

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

DELEGATED APPLICATION

Application No: 6/2021/2479/HOUSE
Location: Woodlands School Road Little Heath Potters Bar EN6 1JW
Proposal: Demolition of single storey extension and erection of single storey extension for use as an office
Officer: Ms Elizabeth Mugova

Recommendation: Granted

6/2021/2479/HOUSE

Context	
Site and Application description	<p>The application site is located off School Road and is comprised of a detached dwelling house with mixed office and residential use which lies within a large curtilage.</p> <p>Full planning application is sought for the demolition of existing single storey extension and erection of a single storey extension with pitched roof.</p> <p>The site is located within the Metropolitan Green Belt and it accessed from an unmade driveway off School Road which is flanked either side by a beech hedge. The site is remote and well screened from nearby houses. It does not form part of any street scene and has no impact on the surrounding dwellings or landscape.</p> <p>This application is a resubmission of a previously refused scheme under planning reference 6/2021/1438/HOUSE, but with amendments. The amendments include a reduced footprint and floor area.</p>
Constraints (as defined within WHDP 2005)	<p>LBC - NULL NULL - Distance: 15.1 GB - Greenbelt - Distance: 0 LCA - Landscape Character Area (Northaw Common Parkland) - Distance: 0 PAR - PARISH (NORTH MYMMS) - Distance: 0 Wards - Brookmans Park & Little Heath - Distance: 0</p>
Relevant planning history	<p>Application Number: E/713/58 Decision: Granted Decision Date: 9th July 1958 Proposal: Erection of detached house with private garage</p> <p>Application Number: S6/1986/0465/FP Decision: Granted Decision Date: 21st August 1986 Proposal: Two storey extension and covered walkway</p> <p>Application Number: S6/2003/340/LU Decision: Granted Decision Date: 28th April 2003</p>

<p>Proposal: Application for certificate of lawfulness for an existing use of building as offices</p> <p>Application Number: S6/2009/2749/FP Decision: Refused Decision Date: 10 March 2010 Proposal: Erection of two storey residential extension, first floor granny annexe & B1 (office) replacement, following demolition of existing ground floor offices</p> <p>Application Number: S6/2011/0299/LU Decision: Granted Decision Date: 20 April 2011 Proposal: Certificate of Lawfulness for a proposed two storey front and two storey rear and single side extensions</p> <p>Application Number: 6/2021/1438/HOUSE Decision: Refused Decision Date: 02 July 2021 Proposal: Erection of single storey side extension with pitched roof and bay window following demolition of existing single storey side extension</p>			
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 24 September 2021 Site Notice Expiry Date: 15 October 2021 Neighbour letters		
Summary of neighbour responses	No representations received		
Consultees and responses	North Mymms Parish Council - Must comply with Green Belt policies.		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input checked="" type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> RA3 <input checked="" type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes			
Main Issues			
Is the development within a conservation area?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Would the significance of the designated heritage asset be preserved or enhanced?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Comment (if applicable):			
Would the development reflect the character of the area?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Comment (if applicable): 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.			
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. 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.

Planning application 6/2021/1438/HOUSE was refused as it was considered to amount to a disproportionate increase to the size of the original dwelling. The cumulative addition to the built form of the site was considered to represent an adverse impact on the openness of the Green Belt by virtue of contributing towards an increase in built development on the site, when compared to the original built form.

The applicant has taken into consideration the reasons for refusal and has submitted a revised scheme. The floor area of the original house is approximately 151.4 m² and the existing dwelling as built has a total floor area of 299.6 m². The refused scheme 6/2021/1438/HOUSE brought the total floor area to approximately 309 m², resulting in an overall increase in new habitable residential floor area since the original dwelling was built by 106%. The current application proposes to reduce the floor area to approximately 296.8 m² when compared to the existing house at 299.6 m². There is also a reduction in the overall footprint from 181.6 m² (of the existing house that is built) to 178.8 m². It is therefore considered that the proposed extension would not result in an extension to the host dwelling that is a disproportionate addition 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.

The proposed external materials for the extension would match the existing house. Subject to a planning condition regarding matching materials, it is considered that proposal 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): The siting of the proposed extension remains the same as application 6/2021/1438/HOUSE. It was previously established that no neighbours would be impacted by the proposed development. Therefore, it is considered there would not be any significant impact on the residential amenity of any adjoining neighbours.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable): The proposal does not increase the amount of bedrooms and so parking is not a consideration for this application.

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.

DRAWING NUMBERS

2. 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
1458-001	A	Location & Block Plan	24 August 2021
1458-004	A	Proposed Plans & Elevations	25 August 2021
1458-002	A	Existing Plans & Elevations	25 August 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).

Informatives:

1. 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.
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 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

Determined By:

Mr Mark Peacock
20 October 2021