

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

DELEGATED APPLICATION

Application No: 6/2020/3045/HOUSE
Location: 9 Hook Lane Northaw Potters Bar EN6 4DA
Proposal: Erection of side dormer extension to facilitate habitable rooms above garage
Officer: Ms Kirsty Shirley

Recommendation: Granted

6/2020/3045/HOUSE

Context	
Site and Application description	<p>The application site is comprised of a two storey semi-detached dwelling, with a front driveway and rear garden. The application site lies entirely within the Green Belt.</p> <p>Planning permission is sought for the erection of a side dormer, to facilitate habitable rooms above the garage.</p>
Constraints (as defined within WHDP 2005)	<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 & Cuffley - Distance: 0 A4D - ARTICLE 4 DIRECTION - Distance: 0 WILD - Hook Lane - Distance: 0</p>
Relevant planning history	<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: Refused Decision Date: 22 October 2020 Proposal: Certificate of lawfulness for installation of 1x side dormer to facilitate loft conversion</p>

	Application Number: 6/2020/2181/HOUSE Decision: Granted Decision Date: 22 October 2020 Proposal: Erection of a single storey rear extension		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Neighbour letters Site Notice Display Date: 20 November 2020 Site Notice Expiry Date: 11 December 2020		
Summary of neighbour responses	None received		
Consultees and responses	Northaw & Cuffley Parish Council – no response Hertfordshire Ecology – no response HCC - Rights of Way (South) – no response The Ramblers' Association – no response		
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 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			
Main Issues			
Green Belt			
<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 indicators, however, as well as mathematical calculations, the visual impact of the extension has to be considered.</p>			

Following a review of the planning history for the application property, it is considered that the original building had a footprint of approximately 71m², an approximate floor area of 124m² and approximate volume of 309.1m³. Existing extensions, including a rear dormer, have increased the footprint to approximately 87m², the approximate floorspace to 146m² and approximate volume to 366.3m³. The proposed dormer has an approximate volume of 29.4m³, increasing the volume of the dwelling to 395.7m³. The proposed dormer would also add approximately 14m² to the first floor floorspace, resulting in a total floorspace of 160m². This represents an approximate increase of 29% in floorspace and an approximate increase of 28% in total volume from the original dwelling. Compared to the existing dwelling, the proposal represents an increase of approximately 9.6% in floorspace and approximately increase 8% in volume.

Planning permission was previously granted for the erection of a single storey rear extension on 22 October 2020 (6/2020/2181/HOUSE), and the cumulative impact of both the previous approved development and the proposed development in this application needs to be assessed to establish whether the implementation of both would result in a disproportionate addition over and above the size of the original dwelling. The proposed extension from application 6/2020/2181/HOUSE would add approximately 26m² to the dwelling, which would result in a total footprint of approximately 113m², an approximate floorspace of 172m² and an approximate increase in volume of 59.1m³.

The approved extension and the proposed dormer would therefore increase the cumulative size of the dwelling to approximately 186m² of total floorspace and approximately 454.8m³ in volume, representing an increase of 50% in the total floor area and 47.1% increase in volume compared to the original dwelling, 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. The proposed dormer would be subservient to the existing dwelling and would not fundamentally alter the character or appearance of the dwelling. The proposed dormer is similar in size and style to the existing dormer at No. 10, to which the application property is in a semi-detached pairing with. The exterior of the dormer is to be of matching materials similar to what is featured on the application dwelling and the dormer of No.10, resulting in a balanced appearance which is aesthetically pleasing and in keeping with the character of the area.

It was considered that the proposed extension in previous application 6/2020/2181/HOUSE would be unobtrusive, sitting comfortably at the rear of the application dwelling and consequently mostly obscured from the street scene. The extension would neither dominate nor fundamentally alter the dwelling's character or appearance, and was considered as subordinate and sympathetic to the design and scale of the existing dwelling.

Taking account of the above, it is considered that the proposed dormer in regards to its size and relationship with the original dwelling would not result in a disproportionate addition over and above the size of the original building. This proposal would represent appropriate development in the Green Belt.

Additionally, the cumulative impact of the previous approved development and the proposed development in this application has been assessed, and the implementation of both is not considered to result in a disproportionate addition over and above the size of the original dwelling, and subsequently represents appropriate development. The Courts have held that appropriate development is not harmful to the 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): District 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. Policy GBSP2 requires proposals to be compatible with the maintenance and enhancement of the character of the 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 core principle of the NPPF that planning should seek to secure high quality design.

Hook Lane is characterised by a row of semi-detached dwellings all in similar style and design. Side dormers are prevalent within the street scene and in particular features at No.10, which the application dwelling is paired with.

The proposed dormer is subordinate in size and scale to the dwelling, and creates a balanced appearance when viewed with No. 10. A catslide roof is a prominent feature of the application dwelling, and the proposed dormer does not detract from the catslide roof, but rather sits comfortably within it. The proposed dormer features a hipped roof which is in keeping with the existing dwelling and dormers in the street scene. Matching materials are proposed which maintains both the character of the dwelling and surrounding area, and this can be secured by condition. The development therefore respects and relates to the original dwelling, and is in keeping with District Plan Policies D1, D2; the SDG and the NPPF.

Would the development reflect the character of the dwelling?

Yes No N/A

Comment (if applicable): See above.

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

Yes No N/A

Comment (if applicable): No neighbour representations have been received. The application is a semi-detached property, adjoining No.10 and adjacent to No.8.

The proposed dormer has two windows in the side elevation which directly face No. 8's dormer window. Obscured glazed windows are proposed to protect the privacy of No. 8 and this can be secured by condition. The proposed dormer is subservient in size and would appear unduly dominant towards neighbouring properties. The proposed dormer faces north, and its scale and positioning would not result in a loss of sunlight/daylight to either neighbours.

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 it would not contribute, the development would not be contrary to this policy.

Covid-19

A site visit has not been undertaken at the side 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

Subject to the suggested conditions, the proposal is considered to be appropriate development in the Green Belt Policy in accordance with District Plan Policies RA3, SADM34 and RA10; 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.

Conditions:

1. Any upper floor window located in the flank wall of the dormer hereby approved must be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and shall be retained in that form thereafter.

REASON: To protect the residential amenity and living conditions of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

2. The roof tile, mortar, windows, detailing, guttering, soffits and other external decorations of the approved extension/alterations must match the existing dwelling/building 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

3. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
1780JY_HH1 _SH2_REV0		Proposed Floor Plans, Sections and Elevations	18 November 2020
1780JY_HH1 _SH1_REV0		Existing Floor Plans, Sections and Elevations	18 November 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. 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 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

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.

Determined By:

Mr Mark Peacock
13 January 2021