

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 28 APRIL 2016
REPORT OF THE DIRECTOR (GOVERNANCE)

6/2016/0239/HOUSE

15 TOLMERS ROAD, CUFFLEY, POTTERS BAR, EN6 4JF

ERECTION OF NEW BOUNDARY GATE AND FENCE TO FRONT OF PROPERTY

APPLICANT: Mr V Montagnino

(Northaw and Cuffley)

1 Site Description

- 1.1 The application site comprises a redevelopment site for a house and its gardens on the west side of Tolmers Road, Cuffley. The site has extant planning permission for a new dwelling (Reference number S6/2014/2381/FP), which has been constructed but is not yet occupied. That permission did not include details of the front boundary treatment.
- 1.2 The site is 16m wide and rises slightly into the site away from the road. The new dwelling is set back 10m from the site frontage on a similar building line to other properties along the road. There is a 5m deep grass verge in front of the site boundary. The pavement sits between the verge and the road carriageway.
- 1.3 The vehicle access to the application site from Tolmers Road is a carriage driveway that utilises two existing dropped kerbs.
- 1.4 The house is in a line of detached houses of various styles along the west side of Tolmers Road, which rises away from the centre of Cuffley. The houses on the opposite side are also detached and of various styles. The 5m deep grass verge runs down both sides of the length of Tolmers Road and abuts the front boundaries of the residential properties.
- 1.5 Site frontage treatments in the vicinity vary but are either open or feature low walls (1m high) some with hedges/railings above up to a height of approximately 2m. No 17 has a carriage driveway and an open grassed forecourt that adjoins the grass highway verge. No 13 has a low wall (0.7m to 1.2m high) and low metal gates. Further along, No 19 has a low brick wall with taller (2.3m) brick piers and 2m high metal railing gates. No 11 has an open frontage planted with tall, mature conifer trees. On the opposite side of the road there are varied site boundary treatments: No 44 has a wall with railings above and shrubs behind and railing gates, while No's 40 and 42 are planted with mature shrubs and trees.

2 The Proposal

- 2.1 Full planning permission is sought for:

- a 6m wide front wall in the centre of the site frontage; 1.2m high and finished in render to match the main house. Above the wall there would be 0.5m high metal railings to a height of 1.7m.
- Two pairs of hinged metal railing gates across the two vehicle accesses (1.7m high) and each 4.6m wide. These would open into the site.

3 Reason for Committee Consideration

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

4 Relevant Planning History

- 4.1 S6/2015/2463/HOUSE – Erection of new front and side boundary wall and new gates. Refused 28.1.2016 for the following reasons:
1. By reason of its excessive height, design and incongruous appearance, the proposed front boundary treatment would appear overly prominent and dominant. The proposal fails to respect and relate to the existing character and appearance of the surrounding street scene where other front boundary treatments are significantly less prominent and of a lower height. The resultant harm to the character and visual amenity of this part of Tolmers Road from the proposed development would be contrary to the National Planning Policy Framework, Policies D1, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance 2005.
 2. The proposed front boundary treatment by reason of its height and solid nature would erode natural surveillance of the public space and adversely affect the safe and attractive character of the street contrary to the National Planning Policy Framework (paragraphs 56-66), Policies D3 and D4 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance 2005.
- 4.2 S6/2015/0762/DS – Approval of details reserved by condition 3 (materials) & 4 (landscaping) of planning permission S6/2014/2381/FP - Approved 8.7.2015.
- 4.3 S6/2014/1407/FP – Erection of new dwelling and detached garage following demolition of existing dwelling and outhouses - Granted 18.8.2016.
- 4.4 S6/2013/2295/FP – Erection of new dwelling following demolition of existing - Refused 14.01.2014.
- 4.5 S6/2012/1627/FP - Erection of two storey and single storey front and rear extensions, construction of a new roof with a higher ridged height and four front dormers. Demolition of existing garage and erection of a detached double garage to front of the dwelling - Refused 08.10.2012.
- 4.6 S6/1981/0139/ - Single storey front and side extension - Approved 30.03.1981.

5 Planning Policy

- 5.1 National Planning Policy Framework 2012 (Paragraphs 9, 17, 56-68)
- 5.2 Welwyn Hatfield District Plan 2005

- 5.3 Supplementary Design Guidance, February 2005
- 5.4 Supplementary Planning Guidance, Parking Standards, January 2004 and Interim Policy for Car Parking Standards and Garage Sizes 2014.

6 Site Designation

- 6.1 The site lies within the specified settlement of Cuffley as designated in the Welwyn Hatfield District Plan 2005.

7 Representations Received

- 7.1 Representations have been received from No's 40 Tolmers Road, 6 Highfields, 115 Brookside Crescent, 11 Tolmers Road, 18 Tolmers Gardens, 154 Brookside Crescent and Northaw & Cuffley Residents Association. Their comments may be summarised as:

- Out of character with the frontages of this part of Tolmers Road.
- The height is excessive
- would detract from the visual amenity of the neighbouring properties
- The proposal would create a prominent and dominant feature
- Incongruous to the general open character of the area.
- Hardly differs from previously refused proposal.
- would detract from the visual amenity of the neighbouring properties
- would be an eyesore in a public thoroughfare.
- Gates would cause delay in cars entering and so blocking the road or pavement
- Design is too industrial

8 Consultations Received

- 8.1 No response has been received from the following consultees: Ward Councillors. Comments were due by 18.3.2016

9 Town / Parish Council Representations

- 9.1 Northaw and Cuffley Parish Council has objected to the proposal as follows:

“Because of the openness of the street scene. The character of Tolmers Road is openness on frontage to the street. Resultant harm & visual dominance would result. We note that some of this has already been constructed.”

10 Analysis

- 10.1 The main planning issues to be considered are:

- 1. Whether the proposal respects and relates to the character and context of the area, as a minimum maintaining and where possible enhancing or improving the character of the existing area (D2)**
- 2. The impact on the Quality of the Public Realm (D1 and D3 and D4)**
- 3. The potential impact on the residential amenity of adjoining neighbours (D1, R19, SDG and NPPF);**

1. Character of the area

- 10.2 The NPPF (paragraph 17) and Local Plan Policies D1 and D2 require the impact of a development to be assessed with regard to its bulk, scale and design and how it harmonises with the existing buildings and surrounding area. The NPPF (Para 60) advises that planning policies and decisions should not attempt to impose architectural styles or particular tastes but may seek to reinforce local distinctiveness. Policy D2 of the Local Plan 2005 requires development proposals should, as a minimum, maintain and, where possible, enhance or improve the character of the existing area. It recommends that development be considered in its context not just neighbouring buildings but also in the wider locality.
- 10.3 The application site is on land that rises to the north along Tolmers Road and is set back over 5m from the edge of the carriageway. The front boundary treatments in this stretch of the road vary, some are enclosed by walls or shrubs and some are open. The walls are predominantly brick and low; between 1 and 1.5m high and some have railings above to heights of approximately 2m. Several sites have gates and these are all metal railing gates; some ornate, some plain.
- 10.4 The distinctive character of this part of Tolmers Rd is created by the wide verge, the set back of the houses and visibility into the frontage of the sites. These characteristics would be maintained by the current proposal: the wall would be positioned 5m from the footway and be 1m to 1.3m high. Above the wall there would be plain railings. In addition the gates would be plain metal railing gates and these would allow views into and out of the site. The maximum height of the gate piers would be 1.8m and this is considered a reasonable height when compared to the boundary treatment of other properties in the vicinity. Overall the proposed boundary treatment would be set back from the road, not be unduly high or dominant in appearance and would allow views into and out of the site. The design would, therefore, sufficiently preserve the openness of the street-scene and would overcome the first reason for refusal of the previous application.
- 10.5 Consequently the proposal would be in accordance with the policies of the NPPF 2012, Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance 2005.

2. High Quality Design

- 10.6 The NPPF (paragraph 17) and Local Plan Policies D1 and D2 aim to ensure a high quality of design and that new development respects and relates to the character and context of the area in which it is proposed. Policy D3 expects developments to provide natural surveillance over public spaces and areas to make them feel safer and more attractive. Policy D4 (Quality of the Public Realm) emphasises that streets should offer safe and attractive environments for all users by allowing natural surveillance. These policies are expanded upon in the Council's Supplementary Design Guidance 2005.
- 10.7 The proposed wall would be 1.2m high and have 0.5m high railings above. The gates would be railing gates, 1.7m high. Both these elements would allow natural surveillance of the street from within the site and overcome the second reason for refusal of the previous application. As such, the proposal would be in accordance with the Local Plan in this respect.

3. Impact on Neighbours

- 10.8 Policies D1 and Supplementary Design Guidance (2005) (SDG) aim to preserve neighbouring amenity. The SDG sets out the Council's Guidelines with regard to residential development for the provision of adequate amenity for future occupants and the protection of neighbouring residential amenity. Guidance in Paragraph 17 of the NPPF seeks high quality design and good standards of amenity for all existing and future occupiers of land and buildings.
- 10.9 No 15 Tolmers Road is a recently constructed detached house, which replaced the previous house on the site. The side boundaries of the front garden abut the front gardens of No's 13 and 17. The boundary with No 17 is planted with 2m high shrubs within the site of No 17. A new side wall is proposed to a height of 1.2m. The boundary with No 13 has also been replaced with a low wall with piers up to 1.8m. As this is below 2m it is not part of the current application. The proposed front wall and railings would be over 8m from the fronts of the neighbouring houses at No's 13 and 17 and would not result in an overbearing impact or cause loss of sun or daylight to the front elevations of those properties. The proposal would, therefore, be acceptable in regard to impact on neighbouring amenity.

4. Other Material Planning Considerations

(i) Impact on Highways

- 10.10 Transport policies of the Welwyn Hatfield District Plan 2005 aim to encourage road safety for all the community. This includes ensuring that the safety of pedestrians and other road users is not adversely affected by new developments.
- 10.11 The Highway Authority previously commented that the front gardens on this site of Tolmers Road are set back 7m from the carriageway edge and the site has a carriage driveway. Given the depth of the grass verge (5m), there would be sufficient space off the road and footway for cars to wait while the gates open. In addition, there would be adequate depth for pedestrian/vehicle inter-visibility and for visibility for vehicle drivers in each direction along Tolmers Road.
- 10.12 The proposal would, therefore, not adversely affect pedestrian or vehicle safety in the vicinity and would be in accordance with the Local Plan policies in this regard.

(ii) Trees and Landscape

- 10.13 Policy D8 of the Welwyn Hatfield District Plan 2005 requires all developments to incorporate hard and soft landscaping to respect the character of the area. The proposal would not reduce the depth of the grass verge and the existing crossovers would be retained. Reinstatement of the grass verge is required under the Highways Act following the completing of construction works. An informative shall be added to any planning decision to this effect.

11 Conclusion

- 11.1 The current proposal for front boundary treatment at the site would be set back from the road, not be unduly high or dominant in appearance and would allow views into and out of the site. The design would, therefore, sufficiently preserve

the openness of the street-scene and would overcome the first reason for refusal of the previous application.

- 11.2 The design would also allow natural surveillance of the street from within the site and overcome the second reason for refusal of the previous application. The proposal would be in accordance with the Local Plan in this respect.
- 11.3 The proposal would be unlikely to result in a significant impact upon the living conditions at the neighbouring properties and the vehicle access arrangements are considered adequate by the Highway Authority.
- 11.4 Consequently, the proposal subject to conditions, would be in accordance with the policies of the NPPF 2012, Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance 2005.

12 Recommendation

- 12.1 It is recommended that planning permission be approved subject to the following conditions:

- 1. C.2.1 – Time Limit
- 2. C.30.1 – The development/works shall not be started and completed other than in accordance with the approved plans and details:

Xxxx/04 received and dated 15.2.2016 & 15447/01/RevA & 15447/04/RevA received and dated 1.4.2016

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

- 3. No development shall take place until details of the gates to be installed in the front wall hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved gates 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 the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005. Samples of the gates to be submitted for approval

Summary of reasons for grant of permission

The decision has also 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

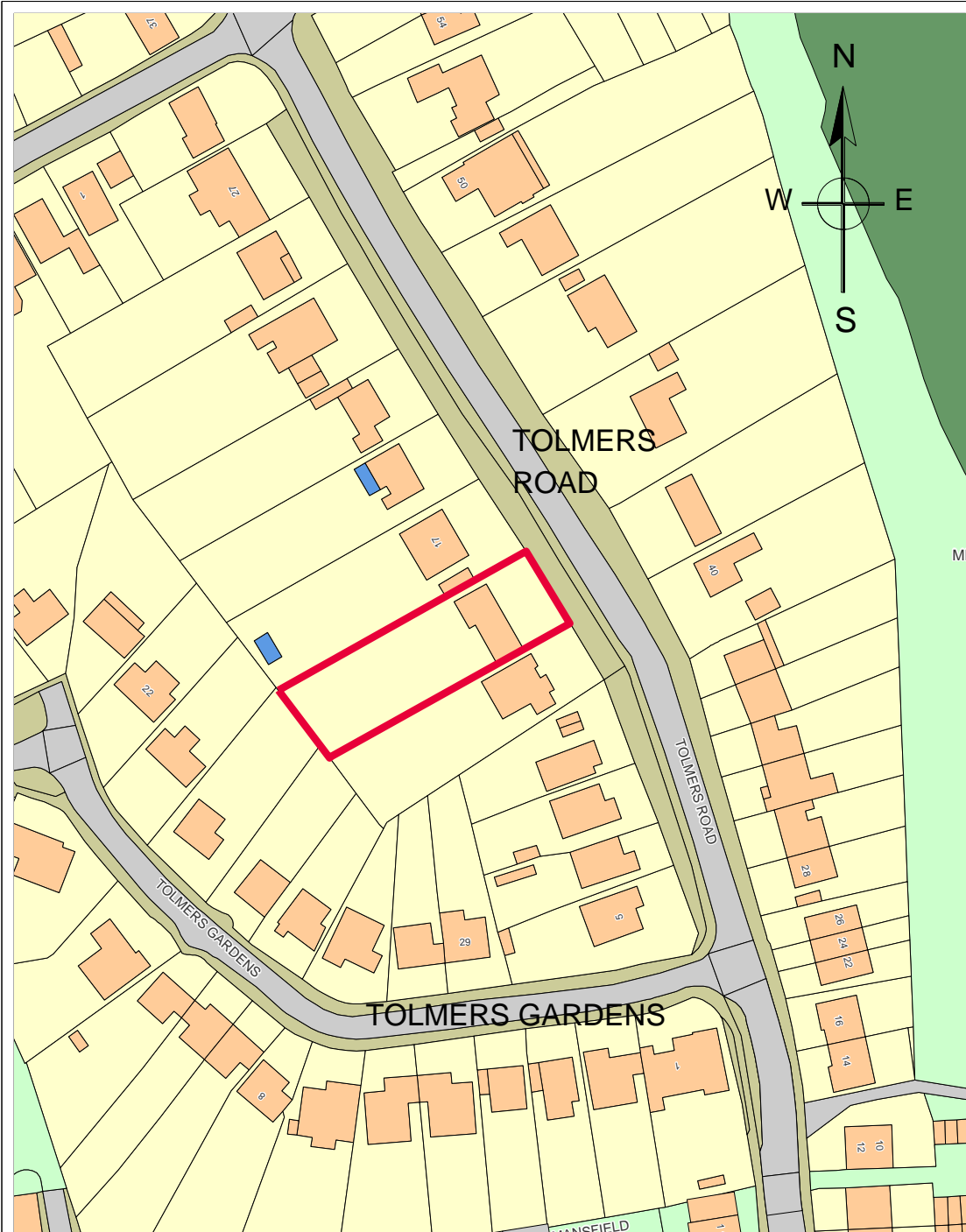
- 1. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be reinstated to their original condition, within one month of the completion of the development/works. If damage to the verges is not repaired then the


Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.

June Pagdin, (Strategy and Development)

Date: 5.4.2016

Application Expires: 1.05.2016



 Council Offices, The Campus, Welwyn Garden City, Herts. AL8 6AE	Title: 15 Tolmers Road, Cuffley		Scale: DNS
	Project: DMC Meeting		Date: 2016
	Drawing Number: 6/2016/0239/HOUSE		Drawn: Andrew Windscheffel
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