

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

DELEGATED APPLICATION

Application No: 6/2018/3189/HOUSE
Location: Bell Bar Pet Farm, Bell Lane, Brookmans Park, Hatfield, AL9 7AY
Proposal: Erection of single storey ancillary outbuilding following demolition of existing (part-retrospective)
Officer: Mr David Elmore

Recommendation: Granted

6/2018/3189/HOUSE

Context			
Site and Application description	<p>The application site is located to the eastern side of Bell Lane and comprises a detached bungalow and its residential curtilage. The site is located in a rural location and washed over by the Metropolitan Green Belt.</p> <p>Planning permission is sought for the erection of a single storey outbuilding ancillary to the dwelling to be used as a play area, gym and office. The outbuilding would be sited forward of the dwelling, adjacent to the north-east boundary of the site.</p> <p>At the time of the officer site visit the walls and part of the roof of the proposed outbuilding had been constructed. This outbuilding has replaced a similar building in broadly the same position on the site.</p>		
Constraints (as defined within WHDP 2005)	GB - Greenbelt PAR - PARISH (NORTH MYMMS) Wards - Brookmans Park & Little Heath GAS - High Pressure Gas Pipeline (BRICKENDON - FINCH LANE) - Distance: 0		
Relevant planning history	Application Number: S6/1986/0988/DE Decision: Granted Decision Date: 01 June 1987 Proposal: Erection of detached bungalow after demolition of existing buildings		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 16 January 2019 Site Notice Expiry Date: 6 February 2019		
Summary of neighbour responses	No representations received		
Consultees and responses	North Mymms Parish Council – Objection <ul style="list-style-type: none"> - Inappropriate development in the Green Belt - Proposed new build of a different size using new materials and is therefore not a retention of existing 		

	Cadent gas – Informatives advised
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 <input checked="" type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes Others: Policy RA3 of the District Plan; Policies SP9, SADM11 and SADM34 of the Emerging Local Plan	
Main Issues	
Would the development reflect the character of the area?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment: The walls of the building have been constructed in buff brick to match the existing dwelling and drawing number: PET/A03 Rev C annotates that a tiled roof would be added above to match existing. 'Existing' is not specified however it is reasonable to assume that the tiled roof would match the tiled roof of the main dwelling as the pre-existing outbuilding had a steel roof covering. The palette of materials are acceptable and can be secured through a planning conditions with a grant of planning permission.	
Would the development reflect the character of the dwelling?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Other considerations	
<u>Green Belt</u>	
The applicant's agent has confirmed that the construction of the proposal immediately followed demolition. Therefore, the proposal should be treated as a replacement building in this case as the building works are regarded to be a single operation.	
The National Planning Policy Framework 2019 (NPPF) in paragraph 145 explains that a local planning authority should regard the construction of new building as inappropriate development apart from a limited number of exceptions. One of these exceptions is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.	
The replacement building would have the same pitched roof form, be of the same height (in terms of eaves and ridge), have a smaller footprint than the pre-existing building and be sited in a broadly similar location on the site. The use would also remain as ancillary to the residential use of the land. Taking account of these factors it is considered that the proposal accord with this exception to inappropriate development in the Green Belt.	
Policy RA3 (Extensions to Dwellings in the Green Belt) applies to outbuildings for which planning permission is required and explains that permission will be allowed only where all of 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;</i>	
<i>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'.</i>	
The existing dwelling is as original and considering the size and scale of the proposal, it would represent a proportionate addition. As such, there would be no conflict with criteria (i). In terms of criteria (ii), the proposal would be indiscernible from public vantage points and located within the context of other built development. Therefore, the development would not appear visually intrusive in its area.	

Taking account of the above, the proposal would represent appropriate development in the Green Belt. Appropriate development is considered not to have a harmful impact on Green Belt openness or any purposes of including land in the Green Belt. Accordingly, the proposal would accord with Policies GBSP1 and RA3 of the District Plan, Policy SADM34 of the Emerging Local Plan and the NPPF.

Conclusion

Subject to the suggested planning condition, the development would accord with all relevant local and national planning policies.

Conditions:

1. The brickwork, roof tile, bond, mortar, detailing, guttering, soffits and other external decorations of the approved development must match the existing dwelling in relation to colour and texture.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Supplementary Design Guidance 2005 (Statement of Council Policy), Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

2. Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays. Email: plantprotection@cadentgas.com Tel: 0800 688 588

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

DRAWING NUMBERS

3. 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
PET/P02/	A	Proposed Facility & Gym Site Location Plan	14 December 2018
PET/A01/	C	New Facility & Gym	2 January 2019

		Architectural Plan	
PET/A02/	E	New Facility & Gym Structural Plan Structural Section	2 January 2019
PET/A03/	C	New Facility & Gym Architectural Elevations	2 January 2019
PET/P01/	B	Proposed Facility & Gym Site Location Plan	2 January 2019
PET/P03/	B	Proposed Facility & Gym Block Plan	2 January 2019
PET/E01/	A	Existing Facility & Gym Architectural Plan	7 January 2019
PET/E02/	A	Existing Facility & Gym Architectural Elevations	7 January 2019
PET/E03/	A	Existing Facility & Gym Site Location Plan	7 January 2019

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 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).

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:

Mr Mark Peacock
21 March 2019