

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

**DELEGATED APPLICATION**

**Application No:** 6/2022/0558/LB  
**Location:** The Old Vicarage Vineyards Road Northaw Potters Bar EN6 4NZ  
**Proposal:** Erection of single storey rear extension to grade II listed property following partial demolition of existing double garage to single.  
**Officer:** Ms Ashley Ransome

**Recommendation:** Refused

6/2022/0558/LB

<b>Context</b>	
<b>Site and Application description</b>	<p>The Old Vicarage is a Grade II listed building (list entry no. 1173973) dating from 1752 with 18th and 19th century additions. The building is primarily constructed of red brick and has a gambrel roof. Historically it had ancillary buildings that were attached to its east side, these were demolished in the latter half of the 20th century to allow for Vicarage Close Road. The property is also within Northaw Conservation Area.</p> <p>The proposal involves the erection of a single storey rear extension to a Grade II listed property following the partial demolition of the existing double garage to single.</p> <p>It should be noted that a concurrent Householder Planning application is currently under consideration under reference 6/2022/0532/HOUSE.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>CA - Conservation Area: NORT; - Distance: 0            LBC - LISTED BUILDING Originally the Rectory, now house. 1752 with - Distance: 0            PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0            Wards - Northaw &amp; Cuffley - Distance: 0</p>
<b>Relevant planning history</b>	<p>Application Number: E6/1960/1512/            Decision: Refused            Decision Date: 23 November 1960            Proposal: Site for residential development.</p> <p>Application Number: E6/1964/1339/            Decision: Granted            Decision Date: 29 September 1964            Proposal: Site for 10 houses and garages.</p> <p>Application Number: E6/1965/1435/            Decision: Refused            Decision Date: 15 July 1965            Proposal: 19 houses &amp; garages.</p> <p>Application Number: E6/1965/1814/            Decision: Granted            Decision Date: 21 December 1965            Proposal: 11 houses with double garages.</p>

<p>Application Number: E6/1966/0096/ Decision: Refused Decision Date: 02 February 1966 Proposal: 11 houses &amp; garages.</p> <p>Application Number: E6/1966/0365/ Decision: Refused Decision Date: 09 March 1966 Proposal: 11 houses &amp; garages.</p> <p>Application Number: E6/1966/0801/ Decision: Granted Decision Date: 25 May 1966 Proposal: Layout for 11 houses.</p> <p>Application Number: E6/1966/2110/ Decision: Withdrawn Decision Date: 30 December 1966 Proposal: Garage</p> <p>Application Number: E6/1966/2411/ Decision: Granted Decision Date: 11 January 1967 Proposal: Screenwall.</p> <p>Application Number: S6/2000/1302/FP Decision: Granted Decision Date: 28 December 2000 Proposal: Erection of a 2 metre high replacement boundary wall</p> <p>Application Number: 6/2022/0532/HOUSE Decision: Decision Date: Proposal: Erection of single storey rear extension to grade II listed property following partial demolition of existing double garage to single.</p>			
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Site Notice Display Date: 16 March 2022 Site Notice Expiry Date: 6 April 2022		
<b>Summary of neighbour responses</b>	Not applicable.		
<b>Consultees and responses</b>	HCC Historic Environment Advisor- no response received  WHBC Landscapes Department- no response received  Conservation Officer- Objection as detailed in the report below		
<b>Relevant Policies</b>			
<input checked="" type="checkbox"/> NPPF Others: SADM15 of the Draft Local Plan			

## Main Issues

### Impact on the character and setting of the listed building and adjoining listed buildings

#### Policy background

Section 66(1) of the Listed Buildings and Conservation Areas Act states that the local planning authority shall have “*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”.

The specific historic environment policies within the National Planning Policy Framework (NPPF) are contained within paragraphs 189-208. Paragraph 197 of the NPPF states:

*“In determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.”*

Paragraph 199 of the NPPF outlines that, when considering the impact of a proposed development on the significance of a designated heritage asset, ‘great weight’ should be given to the asset’s conservation and the more important the asset the greater the weight it should be given.

Paragraph 201 of the NPPF states that where proposed development will lead to substantial harm, or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm.

Where the harm is considered less than substantial Paragraph 202 states that this should be weighed against the public benefits of the proposal. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances.

Draft Local Plan Policy SADM15 is similar in these aims, where successive small-scale changes that lead to a cumulative loss or harm to the significance of the asset or historic environment should be avoided.

#### Assessment

An in-principle objection has been received from the Council’s Heritage Consultant. It is considered that whilst the two storey extensions are later additions, these date from the 19<sup>th</sup> century with the design intentionally creating a symmetrical appearance which is an important part of the attractive appearance of this rear elevation. A single storey rear extension in the proposed location would not only alter the symmetrical appearance but it would diminish the understanding of the design intention of the 19th century. Therefore, an extension in this location is not considered acceptable as it would harm the character and appearance of the listed building.

The proposal would not give great weight to the conservation of the heritage asset and justification has not been provided as part of this application that outweighs the heritage harm as required by paragraphs 199 and 200 of the NPPF.

	<p>With regards to the NPPF, the harm is considered to be 'less than substantial' and so paragraph 202 should be applied. Where the harm is considered less than substantial paragraph 202 states that this should be weighed against the public benefits of the proposal.</p> <p>The development would be for private domestic use and no public benefits identified. Consequently, it is considered that public benefits to outweigh the identified harm do not exist.</p> <p>The proposal would therefore be contrary to the provisions of the NPPF, Draft Local Plan Policy SADM15, and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p>
<b>Conclusion</b>	
<p>The proposed development would materially harm the Grade II Listed Building, and whilst this is considered to result in less than substantial harm, public benefits to outweigh the identified harm do not exist. As such the proposal is contrary to the Welwyn Hatfield District Plan; Draft Local Plan Policy SADM15; the Planning (Listed Buildings and Conservation Areas) Act 1990; and the National Planning Policy Framework.</p>	

### **Reasons for Refusal:**

1. The proposed development would materially harm the Grade II Listed Building, and whilst this is considered to result in less than substantial harm, public benefits to outweigh the identified harm do not exist. As such the proposal is contrary to the Welwyn Hatfield District Plan; Draft Local Plan Policy SADM15; the Planning (Listed Buildings and Conservation Areas) Act 1990; and the National Planning Policy Framework.

### **REFUSED DRAWING NUMBERS**

2.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
PR051/P_L 01		Location Plan	7 March 2022
PR051/P_S 01_A1	B	Site Plan Existing	7 March 2022
PR051/P_P L01_A1	A	Site Plan Proposed	7 March 2022
PR051/P_S 09_A1	A	Elevations Existing	7 March 2022
PR051/P_P L09_A1	A	Elevations Proposed	7 March 2022
PR051/P_S 02_A1	A	Floor Plans Existing	7 March 2022

PR051/P_P L02_A1	A	Floor Plans Proposed	7 March 2022
PR051/P_S 04_A1	B	Roof Plans Existing	7 March 2022
PR051/P_P L04_A1	A	Roof Plan Proposed	7 March 2022

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).

**Determined By:**

Mr Mark Peacock  
27 April 2022