations of condition 10 of planning permission S6/2009/2556/MA (Prior to the commencement of the development hereby permitted, details shall be submitted to the local planning authority for approval in writing, showing easement details that give legal rights for vehicular there is a legal right of access for vehicular traffic in accordance with Countryside and Rights of Way Act 2000) - Approved February 2013.

S6/2012/2661/S73B - Variation of condition 21 ( Prior to the commencement of the development hereby permitted, details shall be submitted to the local planning authority for approval in writing, showing easement details that give legal rights for vehicular traffic to travel along the Public Bridleway (Hornbeam Lane). Reason: To ensure that there is a legal right of access for vehicular traffic in accordance with Countryside and Rights of Way Act 2000. of planning permission S6/2009/2574/FP (Erection of new dwelling, three bay garage block, garden store together with retention and alteration of the existing stables, landscaping and all other ancillary works. Following demolition of partially constructed dwelling, adjoining stables and garage blocks) - Approved February 2013

S6/2013/0919/FP - Demolition of part basement structure, adaptation and completion of remaining part built structure to provide single dwelling and

	<p>construction of detached garage with associated parking and landscaping – Approved September 2013.</p> <p>6/2016/0825/HOUSE - Retention of service plant to rear of the garage and formation of a basement with vehicular access and annexe within the roof space. Approved September 2016.</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	<p>Site Notice Display Date: 15 September 2017</p> <p>Site Notice Expiry Date: 6 October 2017</p>		
<b>Consultees and responses</b>	<ol style="list-style-type: none"> <li>1. Herts &amp; Middlesex Bat Group – No comments</li> <li>2. Herts &amp; Middlesex Wildlife Trust – No comments</li> <li>3. Hertfordshire County Council - Rights of Way North – No comments</li> <li>4. Essendon Parish Council – No comments</li> <li>5. Herts Biological Records Centre – Advises a precautionary approach should be taken</li> <li>6. Welwyn Hatfield Borough Council - Landscapes Department - No soft landscaping or tree comments.</li> <li>7. HCC - Rights of Way (South) – No comments</li> <li>8. The Ramblers' Association - No comments</li> </ol>		
<b>Relevant Policies</b>			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input checked="" type="checkbox"/> GBSP1 <input type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14  Others SD1, R3, R11, R15, D8, RA3, RA10  SDG, SPG and Council's Interim Policy for Parking  Emerging Local Plan Policy SADM 34			
<b>Main Issues</b>			
<b>Is the development within a conservation area?</b>			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>Is the Principle of Development acceptable?</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<p><b>Comment</b> (if applicable):</p> <p>The proposed basement, which is an engineering operation would also increase the size of the existing building.</p> <p>The NPPF at paragraph 89 outlines that a local planning authority should regard the construction of new buildings as inappropriate in 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.</p> <p>Additionally, paragraph 90 refers to engineering operations which can be appropriate provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.</p> <p>A 1930s detached house originally stood on the site, together with a number of outbuildings including a stable and garaging block. The property has been substantially increased from its original size together with basements and garages. Any extension to this property would be considered disproportionate to the size of the original building. Accordingly the extension to the basement is inappropriate in the Green Belt.</p>			

However, the development proposes a basement and a small excavated area for bi fold doors which would be visible externally allowing external access and some natural light to the proposed development.

The proposed development would also increase the size of the hardstanding to the front of the entrance to the basement of the garage. That part of the development is not considered to impact on the openness or the purposes of the Green Belt any more than existing.

Paragraph 88 of the NPPF outlines that very special circumstances will not exist unless the potential harm to the Green Belt by reasons of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Therefore it is in terms of floor space that the proposed basement predominately conflicts with the NPPF, although its added volume would be partially visible from the north west elevation. The NPPF outlines in paragraph 79 that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts is their openness and their permanence.

Therefore given that the basement would not be visible from outside of its very immediate context and that it would not prejudice the continued achievement of any of the purposes of the Green Belt or impact on the openness of the Green Belt any further than the existing development, which is the fundamental aim of Green Belt policy, it is considered that these considerations weigh substantially in favour of the scheme. The harm therefore, by reason of inappropriateness, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development. Therefore on this basis, no objections are raised with regard to the principle of the garage building.

Accordingly no objections are raised with regard to the proposals in accordance with the NPPF and policy RA3 of the District Plan or the emerging policy SADM 34.

**Would the development reflect the character of the area?**

Yes  No

**Comment** (if applicable):

**Would the development reflect the character of the dwelling?**

Yes  No  N/A

**Comment** (if applicable):

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

Yes  No  N/A

**Comment** (if applicable):

**Would the development provide / retain sufficient parking?**

Yes  No  N/A

**Comment** (if applicable):

**Any other issues**

Herts Ecology have requested that a precautionary approach is taken with regard to protected species.

**Conclusion**

Whilst the development is inappropriate, given that it does not impact on the openness or the purposes of including land in the Green Belt, it is considered that these other considerations weigh in favour of the scheme to warrant a very special circumstance.

No objections are raised with regard to the impact of the development to neighbour amenity, highway safety or the detailed design and appearance of the proposed development.

## DRAWING NUMBERS

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

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
32		Existing Basement Layout	8 September 2017
33		Existing Ground Floor Layout	8 September 2017
703/34		Existing Elevations	8 September 2017
703/35		Existing Elevations	8 September 2017
36		Proposed Basement Layout	8 September 2017
37		Proposed Floor Layout	8 September 2017
703/38		Proposed Elevation	8 September 2017
703/39		Proposed Elevations	8 September 2017
703/40		Proposed Sections and Elevation	8 September 2017
703/LP1A		Location Plan	8 September 2017
SP1A		Existing Site	8 September 2017
SP2A		Proposed Site	8 September 2017

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

### 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).

### **Informatives:**

1. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
2. All works (including vehicle movements, materials and waste), must be kept strictly within the curtilage of the proposed construction zone and under no circumstances should there be any detrimental physical impact to the adjacent Local Wildlife Site (Hornbeam Lane).

### **Determined By:**

Mrs L Hughes  
31 October 2017