

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

**DELEGATED APPLICATION**

**Application No:** 6/2020/1972/HOUSE  
**Location:** 99 The Ridgeway Cuffley Potters Bar EN6 4BG  
**Proposal:** Erection of two storey side extension with 2 x dormers to the front and 2 x to rear and new front boundary entrance gates and wall.  
**Officer:** Mr Tom Gabriel

**Recommendation:** Refused

6/2020/1972/HOUSE

<b>Context</b>	
<b>Site and Application description</b>	<p>The application site comprises a previously extended detached bungalow in a wide and deep plot in a long row of originally similar bungalows.</p> <p>The application is for the erection of two storey side extension with two dormers to the front and 2 dormers to rear and new front boundary entrance gates and wall.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>GB - Greenbelt - Distance: 0            LCA - Landscape Character Area (Northaw Common Parkland) - Distance: 0            LNR - Local Nature Reserve(Northaw Great Wood) - Distance: 21.88            PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 21.88            Wards - Northaw &amp; Cuffley - Distance: 0            A4D - ARTICLE 4 DIRECTION - Distance: 21.88</p>
<b>Relevant planning history</b>	<p>Application Number: E6/1972/2343            Decision: Granted            Decision Date: 14 September 1972            Proposal: Ground floor side extension.</p> <p>Application Number: S6/1987/0674/FP            Decision: Granted            Decision Date: 07 September 1987            Proposal: Single storey side extension</p> <p>Application Number: S6/1992/0302/FP            Decision: Granted            Decision Date: 27 May 1992            Proposal: Erection of car port</p> <p>Application Number: 6/2018/1991/FULL            Decision: Refused            Decision Date: 21 November 2018            Proposal: Erection of two dwellings following demolition of existing dwelling house and associated outbuildings</p> <p>Application Number: 6/2020/1968/LAWP            Decision: Refused            Decision Date: 13 October 2020</p>

	<p>Proposal: Certificate of lawfulness for the demolition of existing car port, attached outbuildings and sun room to facilitate the erection of a single storey side and two storey rear extension, to include rear facing Juliette balcony and erection of an additional dormer to the west roofslope and the replacement of the existing dormers with one large dormer on the east roofslope.</p> <p>Application Number: 6/2020/2308/LAWP  Decision: Concurrent application  Decision Date:  Proposal: Certificate of lawfulness for the erection of a detached pool house.</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Neighbour letters were sent out. Site Notice Display Date: 3 September 2020 Site Notice Expiry Date: 24 September 2020		
<b>Summary of neighbour responses</b>	None received.		
<b>Consultees and responses</b>	Hertfordshire Ecology – Suggest a condition regarding bats.		
<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 checked="" type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes Others: R16 – Protection of species Welwyn Hatfield Draft Local Plan 2016: SP9, SADM11, SADM12, SADM16, SADM34			
<b>Main Issues</b>			
<b>Impact upon the Green Belt</b>	<p>The Welwyn Hatfield District Plan 2005 (District Plan) in Policy GBSP1 states that the Green Belt will be maintained in the borough as defined in the Proposals Map.</p> <p><i>Appropriateness</i></p> <p>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.</p> <p>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 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.</p>		

The dwelling has been significantly extended before. The planning history shows that the footprint of the original dwelling was approximately 107.3sqm, the floorspace 173.8sqm. The floorspace of the existing extensions to the dwelling are approximately 117.7sqm, 68% of the original floorspace. The cumulative floorspace of the existing additions and the proposed extension (excluding those extensions which would be demolished) would be approximately 181.59sqm, 104.5% of the floorspace of the original dwelling.

Cumulatively therefore, on a purely mathematical calculation, the proposed extensions to the original building would be disproportionate. In terms of a qualitative assessment, the proposed extension would add considerably to the scale and bulk of the dwelling, particularly at first floor level. The cumulative impact of the existing additions and the proposed extension (notwithstanding that it would replace some of the existing additions) would be that substantial in comparison to the original building as to be disproportionate. The proposal therefore represents inappropriate development within the Green Belt. The NPPF confirms that inappropriate development is by definition harmful to the Green Belt.

#### *Openness*

The NPPF identifies the essential characteristics of Green Belts are their openness and their permanence.

There is no definition of openness in the NPPF but, in the context of the Green Belt, it is generally held to refer to freedom from, or the absence of, development. However, assessing the impact of a proposal on the openness of the Green Belt requires a judgment based on the circumstances of the case. Openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant. The specific characteristics of the proposal and its setting are also relevant in this case when making an assessment.

The subject dwelling forms part of a ribbon of detached dwellings on the southern side of The Ridgeway with open countryside to the rear. The proposal would be visible from the road and footpath to the front of the site and potentially from more distant vantage points in the wider countryside.

The proposed side extension would significantly reduce the gap between the dwelling and its neighbour and would close down open views between the properties. This visual impact, together with the increased bulk, footprint and massing of the built development, would result in a material loss of the openness and visual permeability of the Green Belt.

#### **The front wall and entrance gates**

The proposal also includes the erection of new front boundary wall and entrance gates. The submitted Block Plan and elevation drawings do not show any existing front boundary features.

The term 'building' is not defined in the National Planning Policy Framework 2019 (NPPF) but the definition in the Town and Country Planning Act 1990 refers to 'any structure or erection'. As a result, it is considered that the proposed hard-boundary treatment should be treated as a 'building' for the purposes of the NPPF.

	<p><i>Appropriateness</i></p> <p>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. Paragraph 146 identifies other forms of development that are not inappropriate. None of the exceptions listed at paragraphs 145 and 146 are relevant to the proposed walls and gates. The proposal therefore amounts to inappropriate development in the Green Belt.</p> <p><i>Openness</i></p> <p>The proposed front wall and gates would comprise a wall 1.2m high, piers 1.8m high with fencing between the piers on top of the wall, marginally lower than the piers. The two gates (one serving either entrance to the property) would be as high as the fencing. Sited at the front of the property, they would be very visually impacting and at the height proposed, would result in a material loss of the openness and visual permeability of the Green Belt.</p> <p>The proposed development is therefore contrary to Policy RA3 of the Welwyn Hatfield District Plan 2004, Policy SADM34 of the Welwyn Hatfield Draft Local Plan 2004 and the National Planning Policy Framework.</p>
<p><b>Impact upon the street scene</b></p>	<p>Many of the dwellings along this part of The Ridgeway have had first floor side and rear extensions, such that the resultant dwelling at 99 would not harm the street scene.</p> <p>While there are a number of other properties along The Ridgeway that have front walls and gates, those in the vicinity of the application site and along the slip road at this part of The Ridgeway in general are lower and less impacting than those further along the road, towards Cuffley. Accordingly, the proposed walls and gates would have a harmful impact upon the street scene, in addition to their impact upon the Green Belt. The proposal is therefore contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan 2004, the Welwyn Hatfield Supplementary Design Guidance 2004, Policy SP9 of the Welwyn Hatfield Draft Local Plan 2016 and the National Planning Policy Framework.</p>
<p><b>Impact on neighbours</b></p>	<p>The extension would be set off the boundary with the neighbouring dwelling at 101 The Ridgeway by between three and four metres and would have a half hipped roof. There is a small first floor window in the flank elevation of the dwelling at 101 and front and rear facing dormers. The extension would not appear overbearing when viewed from, or have an adverse impact upon the amenities of, this dwelling.</p> <p>The other neighbouring dwelling at 97 The Ridgeway would not be affected by the proposed extension as it would be set away from that property, screened by the existing dwelling at 99.</p> <p>Neither of the neighbouring dwellings would be harmed by the proposed front all and gates.</p>
<p><b>Access, car parking and highway considerations</b></p>	<p>As the number of bedrooms at the dwelling would not be altered, there would be no change to the parking requirements for the dwelling.</p> <p>The proposed wall and gates would be built on the front boundary of the property. However, the properties along this part of The Ridgeway are served by a side road, along which cars park and travel slowly, rather than gaining</p>

	their access directly from The Ridgeway itself. It is not considered that the gates and their necessitating cars to wait on the slip road while the gates are opened would result in harm to highway safety.
<b>Landscaping Issues</b>	None.
<b>Any other considerations</b>	<i>Presence of bats</i> Herts Ecology advises that as the roof of the dwelling has already been extended and the garage roof appears well sealed and maintained, it is unlikely that the building offers roosting potential for bats. However, it is considered appropriate to impose an informative upon any permission granted concerning bats.
<b>Very special circumstances</b>	Para.144 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. There are no very special circumstances evident in this case which would clearly outweigh the harm which would arise from the proposal.
<b>Conclusion</b>	
<p>The proposed development would further extend this already significantly extended dwelling resulting in cumulative additions which would be disproportionate to the size of the original building. This element of the proposal therefore represents inappropriate development within the Green Belt. The proposed front boundary walls and gates are considered to amount to a new building in the Green Belt and therefore would also be in appropriate development. The NPPF confirms that inappropriate development is by definition harmful to the Green Belt. In addition to this harm, there is harm to the openness of the Green Belt. In this regard, the proposed development would be in conflict with Policies GBSP1 and RA3 of the Welwyn Hatfield District Plan 2005 and the NPPF.</p> <p>By virtue of their height and extent across the full width of the property and the absence of other similar comparable features in the immediate vicinity of the site, the proposed front boundary treatment and gates would have a harmful impact upon the street scene and would cause harm to the character of the area. The proposed treatment and gates therefore represent a poor standard of design in conflict with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Supplementary Design Guidance 2005 and the National Planning Policy Framework.</p> <p>Neither neighbour amenity nor highway safety would be harmed by the proposed development. These factors are considered to be neutral in the balance.</p> <p>The NPPF confirms that substantial weight must be given to any harm to the Green Belt. There are no very special circumstances evident in this case which would clearly outweigh the harm which would arise from the proposal. Consequently, for the reasons summarised above, the application is recommended for refusal.</p>	

### **Reasons for Refusal:**

1. The proposal represents inappropriate development in the Green Belt and would result in a material loss of Green Belt openness. No very special circumstances exist to clearly outweigh this harm. Consequently, the proposed development would conflict with Policies GBSP1 and RA3 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

2. By virtue of their height and extent across the full width of the property and the absence of other similar comparable features in the immediate vicinity of the site, the proposed front boundary treatment and gates would have a harmful impact upon the street scene and would cause harm to the character of the area. The proposed treatment and gates therefore represent a poor standard of design in conflict with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Supplementary Design Guidance 2005 and the National Planning Policy Framework.

#### REFUSED DRAWING NUMBERS

3.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
4996-PLNG-P01	A	Proposed Plans	26 August 2020
4996-OS1		Location Plan	7 August 2020
4996-PLNG-OS3		Block Plan	7 August 2020
4996-E01		Existing Plans	7 August 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  
23 October 2020