



**ERECTION OF A
DETACHED DWELLINGHOUSE**

**LAND ADJACENT TO
THE WARREN,
8 CARBONE HILL,
CUFFLEY
POTTERS BAR EN6 4LP**

PLANNING STATEMENT

MARCH 2023

1.0 INTRODUCTION

Background to the Application

- 1.1 This Planning Statement has been prepared by Paul Dickinson & Associates, Town Planning and Development Consultants, in support of a planning application for the erection of detached dwellinghouse on land adjacent to The Warren, 8 Carbone Hill, Cuffley, Potters Bar EN6 4PL. The application is submitted on behalf of Mr Ian and Mrs Philippa Cooper, the landowners.
- 1.2 The Statement describes how the proposal accords with the development plan (the Welwyn Hatfield District Plan 2005) and other material considerations including national policy and the emerging Draft Local Plan 2013-2032.
- 1.3 The application site lies in the Green Belt. National policy and local plan policies allow limited infilling in villages in the Green Belt. The Courts have determined that whether or not a proposed development constitutes “limited infilling in a village” is a question of planning judgement and depends on an assessment of the position on the ground. The policy therefore requires the decision-maker to consider whether, as a matter of fact on the ground, the site appears to be in the village.
- 1.4 This Statement explains how the site is abutted on both sides by existing dwellings and forms a gap in an otherwise continuous developed frontage of residential properties along Carbone Hill. As such it constitutes limited infilling with a village which is appropriate development and allowed in the Green Belt in accordance with national and local plan policies.

2.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Application Site

- 2.1 The site comprises a broadly rectangular plot of about 0.39 ha. It has maximum dimensions of about 50 m width (along the Carbone Hill frontage) x 85 m depth. It currently forms part of a garden to The Warren (No 8 Carbone Hill) which is situated to the east. The main garden area for The Warren is immediately to the south of the house.
- 2.2 The site is very well contained by mature trees and hedging along the front boundary to Carbone Hill so that it does not offer any views into or out of the site.



Photograph 1 – The application site





Photograph 2 – The application site

The Proposed Development

- 2.3 The application proposes the erection of a 5 bed detached dwellinghouse with an integral double garage. The Design and Access Statement submitted with the application describes the design principles of the proposal which reflects the contents of the site and surrounding area in terms of size, bulk, massing, siting, height and use of materials. The principal materials are a mix of render and brickwork and includes architectural styles and detailing such as a porch with brick detailing, arched head and gable design and a Dutch gable detail to the garage together with the use of traditional flush casement windows with brick cills and headers and a front bay to reflect the local vernacular. The roof has been designed with red clay tiles and sprocket eaves detailing. The house would be set about 20 metres back from the Carbone Hill boundary and the

- main two-storey element would be set in about 14 metres from each of the side boundaries thereby reflecting the prevailing character of large houses set well within spacious plots and retaining mature trees and hedging to the boundaries.
- 2.4 The dwelling would be served via a new access from Carbone Hill. The site layout plan shows that this section of Carbone Hill is fairly straight and there is a wide highway verge so that the necessary visibility splays of 43m x 2.4m for a 30 mph section of road can easily be achieved and provides good visibility in both directions. Refuse collection would be from the road as with the other neighbouring residential dwellings.
- 2.5 The layout has also taken into account the tree survey and tree constraints information provided by GHA Trees. This will ensure that all trees and boundary screening which make a contribution to the character of the area and street scene will be retained. The GHA tree report and tree constraints, AIA and tree protection plans are submitted with the application.

3.0 RELEVANT NATIONAL PLANNING POLICY AND DEVELOPMENT PLAN POLICIES

National Planning Policy Framework

- 3.1 The National Planning Policy Framework February 2021 (NPPF) maintains a pro-growth agenda for the planning system. At its heart is a presumption in favour of sustainable development that means that development proposals should be approved without delay where they accord with an up-to-date development plan or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
- 3.2 National policies that are most relevant to the application include:
- **To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay (para. 60);**
 - **Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly (para. 69);**
 - **Planning policies and decisions should ensure that developments: (a) will function well and add to the overall quality of the area; (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging**

appropriate innovation or change, such as increased densities; (d) establish or maintain a strong sense of place; (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and (f) create places that are safe, inclusive and accessible (para. 130);

- **A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless it is for one of the specified exceptions, which includes ‘limited infilling in villages’ (para. 149).**

Development plan policies

Welwyn Hatfield District Plan 2005 – Saved Policies

- 3.3 The development plan for the purposes of S70(2) to the TCPA 1990 and S38(6) to the PCPA 2004 is the saved policies to the Welwyn Hatfield District Plan 2005 adopted April 2005. The following policies are most relevant to the application:

GBSP1 – Definition of the Green Belt

GBSP2 – Towns and Specified Settlements

R17 – Trees, woodland and hedgerows

D1 – Quality of Design

D2 – Character and Context

D8 – Landscaping

Welwyn Hatfield Draft Local Plan 2013-2032 Submission Version

- 3.4 The LPA submitted the Welwyn Hatfield Draft Local Plan 2013-2032 to the Secretary of State in August 2016. A public examination opened in September 2017. The examination is ongoing due to issues relating mainly to the

objectively assessed housing need, land supply and housing allocations. The most relevant emerging policies are:

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 in the Green Belt

- 3.5 The Inspector issued an Interim Report dated 16 October 2020 which required additional work and modified policies to be submitted. The examination is now nearing its final stages and I understand it is due to consider Main Modifications shortly. However, policies relating to development in the Green Belt which are most relevant to this application have not been questioned by the Inspector and are not the subject of modifications and therefore can be afforded significant weight given the advanced stage of the plan preparation in accordance with para. 48 of the Framework.

4.0 PLANNING ASSESSMENT

Green Belt Policy

- 4.1 The site lies in the Green Belt. Paragraphs 149 and 150 to the Framework set out the categories of development which are appropriate development in the Green Belt. Paragraph 149(e) states that 'limited infilling in villages' is not inappropriate in the Green Belt.
- 4.2 The Local Plan 2005 is silent on infilling in villages within the Green Belt. Neither Policies GBSP1 or GBSP2 make any reference to infilling in villages because these policies were prepared under the former Green Belt policy in PPG2 and therefore pre-date, and do not fully reflect, current national Green Belt policy and specifically paragraph 149(e).
- 4.3 Draft Policy SADM34 (Development within the Green Belt) is a more detailed policy than the current LP policy and it takes account of current national Green Belt policy. It states that within the Green Belt, planning permission will be granted for development in accordance with national policy and other policies in the plan subject to criteria set out in the rest of the policy. Under the specific heading 'Infill Development' the policy sets out four criteria:
- (i) **it is within a continuous built-up frontage,**
 - (ii) **it does not extend the existing built-up area of the village into the open countryside,**
 - (iii) **it would not result in the loss of a view or vista which makes a significant contribution to the character of the settlement, and**
 - (iv) **it is small scale and would not result in the provision of more than four dwellings (net).**

- 4.4 Notwithstanding the draft status of this policy it is considered these criteria provide an appropriate benchmark against which to assess to the application.
- 4.5 The Court of Appeal decision in Wood v Secretary of State for Communities and Local Government and Gravesham Borough Council [2015] EWCA Civ 195 considered the interpretation of national Green Belt policy in the Framework relating to 'limited infilling in villages'. The Courts determined that whether or not a proposed development constituted 'limited infilling in villages' for the purpose of national policy was a question of planning judgement and would depend on an assessment of the position on the ground.
- 4.6 The policy requires the decision-maker to consider whether, as a matter of fact on the ground, the site appears to be in the village. I consider there are a number of indicators to show this is read as part of the village. Cuffley is categorised as a 'village' in both the adopting and emerging local plans. This linear development forms part of the north-west edges of Cuffley village which itself includes facilities such as a pub, church, school and railway station. The site lies within a long ribbon development of large detached houses running along both sides of Carbone Hill. The general density and clustered pattern of linear development of houses fronting the road is a clear indicator that this is within a village.
- 4.7 As well as the visual presence of the linear development of residential dwellinghouses themselves, there are other physical indicators that this section of Carbone Hill can be considered to be within a village rather than in the countryside. These include numerous crossovers and drives to dwellings and associated house signs, entrance gates, boundary walls and fences and telephone poles with spurs off to individual properties. The roadside verges are more formal and regularly maintained with mowing stripes etc (rather than just casual topping done by a Council tractor once or twice a year which is more typical of country lanes outside villages). Similarly, the hedges to properties are more regularly and formally cut. There are yellow Neighbourhood Watch signs.

This section of road is within a 30mph speed limit with regular repeater signs. There are street lights on the section of road from the site leading into the centre of Cuffley village and specifically a street light immediately opposite the proposed entrance. Finally, there is the attendant activities associated with these dwellings of persons coming and going from these properties, parked cars and regular service and delivery vehicles.

4.8 Therefore for all the above reasons, and taking account of facts on the ground, I conclude the site is read as a part of the village of Cuffley.

4.9 I consider the site would comply with the criteria relating to infilling in villages set out in Draft Policy SADM34 for the following reasons:

(1) It is within a continuous built-up frontage: The site comprises a gap within a continuous built-up frontage of linear development of residential dwellings lying on both sides of Carbone Hill running northeast from the junction with the B157 The Ridgeway. There are residential dwellings adjacent on each side of the infill plot. This linear development extends for at least a further 300 metres to the northeast before finishing at the point Carbone Hill turns to the north where there is a distinct change in character and the linear development ends and open countryside begins with sporadic individual houses. On the ground, this reads as the clear and defined edge of the village. Therefore the application site is well within the village and situated in a continuous built-up frontage.

(2) It does not extend the existing built-up area of the village into the open countryside: As indicated above, the linear residential development along this section of Carbone Hill continues on for more than 300m to the northeast before the linear development ends and there is open countryside (this is also the end of the 30mph speed limit). The development of this infill plot therefore would not extend the existing built-up area of the village.

- (3) It would not result in the loss of a view or vista which makes a significant contribution to the character of the settlement: The application site is well screened by mature trees and hedging along the Carbone Hill boundary so that it does not provide any use views or vistas. The new dwelling would be set back about 20 metres from this boundary so that existing trees and other vegetation would be retained unchanged. Overall the proposal would not materially alter or appear out of keeping with the street scene.
- (4) It is small scale and would not result in the provision of more than four dwellings (net): The proposal is for a single detached dwellinghouse and therefore is small scale (below the policy threshold of four dwellings net). The plot width would be consistent with the character of development on this side of Carbone Hill which comprises large detached houses in substantial plots. See the urban grain plan 006 submitted with the application.

4.10 In summary, the proposal constitutes 'limited infilling' as it relates to one dwelling and is an infill plot within continuous linear development with existing dwellinghouses on each side. The infill plot would be of a size and shape comparable to plots of adjoining development and would have an existing frontage to the road. The size and shape of the plot enables the proposed house to be accommodate with ample spacing around it and to plot boundaries allowing the retention of existing boundary trees and vegetation and therefore maintaining the prevailing character of development along the street. The proposed dwellinghouse follows the building line established by its neighbours. Therefore the infill development would be consistent with the established pattern of development and would not extend the village into open countryside.

4.11 For the above reasons, I conclude that the proposal constitutes limited infilling in a village and as such is appropriate development in the Green Belt which

accords with NPPF paragraph 149(e) and would comply with the criteria in Draft Policy SADM34.

4.12 I note the findings of M Aqbal BA(Hons) DipTP MRTPI, Inspector, in a decision letter dated 2 February 2022 allowing an appeal ref. APP/C1950/W/21/3272408 at The Bungalow, Great North Road, Bell Barr, Brookmans Park AL9 6DB for a single dwelling on an infill plot within the Green Belt. Whilst in a different part of the District, this has some relevance and similarities to the current proposals. The Inspector noted the area comprised a continuous built-up frontage of development and in that case there was only one dwelling ('Meadowcroft') between the application site and the open countryside. The Inspector concluded that the wider settlement, which contained houses, a restaurant, public house and petrol station with a shop, was a village. Moreover, Figure 6 of the emerging Local Plan identifies Bell Bar as being a village. The Inspector found the proposal to be acceptable having regard to national Green Belt policy and consequently it was not necessary to consider this under District Plan Policies H2 (which relates to 'windfall sites') and RA14 (which relates to rural exception sites).

4.13 I am also mindful of other recent approvals by the Council in relation to comparable infill single plots in the Green Belt including:

- Adjacent to 38 The Ridgeway (6/2021/1252/FUL). The Council considered because of the character of this section of road it lay within a village for planning purposes. The character around this site is very similar to the character of Carbone Hill in the vicinity of the application site.
- Adjacent to 45 Kentish Lane (6/2020/2155/FUL). The Council considered because the character is read as part of the village. This character is similar to the application site with linear development of large houses and managed verges and hedges and within a speed limit

area, albeit at Kentish lane the development only on one side of the road (whereas in the current case it is on both sides) but the Council still considered it read as part of the village.

Design

- 4.14 Policy D2 of the District Plan deals with matters of character and context. I explained above that the infill plot is a similar width and achieves similar gaps to boundaries compared with neighbouring plots and the proposed dwellinghouse follows the building line established by its neighbours. Therefore the infill development would be consistent with the established pattern of development and would not extend the village into open countryside. Based on the above reasons, I consider the proposal to be acceptable with regard to its context.
- 4.15 The proposed dwelling is set back 20 metres from the Carbone Hill boundary and would ensure the retention of frontage trees and hedging so that the wider street scene views would remain unchanged (other than a new gated entrance which is an existing characteristic of this section of the road). The scale, massing and design of the proposed dwelling reflects the local vernacular styling of neighbouring properties. The infill plot would not result in a scale or design of development that would appear incongruous or harmful to the character of the settlement. Therefore the proposal would not result in any harm to the character of the area and it would comply with Policy D2. It would also accord with emerging Policy SP9 which requires high quality design informed by an analysis of the site's character and context including the wider townscape and landscape and to provide coherent and attractive forms and elevations and use high quality materials.

Trees

- 4.16 The application is accompanied by a Tree Survey and Arboricultural Impact Assessment together with tree constraints plan, AIA plan and tree protection plan prepared in accordance with BS5837:2012 recommendations by GHA

Trees. The statement concludes that the proposed site layout and all of its associated structures allows for the healthy retention of all of the trees on the site itself, and within nearby adjacent sites and therefore the arboricultural landscape character of the site will be retained.

- 4.17 The proposal does not result in any requirement to prune any of the retained trees or shrubs. There is no part of the new structure which will have tree canopies (from trees to be retained) overhanging it and the building works can progress safely without the need for any facilitation pruning.

Amenity

- 4.18 The proposal would not result in loss of residential amenity of occupiers of neighbouring properties and would provide suitable living conditions for future occupants including compliance with national space standards. The separation distances to neighbouring properties are very generous and together would be intervene mature boundary trees this will ensure that there is no unacceptable overlooking or loss of privacy.

5.0 CONCLUSION

- 5.1 The proposal constitutes infilling in a village and is therefore appropriate development which accords with national Green Belt policy at para. 149(e) to the Framework. It also complies with policy GBSP1 and emerging policy SADM34. The site is located within a long ribbon of large detached houses that extends outwards the village centre and for the reasons set out above it reads as part of the village.
- 5.2 The proposal is limited infilling within the village providing a single house in a gap plot within a built-up linear frontage of other residential properties. There are existing houses on both sides and the development continues along Carbone Hill in both directions. The proposal would not result in encroachment into open countryside or extending the village into open and undeveloped parts of the Green Belt (the edge of the village is about 300 metres further to the east) and would not result in the loss of any views or vistas. The infill plot would not result in a scale or design of development that would appear incongruous or harmful to the character of the settlement.
- 5.3 The proposal would not result in any harm to the residential amenity of neighbouring occupiers and would provide suitable living conditions for future occupants. The proposal would not result in the unacceptable loss of any trees.
- 5.4 The proposals are sustainable development that would contribute to the three overarching economic, social and environmental objectives at para. 8 to the Framework. The following benefits weigh in favour of the proposals:
- Economic objective – Provides land for housing to support economic growth and is immediately available for housing development to support economic growth. It offers benefits to the local community and local economy including creation of jobs and supply chain investment associated with the construction stage and increased demand for local goods and services over

the long-term occupation of the dwelling. The proposal offers financial benefit from the payment of the New Homes Bonus which is a material consideration.

- Social objective – Supports a strong and vibrant community by contributing to the supply of housing and meets the Government’s policy to significantly boost the supply of housing and makes a modest contribution to the objectively assessed housing needs of the Borough noting that the Council cannot demonstrate a five year supply of deliverable housing land (only 2.63 years supply) and has a significant under delivery of housing (only 66% of target in the last three years) based on the latest Housing Delivery Test results.
- Environmental objective – The proposal delivers additional housing without harm to the built, historic or natural environment and without harm to the character and visual amenity of the area. It provides an acceptable standard of amenity for existing and future occupants in accordance with emerging Local Plan and national standards.

5.5 I conclude that based on the above evidence, the proposed development accords with the development plan and other material considerations, including Green Belt and other national policy, and applying the normal planning balance, that planning permission should be granted.

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23 March 2023