

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 15 AUGUST 2019
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE)

6/2019/0771/FULL

9 BROOM HILL WELWYN AL6 0SF

ERECTION OF 2X DWELLINGS FOLLOWING DEMOLITION OF EXISTING
BUNGALOW

APPLICANT: Mr M Halliday

(Welwyn East)

1 Site Description

- 1.1 The application site is located on the western side of Broom Hill, on the eastern edge of the settlement of Welwyn. The surrounding area comprises predominantly of residential dwellings with associated car parking.
- 1.2 The site is a rectangular plot with a single storey dwelling with an integral garage, which is set back from the street scene. To the front of the site there is soft landscaping featuring three mature trees. There is some hard standing present, which provides access to the dwelling from Broom Hill as well as additional onsite car parking. To the rear of the site is a garden which includes a greenhouse and beyond that there is a railway track. The boundary treatments feature mature landscaping in front of a close bordered fence.

2 The Proposal

- 2.1 The applicant seeks planning permission for the erection of two dwelling houses, following the demolition of the existing dwelling house. This would include the subdivision of the existing plot into two and an additional access from Broom Hill. The proposed houses would have the first floor rooms set within the roof and low eaves and include dormer windows facing forward and back, a gable facing forward and back and the proposed materials to be used include facing brick plinth with chalk render above, grey roof tiles and black UPVC windows. The hard standing shall be finished in shingle and paviours.
- 2.2 The proposed development has been amended during the course of the application, changes include removing the garages from each house, rotating the layout of the dwelling in plot 2, and siting both dwellings more centrally within each plot.

3 Reason for Committee Consideration

- 3.1 The application is presented to Development Management Committee because Welwyn Parish Council have responded with a major objection “*Due to the height and bulk Welwyn Parish Council consider this to be over-development of the site and we are concerned of the overall this effect this will have on the street scene and neighbouring properties.*”

4 Relevant Planning History

- 4.1 Application Number: 6/2017/2913/OUTLINE
Decision: Withdrawn
Decision Date: 07 March 2018
Proposal: Outline application for 2 dwellings following demolition of existing dwelling, with all matters except access reserved

5 Relevant Planning Policy

- 5.1 National Planning Policy Framework 2019 (NPPF)
5.2 Welwyn Hatfield District Plan 2005 (District Plan)
5.3 Draft Local Plan Proposed Submission 2016 (Emerging Local Plan 2016)
5.4 Supplementary Design Guidance 2005 (SDG)
5.5 Supplementary Planning Guidance, Parking Standards 2004 (SPG)
5.6 Interim Policy for Car Parking Standards and Garage Sizes 2014 (Interim Car Parking Policy)

6 Site Designation

- 6.1 The site lies within the settlement of Welwyn and the landscape settlement of Danesbury Settles Slopes as designated in the Welwyn Hatfield District Plan 2005.

7 Representations Received

- 7.1 The application was advertised by means of a site notice, press notice and neighbour notification letters. An objection was received from no.11 Broom Hill regarding the impact upon their amenity. The occupier of no.11 Broom Hill, however withdrew their objection following the submission of the amended drawings. Representations were also received from 2 other occupiers on Broom Hill and Chestnut Walk, which are summarised as:

- Concern with the current condition of Broom Hill and Chestnut Walk slope road surfaces;
- Roof height is not in keeping.

8. Consultations

- 8.1 No objections have been received from Welwyn Hatfield Borough Council Client Services; Welwyn Hatfield Borough Council Parking Services; Welwyn Hatfield Borough Council Landscape Department; Hertfordshire County Council Transport, Programmes and Strategy Department (HCCTPS); Hertfordshire County Council Historic Environment Advisor; and Network Rail.
- 8.2 Both Welwyn Hatfield Borough Council Public Health and Protection; Hertfordshire Ecology and Hertfordshire County Council Lead Local Flood Authority (LLFA) did not raise objection to the scheme, subject to condition.
- 8.3 Although consulted, no representations have been received from The Gardens Trust; Thames Water; Affinity Water Ltd; Herts & Middlesex Bar Group; Herts & Middlesex Wildlife Trust; Affinity Water Ltd; Thames Water.
- 8.4 **Welwyn Parish Council** - Major objection *“Due to the height and bulk Welwyn Parish Council consider this to be over-development of the site and we are concerned of the overall this effect this will have on the street scene and neighbouring properties.”*

9 Analysis

- 9.1 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 and appearance of the area**
 - 3. Impact on the living conditions of neighbouring occupiers and future occupiers**
 - 4. Access, car parking and highway considerations**
 - 5. Other material planning considerations**
 - i. Refuse and recycling storage**
 - ii. Contaminated Land**
 - iii. Flood Risk and Foul Sewage Disposal**
 - iv. Refuse and Recycling**
 - v. Archaeology**
 - vi. Ecology and Biodiversity**
- 1. Principle of Development**
- 9.2 The NPPF encourages the provision of more housing and states that applications should be considered in the context of the presumption in favour of sustainable development. Similarly, the District Plans overall aim is to secure sustainable development as required under Policy SD1 of the plan.
- 9.3 In order to make the best use of land in the District, Policy R1 of the District Plan, requires development to take place on previously developed land. As defined within the NPPF this is *‘land which is or was occupied by a permanent structure, including the curtilage of the developed land, (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure’*.

- 9.4 Gardens and residential curtilages in built up areas are not classed as previously developed land but that does not mean they cannot be built on in any circumstances. The settlement of Welwyn is defined as an urban area for the purposes of the Local Plan and although gardens/residential curtilages are not a priority for development, the need to make efficient use of urban land remains a policy objective.
- 9.5 Together policies SD1 and H2 the District Plan direct new residential development towards existing towns and settlements that are well served with transport and facilities.
- 9.6 The application site is not allocated in the District Plan as a designated housing site, so it comes forward as a windfall site. Policy H2 relates specifically to applications for windfall housing development. The policy states that all proposals of this type will be assessed for potential suitability against the following criteria:
- i. The availability of previously-developed sites and/or buildings;
 - ii. The location and accessibility of the site to services and facilities by transport modes other than the car;
 - iii. The capacity of existing and potential infrastructure to absorb further development;
 - iv. The ability to build new communities to support infrastructure and provide demand for services and facilities;
 - v. The physical and environmental constraints on development of land.
- 9.7 Policy SADM1 of the Emerging Local Plan is also relevant in regards to windfall housing development. This policy is similar to Policy H2 of the District Plan and may be afforded some weight, but adds that the proposal should not undermine the delivery of allocated sites or the overall strategy of the Plan; and proposals would not result in disproportionate growth taking into account the position of a settlement within the settlement hierarchy.
- 9.8 This site is situated within the settlement of Welwyn, where services and facilities are available within reasonable walking distance. Existing infrastructure can absorb this development and the proposal would not undermine the delivery of allocated sites in the overall strategy, nor result in disproportionate growth of the settlement. The physical and environmental constraints of development of the land in the manner proposed is assessed below.
- 9.9 Overall, the site is acceptable in principle as a residential windfall site subject to achieving a high quality of design and there being no physical and environmental constraints of the land for development.

2. Quality of design and impact on the character and appearance of the area

- 9.10 Policies D1 and D2 of the District Plan require the standard of design in all new development to be of a high quality and that all new development respects and relates to the character and context of the area in which it is proposed. These policies are expanded upon in the Council's SDG and are consistent with Policy SP9 of the Emerging Local Plan. Furthermore, Policy GBSP2 of the Local Plan requires that 'within specified settlements' development will be limited to that which is compatible with the maintenance and enhancement of their character.
- 9.11 The NPPF places a clear emphasis on high quality design and states in paragraph 130 that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. As such, there is consistency between the Council's District Plan and Emerging Local Plan with the NPPF.
- 9.12 Broom Hill is located on the edge of the settlement and forms part of an area to the east which has a residential, semi-rural character of broadly chalet bungalows with some two-storey detached dwellings. The site is within the landscape character area of '*Danesbury Settles Slopes*', which has key characteristics such as undulating slopes and scattered residential development in large garden plots. The wider area consists of dwellings set back from the streetscene, contributing to the open character of the immediate area. There is also a significant topographical incline from the north to the south of Broom Hill. The spaciousness to the front of properties, the stepped height of the dwellings on the incline therefore contribute to the character of the area.
- 9.13 The application site is located towards the midpoint of Broom Hill. It features a detached bungalow with an integrated garage, set back from the street scene, affording room for soft landscaping, including mature trees and onsite parking, to the front of the site.
- 9.14 The proposed development would result in the existing plot being subdivided into two and the erection of two storey detached dwellings being erected centrally within each plot. The layout would continue the linear built development pattern along Broom Hill.
- 9.15 In terms of spacing between buildings, an amended plan was received removing the integrated garages and moving properties centrally within each plot thus increasing the gaps between the dwellings and affording views of the mature landscaping to the rear of the site. This would result in the dwellings appearing in a more spacious setting and retaining sufficient soft landscaping to the front of the site, thus respecting the character and appearance of the streetscene.
- 9.16 The proposed development would seek to introduce two dwelling houses, which would be approximately 2.3m taller than the existing dwelling. Whilst the neighbouring properties abutting the site feature bungalows, the

topographical incline, and varied height within the streetscene, would ensure the proposed development does not appear significantly obtrusive or out of keeping. Furthermore, the proposed dwellings would be set back from the street scene and would reflect the incline, due to the ridge height of the dwelling at plot 1 being set down lower than the ridge height of the dwelling at plot 2. The dwelling at plot 2 would also be approximately 0.5m taller than the neighbouring property at no.11 Broom Hill. As a result, the roofs would be stepped reflecting the topographical incline of the street. The dwellings would consequently not appear overbearing nor out of keeping within the wider street context.

- 9.17 With respect to garden space standards, the Council's adopted guidance for gardens says that gardens should be functional and useable in terms of their width, depth, shape and orientation. Even though the garden size will inevitably be reduced, the gardens for the dwellings are considered to meet this requirement. In respect to the internal space standards the proposed dwellings would exceed the standard required and would therefore be satisfactory.
- 9.18 Whilst a materials schedule has been submitted, a suitably scaled plan identifying the details and location of soft and hard landscaping, means of enclosure/boundary treatment and a planting plan shall be secured through a planning condition to ensure the scheme satisfies Policy D8 of the District Plan.
- 9.19 The application is also supported by an Arboricultural Impact Assessment written by Tim Moya Associates. Within the report it identifies that it is necessary to carry out some tree pruning and removal of trees, to facilitate the development and landscape improvements. The works to be undertaken to the trees are identified within the Arboricultural Impact Assessment within Appendix B. The assessment also proposes that all tree works shall be carried out in accordance with the guidance in BS39987. It is considered appropriate, necessary and reasonable to apply a condition to ensure that the proposed development is carried out in with Arboricultural Impact Assessment to ensure the scheme accords with Policy R17 and D8 of the District Plan.
- 9.20 Overall, it is considered that the proposed development is of a high quality design providing sufficient soft landscaping to the front of the site, which contributes to the spaciousness of the street scene. Each dwelling would also be of a size, scale and height that would appear in keeping with the established built form of the wider area. Accordingly the proposal is in accordance with Policy D1, D2, D8 and R17 of the District Plan and the NPPF.

3. Impact on living conditions and the residential amenity of adjoining neighbours

- 9.21 District Plan Policy D1 and the Council's SDG states that any extension should not cause loss of light or appear unduly dominant from an adjoining property. Policy SADM11 of the Emerging Local Plan also aims to preserve neighbouring amenity.

- 9.22 This assessment takes into consideration the impact of development upon the amenity of neighbouring occupiers and future occupiers.

Neighbouring Occupiers

- 9.23 No.7 Broom Hill is sited to the north of the application site, set lower down due to the topographical change. Given the proximity to the shared boundary with no.7, the height and depth of the proposed two storey dwellings to the south, and the movement of the sun, it is considered the development would result in some, albeit limited, loss of light to the neighbouring occupiers. Such that it would not warrant a refusal.
- 9.24 No.11 Broom Hill is sited to the south of the application site. An objection was received from the owners/occupiers at no.11 regarding the impact of the 'blank wall' appearing overbearing and the close proximity of the development to their property. An amendment was subsequently received removing the pitched roof garage and altering the layout of the dwelling at plot 2.
- 9.25 As a result of the amendment, the proposed dwelling at plot 2 would be set back further from no.11 Broom Hill and would not project significantly beyond the front elevation of no.11 which is on a higher level also. The dwelling at plot 2 is therefore considered not to result in adverse harm upon the amenity of the neighbouring occupier at no.11 by way of loss of light or overbearing impact.
- 9.26 In addition, views from windows in the rear elevation at first floor would only be of an oblique angle, offering a marginal view towards the rear of neighbouring property garden spaces, of a type typically present within residential development with a side-by-side relation as identified within Broom Hill. The proposed development would therefore not result in significant adverse harm by way of overlooking of neighbouring occupiers private amenity space.

Future Occupiers

- 9.27 With regard to the impact of the proposal upon future occupants of the proposed dwellings, the layout of the buildings and the positioning of windows does seek to address matters, such as, overlooking and loss of privacy. The layout also ensures that, with regard to overshadowing, daylight and sunlight, the scheme has been designed to achieve acceptable conditions.
- 9.28 In regards to overlooking, both plots would have windows on the first floor side elevation, albeit these would be adjacent one and other, and serve a bathroom so could therefore be conditioned to be obscured glazed to protect the amenity of both properties.
- 9.29 With regards to noise, the site is close to the railway line and noise and vibration would be generated from this. Policy R19 of the District Plan requires proposals to be refused if the development is likely to generate unacceptable noise or vibration from other land uses. The Council has an obligation

therefore to ensure that the development proposed does not suffer from a high level of noise.

- 9.30 To the rear of the application is a railway line. A noise impact assessment has been provided with the application which shows that the 55dB WHO Guidelines for Community Noise will be met for outside amenity areas. In terms of internal noise levels, mitigation measures will be required. Although LAeq levels are not excessive, LMax levels are shown as being significant, especially with regards to the potential for an impact on sleep with the number of occurrences during the night above the WHO Guidelines for Community Noise level, as such, a suitable ventilation scheme will be required which enables occupants to keep their windows closed in the summer months. A condition will therefore be placed on the application requiring details to be submitted for the ventilation scheme. This view is shared with the Welwyn Hatfield Borough Council Public Health and Protection.
- 9.31 For the above reasons, it is considered that the proposal development would not result in significant adverse harm to the living conditions and amenity of surrounding residential and to future occupiers if suitable conditions are imposed. The proposal is, therefore, in accordance with Policy D1 and R19 of the District Plan, the Supplementary Design Guidance 2005 and the NPPF in this regard.

4. Access, car parking and highway considerations

- 9.32 Policy M14 of the District Plan and the Parking Standards SPG use maximum standards and are not consistent with the NPPF and are therefore afforded less weight.
- 9.33 In light of the above, the Council have produced an Interim Policy for Car Parking Standards that states that parking provision will be assessed on a case by case basis and the existing maximum parking standards within the SPG should be taken as guidance only. This means that higher or lower car parking standards than those set out in the SPG can be proposed and determined on a case by case basis taking into account the relevant circumstances of the proposal its size context and its wider surroundings as well as the NPPF guidance.
- 9.34 The proposed development would include 3 on-site car park spaces for both properties. As such, the development is in accordance with the maximum car parking standards.
- 9.35 In regards to highway safety, it is considered unlikely that the addition of a residential building or access would have a severe impact to highway capacity or represent a detrimental impact to highway safety, as such there is no objection in this regard. This view is shared with Hertfordshire County Council Transport, Programmes and Strategy Department.

5. Other material planning considerations

i) Contaminated Land

- 9.36 Policy R2 of the District Plan outlines that development should only be approved on land that is known to be contaminated where it has been adequately proven that the development or land would not pose an unacceptable risk to public health or the environment.
- 9.37 No known contamination is showing on or near the proposed development land within the Council's mapping system. However, there is always the potential for contamination due to the close proximity of the railway line, as such it is recommended that an unexpected finds condition is placed on the application, requiring the applicant to notify the LPA if any signs of contamination are found. This view is shared with the Welwyn Hatfield Borough Council Public Health and Protection.

ii) Flood Risk and Foul Sewage Disposal

- 9.38 Policy R7 of the District Plan states that planning permission will not be granted for development which poses a threat to the quality of both surface and ground water. In this instance the applicant has submitted a Surface Water Report to support the development.
- 9.39 The drainage strategy within the Report submitted is based upon open grate soakaways storage, ACO drains, water butts and discharge directly into the ground. It is noted that surface water calculations have been provided and ensure that the drainage strategy caters for all rainfall events up to and including 1 in 100 year plus 40% for climate change with discharge into the ground.
- 9.40 The LLFA assessed the Conceptual Surface Water strategy report prepared by Innervision Design Ltd, dated April 2019 and raised no objection subject to condition. The conditions requested are to ensure the scheme is carried out in accordance with the strategy in the submitted report and to request a detailed surface water drainage scheme is submitted for the site, based on the approved drainage strategy and sustainable drainage principles. These are considered appropriate and necessary to reduce the risk of flooding in accordance with Policy R7 of the District Plan.

iii) Refuse and Recycling

- 9.41 The proposed development could be incorporated onto existing ARRc scheme and would receive a set of 2 bins each FOC for refuse and recycling. An informative should note that bins must be presented to the front boundary of the property the evening prior to collection and retrieved after emptying.

iv) Archaeology

- 10.42 One of the proposed dwellings lies on the footprint of the existing dwelling. In this instance a view is shared with Hertfordshire County Council Natural, Historic & Built Environment Advisory Team, that the proposed development is considered unlikely to have a significant impact on heritage assets of

archaeological interest. Accordingly no objections are raised with regard to Policy R29.

v) Ecology and Biodiversity

- 9.43 The NPPF is clear that the planning system should '*contribute and enhance the natural and local environment*'. Policy R11 of the District Plan requires all new development to demonstrate how it would contribute positively to the biodiversity of the site. Similarly, Policy SADM16 of the Proposed Submission Local Plan expects proposal to maintain, protect and wherever possible enhance biodiversity, the structure and function of ecological networks and the ecological status of water bodies.
- 9.44 A Preliminary Roost Assessment by Cherryfield Ecology has been submitted. The report assessed the bungalow as having a low roost potential due to a number of small gaps under lead flashing and between roof tiles. Following Bat Conservation Trust best practice guidelines a single dusk/dawn re-entry survey is recommended to further inform any use of the building by bats, and to provide appropriate mitigation to safeguard them if present and affected. These surveys can only be carried out in the summer months when bats are active, usually between May and August, or September if the weather remains warm.
- 9.45 As bats are a European Protected Species, this information is required to be submitted to the Local Planning Authority, so it can sufficiently consider the impact of the proposals on bats and discharge its legal obligations under the Conservation of Habitats and Species Regulations 2018.
- 9.46 As the survey and report were undertaken outside the favourable time of year for nocturnal bat activity surveys an outline mitigation measures with appropriate recommendations has been included within the bat report. These are sufficient to consider the impact of the proposal on bats prior to determination. A condition is however required prior to development, including demolition, for a dusk emergence/dawn re-entry survey to during May-September (inclusive) to determine whether bats are roosting. This would ensure the scheme accords with Policy R11 of the District Plan. This view is shared with Hertfordshire Ecology.

10 Conclusion

- 10.1 For the reasons outlined above, the proposed development is considered to accord with the relevant policies of the District Plan, Emerging Local Plan and the NPPF and there are no other material considerations sufficient to justify a refusal of planning permission. Where a development is considered to accord with development plan policies the NPPF requires that development proposals are approved without delay.

11 Recommendation

- 11.1 It is hereby recommended that the application be PERMITTED subject to the conditions below:

PRIOR TO COMMENCEMENT

1. Before any development on site is begun (including demolition), one dusk emergence / dawn re-entry survey should be undertaken during May - September (inclusive) to determine whether bats are roosting and, should this be the case, the outline bat mitigation strategy should be modified as appropriate based on the results and then be submitted in writing to the Local Planning Authority. Thereafter the development shall be carried out in accordance with these approved details.

REASON: To ensure the continued ecological functionality of bats and their roosts is maintained in accordance with European and National Legislation and to accord with Policy R11 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

2. No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree or shrub be pruned other than in accordance with the approved plans and particulars. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:2010 (Tree Work).

(b) If any retained tree or shrub is removed, other than that hereby approved, uprooted or destroyed or dies, another tree or shrub shall be planted at the same place and that tree or shrub shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree shrub or hedge shall comply with the recommendation of British Standard 5837:2012 before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

In this condition, retained tree or shrub, means an existing tree or shrub, as the case may be, which is to be retained in accordance with the approved plans and the Arboricultural Assessment Report written by Tim Moya Associates, reference 180408-PD-11a; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the date of the occupation of the building for its permitted use.

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

NO DEVELOPMENT ABOVE GROUND LEVEL

3. No development other than demolition shall take place on site until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, shall be submitted to and approved in writing by the Local Planning Authority and shall include the following: -
 1. Detailed infiltration tests conducted to BRE Digest 365 Standards at the exact locations and depths, where soakaways are being proposed.
 2. Final, detailed modelling updated in line with the achieved results of infiltration tests.
 3. Final, detailed surface water drainage strategy layout.
 4. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
 5. Final detailed management plan to include arrangements for adoption/and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

REASON: To prevent the increased risk of flooding, both on and off site in accordance with Policy R7 of the Welwyn Hatfield District Plan.

4. No development other than demolition shall take place on site until samples of the materials to be used in the construction of the external surfaces of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

5. No development other than demolition shall take place on site until details are submitted for approval in writing by the Local Planning Authority, relating to a scheme to protect the proposed development from noise due to the railway line. The scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms meet the standards in BS 8233:2014 (including LAMax levels). If opening windows leads to internal noise levels exceeding the levels within BS8233, then mechanical ventilation will need to be installed. Any associated mechanical ventilation will need to meet the ventilation requirements found within The Noise Insulation Regulations 1975. Outdoor amenity areas will need to meet the 55dB WHO Community Noise Guideline Level with mitigation measures provided where required to meet this level. The scheme approved shall be implemented and retained before any part of the accommodation is occupied.

REASON: To protect the occupants of the new development from noise disturbance in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005.

6. No development other than demolition shall take place on site until full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

The landscaping details to be submitted shall include:

- (A) means of enclosure and boundary treatments
- (B) hard surfacing, other hard landscape features and materials
- (C) existing trees, hedges or other soft features to be retained and a method statement showing tree protection measures to be implemented for the duration of the construction
- (D) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing
- (E) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- (F) details of siting and timing of all construction activities to avoid harm to all nature conservation features

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

7. The development hereby approved shall be carried out in accordance with the approved Surface Water Drainage Assessment prepared by Innervision Design Ltd, revision dated April 2019. Prior to occupation the mitigation measures shall be fully implemented and subsequently in accordance with the timing/phasing arrangements embodied within the Surface Water Drainage Assessment, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policy R7 of the Wewlyn Hatfield District Plan 2005.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority. Once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site. Before development recommences on the part of the site where contamination is present a scheme outlining appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site

users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

REASON: To ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account in accordance with Policy R2 of the Welwyn Hatfield District Plan 2005.

PRIOR TO OCCUPATION

9. All agreed landscaping comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the first building, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

10. 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
21770se-01		Topographical Survey	1 April 2019
18/886/01	E	Proposed Plans and Elevations	10 June 2019
18/886/02	D	Proposed Plans and Elevations	5 June 2019
18/886/03	H	Street Scene, Site Sections and Block and Location Plans	10 June 2019
18/886/04		Existing Plans	12 April 2019

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 (see Officer's report which can be viewed on the Council's website or inspected at these offices).

1. Other Legislation

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 which may affect the land.

2. Wheel Washing

The applicant is advised that no development (including demolition) should commence until wheel-cleaning apparatus to prevent the deposit of debris, mud etc on the highway has been agreed with the Highway Authority. Hertfordshire County Council Transport Planning and Policy can be contacted on 03001234040.

3. Damage to Grass Verges

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.

4. Ownership

The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.

5. Public Rights Of Way

This planning permission gives no entitlement to affect any public rights of way or established highway within the application site. Any diversion, extinguishment, stopping up or creation of a public right of way may need its own Order under the Highways Act 1984 or The Town and Country Planning Act 1990 (As amended) before any works affecting the rights of way can be commenced. For further information, please contact the Local Planning Authority on 01707 35700, or Hertfordshire County Council, Environment Department on 01992 555555.

6. Street Numbering

The development will involve the numbering of properties and/or the naming of new streets. The applicant MUST contact Welwyn Hatfield Borough Council, Environmental Services (01707 357 000) before any name or

number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.

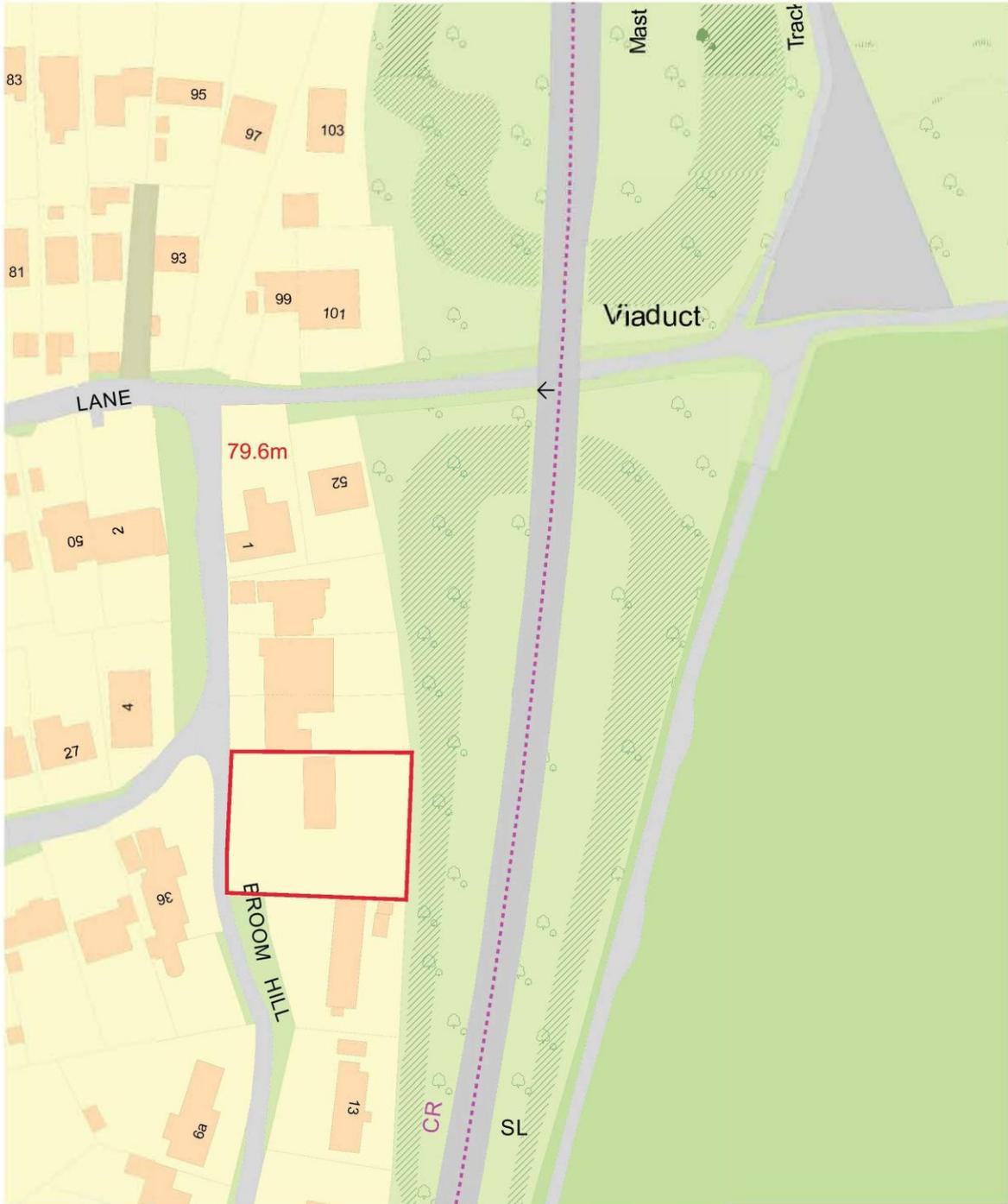
7. Nesting Birds

Any vegetation and building clearance should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.”

Clare Howe (Development Management)

Date 29th July 2019

Expiry Date: 16th August 2019



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title: 9 Broom Hill, Welwyn		Scale: DNS
			Date: 2019
	Project: DMC	Drawing Number: 6/2019/0771/FULL	Drawn: Emma Small
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