

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

DELEGATED APPLICATION

Application No: 6/2018/0457/HOUSE
Location: 35 Carbone Hill, Northaw, Potters Bar, EN6 4PN
Proposal: Erection of first floor rear extension, roof alterations and 2no rear Juliet balconies following demolition of conservatory and outbuildings. Change of external materials, replacement windows and installation of new front access and exit gates
Officer: Mr David Elmore

Recommendation: Granted

6/2018/0457/HOUSE

Context	
Site and Application description	<p>The application site comprises a large plot of land occupied by a substantial two storey dwelling within open countryside and forming part of a Green Belt setting. The property is located at the end of a linear form of residential development fronting either side of Carbone Hill. Dwellings are large, sited within extensive curtilages and generally, set back from the road and have well landscaped front gardens.</p> <p>Planning permission is sought for the erection of a first floor rear extension, roof alterations and 2no rear Juliet balconies following demolition of existing conservatory and outbuildings. Also including in this application is a change in the external materials of the dwelling, alterations to openings and installation of front gates, walls, pier and railings.</p>
Constraints (as defined within WHDP 2005)	<p>GB - Greenbelt LCA - Landscape Character Area (Northaw Great Wood) LCA - Landscape Character Area (Northaw Common Parkland) LNR - Local Nature Reserve(Northaw Great Wood) PAR - PARISH (NORTHAW AND CUFFLEY) Wards - Northaw & Cuffley tpos - TPO3 W37</p>
Relevant planning history	<p>Application Number: 6/2017/2263/LAWP Decision: Granted Decision Date: 03 November 2017 Proposal: Certificate of lawfulness for the erection of a poolhouse, detached garage, gym building and home office</p> <p>Application Number: 6/2017/1778/LAWP Decision: Refused Decision Date: 03 October 2017 Proposal: Certificate of Lawfulness for the erection of a pool house, detached garage, gym building and home office</p>

<p>Application Number: S6/2014/1921/FP Decision: Granted Decision Date: 29 October 2014 Proposal: Erection of first floor extension</p> <p>Application Number: S6/1997/0515/FP Decision: Granted Decision Date: 29 July 1997 Proposal: Erection of front porch</p> <p>Application Number: S6/1991/0121/FP Decision: Granted Decision Date: 15 April 1991 Proposal: Erection of rear conservatory</p> <p>Application Number: S6/1987/0673/FP Decision: Refused Decision Date: 27 August 1987 Proposal: Two storey side extension to provide accommodation for dependent relative.</p> <p>Application Number: S6/1987/0443/FP Decision: Refused Decision Date: 03 July 1987 Proposal: Two storey and single storey side extension</p> <p>Application Number: S6/1983/0397/ Decision: Granted Decision Date: 20 July 1983 Proposal: Single storey rear extension</p> <p>Application Number: S6/1976/0322/ Decision: Granted Decision Date: 09 July 1976 Proposal: Two storey and ground floor side and rear extension</p>			
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 23 February 2018 Site Notice Expiry Date: 16 March 2018		
Summary of neighbour responses	No representations received		
Consultees and responses	<p>Northaw and Cuffley Parish Council – Comment stated as follows: A further bat survey should be carried out as recommended by Herts & Middlesex Wildlife Trust</p> <p>Herts & Middlesex Wildlife Trust - Objection but no response following re-consultation</p> <p>Hertfordshire Ecology – No objection subject to condition securing follow up surveys.</p>		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input checked="" type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input type="checkbox"/> M14			

Supplementary Design Guidance Supplementary Parking Guidance Interim Policy for car parking and garage sizes
Others: R8, R11, RA3 and RA10 of the Saved Local Plan; SP9, SADM11, SADM16 and SADM34 of the Emerging Local Plan

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: N/A

Would the development reflect the character of the area?

Yes No

Comment: Of particular relevance in this instance is the policy contained in paragraphs 60 and 61 of the NPPF, which states, amongst other things, that design policies should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiatives through unsubstantiated requirements to conform to certain development forms or styles. However, it does then state that it is proper to seek to promote or reinforce local distinctiveness.

Local Plan Policies D1 and D2 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. The architecture of all new development should contribute to the quality of the design in the district, and be appropriate to the setting and context of the area of the development. This is not to say that new development must mirror the local character, rather that it must be sensitive to it. It should seek to enhance the key characteristics which contribute to landscape and architectural quality, whilst developments may create their own distinctive identity, they should respect and enhance the local character. Character and innovation can exist together with old and new buildings fitting together provided they are carefully designed.

The proposed first floor extension would infill a gap above the existing living and kitchen area, creating a flush rear elevation at two-storey level and introducing 3no matching hipped roofs. The design of the proposed extension and subsequent alterations to the main roof would respect the style and form of the existing dwelling and having regard to its location to the rear, would not be visually prominent from the street-scene.

The crown roof of the attached single storey element of the building would be replaced by a flat roof with parapet. Also the modest pitched roof above the original entrance would be replaced by a flat roof. Such alterations would acceptability relate to the design and character of the dwelling.

In terms of appearance, the existing dwelling is faced in red brick below a red/brown tiled roof hipped on all sides. Windows are white uPVC with vertical and horizontal muntins. Wooden cladding above the front porch give the property a mock-Tudor influence. Dwellings along Carbone Hill are predominately faced in render, brick (or both) below red-brown concrete/clay tiled roofs. The resultant dwelling would adopt a more contemporary design and appearance when compared to existing. The existing white uPVC windows would be replaced with grey aluminium windows. Much of the existing brick facing would be covered by a white render finish and the existing roof tiles would be replaced by new grey roof tiles and bonnet hip tiles. Whilst grey aluminium windows and slate tiles are not witnessed in the area, the replacement windows would be similarly scaled and are more complementary to a white render facing, and the grey slate tiles would not appear strident given the very weather colour of the existing roof tiles on the subject dwelling. Furthermore, the existing bonnet hip tile detailing would be re-introduced. Overall, it is considered that the materiality of the resultant dwelling would adequately respect and relate the design and character of the host dwelling and the area.

Would the development reflect the character of the dwelling?

Yes No

Comment: See above

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

Yes No

Would the development provide / retain sufficient parking?

Yes No

Any other issues

Appropriateness in the Green Belt, effect on openness and visual amenity of the Green Belt

Paragraph 89 of the NPPF states that local planning authorities should regard the construction of new buildings as inappropriate development, apart from a number of exceptions. One of these exceptions which is engaged in this case, is 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. This is consistent with the Local Plan.

The NPPF defines “original building” as a building as it existed in July 1948 or, if constructed after that date, as it was built originally. Local Plan and NPPF do not provide any detailed guidance on how to determine whether an extension is disproportionate. This is, therefore, ultimately a matter for the decision maker and demands that each proposal is considered in relation to the size and character of the original building. The proposed increase in volume, footprint and floor area are commonly used indicators, however, as well as mathematical calculations, the visual impact of the extension has to be considered.

Following a review of the planning history for this property, it is understood that this building had an original floor-space of approximately 186sqm. Later additions (set out in the planning history section above) have increased the floor-space of this building to approximately 341sqm (83% increase) which is substantial.

In terms of built form to be added/removed to the dwelling, this would involve the erection of an additional first floor rear extension following demolition of the existing conservatory and outbuildings. The proposed dwelling would have a floor-space approximately 341sqm, equal to that of the floor-space of the existing dwelling. A total of approximately 45sqm of outbuilding would also be removed.

The existing dwelling (including chimneys and conservatory) has a volume of approximately 1172 cubic metres. The main addition to the dwelling would be through the proposed first floor rear ‘infill’ extension. The added volume and bulk created is proposed to be mitigated through the removal of crown/pitched roofs and 2no chimneys on the dwelling. As a result of the proposed extensions/alterations, the resultant dwelling would have a volume of approximately 1182 cubic metres.

Taking account of the above calculations, it is not considered that the proposed development would be materially larger in quantitative terms than the existing dwelling. Furthermore, the proposed extensions would be contained within the existing footprint of the dwelling and be read against the backdrop of the dwelling. Therefore, it is considered that the proposed development would not harm openness. Overall, it is considered that the proposed extensions to the dwelling are acceptable in Green Belt terms.

Also included in this proposal is the erection of front boundary walls, piers, railings and gates. The term ‘building’ is not defined in the NPPF but the definition in the Town and Country Planning Act 1990 refers to ‘any structure or erection’. As a result, it is considered that the proposed wall, piers and gates should be treated as ‘buildings’ for the purposes of the NPPF. In this instance, the proposed hard-boundary treatment is treated as a domestic adjunct to the dwelling and accordingly the engaged exception of paragraph 89 of the NPPF is 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 extent of additional built form created and its predominantly open nature would not

represent a disproportionate addition to the original dwelling.

Policy RA3 (ii) of the Saved Local Plan outlines that permission for extensions to existing dwellings with the Green Belt will be allowed where the development 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 gates and taller piers would be set back from the front boundary which helps to reduce prominence. Also the use of metal railing helps to create a more lightweight appearance and also allows views through. A line of hedging is also proposed along all other part of the site frontage which assists in not only softening the appearance of this hard-boundary treatment, but also contributes to the verdant character of the street-scene. A similar example of front boundary treatment is also witnessed directly opposite the application site at No. 26 Carbone Hill. Subject to a condition securing the planting of the proposed hedging and details of its size and species being agreed, it is considered that the proposed hard-boundary treatment would not harm the visual amenity of the area. For the same reasons, this building would not harm Green Belt openness.

Ecology and biodiversity

The property backs onto Northaw Great Wood, which is a Site of Special Scientific Interest (SSSI), Local Nature Reserve (LNR) and Ancient Woodland Inventory (AWI) site. In fact, the property falls within the AWI boundary. To the east / south-east is Home Wood, a Local Wildlife Site (LWS) designated for its ancient woodland features. Taking account of the sites surrounding context and that the development would involve extensive roof alterations, both Hertfordshire Ecology and Herts & Middlesex Trust were consulted.

The responses explained that the habitats will provide suitable foraging and commuting opportunities for bats and there are records of roosting in the area.

The application was initially supported by a Preliminary Bat Roost Assessment (by Clive Herbert, 2017). This assessment confirmed that the building had potential bat roosting features amongst raised roof tiles, especially on the rear elevation. Consequently, the house was assessed to have high potential to support roosting bats. No outline mitigation or surveys were undertaken so these consultees could not be satisfied that the proposal would be acceptable from an ecology perspective.

Following this, an outline mitigation strategy was submitted by the applicant. Whilst Herts & Middlesex Wildlife Trust failed to respond to the re-consultation, Hertfordshire Ecology found this report to be acceptable and revoked their initial objection subject to outstanding nocturnal surveys being secured by planning condition prior to the commencement of roof works. This condition can be secured with a grant of planning permission.

Removal of permitted development rights

It is noted that a Certificate of Lawfulness has recently been granted under reference: 6/2017/1778/LAWP, for the erection of a pool house, detached garage, gym building and home office.

It is known for permitted development rights for outbuilding (recently granted or in the future) to be revoked subject to a grant of planning permission, particularly where fall-back positions are presented to justify otherwise inappropriate extensions to dwellings in the Green Belt. However, in this case, it is considered that such a restriction would not be reasonable or necessary. Whilst this application includes the demolition of 3no modest outbuildings, the proposal would have nevertheless been considered acceptable in Green Belt terms as the proposed footprint and volume of the resultant building would not respectively be altered or be materially larger relative to the existing dwelling.

Additionally, non-original extensions to the existing dwelling would either completely remove or substantially limit any future extensions or enlargements under Classes A or B.

To conclude, the removal of permitted development rights for dwelling would not be justified in this

case.

Conclusion

Subject to the suggested planning conditions, the proposal development accords with relevant saved and emerging local plan policies and provisions of the NPPF.

Conditions:

1. No development shall take place until full details on a suitably scaled plan of soft landscape works to the front boundary of the application site have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

The landscaping details to be submitted shall include: planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005 and requirements of the National Planning Policy Framework 2012.

2. All agreed landscaping comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the first building, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

3. Prior to commencement of works to the roof and loft void, an updated Bat Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The updated Bat Mitigation Strategy shall be informed by the results of three dusk emergence / dawn re-entry surveys which must be undertaken during May to September, with at least two surveys between May and August, to determine with confidence whether bats are roosting.

REASON: To ensure the continued ecological functionality of bats and their roosts is maintained in accordance with Policy SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and requirements of the National Planning Policy Framework 2012.

DRAWING NUMBERS

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

Plan Number	Revision Number	Details	Received Date
131_PL03		Existing Gf + 1f Plans	14 February 2018
131_PL02		Existing Site/Block Plan	14 February 2018
131_PL08		Proposed Gf + 1f Plan	14 February 2018
131_PL04		Existing Rf Plan + 3D Visuals	14 February 2018
131_PL09		Proposed Rf Plan + 3D Visuals	14 February 2018
131_PL13		Volumes Comparisons	14 February 2018
131_PL05		Existing Elevations	14 February 2018
131_PL10		Proposed Elevations	14 February 2018
131_PL06		Existing Elevations	14 February 2018
131_PL11A		Proposed Elevations	16 May 2018
131_PL12A		Existing + Proposed Street Scene	16 May 2018
131-PL07A		Proposed Site Plan	16 May 2018
131_PL01		Location Plan	14 February 2018

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. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.

Determined By:

21 May 2018