

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

DELEGATED APPLICATION

Application No: 6/2022/1793/HOUSE
Location: Postern Gate Farm Newgate Street Village Hertford Hertfordshire SG13 8QR
Proposal: Erection of a single storey front extension
Officer: Ms Elizabeth Mugova

Recommendation: Granted

6/2022/1793/HOUSE

Context	
Site and Application description	<p>The application site comprises open agricultural land, a dwelling and associated farm buildings and is located north of Newgate Street Village and Darnicle Hill. The site lies within the Metropolitan Green Belt and Landscape and Character Area (Ponsbourne and Tolmers Parkland Estates).</p> <p>Planning permission is sought for the erection of a single storey front infill extension.</p>
Constraints (as defined within WHDP 2005)	<p>FLZ2 - Flood Zone 2 (Fluvial Models) - Distance: 0 FLZ3 - Flood Zone 3 (Fluvial Models) - Distance: 0 GB - Greenbelt - Distance: 0 LCA - Landscape Character Area (Ponsbourne and Tolmers Parkland Estates) - Distance: 0 PAR - PARISH (HATFIELD) - Distance: 0 SAC - Special Area of Conservation (SAC 1) - Distance: 0 Wards - Northaw & Cuffley - Distance: 0</p>
Relevant planning history	<p>Application Number: S6/1985/0049/ Decision: Refused Decision Date: 09 May 1985 Proposal: Siting of temporary mobile home</p> <p>Application Number: S6/1989/0944/FP Decision: Granted Decision Date: 08 December 1989 Proposal: Renewal of temporary consent for the siting of a mobile home ref. S6/343/86 dated 31st July 1986</p> <p>Application Number: S6/1993/0344/DE Decision: Granted Decision Date: 08 July 1993 Proposal: Erection of detached bungalow</p> <p>Application Number: S6/2003/0877/FP Decision: Refused Decision Date: 12 August 2003 Proposal: Erection of one new dwelling house</p>

	<p>Application Number: S6/2009/1169/LU Decision: Refused Decision Date: 21 July 2009 Proposal: Certificate of lawfulness for completion of construction work commenced under s6/2007/1268/FP for conversion of pig pens to one holiday-let cottage</p> <p>Application Number: S6/2010/1043/FP Decision: Refused Decision Date: 12 July 2010 Proposal: Retention of new build holiday let cottage on existing foundations following demolition of former pig pens</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	<p>Site Notice Display Date: 21 September 2022 Site Notice Expiry Date: 12 October 2022</p> <p>Neighbour letters</p>		
Summary of neighbour responses	No representations received		
Consultees and responses	<p>Herts & Middlesex Bat Group - No response received Herts & Middlesex Wildlife Trust - No response received Hertfordshire Ecology - No response received Hatfield Town Council - No response received</p>		
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"/> 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			
<p><u>Others:</u> RA3 Extensions to Dwellings in the Green Belt</p> <p><u>Draft Local Plan Proposed Submission August 2016:</u> SP1 Delivering Sustainable Development SP3 Settlement Strategy and Green Belt Boundaries SP9 Place Making and High Quality Design SADM16 Ecology and Landscape SADM34 Development within the Green Belt</p>			
Main Issues			
Green Belt			
<p>The site is located within the Metropolitan Green Belt as defined by Local Plan Policy GBSP1. 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. The NPPF defines "original building" as a building as it existed in July 1948 or, if constructed after that date, as it was</p>			

originally built.

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, the emerging Policy SADM34 states 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. Under Policy SADM34, consideration is given to the consistency of the proposal, in relation to the character of the area and prominence within the landscape.

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.

Planning permission was granted for the erection of the application dwelling in April 1993 under application S6/1993/0344/DE and the dwelling has not been extended since. The original footprint of the dwelling is approximately 148sqm. The proposed infill extension would add approximately 34sqm of footprint. This would increase the footprint of the building by approximately 23.6%. In quantitative terms, the proposed extension can be regarded as a proportionate increase in the size of the dwelling.

The site includes sheds and a caravan, therefore the impact of these needs to be taken into account. Given the size, design and infill nature of the proposed extension, it would appear subservient to the existing property. As such, it is considered that the proposal, when considered cumulatively with the existing sheds and caravan, it would not result in the substantial and disproportionate enlargement of the original dwelling.

Furthermore, the host dwelling is set back from the streetscene. The dwelling is not clearly visible from the front gate as views are blocked by the existing shed. However, views of the application dwelling are partially visible through the wooded area from the curve on Darnicle Hill (near the pumping station). Darnicle Hill is a narrow busy road with no footpath. As such, proposed extension would be inconspicuous from the road users. Given that the proposal would be finished in matching materials, integrate well with the character and appearance of the property and surrounding area it would not impact upon the surrounding Green Belt in a visual sense.

In view of the above, it is considered that the resultant dwelling, would not appear significantly larger, therefore not disproportionate when compared to the original dwelling and surrounding sheds and caravan. The proposal would therefore represent appropriate development in the Green Belt. The Courts have held that appropriate development in the Green Belt is not harmful to 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): The Government attaches great importance to the design of the built environment. The National Planning Policy Framework (NPPF) notes that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policies D1 and D2 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. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG), which also requires that residential extensions should be complementary in design and be subordinate in size and scale to the existing dwelling. The above objectives are broadly consistent with Policies SP1 and SP9 of the Council's Emerging Local Plan 2016.

As discussed above, the proposed infill would be a subservient addition to the existing dwelling. In addition, the extension would not detract the character of the host dwelling or the surrounding area.

The resultant dwelling would feature a crown roof. Given the scale and location of the proposed development a crown roof would be acceptable. However, in terms of visual amenity and quality of design, some crown roofs are not attractively designed and can significantly detract from the appearance of a dwelling. As such it is considered reasonable to condition details and a section to show the flat roof is stepped down and concealed behind the surrounding pitched roof to ensure its impact in terms of visual amenity would be limited.

Subject to a planning condition regarding matching materials, it is considered that the proposal would adequately respect and relate to the existing dwelling and maintain the character of the surrounding area in accordance with local and national policies.

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):

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable): Although it is not clear what the additional room is going to be used for, even if it were to be used as a bedroom, there is ample space for car parking on site. As such, parking is not a consideration for this application.

Any other issues

Bat Survey

The application is accompanied by a Bat Survey, prepared by Mammal Survey August 2022. Hertfordshire Ecology team were consulted and they did not provide a response. The survey concluded that there was no evidence of bats on site. A precautionary approach is suggested and an informative is included in the decision notice.

Furthermore, the report has recommended the following biodiversity enhancements:

- any gaps beneath existing boundaries must be retained to allow hedgehogs and common toads to forage across the site
- two bird nesting boxes to be sited on trees or buildings at the site
- two solitary bee hives to be erected on the site
- a hedgehog nesting box to be located at the site

Conclusion

Subject to the suggested conditions, it is considered that the development would comply with all relevant local and national planning policies.

Conditions:

1. No development above ground level shall take place until details of the proposed crown roof, including a cross-section drawing, has been submitted to and approved in writing, by the Local Planning Authority. The details must clearly show that the flat roof is stepped down and concealed behind the surrounding pitched roof or ridge tiles. Subsequently the development must not be carried out other than in accordance with the approved details.

REASON: The proposal contains insufficient information in regards to the detailed design of the roof and this is required in the interests of quality of design and visual amenity in accordance with Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005; Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework.

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.

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
292_E01		Existing Site Location and Block Plans	1 August 2022
292_E02		Existing Topographical Survey	1 August 2022
292_E03		Existing Plans	1 August 2022
292_E04		Existing Elevations	1 August 2022
292_PL05		Proposed Site Plans	1 August 2022
292_PL06		Proposed Plans	1 August 2022
292_PL07		Proposed Elevations	1 August 2022

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. Bats and their roosts are protected at all times under domestic and European law. To reduce the risk of an offence, work should proceed with caution. In the event of bats or evidence of them being found, work must stop immediately, and advice taken on how to proceed lawfully from an appropriately qualified and experienced ecologist or Natural England.
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
17 October 2022