

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

**DELEGATED APPLICATION**

**Application No:** 6/2020/2181/HOUSE  
**Location:** 9 Hook Lane Northaw Potters Bar EN6 4DA  
**Proposal:** Erection of a single storey rear extension  
**Officer:** Ms Kirsty Shirley

**Recommendation:** Granted

6/2020/2181/HOUSE

<b>Context</b>	
<b>Site and Application description</b>	<p>The application site is a two storey semi-detached dwelling, located on the northwest side of Hook Lane. The application site lies entirely within the Green Belt.</p> <p>Planning permission is sought for the erection of a single storey rear extension to create additional living space.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>GB - Greenbelt - Distance: 0            LCA - Landscape Character Area (Northaw Common Parkland) - Distance: 0            PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0            ROW - BRIDLEWAY (NORTHAW 010) - Distance: 2.34            Wards - Northaw &amp; Cuffley - Distance: 0            A4D - ARTICLE 4 DIRECTION - Distance: 0            WILD - Hook Lane - Distance: 0</p>
<b>Relevant planning history</b>	<p>Application Number: S6/1988/0172/FP            Decision: Granted            Decision Date: 25 April 1988            Proposal: Two storey and single storey rear extension</p> <p>Application Number: S6/1989/0895/FP            Decision: Granted            Decision Date: 27 November 1989            Proposal: First floor side extension</p> <p>Application Number: S6/1991/0397/FP            Decision: Granted            Decision Date: 15 July 1991            Proposal: Single storey rear extension</p> <p>Application Number: 6/2020/2180/LAWP            Decision: Awaiting determination            Decision Date: 22 October 2020            Proposal: Certificate of lawfulness for installation of 1x side dormer to facilitate loft conversion</p>

<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 1
<b>Publicity</b>	Neighbour notification letter Site Notice		
<b>Summary of neighbour responses</b>	10 Hook Lane: <ul style="list-style-type: none"> <li>- We agree to the plans in principle.</li> <li>- There are large trees in the vicinity, we are currently undergoing a subsidence claim with our home insurers, due to the trees causing damage</li> </ul>		
<b>Consultees and responses</b>	Northaw & Cuffley Parish Council – no response HCC - Rights of Way (South) – no response The Ramblers' Association – no response Hertfordshire Ecology – Comment: I do not consider there is sufficient likelihood of bats being present and affected for the LPA to require a formal survey prior to determination. However, in the event that bats are found, I advise a precautionary approach to the works is taken and recommend an informative is added to any permission granted.		
<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, SADM34, RA10			
<b>Main Issues</b>			
<b>Green Belt</b>			
<p>The site is located within the Metropolitan Green Belt as defined by Local Plan Policy GBSP1. 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.</p> <p>National Planning Policy Framework (NPPF) paragraph 143 advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 explains that construction of new buildings should be regarded as inappropriate in the Green Belt, except for listed 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. This approach is consistent with Policy RA3, which requires permission for extensions to existing dwellings within the Green Belt to be allowed only where the proposal 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. Policy SADM34 outlines the requirement of the proposed development to be proportionate the original size of the building in terms of bulk, scale, height and massing. Under policy SADM34, consideration is given to the consistency of the proposal, in relation to the general pattern of development, character of the area and prominence within the landscape.</p> <p>The NPPF defines the “original building” as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. Neither the NPPF nor the Development Plan 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. 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 proposed increase in volume, footprint and floor area are commonly used</p>			

indicators, however, as well as mathematical calculations, the visual impact of the extension has to be considered.

This application is seeking planning permission for a single storey rear extension. Following a review of the planning history for the application property, it is considered that the original building had a footprint of approximately 71sqm and floor area of 124sqm. Existing extensions have increased the footprint to approximately 87sqm and floorspace to 146sqm, an increase of 22.5% and 17.7% respectively. The proposed extension would add approximately 26sqm which would result in a total footprint of approximately 113sqm and floor area of 172sqm. This represents a cumulative increase of 59.2% in footprint and 38.7% in floor area when compared to the original building which is considered to be significant.

However, the NPPF does not limit the concept of proportionality to a mathematic assessment alone and an overall assessment of proportionality includes a qualitative assessment too. Whilst cumulatively the building has been enlarged significantly, in this case, the proposed extensions would be unobtrusive, it would sit comfortably at the rear of the application dwelling, neither dominating nor fundamentally altering the dwelling's character or appearance. Within the context of the size of the existing dwelling and its surroundings, the extension is subordinate and sympathetic to the design and scale of the existing dwelling.

Taking account of the above, it is considered that in regards to both its size and relationship with the original dwelling, the proposal would not result in disproportionate additions over and above the size of the original building. The proposal would therefore represent appropriate development in the Green Belt. The Courts have held that appropriate development is not harmful to Green Belt openness or the purposes of including land within it.

**Is the development within a conservation area?**

Yes  No

**Would the significance of the designated heritage asset be preserved or enhanced?**

Yes  No  N/A

**Comment** (if applicable):

**Would the development reflect the character of the area?**

Yes  No

**Comment** (if applicable): Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed.

Hook Lane is characterised by a row of semi-detached houses all in similar style and design. Many of the dwellings have been extended, particularly to the rear, and there are also examples of side extensions which have incorporated dormer windows. The application site benefits from a deep rear garden which backs onto a large field

The proposed development is a single storey rear extension. The extension is built to the common boundary with No. 10 and setback from the flank wall of the application dwelling, preventing the extension being viewed from the street. The extension is therefore not considered to have a detrimental impact to the visual amenity of the Green Belt or the character of the area, and is in accordance with Policy D2.

**Would the development reflect the character of the dwelling?**

Yes  No  N/A

**Comment** (if applicable): Policy D1 requires the standard of design in all new development to be of a high quality. Under the Supplementary Design Guidance, extensions should be designed to complement and reflect the design and character of the dwelling and be subordinate in scale.

The application dwelling shares a roof with No.10, but has a hipped roof on the flank side, with a slope down to the flank elevation in a similar style to a catslide roof. The proposed development

features a flat roof, which is acceptable for an addition to the rear of the property, and does not alter the existing character of the roof or dwelling. Matching materials are proposed for the extension and this would maintain the overall appearance of the dwelling. The development is subordinate in scale and respects and relates to the existing dwelling.

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

Yes  No  N/A

**Comment** (if applicable): The application dwelling is a semi-detached property, adjoining No. 10 and adjacent to No. 8. No. 10 has commented on the application in agreement with the proposed plans.

The positioning of the windows is such that there is no undue overlooking to the neighbouring properties, as the extension is at ground floor. A timber door is proposed to be inserted into the existing flank elevation to serve the garage, and no glazing is proposed within the door, preventing any exacerbation of existing overlooking.

As a result of the proposals location, size and limited scale, it would not result in undue harm upon the amenity of the neighbours by way of overlooking, loss of light or overbearing impact. The development therefore is in accordance with Policy D1 and the NPPF.

**Would the development provide / retain sufficient parking?**

Yes  No  N/A

**Comment** (if applicable): No additional bedrooms would be created and no additional parking is required. The site benefits from a driveway suitable for two cars.

### **Any other issues**

#### Landscape Regions and Character Areas

Policy RA10 requires developments to contribute to the landscape character and region. The application site is located with Landscape Character Area 53 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 would not be contrary to this policy.

#### Comments

Concerns were raised by No. 10 regarding the trees and their potential to cause subsidence damage. Whilst these comments are noted, it is the responsibility of the developer and/or land owner to ensure that any works are carried out in a proper manner and in accordance with Building Regulations. In this regard, an informative is suggested.

Site photographs have been submitted with this application show a large tree at the end of the garden which is protected by a Tree Preservation Order. Given the distance between the proposed extension and the protected tree, it is not considered that the development and associated construction works would cause harm to the protect tree. There are no other significant trees within the immediate vicinity of the building.

#### Covid-19

A site visit has not been undertaken at the rear of the property in consideration of social distancing and an attempt to decelerate the spread of COVID-19. Photographs of the application site have been submitted to assist determining the application.

## Conclusion

The proposal is considered to be appropriate development in the Green Belt Policy in accordance with District Plan Policies GBSP1 and RA3 and the NPPF. Giving consideration to the scale and setting of the proposed development, it is considered that the amenity of the neighbours would be maintained as well as the appearance of the dwelling and the character of the area, in accordance with the Supplementary Design Guidance, District Plan Policy D1 and Policy D2 and the NPPF.

## DRAWING NUMBERS

1. 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>
1780JY_HH: SH2	0	Proposed Floor Plans & Elevations	31 August 2020
1780JY_HH: SH1	0	Existing Location Plan, Floor Plans and Elevations	4 September 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. If bats, or evidence for them, are discovered during the course of works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
2. 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.
3. 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  
22 October 2020