

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

DELEGATED APPLICATION

Application No: 6/2020/1714/HOUSE
Location: 86 Bell Lane, Brookmans Park, Hatfield, AL9 7AY
Proposal: Erection of two storey front extension
Officer: Mr Tom Gabriel

Recommendation: Refused

6/2020/1714/HOUSE

Context			
Site and Application description	The application site comprises a detached dwelling in a large, irregularly shaped plot at the junction of Bell lane and The Drive. The application is for the erection of a two storey front extension.		
Constraints (as defined within WHDP 2005)	GB - Greenbelt - Distance: 0 PAR - PARISH (NORTH MYMMS) - Distance: 0 ROW - FOOTPATH (NORTH MYMMS 068) - Distance: 3.86 Wards - Brookmans Park & Little Heath - Distance: 0		
Relevant planning history	<p>Application Number: S6/1988/0808/FP Decision: Withdrawn Decision Date: 20 October 1988 Proposal: Extension to existing garage to form granny annexe</p> <p>Application Number: S6/1988/1076/FP Decision: Approval subject to s106 Decision Date: 13 February 1990 Proposal: Two storey side extension</p> <p>Application Number: S6/2001/0056/FP Decision: Granted Decision Date: 26 March 2001 Proposal: Erection of a two storey front extension and single storey rear extension</p> <p>Application Number: 6/2019/2375/PA Decision: Refused Decision Date: 20 February 2020 Proposal: Pre application advice for the erection of 9 apartments following demolition of existing building</p> <p>Application Number: 6/2020/1740/PN8 Decision: Refused Decision Date: Proposal: Erection of a single storey rear extension</p>		
Consultations			
Neighbour representations	Support: 0	Object: 1	Other: 0

Publicity	Neighbour letters were sent out.
Summary of neighbour responses	North Mymms District Green Belt Society: <i>“The site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development. The increase in size of the application dwelling resulting from the proposed extension and previous extensions is considered disproportionate over-and-above the size of the original building and therefore inappropriate development within the Green Belt. There are no circumstances demonstrated which could amount to very special circumstances required to outweigh the harm caused by reason of inappropriateness and other identified harm. It should also be noted that those trees being removed should be replaced, particularly those with TPOS.”</i>
Consultees and responses	North Mymms Parish Council – If any trees are to be taken out, particularly those with TPOs, they should be replaced with two new trees for each removed. This is a Green Belt site and is considered to be overdevelopment. No special circumstances have been given.
Relevant Policies	
<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 checked="" 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: Welwyn Hatfield Draft Local Plan 2016 Policies SP9, SADM11, SADM12 and SADM34	
Main Issues	
Is the development within the Green Belt?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment (if applicable): Paragraph 145 of the NPPF outlines that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, apart from a limited number of exceptions. One of these exceptions 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 approach is broadly consistent with Policy RA3 of the District Plan. The NPPF defines “original building” as a building as it existed in July 1948 or, if constructed after that date, as it was originally built. Neither the District 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 appearance of the original building. The proposed increase in volume, footprint and floorspace are commonly used indicators, however, as well as mathematical calculations, the visual impact of the extension has to be considered. The footprint of the original dwelling was approximately 109.2 sqm, the floorspace approximately 218.65 sqm. The floorspace of the existing additions to the dwelling, including the detached garage, is approximately 154.4 sqm, 70.6% of the original floorspace; excluding the garage it is 117.19 sqm, 53.6% of the original floorspace. The cumulative floorspace of the existing additions (including the garage) and the proposed extensions would be 241.93 sqm, 110.6% of the floorspace of the original dwelling; excluding the garage it would be 204.72 sqm, 93.6% of the original floorspace. The proposed development would therefore further extend this already significantly extended dwelling. It would result in a further disproportionate addition over and above the size of the original dwelling and would reduce the openness of the Green Belt, albeit to a limited degree. There are no very special circumstances evident in this case which would justify the reaching of a different conclusion on the application and therefore the proposed development is contrary to Policy RA3 of the Welwyn Hatfield District Plan 2005, Policy SADM34 of the Welwyn Hatfield Draft Local Plan 2016	

and the National Planning Policy Framework.

Would the development reflect the character of the dwelling?

Yes No N/A

Comment (if applicable): Subject to the extensions being finished in materials to match the existing building, the proposed extension would be respect the design and character of the existing dwelling. Samples of materials can be secured by condition.

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

Yes No N/A

Comment (if applicable): The extension would be sited away from the boundary with the neighbouring dwelling at 84 Bell Lane. It would not harm the amenity of the occupiers of those dwellings.

Would the development provide / retain sufficient parking?

Yes No N/A

Other material considerations

Ecology:

Paragraph 170 of the NPPF identifies that planning decision should contribute to and enhance the natural and local environment by *d) minimising impacts on and providing net gains for biodiversity*. This principle is applied in Policy R11 of the Local Plan and Policy SADM16 of the Emerging Local Plan.

The site is rural in character with a large number of trees and a woodland adjoining to the south. As the proposal would involve works to the roof of the house, if bats are present, they are likely to be affected. No ecology information in the form of a preliminary assessment, bat survey or mitigation strategy has been provided alongside this application. The absence of such information means that the local planning authority cannot establish whether or not the proposed development would result in harm to the biodiversity of the site. As such, the appropriate assessment in terms of the Habitats Regulations cannot take place and the proposal cannot be properly considered against the relevant local and national planning policies.

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. No very special circumstances exist which outweigh the harm to the Green Belt by reason of inappropriateness, and the other harm identified. Furthermore, insufficient information has been provided with the application to fully consider the impact of the proposal on bats.

Reasons for Refusal:

1. The proposal would result in disproportionate additions over and above the size of the original building and, therefore, is inappropriate development in the Green Belt. In addition, there would be a loss of Green Belt openness. No very special circumstances exist to clearly outweigh this harm. Consequently, the development conflicts with Policies GBSP1 and RA3 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.
2. Insufficient information has been provided with the application to fully consider the impact of the proposal on bats. As such, the appropriate assessment in terms of the Habitats Regulations cannot take place and the proposal cannot be properly considered against Policy R11 of the Welwyn Hatfield District Plan 2005, Policy

SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

3.

Plan Number	Revision Number	Details	Received Date
SH1		Location Plan And Existing Block Plan	14 July 2020
SH4		Existing Second Floor Plan	14 July 2020
SH3		Existing First Floor Plan	14 July 2020
SH5		Existing Roof Plan	14 July 2020
SH6		Existing Front Elevation	14 July 2020
SH2		Existing Ground Floor Plan	14 July 2020
SH7		Existing Side Elevation	14 July 2020
SH9		Existing Side Elevation	14 July 2020
SH11		Proposed Ground Floor Plan	14 July 2020
SH13		Proposed Second Floor Plan	14 July 2020
SH8		Existing Rear Elevation	14 July 2020
SH10		Proposed Location & Block Plan	14 July 2020
SH12		Proposed First Floor Plan	14 July 2020
SH14		Proposed Roof Plan	14 July 2020
SH15		Proposed Front Elevation	14 July 2020
SH16		Proposed Rear Elevation	14 July 2020
SH18		Proposed Side Elevation	14 July 2020
SH17		Proposed Side Elevation	14 July 2020
SH19		Tree Plan	14 July 2020

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
8 September 2020