

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

DELEGATED APPLICATION

Application No: 6/2023/2320/HOUSE
Location: 34 Vineyards Road Northaw Potters Bar EN6 4PA
Proposal: Erection of front porch following the removal of existing canopy
Officer: Mrs Kerrie Charles

Recommendation: Granted

6/2023/2320/HOUSE

Context	
Site and Application description	<p>No.34 Vineyards Road is a two storey detached dwelling which has recently been built.</p> <p>This application seeks planning permission for the erection of a front porch following the removal of existing canopy.</p>
Constraints	<p>NPA - Northaw and Cuffley Neighbourhood Plan Area - Distance: 0 GB - Green Belt - Distance: 0 LCA - Landscape Character Area (Northaw Common Parkland) - Distance: 0 PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0 Wards - Northaw & Cuffley - Distance: 0</p>
Relevant planning history	<p>Application Number: 6/2020/1365/FULL Decision: Granted Decision Date: 09 October 2020 Proposal: Erection of a 5-bedroom detached dwelling including formation of new vehicular crossover</p> <p>Application Number: 6/2021/0073/COND Decision: Granted Decision Date: 04 March 2021 Proposal: Submission of details pursuant to condition 1 (samples of external construction materials) on planning permission 6/2020/1365/FULL</p> <p>Application Number: 6/2021/0474/COND Decision: Granted Decision Date: 07 May 2021 Proposal: Submission of details pursuant to conditions 2 (landscape works) and 3 (biodiversity) on planning permission 6/2020/1365/FULL</p> <p>Application Number: 6/2022/0516/COND Decision: Part Discharged Decision Date: 11 May 2022 Proposal: Submission of details pursuant of condition 4 (traffic noise scheme) and condition 6 (photovoltaic panels, air source heat pump and electric vehicle charging points) of planning reference 6/2020/1365/FULL</p> <p>Application Number: 6/2022/1283/VAR Decision: Granted</p>

	<p>Decision Date: 05 August 2022 Proposal: Variation of condition 6 (photovoltaic panels, air source heat pump and electric vehicle charging points) and condition 7 (approved plans) on planning application 6/2020/1365/FULL, dated 08/10/2020</p> <p>Application Number: 6/2022/1933/COND Decision: Granted Decision Date: 26 September 2022 Proposal: Submission of details pursuant of condition 6 (photovoltaic panels and electric vehicle charging points) on planning permission 6/2022/1283/VAR</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	<p>Site Notice Display Date: 18 December 2023 Site Notice Expiry Date: 11 January 2024</p>		
Summary of neighbour responses	None received.		
Consultees and responses	None received.		
Relevant Policies and Guidance			
National Planning Policy Framework			
<p>The Welwyn Hatfield Borough Council Local Plan 2016-2036:</p> <ul style="list-style-type: none"> • SP1 Delivering Sustainable Development • SP3 Settlement Strategy and Green Belt Boundaries • SP9 Place Making and High Quality Design • SADM11 Amenity and Layout • SADM12 Parking, Servicing and Refuse • SADM34 Development within the Green Belt <p>Northaw and Cuffley Neighbourhood Plan 2022-2036:</p> <ul style="list-style-type: none"> • D2 Local Character <p>Planning Guidance:</p> <ul style="list-style-type: none"> • Supplementary Design Guidance 2005 • Supplementary Planning Guidance Parking Standards 2004 • Interim Policy for Car Parking Standards and Garage Sizes 2014 • Planning Practice Guidance 			
Main Issues			
Green Belt			
<p>The site is located within the Metropolitan Green Belt as defined by Local Plan Policy SP3. 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.</p> <p>The National Planning Policy Framework (NPPF) states, in paragraph 152 that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very</p>			

special circumstances. Paragraph 153 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.

Paragraph 154 of the NPPF states that the construction of new buildings should be regarded as inappropriate development subject to not meeting a number of exceptions. One relevant exception is the extension or alteration of a building 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 originally built.

Local Plan Policy SADM34 states that applicants 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. Account will be taken of the extent to which the extension and/or alteration would be consistent with the general pattern of development and character of the area and its prominence within the landscape.

The supporting text to Policy SADM34, at paragraph 24.10, notes that in determining what would constitute a disproportionate extension to a building, a quantitative and qualitative assessment will be undertaken. In quantitative terms, proposals that would result in the footprint, volume and/or above ground external dimensions (height, width) of a building being 50% greater than the original building would generally be refused. However, each case will be assessed on its own merits as there may be circumstances in which a particular proposal for an extension in excess of 50% may be proportionate and acceptable. Conversely, circumstances may dictate that an extension would need to be significantly less than 50% greater than the original dwelling in order to be considered proportionate and acceptable in planning terms. Any increase in footprint, volume and/or external dimensions will also be considered as part of a qualitative assessment of the design elements relating to scale, bulk and massing within the context of the site. This will determine the acceptability of any extension in relation to the size of the original dwelling including the impacts on the elevation to which it relates, its relationship to the original building, its location in the site and the wider context.

This application seeks planning permission to replace an existing canopy with a front porch.

The existing dwelling has been recently built in 2022. The proposed porch which would replace the existing canopy would create approximately 3.2 square metres of additional floor space. This minor addition is not considered to dominate the original dwelling or significantly alter its appearance or character.

Taking account of the above, it is considered that in regards to both its size 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.

Would the development reflect the character of the area?

Yes No

Comment (if applicable):

The works are not considered to be overly prominent, being of a similar height and depth to the existing canopy or out of keeping due to the size and location. Matching materials are proposed and, as such, it would not conflict with Local Plan, Northaw and Cuffley Neighbourhood Plan and NPPF

Would the development reflect the character of the dwelling?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Comment (if applicable):	
Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Comment (if applicable):	
No neighbour representations have been received.	
It is considered that the proposed development would not result in a detrimental impact on the residential amenity of any neighbouring occupier in terms of loss of light, appearing unduly dominant or result in an impact on privacy.	
Overall, it is considered that the living conditions of the adjoining occupiers are maintained to an acceptable level in accordance with the Local Plan and Supplementary Design Guidance 2005.	
Would the development provide / retain sufficient parking?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Comment (if applicable):	
Any other issues	N/A
Conclusion	
The proposal is considered to be appropriate development in the Green Belt Policy in accordance with Local Plan Policies SADM34 and the NPPF. Giving consideration to the scale and setting of the proposed development, it is considered that the amenity of the neighbours would be maintained as well as the appearance of the dwelling and the character of the area, in accordance with the Supplementary Design Guidance, Local Plan Policies, SP1, SP3, SP9, the NPPF and Northaw and Cuffley Neighbourhood Plan 2023.	

Conditions:

1. 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 the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

DRAWING NUMBERS

2. 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
L2302/02		Existing and Proposed Site Plans	17 November 2023
		Location Plan	17 November 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. 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.
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
12 January 2024