

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

DELEGATED APPLICATION

Application No: 6/2019/1394/HOUSE
Location: Woodfield House Woodfield Lane Brookmans Park Hatfield AL9
 6JJ
Proposal: Erection of Conservatory
Officer: Mr William Myers

Recommendation: Refused

6/2019/1394/HOUSE

Context	
Site and Application description	The application site is located to the south of Woodfield Lane. The property is set back from the road by approximately 30m and is accessed by a driveway. Although the property is now not linked to Northfield these buildings were historically one building. To the rear of the property is a large outbuilding which contains a swimming pool as well as other associated leisure facilities.
Constraints (as defined within WHDP 2005)	GB - Greenbelt - Distance: 0 LCA - Landscape Character Area (North Mymms Common and Newgate Street Farmed Plateau) - Distance: 0 PAR - PARISH (HATFIELD) - Distance: 0 Wards - Brookmans Park & Little Heath - Distance: 0
Relevant planning history	<p>Application Number: S6/1988/0237/FP Decision: Refused Decision Date: 13 May 1988 Proposal: First floor front extension, raising of roof and two storey rear extension</p> <p>Application Number: S6/1990/0322/FP Decision: Granted Decision Date: 28 May 1990 Proposal: Erection of single storey side extension comprising of double garage and study</p> <p>Application Number: S6/2015/1402/MAJ Decision: Granted Decision Date: 27 November 2015 Proposal: Separation of Woodfield and Northfield resulting in 2 detached properties, including a two storey side extension at Woodfield, minor external alterations at Northfield and erection of a 1.8m high boundary wall.</p> <p>Application Number: S6/2015/1254/LUP Decision: Granted Decision Date: 18 December 2015 Proposal: Certificate of lawfulness for the erection of outbuilding</p>

	Application Number: 6/2019/0345/LAWP Decision: Refused Decision Date: 15 April 2019 Proposal: Certificate of lawfulness for the erection of single storey orangery		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 2 July 2019 Site Notice Expiry Date: 23 July 2019		
Consultees and responses	Hatfield Town Council – No comment		
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: RA3 <u>Emerging Local Plan Proposed Submission 2016</u> SP1 Delivering Sustainable Development SP3 Settlement Strategy and Green Belt Boundaries SP9 Place Making and High Quality Design SP25 Rural Areas SADM11 Amenity and Layout SADM34 Development within the Green Belt			
Main Issues			
Green Belt	<p>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. In the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.</p> <p>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. There is no definition of 'disproportionate additions' in the NPPF. 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 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. The Council's current Policy RA3 and emerging Local Policy SADM 34 require that extensions in the Green Belt do not have an adverse visual impact (in terms of prominence, size, bulk and design) on the character, appearance and pattern of development of the surrounding countryside.</p> <p>The Council's records demonstrate the original building included a</p>		

neighbouring property which is called Northfield. This history demonstrates that in 1951 the original building was subdivided to create two dwellings but the original building remained. In 2015 permission was granted to physically divide the original building to create two buildings.

As a consequence of the above history it is judged reasonable to consider the original building within this application as being the building shown within the 1951 application which included both Northfield and Woodfield. The reason for this is that since this time no new building has been constructed which could be considered as representing an original building. Instead what has occurred as part of the history of this building is that the part of the original building has been demolished. It is important to note that the NPPF definition of original building makes no reference to buildings which may be created by the demolition of a linking section of one building to create two. The conclusion of the above is that all extension to this original building must be considered within this application.

The Council's records demonstrate that the original dwellinghouse had a floorspace of approximately 872m². Although not provided as part of this application it has been possible using the Council's records to establish that the existing building has been extended by approximately 705m², which represents approximately an 81% increase above the size of the original building. Although outside the red line, the swimming pool which is within the curtilage of the application dwelling and which represents a domestic adjunct to the dwelling has been included within these calculations.

The proposed extension would result in the property being extended to its side with a single storey extension which would project approximately 6.9m beyond the existing side elevation. The proposed development would result in the creation of approximately 44m² of new floor space. This addition, taken cumulatively with the existing additions would represent approximately 86% increase above the size of the original dwellinghouse. On a purely mathematical calculation the extensions to the original building would be disproportionate. However, in addition to mathematical calculations the visual impact of the extensions has to be considered.

There is no definition of openness in the NPPF but, in the Green Belt context, it is generally held to refer to freedom from, or the absence of, development.

Further to the above discussions about the proposed increases, it is considered that such an addition to a dwelling, which has already been significantly extended, would have a harmful impact on the openness of Green Belt. It is judged that the proposed extension's size, design, bulk, as well as, its proposed location would fail to appropriately respect or relate to the character of the existing dwelling with the result that it would not appear to be a proportionate addition. The essential characteristics of Green Belts are their openness and their permanence and the loss of openness in the Green Belt resulting from the proposed extensions would conflict with this essential characteristic. Significant weight must be attached to this loss of openness.

For the reasons discussed, the proposal fails to meet the exceptions set out in paragraph 145 of the NPPF. It would, therefore, be inappropriate development in, and thus harmful to, the Green Belt. It would also conflict, with Local Plan Policy RA3 and emerging Policy SADM 34, which seek, among other things, to ensure that extensions, either alone or cumulatively with other extensions, do

	<p>not result in disproportionate additions over and above the size of the original dwelling. Furthermore, the increased bulk and massing of the proposed development would result in a loss of openness and visual permeability of the Green Belt.</p>
<p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</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 proposed extension would represent a substantial addition to the dwelling at ground floor level as it would project approximately 6.9m from the existing side elevation of the dwelling and would have an approximate width of 6.4m. It is proposed that this addition would have the appearance of a conservatory or an orangery.</p> <p>As a consequence of the proposed extension position this substantial addition would be visible from the front of the property. Given that the proposed extension would appear as a conservatory, and it would be clearly visible from the front of the property, it is judged that it would appear as incongruous addition. The reason for this is that the extensions fenestration detailing and general design would not be in keeping with the existing fenestration detailing and design of the existing front elevation of the dwelling. Although it is considered that a conservatory with a similar appearance may be acceptable to the rear of the property it is judged that the proposed extension's size, design, bulk, as well as, its proposed location would fail to appropriately respect or relate to the character of the existing dwelling.</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>
<p>Impact on neighbours</p>	<p>As a consequence of the fact that proposed extension would be single storey and would not be close to any boundary of the property it is not judged that the proposed extension would have unacceptable impact on the amenity of neighbouring properties.</p>
<p>Access, car parking and highway considerations</p>	<p>As the proposed extension would not result in an increase in the level of parking required within the site it is not considered that the proposed development would be unacceptable on this ground.</p>
<p>Very Special Circumstances</p>	<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</i></p>

	<p><i>clearly outweighed by other considerations'.</i></p> <p>It is accepted in case law that there is no prescribed list of what might constitute very special circumstances. It may be that a single aspect of a proposal may itself be a very special circumstance (VSC) sufficient to justify development or it may be that a number of circumstances may cumulatively amount to very special circumstances. As Lord Justice Pill said in <i>South Bucks District Council v Secretary of State for Transport, Local Government and the Regions</i> [2003] EWCA Civ 687, [2003] All ER (D) 250 (May): "<i>It is of the essence of very special circumstances that the applicant establishing them is in a very special category.</i>" However, by their nature the existence of very special circumstances must relate to a particular site.</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>
<p>Conclusion</p>	
<p>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.</p> <p>The proposed extensions would be of a poor quality of design and they would insufficiently reflect the design and character of the host dwelling. Accordingly, the proposal is contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance 2005 (Statement of Council Policy 2005) and NPPF.</p>	

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 saved Local Plan, Policy SADM34 of the Emerging Local Plan and relevant provisions of the National Planning Policy Framework 2019.
2. The proposed extensions would be of a poor quality of design and they would insufficiently reflect the design and character of the host dwelling. Accordingly, the proposal is contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance 2005 (Statement of Council Policy 2005) and National Planning Policy Framework 2019.

REFUSED DRAWING NUMBERS

3.			
Plan Number	Revision Number	Details	Received Date
19989/PA/002	A	Proposed Floor Plans and Elevations	24 June 2019
19989/PA/003		Existing and Proposed Floor Plans	24 June 2019

19989/PA/0 01	A	Location and Site/Block Plans	24 June 2019
19989/PA/0 04		Proposed Elevations	24 June 2019
19989/PA/0 05		Existing Elevations	24 June 2019

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 Chris Carter
29 August 2019