

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

**DELEGATED APPLICATION**

**Application No:** 6/2018/1960/HOUSE  
**Location:** 11 Carbone Hill Northaw Potters Bar EN6 4PJ  
**Proposal:** Erection of first floor extension , Internal alterations with window upgrades and construction of a new carport  
**Officer:** Mr William Myers

**Recommendation:** Refused

6/2018/1960/HOUSE

<b>Context</b>			
<b>Site description</b>	The application property is a two storey detached dwelling which is located to the north of Carbone Hill. The property has a garden and a large area of hardstanding at the front of the property. To the rear it has a large garden which includes a swimming pool. The property has been previously extended at its side and rear.		
<b>Constraints (as defined within WHDP 2005)</b>	GB - Greenbelt - Distance: 0 LCA - Landscape Character Area (Northaw Great Wood) - Distance: 0 LCA - Landscape Character Area (Northaw Common Parkland) - Distance: 0 LNR - Local Nature Reserve(Northaw Great Wood) - Distance: 0 PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0 Wards - Northaw & Cuffley - Distance: 0 A4D - ARTICLE 4 DIRECTION - Distance: 0		
<b>Relevant planning history</b>	Application Number: E6/1973/1617/ Decision: Granted Decision Date: 07 March 1973 Proposal: Ground floor side extension to include double garage  Application Number: S6/1975/0167/ Decision: Granted Decision Date: 16 June 1975 Proposal: Two storey rear extension		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Site Notice Display Date: 7 September 2018 Site Notice Expiry Date: 28 September 2018		
<b>Consultees and responses</b>	Northaw & Cuffley Parish Council – We would draw attention to the mature trees being removed for the new driveway  Cadent Gas Limited – No objection, subject to an informative.  HCC Highways – No objection, subject to an informative.		

## Relevant Policies

NPPF  
 D1    D2    GBSP1    GBSP2    M14  
 Supplementary Design Guidance    Supplementary Parking Guidance    Interim Policy for car parking and garage sizes  
Others: D8, R17, RA3, RA10

### Draft Local Plan Proposed Submission August 2016

SP1 Delivering Sustainable Development  
SP9 Place Making and High Quality Design  
SADM2 Highway Network and Safety  
SADM11 Amenity and Layout  
SADM12 Parking, Servicing and Refuse  
SADM16 Ecology and Landscape  
SADM34 Development in the Green Belt

## Main Issues

### **Principle of Development (Green Belt)**

This application is for the erection of a first floor side extension above an existing single storey side extension which has a flat roof and the erection of a car port to the front of the property. In addition, it is proposed that a new access would be created and that the hardstanding to the front of the property would be extended with a new driveway. Although the proposed car port would not be attached to the dwelling it is considered, given its proximity and relationship to the dwelling that it would be reasonable to consider it as a domestic adjunct to the dwelling. As a consequence of this consideration, the proposed car port has been considered on the basis that it is an extension to the dwelling.

#### *Appropriateness in the Green Belt*

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The curtilages of dwellings have a role to play in keeping land open.

The National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The extension of an existing building is not, however, inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. This advice is reflected in Policy RA3(i) of the Welwyn Hatfield District Plan 2005 (the Local Plan) and Policy SADM34 of the Emerging Local Plan.

The 'original building' is as it existed on 1 July 1948 or, if constructed after 1948, as it was built originally. Neither the Local Plan nor the NPPF provide any detailed guidance on how to determine whether an extension is disproportionate. This is, therefore ultimately a planning judgement of fact and degree, which 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.

It is understood through an assessment of the planning history for the site that the dwelling had an original floor area of approximately 189m<sup>2</sup>. Previous

extensions have subsequently increased the floor area of the dwelling by approximately 114m<sup>2</sup>, amounting to a 60% increase. The proposed extension and the detached car port would add an additional 92 m<sup>2</sup> of floor area, resulting in a cumulative increase of approximately 109%.

Cumulatively, on a purely mathematical calculation the proposed additions to the original building would be disproportionate. In terms of a qualitative assessment, the extension adds considerably to the scale and bulk of the dwelling and the increase would be clearly visibly from the highway. Further to this is added the significant bulk and massing which would result from the addition of a large carport. The cumulative impact of existing extension plus the proposed development would be so substantial in comparison to the original building as to be clearly disproportionate, transforming the building's scale.

It is concluded in this respect that the proposal would represent a disproportionate addition over and above the size of the original building. It therefore constitutes inappropriate development in the Green Belt, conflicts with the above-mentioned policies and is by definition harmful to the Green Belt. This harm is afforded substantial weight in determining this application, in accordance with paragraphs 143 and 144 of the NPPF.

With regards to the proposed new driveway and access, it is considered that this is an engineering operation and therefore should be considered under paragraph 146 of the NPPF. Paragraph 146 states that engineering operations may not be inappropriate development as long as the development preserves the openness of the Green Belt and does not conflict with the purposes of the Green Belt.

#### *Openness*

Paragraph 133 of the NPPF states that one of the essential characteristics of Green Belts is their openness. It is judged that as the proposed access and driveway would only have a limited impact on the Green Belt as a result that the development would not be above ground. Having said this, by reason of the siting and size of the proposed extension and car port, it is concluded that the proposed development as a whole would have a detrimental effect on the openness of the Green Belt and would conflict with the NPPF. This is particularly the case for the proposed two storey extension which would more than double the width of the dwelling at first floor level.

The proposed development would be wholly contained within the residential curtilage of the property and would not extend beyond the existing developed area. For this reason, it is concluded that the proposed development would not conflict with the purposes of the Green Belt as identified at paragraph 134 of the NPPF, in particular safeguarding the countryside from encroachment.

The proposed garage would be sited within the front garden of the host property, with the majority of the building being viewable from the road. In addition, the proposed position and bulk of the side extension would be visible from the road and would reduce views of the open Green Belt beyond. Accordingly, and principally by reason of siting, it is concluded that the proposed development would cause unacceptable harm to the visual amenity of the Green Belt.

	<p>It is concluded in this respect that the proposal would detract from the openness of the Green Belt for which substantial weight is attached.</p>
<p><b>Design (form, size, scale, siting) and Character (appearance within the streetscene)</b></p>	<p>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. 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 building and area. These objectives are broadly consistent with the Council's Emerging Local Plan 2016 and the aims of the NPPF which considers that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.</p> <p>The property is located within a linear form of residential development fronting either side of Carbone Hill which is situated within open countryside. The dwellings are large, sited within extensive curtilages and generally have landscaped front gardens. Accordingly, the character and appearance of the area, including the streetscene, is verdant and spacious.</p> <p>The proposed car port would be sited within the front garden of the host property and would be clearly visible from the road. While there are outbuildings within the front gardens of Nos. 13 and 15, it is judged that the car port in this location would be an uncharacteristic form of development which would not be compatible with the generally verdant and spacious character and appearance of the streetscene.</p> <p>A large garage positioned close to the frontage of No. 11 would result in a significant departure from the prevailing character, pattern and form of development in this part of Carbone Hill. Furthermore, the bulk and scale of the proposal, together with its proximity to the highway, would result in it being a prominent and incongruous addition within the street scene. In this regard, the proposal does not represent a high quality design.</p> <p>The low 'picket' style boundary fence and existing trees along the site frontage would provide only limited screening of the proposed garage. As a result, it would still present as an incongruous addition within the streetscene. Although additional planting could mature to provide a more effective visual screen this would take some years to achieve. Such planting should not be relied upon to hide what might otherwise be an unacceptable proposal which is at odds with the general pattern of development.</p> <p>Although each proposal must be considered on its own merits, if planning permission were to be granted in this instance, it would be difficult to resist similar applications from neighbouring properties. Repetition of this type of development would result in a cumulative impact and a significant change in the character of the area, which in turn would result in further conflict with the aim of Policy D2 to maintain or enhance the character of the existing area.</p> <p>Turning to the extension, the significant increase the width and bulk of dwelling at first floor would result in additions more than double the width of the property that would not be subordinate in scale when compared to the existing dwelling. Notwithstanding this, it is considered that the proposed setting down of the ridgeline of the proposed side extension by approximately 1.6m from the</p>

	<p>ridgeline of the main roof would create a roof from which, when viewed from the front of the property, would appear subservient to the main roof of the existing dwelling.</p> <p>The proposed use of materials within the extension would be matching to the existing dwelling and would be acceptable. In addition, it is considered that the proposed fenestration detailing within the development would be acceptable. Although there are no issues relating to these aspects of the proposal, this is considered neutral in planning balance and does not overcome the harm identified above.</p> <p>Overall the proposed development would be excessive in size and would represent a poor standard of design with the result that it is contrary to the NPPF and Policies D1 and D2 of the District Plan which attach great importance to the design of the built environment and the SDG which seeks a design led approach to development.</p>
<b>Impact on neighbours</b>	<p>It is considered given the location of the proposed development and the application site's relationship with neighbouring properties that the only property which may be affected is No. 13.</p> <p>It is judged that given that this property is set further back from the road than the existing dwelling and the proposed siting, and size, of the development that it is unlikely to have an unacceptable on the levels of light that this property currently enjoys. In addition, as the application property currently has windows at first floor level which face directly towards No. 13, it is judged that the proposed rear dormer windows within the side extension would not alter the level of privacy that this property currently enjoys.</p>
<b>Access, car parking and highway considerations</b>	<p>The site currently benefits from more than three car parking spaces and the proposal would result in the creation of additional parking provision. The Highway Authority have been consulted on the proposed new access and have no objection. As a consequence it is considered that the proposal would not be objectionable on these grounds.</p>
<b>Very Special Circumstances</b>	<p>Paragraph 143 of the NPPF outlines 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. Paragraph 144 outlines that '<i>Very Special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations</i>'.</p> <p>The applicant has not advanced very special circumstances for this application. It is considered that further to the above analysis within this report that there are no very special circumstances that outweigh the harm to the Green Belt that was identified above.</p>
<b>Any Other Consideration</b>	<p><i>Landscaping and impact on trees</i></p> <p>Local Plan Policy R17 seeks to protect existing trees whilst Policy D8 requires landscaping to form an integral part of the overall design, and in this respect the high quality design required by Policy D1 and D2 would again be relevant. Landscaping is important in order to protect and enhance the existing character of the area and to reduce the visual and environmental impacts of the development. In this case it is noted that there are mature trees located</p>

	<p>within close proximity to the proposed development. These trees are considered to have significant public amenity value. The root protection areas of these trees are likely to overlap with the siting of the proposed development. The protection of these trees, together with new planting, can however be suitably controlled through a planning condition.</p>
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**Conclusion**

The proposal would represent inappropriate development within the Green Belt. In addition to this harm, there would also be harm to the openness of the Green Belt. Consequently the proposed development would conflict with Policy GBSP1 and RA3 of the saved Local Plan, Policy SADM34 of the Emerging Local Plan and relevant provisions of the NPPF.

The proposed car port, due to its scale, bulk and siting would result in a prominent and incongruous addition within the street which would fail to respect and relate to the character and context of the surrounding area. Accordingly the proposal is of a poor quality design contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, the requirements of the Supplementary Design Guidance and the NPPF.

**Reasons for Refusal:**

1. The proposal would represent inappropriate development within the Green Belt. In addition to this harm, there would also be harm to the openness of the Green Belt. Consequently the proposed development would conflict with Policy GBSP1 and RA3 of the Welwyn Hatfield District Plan 2005, Policy SADM34 of the Emerging Local Plan and relevant provisions of the National Planning Policy Framework 2018.
  
2. The proposed car port, due to its scale, bulk and siting would result in a prominent and incongruous addition within the street which would fail to respect and relate to the character and context of the surrounding area. Accordingly the proposal is of a poor quality design contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, the requirements of the Supplementary Design Guidance (Statement of Council Policy 2005) and the National Planning Policy Framework 2018.

**REFUSED DRAWING NUMBERS**

3.	<table border="0"> <thead> <tr> <th style="text-align: left;"><b>Plan Number</b></th> <th style="text-align: left;"><b>Details</b></th> <th style="text-align: left;"><b>Received Date</b></th> </tr> </thead> <tbody> <tr> <td>18_327_PL02</td> <td>Existing Floor Plans</td> <td>25 July 2018</td> </tr> <tr> <td>18_327_PL03</td> <td>Proposed Floor Plans</td> <td>25 July 2018</td> </tr> <tr> <td>18_327_PL05</td> <td>Existing South West Elevations</td> <td>25 July 2018</td> </tr> <tr> <td>18_327_PL04</td> <td>Existing North West Elevations</td> <td>25 July 2018</td> </tr> <tr> <td>18_327_PL07</td> <td>Proposed South West Elevations</td> <td>25 July 2018</td> </tr> <tr> <td>18_327_PL06</td> <td>Proposed north West Elevations</td> <td>25 July 2018</td> </tr> <tr> <td>18_327_PL08</td> <td>Proposed Site Plan</td> <td>25 July 2018</td> </tr> <tr> <td>18_327_PL01</td> <td>Existing Site And Location Plan</td> <td>25 July 2018</td> </tr> </tbody> </table>	<b>Plan Number</b>	<b>Details</b>	<b>Received Date</b>	18_327_PL02	Existing Floor Plans	25 July 2018	18_327_PL03	Proposed Floor Plans	25 July 2018	18_327_PL05	Existing South West Elevations	25 July 2018	18_327_PL04	Existing North West Elevations	25 July 2018	18_327_PL07	Proposed South West Elevations	25 July 2018	18_327_PL06	Proposed north West Elevations	25 July 2018	18_327_PL08	Proposed Site Plan	25 July 2018	18_327_PL01	Existing Site And Location Plan	25 July 2018
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1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 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 Mark Peacock  
11 October 2018