WELWYN HATFIELD BOROUGH COUNCIL

EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE

DELEGATED APPLICATION

**Application No:** 6/2021/2414/HOUSE

**Location:** 12 Wilkins Green Lane Hatfield AL10 9RT

**Proposal:** Erection of 2 storey front and side extensions, single storey front and side extension, new detached double garage and associated landscaping works

**Officer:** Ms Elizabeth Mugova

# **Recommendation:** Granted

6/2021/2414/HOUSE

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| **Context** | | | | | |
| **Site and Application description** | The application site is located north of Wilkins Green Lane and is comprised of a two storey detached dwelling. The site lies within the Metropolitan Green Belt and Colney Heath Farmland Landscape Character Area. The property is located to the north west of the Grade II\* listed Torilla, a 1934-5 modern style concrete house (list entry no. 1348145). Further to the south east is Great Nast Hyde, an early-mid seventeenth century Grade II listed house (list entry no. 1173761).  The dwelling sits on a substantial plot of land with a number of large and mature trees, bounded with hedgerows on the boundaries of the site.  The proposal includes extensions to the existing house and the erection of a new garage. It is proposed to increase the height of the single storey elements to two storeys resulting in an increase in massing but not in overall height. | | | | |
| **Constraints (as defined within WHDP 2005)** | LBC - LISTED BUILDING House, 1934-5 by F.R.S.Yorke. Modern style, - Distance: 20.37  GB - Greenbelt - Distance: 0  LCA - Landscape Character Area (Colney Heath Farmland) - Distance: 0  PAR - PARISH (HATFIELD) - Distance: 0  Wards - Hatfield Villages - Distance: 0  WCCF - Watling Chase Community Forest - Distance: 0  A4HD - Article 4 HMO Direction - Distance: 0  HHAA - Hatfield Heritage Assessment Area(Wilkin’s Green) - Distance: 0 | | | | |
| **Relevant planning history** | Application Number: S6/1995/0667/OP  Decision: Approval Subject to s106  Decision Date: 27 June 1996  Proposal: Site for erection of single dwelling house  Application Number: S6/1997/0764/FP  Decision: Granted  Decision Date: 21 November 1997  Proposal: Erection of single dwelling house, garage, store and access drive  Application Number: S6/1997/1015/FP  Decision: Granted  Decision Date: 26 January 1998  Proposal: Erection of a new dwelling house, including garage, store and access drive. (Revision to planning permission S6/0764/97/FP to incorporate basement to house) | | | | |
| **Consultations** | | | | | |
| **Neighbour representations** | | Support: 0 | | Object: 0 | Other: 0 |
| **Publicity** | | | Site Notice Display Date: 29 September 2021  Site Notice Expiry Date: 20 October 2021  Neighbour letters | | |
| **Summary of neighbour responses** | | | No representations received | | |
| **Consultees and responses** | | | Conservation Officer – No objection | | |
| **Relevant Policies** | | | | | |
| NPPF  D1  D2  GBSP1  GBSP2  M14  Supplementary Design Guidance  Supplementary Parking Guidance  Interim Policy for car parking and garage sizes | | | | | |
| **Main Issues** | | | | | |
| **Is the development within a conservation area?** | | | | | |
| Yes  No | | | | | |
| **Would the significance of the designated heritage asset be preserved or enhanced?** | | | | | |
| Yes  No  **Comment** (if applicable): | | | | | |
| **Green Belt**  Appropriateness  The National Planning Policy Framework (NPPF) in paragraph 149, 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.  Policies D1 (Quality Design) and D2 (Character and Context) of the adopted Welwyn Hatfield District Plan (2005) are of relevance and seek to provide a good standard of design in all new development and require that all new development respects and relates to the character and context of the area in which it is to be sited.  District Plan Policy RA3 (Extension to Dwellings in the Green Belt) defines the criteria that must be complied with in order for planning permission to be granted. The policy advises that extensions would not individually or when considered with existing or approved extensions to the original dwelling, result in a disproportionate increase in the size of the original dwelling. A further requirement is that proposed development should not have an adverse visual impact (bulk, design, size and prominence) on the surrounding area.    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.  he The existing building is as originally built. It has a footprint of approximately 222.5 m2 and floor area of about 352.5 m2. The proposed extensions would have a footprint of about 38 m2 and floor area of about 127 m2; increasing the footprint and floor area of the original building by approximately 17% and 36% respectively.  An existing swimming pool changing room structure in the rear garden area which is approximately 15 m2 will be demolished and a new detached garage will be built to the rear side of the house with a footprint of approximately 36 m2 and a floor area of about 32m2. The proposed extensions to the host dwelling and the garage would result in the application site being extended by approximately 27% and 49% in footprint and floor area respectively. Such an increase would not be considered as significant in numerical terms. In addition to the mathematical calculation, the visual impact of the proposal has to be considered.  The majority of the floor area would be under the existing single storey eaves, so the apparent increase is minimal. The proposal would result in a more aesthetically pleasing dwelling. It is therefore considered that the development would not impact on the character of the host dwelling and the wider surrounding area. In addition, due to the siting, size, single storey nature of the proposed garage, it is considered that the garage would not appear overbearing or unduly dominant towards the host dwelling. As such, it is considered that the proposed extensions and the garage would be visually subordinate to the original dwelling. Therefore, the proposal would not result in disproportionate additions over and above the size of the original building and therefore would constitute development which is acceptable or appropriate in the Green Belt.  There is no increase in size of the existing basement apart from the introduction of a small light well off a newly created bedroom.  Openness  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. It seeks to keep land free from built development and the curtilages of dwellings have a role to play in keeping land open.  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 duration of the development, specific characteristics of the proposal and its setting are also relevant in this case when making an assessment.  The proposal would not be clearly visible from the street, the site benefits from a long driveway and it is surrounded by a dense boundary of large trees and hedging. It is considered that the proposal would not have adverse impact upon the openness of the Green Belt. 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.  **Impact on Listed Buildings in the vicinity**  The Conservation officer has been consulted and raises no objection to the proposal. The existing house is relatively well screened from both listed buildings by existing mature boundary planting and trees and there are no proposals to alter this. It is not considered that the proposal would have a detrimental impact on the setting of either listed building, and no harm would be caused to their significance in accordance with Section 16 of the NPPF and Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.  The existing dwelling has white rendered walls, however, it has been noted that part of the front extension would have grey brickwork. Although the proposed grey brickwork does not match the existing external material, it is considered to be acceptable as the application site sits on a large plot of land and is not visible from the streetscene. In addition, it is considered that the grey brickwork would enhance the character of the host dwelling. All the other external materials would match the existing. Subject to a planning condition regarding matching materials, it is considered that the proposals would not detract from the character of the host dwelling and the area in accordance with the National Planning Policy Framework; Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005. | | | | | |
| **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): There is substantial degree of separation between the application site and the boundaries of No 10 and 11 Wilkins Green Lane; about 23 metres. In addition, the proposal would be largely screened from view by the existing landscaping. As such, it is considered that the proposed extensions would not have any adverse impact on neighbouring properties. Therefore, the proposal would not unduly affect the amenity and living conditions of neighbouring occupiers.  It is therefore considered that the development is in accordance with Policy D1 of the Welwyn Hatfield District Plan; the Supplementary Design Guidance; and the National Planning Policy Framework. | | | | | |
| **Would the development provide / retain sufficient parking?** | | | | | |
| Yes  No  N/A  **Comment** (if applicable): The existing attached garage will be converted into a new family lounge. However, a detached double garage is proposed. The proposal would increase the amount of bedrooms from six to seven. The Council’s car parking guidance for a four or more bedroom house in this location is three spaces per dwelling. Car parking spaces would be located in the double garage and a large driveway with space enough for multiple cars. The proposal therefore complies with the Council’s access and car parking standards | | | | | |
| **Conclusion** | | | | | |
| The proposed development would not have adverse impact upon the openness of the Green Belt or result in a dwelling that would be disproportionate in size when compared to the host dwelling. Subject to a planning condition regarding matching materials, it is considered that the proposed development would be in accordance with the Welwyn Hatfield District Plan; the Supplementary Design Guidance; and the National Planning Policy Framework. | | | | | |

**Conditions:**

1. The brickwork, roof tile, bond, 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 2019.

2. The brickwork, roof tile, bond, 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.

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DRAWING NUMBERS

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

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| --- | --- | --- | --- |
| **Plan Number** | **Revision Number** | **Details** | **Received Date** |
| WGL/2021/04 |  | Block Plan 01-210805-0001 | 7 September 2021 |
|  |  | Location plan | 17 August 2021 |
| WGH/2021/10 |  | Existing elevations | 17 August 2021 |
| WGH/2021/11 |  | Existing plans | 17 August 2021 |
| WGH/2021/12 |  | Existing roof and basement plan | 17 August 2021 |
| WGH/2021/03 |  | Proposed elevations 2 | 17 August 2021 |
| WGH/2021/02 | A | Proposed elevations | 21 October 2021 |
| WGL/2021/04 |  | Proposed site plan | 21 October 2021 |
|  |  | Proposed plans and elevations | 21 October 2021 |

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).

2. 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. 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

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**Determined By:**

Mr Derek Lawrence

30 November 2021