

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

**DELEGATED APPLICATION**

**Application No:** 6/2020/0715/HOUSE  
**Location:** Peartree House 38 High Road Essendon Hatfield AL9 6HW  
**Proposal:** Erection of single storey side infill extension and front porch  
**Officer:** Ms Lucy Hale

**Recommendation:** Granted

6/2020/0715/HOUSE

<b>Context</b>	
<b>Site and Application description</b>	The application site is located on the east side of High Road and comprises a two storey semi-detached dwelling. Planning permission is sought for the erection of single storey side infill extension and front porch.
<b>Constraints (as defined within WHDP 2005)</b>	CA - Conservation Area: ESSN LBC - LISTED BUILDING Garden walls - formerly kitchen garden. Large - Distance: 46.04 LBC - LISTED BUILDING House - Mid C19 front to timber framed range of - Distance: 33.19 LBC - LISTED BUILDING House - Early-mid C19 front. C17 rear wing on N. - Distance: 17.9 AAS - Area of Archaeological Significance Area of Archaeological Significance GB - Greenbelt LCA - Landscape Character Area (Little Berkhamsted Settled Plateau) PAR - PARISH (ESSENDON) Wards - Brookmans Park & Little Heath
<b>Relevant planning history</b>	Application Number: C6/1986/0683/ Decision: Granted Decision Date: 20 November 1986 Proposal: Change of use of ground floor from shop to residential  Application Number: C6/1987/0939/FP Decision: Withdrawn Decision Date: 18 April 1988 Proposal: Single storey rear extension and renewal of existing garage  Application Number: S6/1989/0626/FP Decision: Refused Decision Date: 15 September 1989 Proposal: Partial demolition and erection of extension to front of existing bungalow  Application Number: S6/1989/0659/CA Decision: Refused Decision Date: 15 September 1989 Proposal: Partial demolition and erection of front extension to the existing

	building  Application Number: S6/1991/0073/FP Decision: Granted Decision Date: 25 March 1991 Proposal: Partial demolition and erection of extension to front of dwelling; alterations to vehicle access		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Neighbour letters Site Notice Display Date: 28 May 2020 Site Notice Expiry Date: 18 June 2020 Press Advert Display Date: 29 April 2020 Press Advert Expiry Date: 14 May 2020		
<b>Summary of neighbour responses</b>	None		
<b>Consultees and responses</b>	Hertfordshire County Council Historic Environment Advisor – No objection The Gardens Trust – No objection		
<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 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 and RA10 Draft Local Plan Proposed Submission August 2016: SP1, SP3, SP9, SADM11 and SADM34			
<b>Main Issues</b>			
<b>Is the development within a conservation area?</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Would the significance of the designated heritage asset be preserved or enhanced?</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Comment (if applicable):</b>			
<p>Section 16 of the Listed Buildings and Conservation Areas Act states that the local planning authority shall have ‘<i>special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses</i>’. The specific historic environment policies within the NPPF are contained within paragraphs 184-202.</p> <p>Paragraph 192 of the NPPF states, ‘<i>In determining planning applications, local planning authorities should take account of:</i></p> <ul style="list-style-type: none"> <li>a) <i>The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;</i></li> <li>b) <i>The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and</i></li> <li>c) <i>The desirability of new development making a positive contribution to local character and distinctiveness</i>’</li> </ul> <p>Paragraph 193 of the NPPF outlines that, when considering the impact of a proposed development on the significance of a designated heritage asset, ‘great weight’ should be given to the asset’s conservation and the more important the asset the greater the weight it should be given. Paragraph</p>			

194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and world heritage sites, should be wholly exceptional. Where the harm is considered less than substantial Paragraph 196 states that this should be weighed against the public benefits of the proposal including, where appropriate, its optimum viable use. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances.

The proposal would involve the bricking up of the partially open sided extension to the rear to create an additional enclosed living space. The brickwork would match the existing dwelling and roof lights and glazing would be added to the roof. The footprint of the extension would not increase beyond the profile of the roof canopy. The proposed alterations would reflect the design and character of the dwelling and remain subordinate in scale. This element of the proposal would not be visible from the street scene and consequently would preserve the character of Essendon Conservation Area.

In addition, a small flat roof porch is proposed behind the existing pitched roof porch to the side of the property. This addition would be modest in size and matching in material and therefore would not result in harm to the appearance of the dwelling. Furthermore, it would be set back from the highway and tucked behind an existing extension. It is considered to adequately preserve the character and appearance of the Essendon Conservation Area.

In conclusion, subject to a planning condition requiring matching materials, the proposed development by virtue of the scale, height, bulk and design is considered acceptable. Subject to the above condition, the proposal is judged to not harm the significance of the heritage asset and that its impact would be neutral.

#### **Impact on Green Belt**

The NPPF notes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the NPPF states that the construction of new buildings should be regarded as inappropriate development subject to not meeting a number of exceptions. One relevant exception 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 NPPF defines the "original building" as a building as it existed in July 1948 or, if constructed after that date, as it was originally built. Neither the NPPF nor the Local Plan provide any detailed guidance on how to determine whether an extension is disproportionate.

Policy RA3 states that extensions to dwellings in the Green Belt will only be permitted where they 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. Additionally it is noted in emerging Policy SADM34 that the applicant will need to demonstrate that extensions and alterations to a building would not result, either individually or cumulatively, in disproportionate additions over and above the size of the original building in terms of bulk, scale, height or massing. Each proposal is therefore considered in relation to the size and character of the original building and the impact of the proposed extension on these factors.

The original footprint of the dwelling was approximately 122sqm. Previous extensions to the side with a small porch and detached garage have increased the footprint by approximately 36sqm equating to a 27% increase. The proposed infill to the rear would not increase the footprint of the dwelling. The addition to the porch would increase the footprint of the dwelling by approximately 2.2sqm. It is considered that the design, scale and location of such works would not amount to disproportionate additions over and above the size of the original building in both quantitative and qualitative terms. Therefore, it is considered that the proposal would not result in a disproportionate addition to the original dwelling and would therefore represent an appropriate form of development in

the Green Belt.
<b>Would the development reflect the character of the area?</b>
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Comment</b> (if applicable):
<b>Would the development reflect the character of the dwelling?</b>
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <b>Comment</b> (if applicable):
<b>Would the development maintain the amenity of adjoining occupiers?</b> (e.g. privacy, outlook, light etc.)
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <b>Comment</b> (if applicable):
<b>Would the development provide / retain sufficient parking?</b>
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <b>Comment</b> (if applicable):
<i>Landscape Character Area</i>
Policy RA10 requires developments to contribute, as appropriate, to the conservation, maintenance and enhancement of the local landscape character of the area in which they are located. The application site is located within Landscape Character Area 48, where there is a strategy to 'Conserve and Strengthen' the condition and character of the area. The proposal would not have any direct impact upon the local landscape quality of the area and although would not contribute as such, would not be contrary to this policy.
<b>Conclusion</b>
Subject to a condition, the proposed development is considered to comply with all relevant local and national planning policy.

**Conditions:**

1. The brickwork, roof tile, bond, mortar, windows, detailing, guttering, soffits and other external decorations of the approved extensions 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 and the National Planning Policy Framework.

**DRAWING NUMBERS**

2. 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>
Location Plan		Site Location Plan	13 March 2020
DD2785-0 SHT 1/2	A	Existing Ground Floor and Roof Plan	13 March 2020
Block Plan		Block Plan	23 June 2020

DD2785-0 SHT 2/2	A	Existing Elevations	18 March 2020
DD2785-1 SHT 2/2	A	Proposed Ground Floor and Roof Plans	16 April 2020
DD2785-1 SHT 2/2	A	Proposed Elevations	21 April 2020

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 or legal interest (easements or wayleaves) which may affect the land.
2. 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.
3. The applicant is advised to take account the provisions of The Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to a shared boundary.
4. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.
5. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion

Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

**Determined By:**

Mr Mark Peacock  
10 July 2020