

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

**DELEGATED APPLICATION**

**Application No:** 6/2023/0297/VAR  
**Location:** 50 Plough Hill Cuffley Potters Bar EN6 4DS  
**Proposal:** Variation of condition 2 (drawing numbers) on planning permission 6/2021/1144/VAR  
**Officer:** Ms Kirsty Shirley

**Recommendation:** Refused

6/2023/0297/VAR

<b>Context</b>	
<b>Site and Application description</b>	<p>This application is for a variation to approved application 6/2021/1144/VAR, which was for the variation of condition 3 (drawing numbers) on application 6/2019/2591/HOUSE. Application 6/2019/2591/HOUSE is for the erection of a ground floor side/rear and first floor extension, including the construction of a rear dormer and installation of rooflights to facilitate the creation of habitable space within the loft and erection of front boundary wall and gates.</p> <p>This application (6/2023/0297/VAR) seeks to vary condition 2 (drawing numbers) on planning permission 6/2021/1144/VAR. These alterations include amendments to the front boundary treatment. The boundary treatment has been implemented prior to the submission of this application.</p> <p>Section 73 allows applicants to apply to vary or remove one or more conditions attached to a planning permission. This results in a new permission with one or more conditions from an extant permission varied or removed and it would sit alongside the original permission, which remains intact and unamended. In determining an application under this section, officers have to have regard to the development plan and all other material considerations but the principle of development should not be re-assessed since that is not an issue in relation to the removal of the conditions.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>SAG - 0 - Distance: 0            PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0            Wards - Northaw &amp; Cuffley - Distance: 0            A4D - ARTICLE 4 DIRECTION - Distance: 0            HEN - No known habitats present (medium priority for habitat creation) - Distance: 0            SAGB - Sand and Gravel Belt - Distance: 0</p>
<b>Relevant planning history</b>	<p>Application Number: S6/1977/0669/            Decision: Granted            Decision Date: 30 January 1978            Proposal: Single storey side and rear extensions</p> <p>Application Number: 6/2019/1089/HOUSE            Decision: Granted            Decision Date: 04 July 2019            Proposal: Erection of a ground floor rear/side and first floor extension, including</p>

	<p>the construction of a rear dormer and installation of rooflights to facilitate the creation of habitable space within the loft</p> <p>Application Number: 6/2019/2591/HOUSE Decision: Granted Decision Date: 13 January 2020 Proposal: Erection of a ground floor side/rear and first floor extension, including the construction of a rear dormer and installation of rooflights to facilitate the creation of habitable space within the loft and erection of front boundary wall and gates</p> <p>Application Number: 6/2021/1144/VAR Decision: Granted Decision Date: 10 June 2021 Proposal: Variation of condition 3 (approved plans) on planning permission 6/2019/2591/HOUSE</p>		
<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>	<p>HCC Hertfordshire Transport Programmes &amp; Strategy – Comment: <i>the Highway Authority do not wish to restrict the grant of planning permission</i></p> <p>Northaw &amp; Cuffley Parish Council – no response</p>		
<b>Relevant Policies</b>			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" 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			
<p>The Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) Incorporating The Proposed Main Modifications (January 2023) (Draft Local Plan) Policies: SADM11, SP9</p>			
<b>Main Issues</b>			
<b>Design (form, size, scale, siting) and Character (appearance within the streetscene)</b>	<p>The proposal is for the retention of alterations to the approved front boundary treatment. Following the commencement of works approved under application 6/2021/1144/VAR, an enforcement case was opened as the proposed boundary treatment erected was not in accordance with the details approved under application 6/2021/1144/VAR.</p> <p>The boundaries of nearby properties tend to be characterised by enclosures that are more recessive in appearance, softened by planting. In this context the front boundary that is the subject of this application, though set back from the highway, because of its height and decoration appears strident and excessively ornate. This is partly because of the white rendered finish to the wall, which is not objectionable because it matched the host dwelling and was previously found acceptable under planning permission 6/2019/2591/HOUSE. Nevertheless, when compared to the approved scheme, the gates and piers have been built taller than previously considered acceptable. Moreover, the detailed design has been altered with significant visual affect, including the</p>		

	addition of large finials, curved top gates and ornate decoration highlighted in gold paint. Whilst there are some tall boundary structures nearby, none are as high as the proposal, and none are comparable in design. Other examples are constructed from brick, in muted tones, with straight top railing and gates, painted black without elaborate embellishment. The frontage in this case appears obtrusive and incongruous in its immediate surroundings. It introduces a harder edge, that draws the eye and is at odds with the softer character of nearby boundaries. The implemented front boundary treatment therefore results in harm to that character and appearance of the area.
<b>Impact on neighbours</b>	No neighbour representations have been received.  The proposed alterations would not result in adjoining neighbours to experience an undue loss of light, nor would the development appear overbearing or unduly dominant.
<b>Access, car parking and highway considerations</b>	The Highways Authority have not raised any objections to the boundary treatment. The development would retain sufficient on-site car parking.
<b>Conclusion</b>	
The design, height and scale of the implemented boundary treatment detrimentally detracts from the character and appearance of the area, contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan; Policies SADM11 and SP9 of the Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) Incorporating the Proposed Main Modifications (January 2023); the Supplementary Design Guidance; and the National Planning Policy Framework.	

**Reasons for Refusal:**

1. The design, height and scale of the implemented boundary treatment detrimentally detracts from the character and appearance of the area, contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan; Policies SADM11 and SP9 of the Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) Incorporating the Proposed Main Modifications (January 2023); the Supplementary Design Guidance; and the National Planning Policy Framework.

**REFUSED DRAWING NUMBERS**

3.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
01		Block plan	7 February 2023
03		Proposed Elevations	7 February 2023
09		Existing and proposed First floor plans	7 February 2023
05		Existing and proposed Front and rear elevations	7 February 2023
08		Existing and proposed Ground floor plans	7 February 2023

04	Approved and existing gates	7 February 2023
10	Existing and proposed loft and loft plan	7 February 2023
11	Existing and proposed roof plan	7 February 2023
06	Cross section of roof plan	7 February 2023
07	Existing and proposed side elevations	7 February 2023

#### 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  
4 April 2023