

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

**DELEGATED APPLICATION**

**Application No:** 6/2020/3405/HOUSE  
**Location:** 107 The Ridgeway Cuffley Potters Bar EN6 4BG  
**Proposal:** Garage and car port conversion, infill of covered passage and alteration of two dormers in roof over garage  
**Officer:** Ms Emily Stainer

**Recommendation:** Granted

6/2020/3405/HOUSE

<b>Context</b>			
<b>Site and Application description</b>	<p>The application property is a two storey detached property located on the south side of The Ridgeway in Cuffley. The site backs onto open undeveloped land. Planning permission is sought for a garage and car port conversion, infill of the existing covered passage and the alteration of two dormers in the roof over the garage. The proposed plans additionally show the installation of a Juliet style balcony on the south elevation of the property and some minor alterations to the fenestration details.</p> <p>A site visit was made by the case officer on the 18<sup>th</sup> January 2021, but only from public vantage points due to the restrictions in place as a result of the Coronavirus pandemic (COVID-19). A suitable level of information has been acquired in which to make a full and thorough assessment by use of the case officer's photographs taken from the street scene, photos provided in the Design and Access Statement and aerial imagery online. The specific merits of this case means that a full and complete assessment can be made in respect of this particular application.</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: 21.92            PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 21.92            Wards - Northaw &amp; Cuffley - Distance: 0            A4D - ARTICLE 4 DIRECTION - Distance: 21.92</p>		
<b>Relevant planning history</b>	<p>Application Number: E6/1973/5526/            Decision: Granted            Decision Date: 14 February 1974            Proposal: Two storey side extension to include double garage</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Site Notice Display Date: 25 January 2021		

	Site Notice Expiry Date: 15 February 2021
<b>Summary of neighbour responses</b>	None
<b>Consultees and responses</b>	Hertfordshire Ecology – No response. Herts & Middlesex Bat Group – No response. Herts & Middlesex Wildlife Trust – No response. Northaw & Cuffley Parish Council - No response.
<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: RA3, RA10, R11  <u>Draft Local Plan Proposed Submission 2016:</u> SP1 Delivering Sustainable Development SP3 Settlement Strategy and Green Belt Boundaries SP9 Place Making and High Quality Design SP10 Sustainable Design and Construction SADM 11 Amenity and Layout SADM 12 Parking, Servicing and Refuse SADM 16 Ecology and Landscape SADM 34 Development within the Green Belt	
<b>Main Issues</b>	
<b>Is the development within a conservation area?</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Would the development be appropriate development in the Green Belt?</b>	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Comment</b> (if applicable): <u>Appropriateness</u> The National Planning Policy Framework (NPPF), in paragraph 145, 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. Exception (c) is engaged in this case and explains that the extension or alteration to a building is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building.  District Plan Policy RA3, like the NPPF, allows for extensions in the Green Belt which would not result in a disproportionate increase in the size of the dwelling, either individually or when considered with existing or approved extensions to the original dwelling. 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 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 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.

The Council's historic records have been consulted and confirm that a two storey side extension and double garage was granted planning permission in 1973 under application reference E6/1973/5526. These works have been implemented and have resulted in a modest increase in the floor area which equates to approximately 61sqm. The proposed development would largely be contained within the footprint of the existing property given the nature of the proposal and it is considered that the design and modest scale of the works would integrate well with the existing property. Subsequently it is considered that the development would not cumulatively amount to disproportionate additions to the original dwelling. Therefore, it is considered that the development proposal would represent an appropriate form of 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. Consequently no discussion of this has been made in respect of the alterations to the existing property. Taking account of the above, it is considered that the proposal would fall within the limitations of paragraph 145(c) of the NPPF, policy RA3 of the District Plan and SADM34 of the Council's Emerging Local Plan and is not inappropriate development within the Green Belt.

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

Yes  No

**Comment** (if applicable):

Local 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. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed having regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area.

The SDG states that dormer windows should be contained within the roof slope, be subservient to the roof of the property and be in proportion to the existing fenestration of the property. They must not extend above the ridge height of the existing dwelling and the dormer cheeks should be at least 1 metre from the flank wall of the property or of the party wall with the adjoining property. Whilst the proposed dormer cheeks would not comply with the 1m guidance, they would be reduced in size compared to the existing flat roof dormers in this location and would appear adequately subordinate to the main property. Subsequently there are no concerns raised in this regard. The dormers would be finished with a pitched roof, and as there are examples of similar dormer windows in the surrounding street scene this is considered to be acceptable.

Whilst the proposed plans describe a 'high privet hedge changing to a 1350mm high brick wall topped by a 300mm high trellis' it has been confirmed by the applicant that this refers to the existing boundary treatment and will not be changed as a result of the proposal.

The remaining alterations and additions to the building would integrate well with the design of the dwelling the proposed materials would largely match those on the existing building and the surrounding properties. Therefore, there are no concerns raised on the grounds of design.

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

Yes  No  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): No neighbour comments have been received. Given the existing arrangement of the building, It is considered that the proposed alterations would not result in a development which impacts significantly upon the level of privacy the adjoining occupiers currently receive, nor would the resultant building appear overdominant or cause a loss of light.	
<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): The proposal would not result in an increase in the number of bedrooms at the property, however it would involve the conversion of the existing garage space and car port which may result in a loss of two on-site parking spaces. The existing frontage of the property is hard surfaced and benefits from a carriage style driveway with two accesses. It is considered that the existing driveway is an adequate size to accommodate at least three vehicles, therefore there are no objections raised on the grounds of parking or highway safety.	
<b>Any other issues</b>	<u>Site Notice</u>  A site notice was originally displayed on the 18 <sup>th</sup> January 2021, however a neighbour made the case officer aware that it had been removed from the lamppost on the 19 <sup>th</sup> January 2021. The neighbour taped up the original site notice until a replacement site notice could be displayed on the 21 <sup>st</sup> January 2021. For that reason it is considered all parties had the opportunity to make representations in line with the national procedure and the Council's local consultation procedure. Therefore, the application can be determined accordingly.
<b>Conclusion</b>	
The proposed development would accord with the relevant national and local planning policies.	

#### DRAWING NUMBERS

- 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
2046-E01		Existing Plans, Elevations, Location and Block Plan	21 December 2020
2046-P01		Proposed Plans and Elevations	21 December 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 William Myers  
26 February 2021