

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

**DELEGATED APPLICATION**

**Application No:** 6/2022/2823/HOUSE  
**Location:** 1 Lysley Place Brookmans Park AL9 6NZ  
**Proposal:** Retention of alteration to external materials of window frames and roof tiles and proposed alterations to external materials of external cladding with alterations to fenestration  
**Officer:** Ms Kirsty Shirley

**Recommendation:** Granted

6/2022/2823/HOUSE

<b>Context</b>	
<b>Site and Application description</b>	<p>The application site is located to the east/south-east of two Grade II listed buildings; Mymwood Lodge and the former Mymwood School. The application site is also within a Landscape Conservation Area (North Mymms Common and Newgate Street Farmed Plateau) and washed over by the Metropolitan Green Belt.</p> <p>The application dwelling is one of five properties in Lysley Place, which forms part of the residential development at the former Queenswood Home Farm on the northern side of Shepherds Way. The properties are positioned in a circular formation, which each dwelling varying considerably from one another in terms of scale, positioning, architectural design and material palette.</p> <p>The application site is located to the east of the properties within Lysley Place and is comprised of a two-storey detached dwelling, with front hardstanding and garden, and sizeable rear garden.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>LBC - LISTED BUILDING House. Circa 1820, converted to school 1932. C17 - Distance: 10.21            LBC - NULL NULL - Distance: 22.71            SAG - 0 - Distance: 0            GB - Greenbelt - Distance: 0            LCA - Landscape Character Area (North Mymms Common and Newgate Street Farmed Plateau) - Distance: 0            PAR - PARISH (NORTH MYMMS) - Distance: 0            Wards - Brookmans Park &amp; Little Heath - Distance: 0</p>
<b>Relevant planning history</b>	<p>Application Number: S6/2000/0988/FP            Decision: Granted            Decision Date: 21 August 2000            Proposal: Enclosure of existing porch</p> <p>Application Number: S6/2003/0895/FP            Decision: Refused            Decision Date: 12 August 2003            Proposal: Erection of first floor side extension above existing garage</p>

	Application Number: S6/2004/0987/FP Decision: Granted Decision Date: 25 August 2004 Proposal: Erection of part single storey rear extension and part first floor front extension  Application Number: 6/2021/3431/HOUSE Decision: Granted Decision Date: 01 February 2022 Proposal: Erection of a single storey rear extension		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Neighbour notification letter		
<b>Summary of neighbour responses</b>	None received		
<b>Consultees and responses</b>	Place Services Conservation Officer- Comment: <i>There is a preference for clay tiles to be retained or for natural slates to be used, however the proposed changes to 1 Lysley Place are not considered to be detrimental to the settings of the listed buildings and no harm will be caused to their significance or special interest, in accordance with Section 16 of the NPPF and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.</i>  North Mymms Parish Council - <i>No comment.</i>		
<b>Relevant Policies</b>			
<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 checked="" type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes  Others: RA10  The Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) Incorporating The Proposed Main Modifications (January 2023) (Draft Local Plan) Polices: SADM34, SADM15			
<b>Main Issues</b>			
<b>Green Belt</b>			
The application site is washed over by the Metropolitan Green Belt as defined by draft 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.			

### *Appropriateness*

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.

The application site has had previous extensions and alterations; however the proposed alterations would not increase the size of the current dwelling. In this case, the proposal would not result in the current dwelling to become any more disproportionate when compared with the original dwelling. It is therefore considered that the proposal would not be inappropriate development. The Courts have held that appropriate development is not harmful to Green Belt openness or the purposes of including land within it.

### **Listed Building**

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 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.

It is considered that the proposed alterations would not be detrimental to the settings of the listed buildings and no harm will be caused to their significance or special interest, in accordance with Section 16 of the NPPF and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Would the development reflect the character of the area?**

Yes  No

**Comment** (if applicable): The proposal is for the retention of external materials, including window frames and roof tiles, with proposed alterations to materials including external cladding.

The roof tiles are grey plain clay tiles and the window casements are a dark brown UVPC wood grain style framed window.

The proposal includes replacing the lower half of the timber cladding on the dwelling with Cambridge White brick slips and retaining timber boarding to the top half in dark brown. The positioning of the timber and brick slip cladding would be replicated across all the elevations of dwelling.

During the site visit, samples of the materials were assessed and photographed, and are in accordance with the description annotated onto the submitted plans. The proposed alterations would not detract from the character and appearance of the application dwelling or properties located in Lysley Place and would appear sympathetic and traditional adjacent to the listed buildings.

**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): No neighbour representations have been received.

The development would not result in adjoining neighbours to experience an undue loss of sunlight nor would the development appear overbearing or unduly dominant.

It is noted in the south-west elevation, a first-floor window would be removed and in-filled. This window does not overlook any neighbours and no additional windows are proposed as part of this proposal. The privacy of adjoining neighbours would therefore be maintained as a result of this development.

**Would the development provide / retain sufficient parking?**

Yes  No  N/A

**Comment** (if applicable): The development would not increase the amount of bedrooms and so car parking is not a relevant consideration for this application.

**Conclusion**

It is considered that the proposed development would be in accordance with the relevant policies of the Welwyn Hatfield District Plan; Draft Local Plan; the Planning (Listed Buildings and Conservation Areas) Act 1990; and the National Planning Policy Framework.

**DRAWING NUMBERS**

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**

20478-S001-1st		Existing plans and elevations	13 December 2022
20478-P001-B	B	Proposed plans and elevations	19 December 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. 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.

#### **Determined By:**

Mr Mark Peacock  
20 February 2023