

**WELWYN HATFIELD BOROUGH COUNCIL
ASSISTANT DIRECTOR (PLANNING)**

DELEGATED APPLICATION

Application No: 6/2022/2586/HOUSE
Location: 61 The Ridgeway Cuffley Potters Bar Hertfordshire EN6 4BD
Proposal: Erection of a single storey rear and front extension, increase in roof pitch, installation of two forward facing and one rear facing dormer, alterations to fenestration following demolition to existing rear and side extensions
Officer: Ms Kirsty Shirley

Recommendation: Granted

6/2022/2586/HOUSE

Context			
Site and Application description	<p>The application site is located to the south side of The Ridgeway and is comprised of a detached bungalow with integrated garage, sizeable front driveway and elongated rear garden.</p> <p>During the course of the application amended plans were submitted to further accurately represent the application site and reduce the soffits of the development to ensure they would not overhang the boundary.</p>		
Constraints (as defined within WHDP 2005)	<p>GB - Greenbelt - Distance: 0 LCA - Landscape Character Area (Northaw Great Wood) - Distance: 0 LCA - Landscape Character Area (Northaw Common Parkland) - Distance: 0 LNR - Local Nature Reserve(Northaw Great Wood) - Distance: 14.58 PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 14.58 Wards - Northaw & Cuffley - Distance: 0 A4D - ARTICLE 4 DIRECTION - Distance: 14.58</p>		
Relevant planning history	<p>Application Number: E6/1964/1997/ Decision: Granted Decision Date: 16 October 1964 Proposal: Extension to bungalow.</p> <p>Application Number: 6/2022/2280/PA Decision: Refused Decision Date: 26 October 2022 Proposal: Proposed ground floor front and rear extension plus roof extensions to facilitate a loft conversion.</p>		
Consultations			
Neighbour representations	Support: 0	Object: 1	Other: 1
Publicity	<p>Site Notice Display Date: 21 December 2022 Site Notice Expiry Date: 13 January 2023 Neighbour notification letter</p>		

Summary of neighbour responses	<p>59 The Ridgeway - Object: <i>Concerns regarding the proximity of the development which would reduce the amount of light we receive in living spaces and result in a loss of privacy as well as obscure a fire exit. The plans do not show the tapering of the site accurately. Concerns regarding a Party Wall Agreement and health and safety during the course of the works due to the proximity of the development.</i></p> <p>63 The Ridgeway - Comment: <i>No additional concerns beyond those raised by 59 The Ridgeway and the Parish Council. However, I would be concerned if there were any further development beyond what is proposed.</i></p>
Consultees and responses	<p>Northaw & Cuffley Parish Council – Object: <i>Objection on the basis of overlooking and proximity towards the neighbouring property. Objection remains the same in light of the amended plans.</i></p> <p>Herts & Middlesex Bat Group – no response Herts & Middlesex Wildlife Trust – no response Hertfordshire Ecology – no response</p>
Relevant Policies	
<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 type="checkbox"/> M14 <input type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes Others: RA3 The Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) Incorporating The Proposed Main Modifications (January 2023) (Draft Local Plan) Policies: SADM34, SADM 11, SP9	
Main Issues	
Green Belt	<p>The application site is washed over by 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), states, in paragraph 147 that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 then states that substantial weight should be given to any harm in the Green Belt and that “very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.</p> <p><i>Appropriateness</i></p> <p>The 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 the “original building” as a building as it existed in July 1948 or, if constructed after that date, as it was originally built.</p> <p>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</p>

	<p>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.</p> <p>Following a review of planning history, the original building had an approximate footprint of 140m². The dwelling benefits from previous ground floor extensions, resulting in the current dwelling to have a footprint of approximately 190m². The proposal includes the demolition of the existing rear and side extension, resulting in the proposed footprint of the dwelling to be approximately 171m². The proposal would represent an increase of approximately 22% from the original footprint and an increase of approximately 100% in floor area when compared to the original dwelling.</p> <p>While a mathematic assessment is indicative of proportionality, an overall assessment of proportionality includes a qualitative assessment too.</p> <p>The proposed development would add limited bulk and massing to the dwelling, most notably at first floor level. The roof would be enlarged as part of the development, with dormers to the front and rear roofslope to create a habitable first floor area. However, there would be no increase in ridge height as a result of the development and the scale and positioning of the development would not unduly dominate or excessively alter the character of the dwelling. Within the context of the size of the existing dwelling and its surroundings, the development would be subservient and sympathetic to the design and scale of the existing dwelling.</p> <p>Taking account of the above, it is considered that in regards to both the scale and relationship with the original dwelling, the proposal would not result in disproportionate additions 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.</p>
<p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</p>	<p>This part of The Ridgeway includes mainly chalet-style and two-storey dwellings set back from the road. A key characteristic of many dwellings in this area are simple pitch roofs with gable features.</p> <p>The proposal would alter this roof form to a crown roof with two front facing dormers and a rear facing dormer. The increase in the roof size and scale as well as alteration to the roof form would not overwhelm the application dwelling and would not detract from the character of the area. Some crown roofs are not attractively designed which can significantly detract from the appearance of a dwelling and the overall character of the area. As such, in the event of an approval, a condition can be secured to ensure that the flat roof is be stepped down and concealed behind the surrounding pitched roof to ensure its impact in terms of visual amenity would be limited.</p> <p>The existing gable feature within the front elevation would be removed and the</p>

	<p>front elevation would feature a gable feature above the entranceway, which would respect and relate to the character and appearance of the dwelling.</p> <p>The proposed dormers would be subservient within the respective roof slopes, positioned below the ridge of the dwelling with a suitable distance between the cheeks of the dormer and the flank elevations. The fenestration of the dormers would be in keeping with the fenestration proposed for the dwelling.</p> <p>The proposal would alter the fenestration of the dwelling. Casement windows feature throughout the elevations dwelling, most notably as bay windows within the front elevation of the dwelling. Elsewhere, the dwelling features large picture windows and sliding doors. While there is variety in the fenestration featured within the area, casement windows are predominant. Casement windows that a more consistent in size and style would be inserted into the elevations, which would respect and relate to the proportions of the dwelling.</p> <p>The submitted plans have annotations describing different materials to the materials currently featured on the application dwelling. To ensure that the proposed materials would not detract from the appearance of the dwelling or character of the area, submission of material samples can be secured by condition.</p>
<p>Impact on neighbours</p>	<p>Objections have been received from neighbours with concerns regarding loss of privacy, loss of sunlight, proximity of the development to adjoining properties, Party Wall agreement, health and safety during the course of the works and potential further development.</p> <p>In regards to a Party Wall agreement and health and safety during the course of the works, these matters are managed outside of the planning system. Should the application be approved informatives can be added to advise the applicant.</p> <p>In regards to potential further development, the Local Planning Authority can only assess development proposed in submitted applications. Should a further application be submitted, then the Local Authority will undertake the necessary consultations and assess the application as presented.</p> <p>Concerns have been raised regarding the proximity of the development to adjoining properties and the subsequent impact this would have on adjoining occupiers light and privacy. The application dwelling and adjoining neighbours have broadly south facing rear gardens, benefitting from long periods of sunlight. The proposal would remove previous ground floor side extensions, resulting in an increase in space between the application dwelling and shared boundary lines at ground floor level. The rear extension featured on the dwelling would also be removed, moving the rear elevation in closer proximity to the rear elevations of No. 59 and No. 63. During the course of the development, the plans were amended to ensure that the boundary lines of the application site were accurately demonstrated and show that the soffits and eaves of the development would remain within the boundary of the application site. The proposal would be positioned similarly to the eaves of the current dwelling, with the length of the proposed dwelling approximately 13.5m. The flank elevation facing towards adjoining neighbours No. 63 is at present approximately 13.5m and the flank elevation facing No. 59 would increase by approximately 3.5m from approximately 10m at present. The scale and positioning of the proposed development would therefore not have an undue</p>

	<p>impact in terms of loss of light to adjoining neighbours No. 59 and No. 63, nor would the development appear unduly dominant or overbearing towards adjoining neighbours No. 59 and No. 63.</p> <p>Regarding privacy, a degree of overlooking is expected within a relationship between neighbouring properties, particularly at ground floor flank level and gardens. The existing windows within the ground floor flank elevations would be altered, but the scale and positioning of the proposed windows would not result in adjoining neighbours No. 59 and No. 63 to experience a detrimental loss of privacy. The dormer windows within the roofslopes would offer a degree of overlooking towards adjoining neighbours No. 59 and No. 63 gardens, however such overlooking would not be in excess of what would be expected between a neighbouring relationship. No windows would be inserted into either of the side roofslopes which would maintain the privacy of adjoining neighbours No. 59 and No. 63.</p>
<p>Access, car parking and highway considerations</p>	<p>The proposal would increase the number of bedrooms from two to four and would result in the integrated garage to become a habitable space. The garage is approximately 8.6m in length and approximately 3.1m in width, with the narrowest point 2.8m in width. The loss of the garage would therefore result in the loss of a car parking space. The application site benefits from a sizeable driveway, and although part of the driveway would be lost as a result of the development, the driveway would remain suitable to park three vehicles. The development would therefore maintain a suitable level of on-site car parking provision.</p>
<p>Conclusion</p>	
<p>Subject to the suggested conditions, the proposed development would be in accordance with the relevant policies of the Welwyn Hatfield District Plan; the Draft Local Plan' the Supplementary Design Guidance; and the National Planning Policy Framework.</p>	

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. 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 and the National Planning Policy Framework.

2. No development above ground level in any phase of the development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

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
		Site Location Plan	14 November 2022
104	D	Proposed Plans and Block Plan	24 January 2023
103	D	Proposed Plans and Block Plan	24 January 2023
100	D	Existing Plans and Block Plan	24 January 2023
101	D	Existing Plans and Block Plan	24 January 2023
105	D	Proposed Elevations	24 January 2023
106	D	Proposed Sections	24 January 2023
102	D	Existing Plans Elevations and Section	24 January 2023

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 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
6 February 2023