

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 10 NOVEMBER 2016
REPORT OF THE EXECUTIVE DIRECTOR

6/2016/1667/FULL

NIRVANA, WHITE LODGE FARM, BULLS LANE, HATFIELD, AL9 7AZ

ERECTION OF SINGLE STOREY FRONT EXTENSION

APPLICANT: Dr A. Herdeiro

(Welham Green)

1. SITE DESCRIPTION:

- 1.1 The application site is located within the Metropolitan Green Belt on the northern side of Bulls Lane, some 400m west of its junction with Bell Lane. Nirvana itself, recently converted under planning permission S6/2014/2512/FP and later non-material amendment for window revisions under S6/2015/0983/NM and a variation to the roof design under a variation to the approved plans (reference S6/2015/0982/S73B), is located within the complex known locally as 'White Lodge Farm' and approximately 20m from a gated vehicular access and on the west side of a private shared driveway.
- 1.2 This gated entrance, which comprises of a pair of solid timber gates under an electronic opening system, provides access not only to the building but also currently serves as a shared access to two other residential properties, namely 'The Belbrook' and 'The Bungalow' (this property in the applicant's ownership). The converted building comprises a semi-detached gable ended structure which forms the leg of a larger 'T' shaped building finished in horizontal black stained feather edge timber boarding under a plain tile roof.
- 1.3 The northernmost section of the building adjoins a neighbouring building associated with The Bellbrook, which actually forms the top of the larger 'T' shaped building. They are separated by a breeze block and concrete party wall, with a screen boarded fence also providing screening. The western side of the building faces the boundary fence with The Bellbrook. On the eastern side of the building there is the residential garden serving the converted building and parking provision. This area also provides a private driveway which links onto a shared driveway with the neighbouring properties in the White Lodge Farm development. Its eastern boundary with that driveway is enclosed by a close boarded timber fence, with a timber gate at the access to the private driveway.

2. THE PROPOSAL:

- 2.1 This application seeks full planning permission for a single storey front extension measuring 5.8m (forward projection) x 5.2m (width) to form a living room, the height and roof pitch to match the existing. The external materials would comprise a matching horizontal black stained feather edge timber boarding under a plain tile

roof. The position of this extension is at a mid-point on the front elevation, the land currently part of the applicant's private garden area.

3. REASON FOR COMMITTEE CONSIDERATION:

- 3.1 This application is presented to the Development Management Committee because North Mymms Parish Council has objected to the proposal.

4. RELEVANT PLANNING HISTORY:

- 4.1 S6/2014/0790/LUE - Certificate of lawfulness for the existing use class B1 (offices) with ancillary storage space – Refused.
- 4.2 S6/2014/2512/FULL - Change of use and conversion of existing outbuilding to form 1 bedroom dwelling together with use of existing car parking and vehicular access – Granted conditionally 5 February 2015.

(i) The DMC officer report to this approved application concluded that “... *The proposal is considered to result in neutral impacts to the openness and visual amenity of the Green Belt. The proposal would not conflict with the purposes of including land in the Green Belt. On balance, the proposal is considered to represent appropriate development in the Green Belt. ...Subject to conditions to ensure matching materials, the submission of a landscaping scheme to be submitted to and approved by the Local Planning Authority prior to the commencement of the development, and the removal of permitted development rights to enable to the Local Planning Authority to fully consider the impacts of any future proposals to extend or alter the building or erect structures on the application site, the proposal is considered to represent sufficiently high quality design which respects and relates to its surrounding character and context.....whilst acknowledging the concerns raised about parking, access and traffic generation, on balance, the proposal is considered acceptable in terms of highway impacts and parking provision. The proposal would not result in detrimental impacts to the amenities of the occupiers of the proposed dwelling or neighbouring properties.*”

(ii) Condition 6 to this permission stated the following:

6.Excluding Class A, B and E of Permitted Development within the curtilage of a dwellinghouse without further permission

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Class A or Class B or Class E of Part 1 of Schedule 2 shall take place unless permission is granted on an application made to the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

- 4.3 S6/2015/0983/NM - Non material amendment following approval of planning permission S6/2014/2512/FP - Enlarge size of windows - Granted
- 4.4 S6/2015/0982/S73B - Variation of condition 2 (approved plans) on planning permission S6/2014/2512/FP - Granted

4.5 6/2016/1156/PA - Pre-application advice for erection of single storey extension. The Planning Officer advice can be summarised as follows:-

1. *Application in principle acceptable.*
2. *Importance of emphasising in the application that materials, where possible are similar to the rest of the building.*
3. *Encouraged to be a maximum of 30% extension over original.*

5. PLANNING POLICY:

5.1 National Planning Policy Framework (NPPF) March 2012.

5.2 Welwyn Hatfield District Plan 2005

5.3 Supplementary Design Guidance, February 2005

5.4 Supplementary Planning Guidance, Parking Standards, January 2004

5.5 Interim Policy for Car Parking Standards and Garage Sizes

6. SITE DESIGNATION:

6.1 The application site is located within the Green Belt and the Potters Bar Parkland Landscape Character Area as designated by the Welwyn Hatfield District Plan 2005

7. REPRESENTATIONS RECEIVED:

7.1 The application was advertised by way of individual neighbour letters. One representation has been received from North Mymms Green Belt Society. The representation from North Mymms Green Belt Society comments as follows:

“With regard to the above application and with further regard to the openness of the Green Belt it is clear from reading the Officers Report that permission was only granted because:

- 1) *The proposed works would take place within the existing building footprint with no discernible increase in building size.*
- 2) *The massing, volume, scale and overall size of the converted building would not materially differ from the existing outbuilding.*

The proposal was therefore considered to result in neutral impacts to the openness and visual amenity of the Green Belt. The National Planning Policy Framework (NPPF) states that proposals for the re-use of buildings in the Green Belt are not inappropriate development provided that they preserve the openness of the Green Belt, their re-use does not conflict with the purposes of including land in the Green Belt. Paragraph 90 of the NPPF also states that the alteration of a building is not inappropriate development in the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building.

The site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development. The proposed extension represents a 29% increase in building size and would result in a disproportionate increase in the size

of the original building and would have an adverse visual impact on the openness of the Green Belt due to the increased bulk of the dwelling. As such, the proposals represent inappropriate development and no very special circumstances are considered to exist to set aside Green Belt policies of restraint, the proposals are contrary to Policies of the National Planning Policy Framework 2012 and would conflict with Policy RA3, RA10, D1 and D2 of the Welwyn Hatfield District Plan 2005. We note that Permitted Development Rights were removed as part of the above planning permission”.

8. TOWN / PARISH COUNCIL REPRESENTATIONS

- 8.1 North Mymms Parish Council objects as *“This is a Green Belt site and would be inappropriate development. NMPC understand Permitted Development Rights were removed as part of the original Planning Permission (Ref 6/2014/2512/FP) for this property”*

9. ANALYSIS

- 9.1 The main planning issues with this application are:

1. Principle of development and the impact of the proposal on the openness of the Green Belt, character and appearance of the existing property and the surrounding area (NPPF paragraphs 79 – 89, Policies GBSP1, RA3, RA10, D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance),

2. The impact on the living conditions of occupiers of adjacent neighbouring properties (D1, D2, R19, SDG)

1. Principle of development and the impact of the proposal on the openness of the Green Belt, character and appearance of the existing property and the surrounding area

- 9.2 Policy RA3 of the Welwyn Hatfield District Plan (2005) outlines that extensions to dwellings, including those outbuildings for which planning permission is required, must not represent disproportionate increases over the size of the original dwelling and not have an adverse visual impact on the character, appearance and pattern of development of the surrounding countryside. More recent advice contained in the NPPF states that the extension or alteration of a building may be appropriate development in the Green Belt “provided that it does not result in disproportionate additions over and above the size of the original building”.

- 9.3 The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. As with previous Green Belt policy, the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘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.

- 9.4 The NPPF accepts that within the Green Belt the extension or alteration of a building is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building.
- 9.5 Policy RA3 (Extensions to dwellings in the Green Belt) of the Welwyn Hatfield District Plan 2005 reflects this advice and requires all of the following criteria to be met:
- (i) The proposal would not individually or when considered with the existing or approved extensions to the original dwelling, result in a disproportionate increase in the size of the dwelling;
 - (ii) It would not have an adverse visual impact (in terms of its prominence, size, bulk and design) on the character of the surrounding countryside.
- 9.6 The main issues to consider in terms of Green Belt policy, therefore, are the appropriateness of the development; effect on the purpose of the Green Belt; effect on the openness of the Green Belt and the character and appearance of the host dwelling and surrounding area; if it is inappropriate development are there any very special circumstances to justify its approval.
- 9.7 Permission for extensions to existing dwellings within the Green Belt will be allowed only where the proposal would not individually or when considered with existing extensions to the original building, result in a disproportionate increase in the size of the building.
- 9.8 There are a number of ways in which an extended property can be compared to an original building in order to assess whether or not an addition is disproportionate in size. The additional floor area added to the original building is one commonly used indicator, however, each and all other factors, including the proposed additional volume, the increase in footprint and any increase in height are also relevant and capable of being taken into account.
- 9.9 The following table shows the floorspace of the original building and the additions proposed with this application. The original dwelling comprised the dwelling as now constructed

	floorspace	% increase
Original floorspace	117.6m ²	-
Proposed	30.16m ²	26% compared to the original

- 9.10 The proposal is not considered to represent a disproportionate addition over and above the size of the original building and is therefore in accordance with the NPPF and Policy RA3 (i) of the District Plan in this regard.
- 9.11 Although this is not a significant percentage increase over the original building, it is not totally conclusive as the NPPF test is primarily an objective one based on size. This proposal would not add an unacceptable degree of mass and bulk to the host dwelling and comprises a relatively small single storey extension at a midpoint on the front elevation.
- 9.12 Having regard to the 30sqm of increased floorspace in this proposal and its single storey form, it is considered that the resultant 26% increase would not add a significant amount of additional floor space when compared to the existing dwelling.

The alterations, whilst adding to the physical permanence of the dwelling, are also not considered to be of such a scale compared to the existing dwelling to warrant refusal on Green Belt grounds.

- 9.13 Moreover, the impact of the development in terms of its 5.2m width would be comparable to the existing dwellings which are much wider (24.5m) and its 5.8m forward projection would not conflict with any defined building lines by virtue of the varied arrangement of buildings within the wider complex or uniformity of design, and perhaps more importantly its height would not be increased. With the difference between openness and visual amenity in mind, it is not considered that the development, with regard to the character and appearance, in particular within the streetscene, would be harmful to visual amenity.
- 9.14 Turning to the impact of the proposal on the character and appearance of the existing property and the surrounding area the National Planning Policy Framework emphasises that high quality design is a core principle of planning and attaches great importance (para.56) to design. Policies D1 and D2 of the adopted Welwyn Hatfield District Plan seek to provide a good standard of design in all new development and require that all new development respects and relates to the character and context of the area in which it is to be sited. The policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires that residential extensions should be complementary in design and subordinate in size and scale to the existing dwelling. Furthermore, the NPPF, in paragraph 64, states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.
- 9.15 The Council's adopted SDG also recommends that extensions should be designed to complement and reflect the design and character of the host dwelling.
- 9.16 The proposed development by virtue of its design, scale and form when compared to the original building is considered to be complementary to the existing dwelling and subordinate in scale, providing for a similar design concept and utilising the same palette of materials.
- 9.17 Overall, it is considered that the proposal does not result in disproportionate additions over and above the size of the original building and is in accordance with both national and local plan policy. With regard to design, and the impact on the character and appearance of the existing property and the surrounding area, the proposals are complementary in design, subordinate in size and scale to the existing dwelling and accordingly meet the requirements of the NPPG at paragraph.56 and Policies D1 and D2 of the adopted Welwyn Hatfield District Plan.

2. The impact on the living conditions of the occupiers of neighbouring properties.

- 9.18 Policy D1 and the Supplementary Design Guidance aim to preserve neighbouring amenity and, in addition, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.
- 9.19 Due to the spacious nature of the site, and the location of the subject extension within this relatively well screened plot, it is not considered that the development would cause harm to adjacent residential occupiers in terms of loss of light, dominant form or impact on privacy.

9.20 Having regard to all of the above, the development would not cause significant and demonstrable harm to neighbouring amenity, in terms of overbearing, overlooking and loss of light. As such, the development is in accordance with saved policy D1, the Supplementary Design Guidance or the relevant paragraphs of the NPPF.

10. CONCLUSION:

10.1 The impacts of the proposal have been considered on the visual amenity of the area, including the Green Belt, and on the amenity of neighbouring dwellings. The proposal, by virtue of the relatively small increase in floor area and the resultant 26% floorspace increase, with no increase in height over and above the original building, is considered to accord with both national policies (Paragraph 89 of the NPPF) and local planning policies (Policy RA3 of the Welwyn Hatfield District Plan 2005) in respect to Green Belt development. The development is also considered acceptable in terms of the impact of the proposal on the character and appearance of the existing property and the surrounding area and on neighbouring amenity in terms of living conditions.

10.2 In the above circumstances, it is considered that the development is appropriate development in the Green Belt and should be permitted.

11. RECOMMENDATION:

11.1 It is recommended that planning permission is granted for application S6/2016/1667/HOUSE subject to the following conditions:

1. The development/works shall not be started and completed other than in accordance with the approved plans and details: 1 & SAE01914-MAR & SAF01914 received 15 August 2016 & 2 (Rev 3) & Block Plan received 26 October 2016 & '1077389-15-03 (Rev A) Site Location Plan' received 27 October 2016.

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

2. The brickwork, roof tile, bond, mortar, 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 National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 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 inspected at these offices).

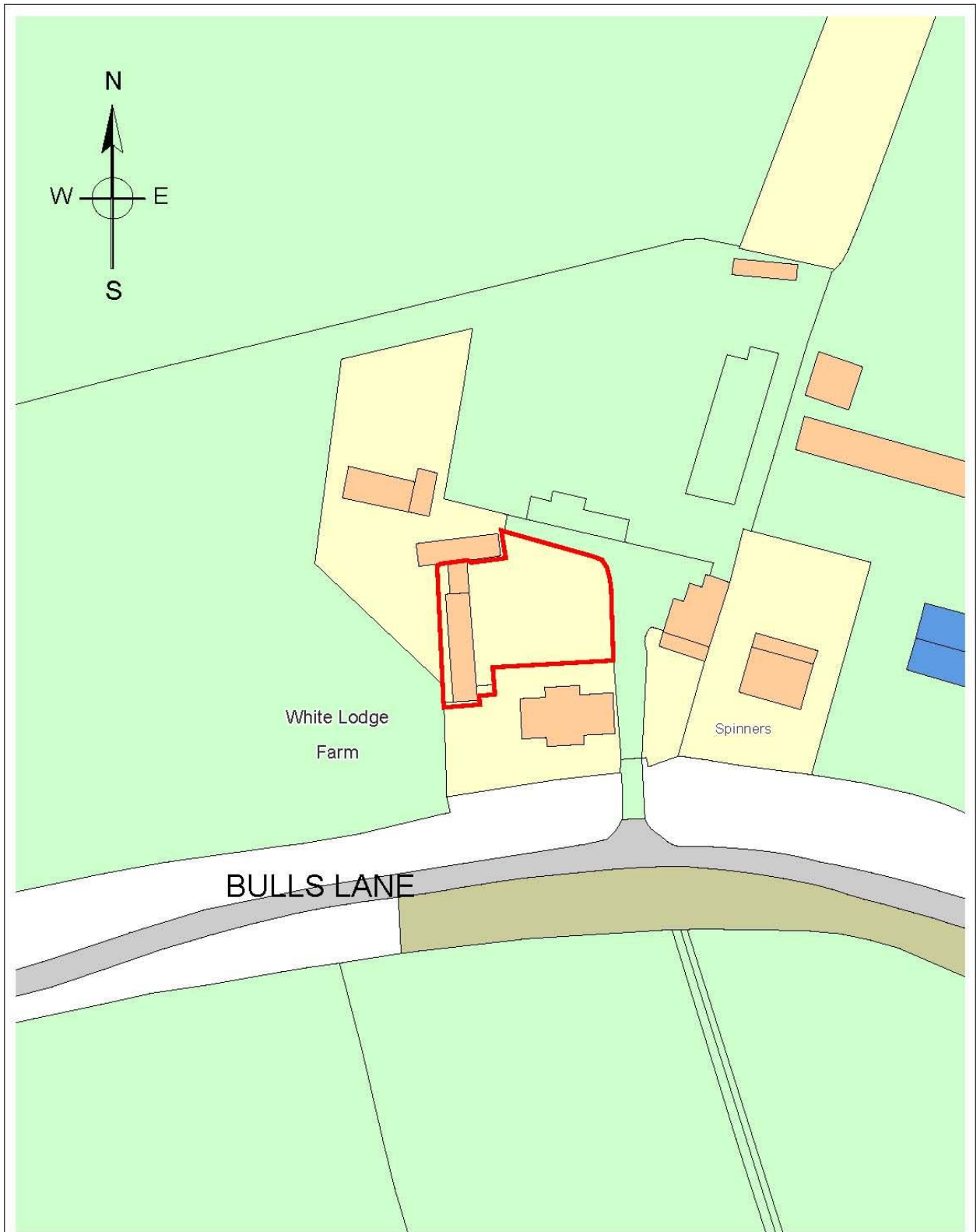
INFORMATIVES:

None

Andrew Mangham (Strategy and Development)

Date 25th October 2016

Expiry Date: 10th October 2016



Council Offices, The Campus,
Welwyn Garden City, Herts. AL8 6AE

Title:

Nirvana, White Lodge Farm, Bulls Lane, Hatfield

Scale: DNS

Date: 2016

Project:

DMC Meeting

Drawing Number:

6/2016/1667/HOUSE

Drawn:

Baras Mast-Ingle

© Crown Copyright. All rights reserved Welwyn Hatfield Borough Council LA100019547 2016