

Part I

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Executive Member: Councillor S. Boulton  
(Welham Green and South Hatfield)

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 8 SEPTEMBER 2022  
REPORT OF THE ASSISTANT DIRECTOR (PLANNING)

6/2022/0598/OUTLINE

THE BUNGALOW GREAT NORTH ROAD HATFIELD HERTFORDSHIRE AL9 6DB

OUTLINE APPLICATION FOR THE ERECTION OF TWO DETACHED DWELLINGS  
(BUNGALOW DESIGN) WITH ALL MATTERS RESERVED

APPLICANT: MR DANIEL BRUNT

**1 Background**

- 1.1 This application follows a recent application under reference 6/2021/0237/OUTLINE for a similar proposal which was refused for the following reasons:
  1. The proposed development constitutes inappropriate development in the Green Belt, causes harm to the openness of the Green Belt and conflicts with the purposes of including land within the Green Belt. The harm by reason of inappropriateness, and the other harm identified, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal would therefore be contrary to Policies H2, RA14 and D2 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance; Policies SADM1 and SADM34 of the Draft Local Plan Proposed Submission 2016; and the National Planning Policy Framework.
- 1.2 The decision of 6/2021/0237/OUTLINE was however appealed, and the application was allowed (Appeal Reference: APP/C1950/W/21/3272408).
- 1.3 In terms of whether the proposal represented inappropriate development within the Metropolitan Green Belt, the Inspector assessed the proposal against Paragraph 149 (e) of the National Planning Policy Framework (NPPF) which allows for limited infilling in villages.
- 1.4 The Inspector concluded that as the proposal was for a single dwelling, it therefore fell within the definition of 'limited'.
- 1.5 There was however a dispute between the parties as to whether Bell Bar is a village or hamlet. The Inspector concluded that Bell Bar is a village and with the infrastructure surrounding the site, that the proposed development did constitute limited infilling.
- 1.6 As the site was found to fall within limited infilling, there was no requirement to consider the impacts on openness or the purposes of the Green Belt as set out within the NPPF.

- 1.7 The Inspector concluded that the proposed development is not inappropriate development within the Metropolitan Green Belt. Moreover, it was therefore not necessary to consider the proposal as a windfall site.

## **2 Site Description**

- 2.1 The application site comprises a piece of land which is largely free from any built structures, however a substantial amount of the plot is finished with hard surfacing. The site at present appears to be in use for the storage of motor vehicles.

## **3 The Proposal**

- 3.1 This application seeks outline permission for the erection of two detached dwellings with all matters reserved. As such, the principle of the development will be considered.
- 3.2 The dwellings are to be of bungalow design and the existing access owned by The Bungalow to the east is to be utilised.

## **4 Reason for Committee Consideration**

- 4.1 This application is presented to the Development Management Committee because North Mymms Parish Council have submitted a Major Objection.

## **5 Relevant Planning History**

- 5.1 Application Number: S6/1998/0462/FP  
Decision: Refused  
Decision Date: 13 July 1998  
Proposal: Erection of new dwelling
- 5.2 Application Number: 6/2021/0237/OUTLINE  
Decision: Refused; Appeal Allowed  
Decision Date: 24 March 2021; 04 February 2022  
Proposal: Outline permission for the erection of a detached dwelling with all matters reserved.

## **6 Relevant Planning Policy**

- 6.1 National Planning Policy Framework (NPPF)
- 6.2 Welwyn Hatfield District Plan 2005 (District Plan)
- 6.3 Draft Local Plan Proposed Submission 2016 (Emerging Local Plan)
- 6.4 Supplementary Design Guidance 2005 (SDG)
- 6.5 Supplementary Planning Guidance, Parking Standards 2004 (SPG)
- 6.6 Interim Policy for Car Parking Standards and Garage Sizes 2014 (Interim Car Parking Policy)

## **7 Site Designation**

- 7.1 The site lies within the Metropolitan Green Belt as designated in the Welwyn Hatfield District Plan 2005.

## **8 Representations Received**

The application was advertised by means of neighbour notification letters and a site notice. No representations have been received,

## **9 Consultations Received**

- 9.1 The following have responded advising that they have no objections to the proposal in principle, subject to conditions or obligations being applied:
- Thames Water

## **10 Town/Parish Council Representations**

- 10.1 North Mymms Parish Council have raised a major objection to the proposed development for the reasons set out below:

*“Two bungalows on this site would be too much as they would obscure more of the Green Belt therefore be harmful to the openness and visual amenity. NMPC are concerned about the additional access onto the A1000 at a busy point on this main arterial road next to a petrol station in constant use. No special circumstances exist to outweigh the harm.”*

- 10.2 It is important to note that the major objection submitted by the Parish Council is to remain, despite further information, by way of the recently allowed appeal decision on the site, to support the application being supplied by the applicant in an effort to downgrade the major objection.

## **11 Analysis**

- 11.1 The main planning issues to be considered in the determination of this application are:

- 1. Principle of development**
- 2. Quality of design and impact on the character of the area**
- 3. Residential amenity**
- 4. Highways and parking considerations**
- 5. Other Considerations**

### **1. Principle of the development**

- 11.2 The site is located within the Metropolitan Green Belt as defined by 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.

- 11.3 Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 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. Policy SADM34 of the Council's Emerging Local Plan (2016), which echoes Green Belt policy in the NPPF, is also applicable.

- 11.4 With regards to appropriateness, paragraph 149 of the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include Paragraph 149 e) limited infilling in villages.
- 11.5 Regard is had to the appeal decision relating to the application of 6/2021/0237/OUTLINE as detailed earlier within the report. This application is similar to that of 6/2021/0237/OUTLINE due to the same application site/ site area, however, this current application proposes two dwellings. Notwithstanding the fact that the proposal is for two dwellings, the assessment made by the Inspector on the appeal of 6/2021/0237/OUTLINE is very relevant, where it was found that the proposed development was not inappropriate development within the Metropolitan Green Belt and thus the site was not assessed as a windfall site.
- 11.6 As assessed by the Inspector, the proposal still falls within the definition of 'limited', with the proposed development involving the erection of two dwellings.
- 11.7 Bell Bar has been found to be a village by the Inspector.
- 11.8 Furthermore, the Inspector also states that 'the proposed dwelling would be located within a continuous built-up frontage, which would be contained within the village envelope and not extend the built form into open countryside and would not result in the loss of a view or vista which makes a significant contribution to the character of the settlement. Thus, having already judged the appeal site to fall within the extent of Bell Bar, which is a village, the proposed development would constitute limited infilling.' this is also the case for this current application.
- 11.9 The proposal therefore accords with the exception under paragraph 149 e) of the NPPF and is not inappropriate development in the Green Belt. There is no requirement to consider the impacts on openness or the purposes of the Green Belt as this is implicitly taken into account within this exception.

## **2. Quality of design and impact on the character of the area**

- 11.10 The submitted planning statement states that the proposed dwellings would be of a bungalow design. Whilst there are no further elevations or plans submitted to demonstrate the design of the proposed dwelling as all matters are reserved, in the event that planning permission was recommended for approval it would be considered that the principle of bungalows would be an appropriate design for this location as it would be in keeping with the prevailing character of dwellings in the area.
- 11.11 Full consideration would be given to the design and character, and the living conditions of future occupiers in the event of an approval of permission and following the submission of reserved matters relating to appearance, layout and scale.

### **3. Residential amenity**

- 11.12 The NPPF is clear that planning should be a means of finding ways to enhance and improve the places in which people live their lives. This means that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 11.13 As only outline permission is sought, with all matters reserved, and only an indicative site plan of the location of the proposed dwelling has been provided, it is not possible to fully assess the impact of the proposal on the amenities of the adjoining dwellings.
- 11.14 Full consideration would be given to neighbouring amenity in the event of an approval of permission and following the submission of reserved matters relating to appearance, layout and scale.

### **4. Highways and parking considerations**

- 11.15 The application is for outline permission for all matters reserved, therefore the access and parking would be addressed under reserved matters in the event of the application being recommended for approval.
- 11.16 It is noted in the submitted planning statement that there is already a vehicular access at the site which could be utilised, however the submitted site location implies that this access lies outside of the application site.

### **5. Other considerations**

- 11.17 The application is for outline permission for all matters reserved, therefore all other considerations would be addressed under a reserved matters application in the event of the application being recommended for approval.

## **12 Conclusion**

- 12.1 The erection of two detached dwellings (bungalow design), with all matters reserved, is considered to be acceptable.
- 12.2 Subject to conditions, the principle of development is considered acceptable. Accordingly, and for the reasons given, the proposal is recommended for approval.

## **13 Recommendation**

- 13.1 It is recommended that planning permission be approved subject to the following conditions:
1. Details of the appearance, means of access, landscaping, layout, and scale, (hereinafter called, the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: The outline application as submitted does not give particulars sufficient for consideration of these reserved matters.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 92 of the Town and Country Planning Act (As amended).

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

REASON: In order to comply with Section 92 of the Town and Country Planning Act (As amended).

#### DRAWING NUMBERS

1. The development/works shall not be started and completed other than in accordance with the approved plans and details:

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
51659_02	A	Topographic Survey	25 August 2021
L001	B	Revised Planting Plan	11 July 2022

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

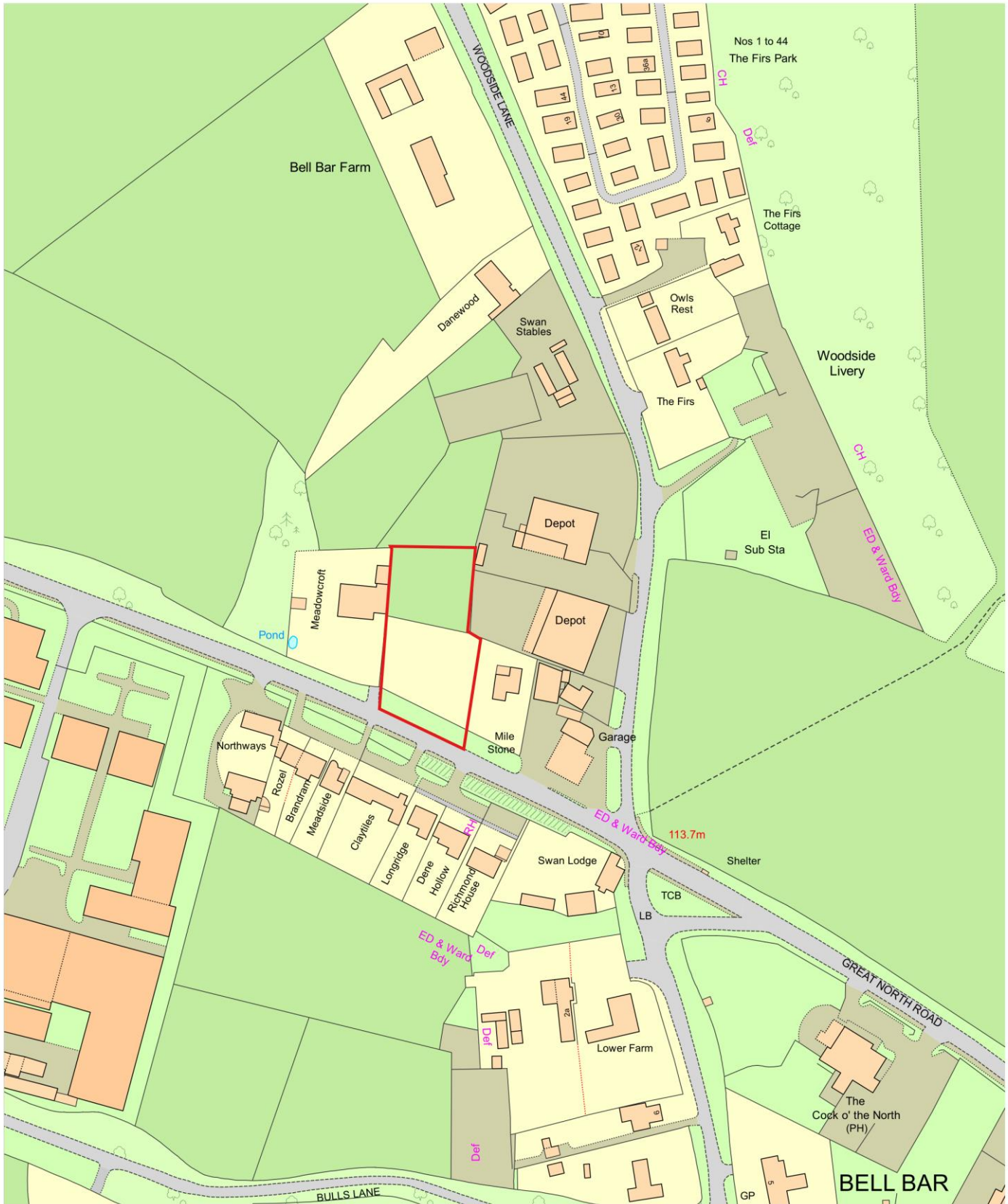
#### POSITIVE AND PROACTIVE STATEMENT


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.

#### 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.

Ashley Ransome (Development Management)  
Date: 5<sup>th</sup> August 2022



 <b>WELWYN HATFIELD</b>	The Bungalow Great North Road Hatfield Hertfordshire AL9 6DB		Scale:
			Date: 17-08-2022
Development Management Committee	Drawing Number: 6/2022/0598/OUTLINE	I AZUNMA	
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