

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 17 AUGUST 2017  
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING  
AND GOVERNANCE)

6/2017/0546/FULL

LAND AT LITTLE MEAD, HATFIELD

ERECTION OF 4 X 3 BEDROOM HOUSES AND 3 X 2 BEDROOM HOUSES WITH  
ASSOCIATED PARKING FACILITIES AND LANDSCAPING FOLLOWING  
DEMOLITION OF 16 GARAGES AND 2 FLATS

APPLICANT: Welwyn Hatfield Borough Council

AGENT: Mr Andrew Fisher (Pellings LLP)

(Hatfield Central)

**1 Site Description**

- 1.1 The development site is located in the Birchwood area of Hatfield, approximately half a mile north of the town centre and half a mile south of junction 4 of the A1(M). The area is suburban residential in character with houses and flatted development mostly dating from the interwar period onwards.
- 1.2 The site is south of Cornerfield and comprises a paved car parking area, 2 blocks of single storey brick-built garages with single storey flats above constructed as part of the 1950s and 1960s estate at the southern end of Little Mead. Surrounding properties are generally one, two or three storeys in height. The site is relatively flat and mainly concrete hard surface.

**2 The Proposal**

- 2.1 The application seeks full planning permission for the erection of a two-storey terrace of 4 x 3 bedroom houses (Terrace A) and a two-storey terrace of 3 x 2 bedroom houses (Terrace B) with associated parking facilities and landscaping involving the demolition two blocks of 16 lockup garages and two flats above. The block of four units would front Cornerfield with access to the houses gained from this road while the block containing three units adjoins 47-49 Little Mead which serves as the front access.
- 2.2 The two new buildings would be approximately 8m in height and host pitched roof with gable ends. The block of 4 units would be approximately 10.2m deep and 22m wide while the block of 3 units would measure approximately 10.6m long and 14m wide. Each of the units would host private rear gardens while 14

(2.4m x 4.8m in size) parking spaces would be located to the rear and front of the properties.

- 2.3 A 2m wide pedestrian walkway is proposed on the northern flank of Terrace A linking Cornerfield and Little Mead. This will result in a reduction of the area currently used as drying area by the residents of flats No. 2 to 12 (evens) Little Mead.

### **3 Reason for Committee Consideration**

- 3.1 Welwyn Hatfield Borough Council is the applicant and this scheme forms part of the Council's Affordable Housing programme.

### **4 Relevant Planning History**

- 4.1 Application Number: E6/1956/1112/ Decision: Granted Decision Date: 01 November 1956

Proposal: Erection of 15 1 bedroomed bungalows and use of land for open space.

- 4.2 Application Number: E6/1965/0322/ Decision: Granted Decision Date: 29 June 1965

Proposal: Local authority housing

- 4.3 Application Number: E6/1974/0796/ Decision: No Information Decision Date: 31 December 1974

Proposal: 110 houses and 35 flats with garages and parking areas

### **5 Relevant Planning Policy**

- 5.1 National Planning Policy Framework 2012

- 5.2 Welwyn Hatfield District Plan 2005

- 5.3 Supplementary Design Guidance, February 2005 (Statement of Council Policy)

- 5.4 Supplementary Planning Guidance, Parking Standards, January 2004

- 5.5 Interim Policy for Car Parking Standards and Garage Sizes, August 2014

### **6 Site Designation**

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

### **7 Representations Received**

- 7.1 The application have been advertised by neighbour notification letters to 32 neighbouring occupiers. 4 representations have been received with the following comments:

- a) The garage area is used not only by the residents of Little Mead but those of Cornerfield, St Michaels View and Drovers Way for parking.
- b) I see that from the initial plans they have added 7 new parking spaces 2 of which are located off a main road on a bend.
- c) Parking will become a much greater issue, as it's already a problem with so many people using the street and parking area already without adding to the existing problem.
- d) The houses especially the 3 bedroom houses will more than likely need two parking spaces, it will be a real issue.
- e) Also our community is made up of flats which house the elderly and those with learning and physical disabilities. The proposal will have a big impact on our quality of life.
- f) I am not opposed to new housing and am very pleased that the Welwyn Hatfield Council are building new homes but think that these shouldn't be at the detriment of the existing residents and area.
- g) The houses are virtually touching going to be touching the side of my elderly aunt's flat. Surely that is going to be an invasion of her privacy?
- h) The bin store of the closest house to No 49 Little Mead will be in close proximity to its kitchen.
- i) The block containing No. 49 will be surrounded by parked cars.
- j) You will be removing trees which are good for the environment.

## **8 Consultations Received**

- 8.1 **Hertfordshire County Council Transport Programmes and Strategy (HCCTPS)** – The amendments in relation to the design and principle for the Highway Authority remain acceptable in highways terms. No objection to the scheme.
- 8.2 **Welwyn Hatfield Borough Council Environmental Health Department (EH)** – The application site is within an existing residential area and the traffic along Cornerfield is not expected to generate significant levels of noise. The council's database is not showing any known sources of contamination for the site, however, due to the garages on site, there is a high likelihood that asbestos will be on site. As such, the applicant will need to ensure that the garages are demolished and all material removed so that the land does not become contaminated. No objection to the scheme.
- 8.3 **Welwyn Hatfield Borough Council Landscaping and Ecology Department** – No real information has been submitted for either trees or soft landscaping. I have concerns about the lack of soft landscaping to the rear boundary fence of Terrace A onto the car parking area and the front of Terrace B. Should this application be approved I look forward to seeing the greened up drying area, 'high standard of soft landscaping' and the 'new trees' on a detailed landscape plan. An arboricultural protection plan is required. The surrounding greens are not handy sites for vehicular parking, storage of materials, site offices etc.

**Welwyn Hatfield Borough Council Client Services Department** – The properties can be incorporated onto the existing ARRC scheme. Each property would be provided with 2 bins FOC for refuse and dry recyclables. The 3 bedroom properties face onto Cornerfield and would be collected from there on the boundary with the public highway and the 2 bed houses would be collected from Little Mead again on the public highway.

- 8.4 **Lead Local Flood Authority** – LLFA would have no objection on flood risk grounds. However, we note that the proposed drainage strategy is based on infiltration and no infiltration tests have been undertaken. If the Local Planning Authority will decide to grant this planning permission we would recommend that the infiltration tests should be provided to ensure the feasibility of the scheme.
- 8.5 **Affinity Water Ltd** – No comment received.
- 8.6 **Hertfordshire Fire and Rescue** – We have examined the drawings and note that the access for fire appliances and provision of water supplies appears to be adequate.
- 8.7 **Thames Water (TW)** – Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

## **9 Town / Parish Council Representations**

- 9.1 Hatfield Town Council – No comment received

## **10 Analysis**

- 10.1 The main planning issues to be considered are:

1. **The principle of the development (National Planning Policy Framework 2012 and Policies SD1, H1, H2, R1, GBSP2 of the Welwyn Hatfield District Plan 2005).**
2. **Whether or not the scheme incorporates high quality design in accordance with the principles of the Welwyn Hatfield District Plan (2005) and relates to the character and context of the area (D1, D2, D8, Supplementary Design Guidance (SDG) and National Planning Policy Framework (NPPF))**
3. **The impact of the proposal on residential amenity of future occupiers and adjoining properties (D1 and Supplementary Design Guidance (SDG))**
4. **Access, Impact on the Highway and Parking (M14 and SPG)**
5. **Other Considerations**

### **1. The principle of the development**

- 10.2 The proposal gives rise to two main issues; firstly, the creation of five additional residential units on the site and, secondly, the loss of garages.

- 10.3 Policies R1 and GBSP2 of the Welwyn Hatfield District Plan 2005 encourages development to take place on previously used or developed land and directs new development towards existing towns and specified settlements. This is in line with the National Planning Policy Framework 2012 (NPPF) which encourages the provision of more housing within towns and settlements and encourages the re-use of land which has previously been developed.
- 10.4 The site is not an allocated housing site and so is considered to be a 'windfall site', Policy H2, therefore, applies. This policy states that all proposals for windfall housing development will be assessed 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.*
- 10.5 The application site is situated within the existing Hatfield Town as outlined in the Welwyn Hatfield District Plan 2005. This site has previously been developed and currently comprises residential units, garages and communal parking area and amenity space. The site is positioned close to the facilities of the Birchwood area of North Hatfield and is within easy reach of a good range of local facilities and is served by public transport. There are no concerns with the possibility of contaminated land and there are no known infrastructure constraints. Two flats would be demolished and replaced with seven terraced houses; a net increase of five units. The principle of residential development is therefore acceptable against the criteria set out in Policies H2, SD1, R1 and GBSP2 subject to an assessment of the scheme against policies having regard to design, parking, and means of access as well as amenity of the occupiers of adjoining premises.
- 10.6 Overall, it is considered that the site is, in principle, acceptable as a residential windfall site. The site complies with Policy H2 of the Welwyn Hatfield District Plan in regards the criteria of suitability.

## **2. Whether or not the scheme incorporates high quality design and relates to the character and context of the area**

- 10.7 In addition to Policy GBSP2 outlined above, Local Plan Policies D1 and D2 aim to ensure a high quality of design and to ensure that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area. Local Plan Policy D8 requires landscaping to form an integral part of the overall design. In addition to the above, the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

- 10.8 The Council's adopted SDG states that existing layouts of buildings, streets and spaces should be taken into account to ensure that buildings relate to one another and spaces complement each other. Furthermore, this guidance states that developments should respond to building forms and patterns of existing building in the detailed layout and design to reinforce a sense of place.
- 10.9 Little Mead is an established residential location; the surrounding housing types are mixed and heights vary from 1 to 3 storeys. However, the predominant vernacular is short terraces of two storey houses or flats with pitched roofs and soft landscaping in front and around buildings either following the road line or set at 90 degrees to it. The application site is at the end of what can be described as a cul-de-sac containing 16 garages, 2 flats and communal parking and vehicle turning area and in the main, hard surfaced.
- 10.10 This application seeks full planning permission for the demolition of the existing residential flats and 16 lock-up garages and erection of two new residential terrace blocks comprising (a) 4 x 3 bedroom and (b) 3 x 2 bedroom dwelling houses. The two- storey terrace of 4 no. 3 bedroom houses fronts onto Cornerfield. A second terrace of 3 no. 4 bedroom houses adjoins 47-49 Little Mead. The positioning of the houses maximises the usable space for private garden areas to the rear of the new terraces. The layout has been designed to respect existing neighbouring dwellings by careful positioning in relation to boundaries to avoid overshadowing and consideration of orientation to ensure overlooking issues are avoided.
- 10.11 The proposed houses would have entrances in the frontage. A new path to the north from Cornerfield leads to the parking area for residents located in the centre of the site providing easy access. The dwellings and their internal layout oriented to ensure optimal light reach the living spaces.
- 10.12 Although the proposed dwellings fronting Cornerfield will have a different front appearance to the properties on the opposite side of the street, the design including that of Terrace B, would reflect the features found on its side of the road and the streetscene of Little Mead. The buildings would generally maintain the established building line at both Cornerfield and Little Mead. The buildings are of similar proportion to existing two-storeys in the vicinity maintaining the suburban grain of this suburb of Hatfield.
- 10.13 Positioning of window and door openings create a symmetry to the elevations while the perceived bulk and massing is tempered by design devices such as the duo-pitch roof form and simple projecting canopies above the entrance doors. There is a clear attempt at reflecting the exterior materials present in the area; the main roof is pitched to reflect the adjacent houses with an artificial grey slate covering contained in a gable with parapet wall. Windows are dark brown aluminium and all metal – aluminium rainwater goods and eaves fascias and soffits to be polyester powder coated dark grey. The proposed exterior materials of Red multi stock brickwork finish is in keeping with the local area enabling the development to sit well within its surroundings. Timber effect vertical board cladding spandrel provide interest and texture to front elevations. These features are reflective of the area in regards to the above, resulting in the proposed buildings not representing an incongruous addition within the

streetscene in terms of design. The proposed development is considered to be satisfactory in terms of its architectural design being of a high quality and complimentary to the differing styles of dwelling houses within the immediate area. They would represent an improvement over the current appearance of the garage court and would enhance the character of the site itself and the wider locality.

- 10.14 In regards to the scale of the two residential blocks, 6 of the existing garages, are single-storey flat-roofed structures while the two flats, also with flat roof, are located above 5 garages each. The buildings in the immediate surroundings of the development site are of two and three storeys. Neighbouring buildings in and around Little Mead are generally straight terraces of houses and flats. The ridge and eaves height of the roof at approximately 8m would be similar to the existing dwellings. The introduction of a parapet gable to contain the roof, whilst alien to the area, is not considered to be incongruous enough to detract from the character of the area.
- 10.15 In terms of spacing, relatively modest front gardens with hard and soft landscaping and hedges area characteristic of the Cornerfield streetscene. This has the effect of softening the dense appearance of dwellings in close proximity to each other. The application dwellings fronting Cornerfield (Terrace A) are set back approximately 8m from the edge of the highway and the proposal would maintain the existing building line. Whereas the existing garage is set along the footpath south of the site, the proposed building would be set approximately 3m from the edge of the footpath, which is similar to the spaces between buildings and footpath as existing. Whilst the Terrace B would adjoin a residential block inside Little Mead, a new footpath of approximately 1.8m linking with the existing footpath separates the block from the proposed car park. The concept of a central parking area leading from Little Mead, in essence, creates an open vista which further helps to soften the appearance of the built form. This level of built form is comparable to that obtained in Little Mead. It is considered that the proposal would not represent over-development of the site or a cramped form of development and is in accordance with the SDG.
- 10.16 The proposed accommodation would be designed to Lifetime Standards (Part M of the Building Regulations) thus providing flexibility and space for households with a wide range of needs including wheelchair access around the ground floor. The proposed amenity space provisions are ample and have good levels of privacy and access to the gardens from the front of the houses is via side passages. Parking would be provided to an adequate standard in spaces adjacent to and overlooked by the respective houses. The parking and access forecourt would be landscaped. Overall, the site layout and units would provide good quality accommodation to meet the needs of family-sized households.
- 10.17 Local Plan Policy D8 which requires landscaping to form an integral part of the overall design, and in this respect the high quality design required by Policy D1 and D2 would again be relevant. As mentioned previously, the character of the area is heavily influenced by soft landscaping, with the buildings set within a landscape context. Landscaping is important in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development.

- 10.18 Excessive removal of soft landscaping to accommodate off street parking can erode the character and visual amenity of the street scene. In this case, the application site already benefits from a carriage driveway and a large concrete hard surface. It should be pointed out that the 14 parking spaces proposed would be contained within existing hard surface, and as such not increasing the hard surface. Whilst the proposal would result in loss of soft landscaping on Conerfield due to the design of the front gardens of the houses in Terrace A thereby increasing the hard surface in this section of the street, this is comparable to the frontages of houses opposite and therefore not considered to warrant a refusal of the application. Whilst each dwelling would have private garden, the landscaping information provided is limited as it only shows an area of soft landscaping maintained either side of the site. It would therefore be reasonable to attach a planning condition requiring a full and detailed landscaping scheme to be submitted and approved by the Local Planning Authority in order to reduce the visual and environmental impacts of the development.
- 10.19 In terms of quality of design and visual amenity, it considered that the scheme would be adequately compatible with the maintenance of the character and context of the area. In this respect, subject to conditions regarding materials and landscaping, no objections are raised with regard to the NPPF and Local Plan Policies D1, D2 and D8 and the SDG.
- 10.20 Notwithstanding the above, the impact on character of the area resulting from the intensification of the use of the site is also a material consideration. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF outlines, in its introduction, three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. Of particular relevance to this application is an economic role, among others, to ensure land is available in the right places to support growth; a social role to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment; as well as a an environmental role which includes the protecting and enhancing the built environment.
- 10.21 The proposal would have an economic benefit during the construction phase and a limited social benefit through the provision of 5 windfall residential units. In this case, 5 additional social rented houses, making small but valuable contribution to local housing supply and affordable housing homes in the borough; this is a clear benefit as it reduces pressure on housing land take elsewhere, albeit to a very limited degree. Consequently, it is considered that the proposal affords benefits in all areas of sustainability as defined by the Framework and affords environmental benefits in terms of improvement to the appearance of the local environment, which would significantly outweigh the concern regarding future cumulative effect if the development were to be repeated. The proposal therefore accords with Policy SD1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

### **3. The impact of the proposal on residential amenity of future occupiers and adjoining properties**



- 10.22 Saved Policy D1 and the Council's Supplementary Design Guidance (SDG) provide the local policy framework when assessing the impact of development on the residential amenity of neighbouring properties, as well as providing sufficient amenity for potential future occupiers of the proposed development. All new development should not cause loss of light or be unduly dominant from adjoining properties. In addition, development should be designed, orientated and positioned in such a way to minimise overlooking between dwellings.
- 10.23 In considering privacy and sunlight/ daylight, each property would not be unduly overlooked and would benefit from sufficient access to sunlight and natural daylight. There is no objection to the proposal in terms of the potential for overlooking from the internal living spaces into each property.
- 10.24 Neighbour representations have been received having regard to the impact of the proposed development on the living conditions of the occupiers of adjoining premises in terms of loss of privacy and being unduly dominant. The following discussion takes place in this context.
- 10.25 In terms of visual impact, given that the new buildings would feature a pitched roof with an eaves height of just 5m; would be set back from the site boundary; would (Terrace A) be set approximately 11m from rear wall of the closest property to the south (14 St Michael's View) which is a bungalow with a 3m high hedge along its rear boundary; and set at least 17m from rear wall properties to the northeast and south southeast and in the context of surroundings, it is considered that the resulting development would not appear unduly dominant or overbearing when viewed from adjoining dwellings and their gardens. In the case of Terrace B, the block would be set along the flank of 47/49 Little Mead (maisonette flats) with matching building line but extending approximately 2.5m beyond the rear wall of the building. Whilst the extent of the projection would be readily visible from the rear habitable room windows of the flats and from the common garden area serving Nos. 35 to 49 (odd), this would not be significantly different to what current exist as the existing two-storey structure containing one the two flats to be demolished, extends some 13.5m beyond the rear wall the flats in question. It is therefore considered that the proposed block would appear less dominant and less obtrusive to the living accommodation of Nos. 47 and 49, and as such would enhance the living condition currently enjoyed by their occupants.
- 10.26 The impact of the proposals on sunlight and daylight would be limited given that the proposed buildings would have a similar footprint and building line as the existing structures. Whilst there would be an increase in bulk above ground floor level than existing, the orientation of the two terrace blocks to the adjoining properties is such that the level of sun/day light currently reaching those properties will be reasonably maintained as any overshadowing will be limited and would not be significantly harmful to the amenity of neighbouring occupiers.
- 10.27 The rear elevations of the dwellings in Terrace A face broadly east, therefore a limited degree of overshadowing would affect part of their garden from mid-afternoon only while the garden area of dwellings in Terrace B will get sufficient daylight being south facing. Given the height and distance of the two blocks as illustrated in paragraph 10.25 above, it is considered that the proposal would

not have adverse impact on the residential amenity of the adjoining properties and the future occupants.

- 10.28 Giving consideration to the scale of the proposal, the siting of windows in the adjoining properties, the orientation of the building, the size of neighbouring plots, separation distance and boundary screening and taking into account the scale, bulk and orientation of the existing structures, it is considered that the proposal would not have an unreasonable impact on light amenity or the level of privacy afforded to the neighbouring residencies and would not appear visually overbearing nor unduly dominant in relation to adjoining properties. Overall, subject to a planning condition regarding fixed and obscure glazing, it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level. In this respect, no objections are raised with regard to Local Plan Policy D1 and the SDG.
- 10.29 Turning to the amenity space, the proposed dwellings would host private rear gardens; giving sufficient private amenity space for the proposed building size and its residential use. Whilst adequate amenity space is proposed in this development, considering those prevailing in the locality, it is considered reasonable to remove permitted development rights, to prevent extensions and outbuildings being erected without further consideration by the Local Planning Authority.
- 10.30 The internal floor space for the proposed accommodation is 94m<sup>2</sup> for the 3 bedroom houses and 83m<sup>2</sup> for the 2 bedroom houses. The proposal would have a total gross floor area of approximately 222sq.m for Terrace A and 148sq.m for Terrace B compared to the 133sq.m and 125sq.m respectively to be demolished. The proposal has a generous habitable space and would provide a high quality accommodation for future occupiers and as such accords with the principles contained in the National Space Standard, Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.
- 10.31 Amenity space is generally green space and planting which softens the urban fabric, allows for informal leisure, and provides a setting for buildings. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) makes it clear that all new residential developments should provide adequate private gardens. Paragraph 5.6 of the SDG states that communal amenity space for flats must be available both for the use of and large enough to accommodate the needs of all residents. Whilst no specific dimensions are stipulated, amenity space should nonetheless be functional and useable in terms of width, depth, shape and orientation. The proposed 7 dwellings would each have approximately 52sq.m of private garden space with appropriate screening from public vantage point by way of 2m high closed boarded. These gardens would be functional and usable in their shape, orientations and relationships to the dwellings. This level of screening is considered appropriate and a planning condition for its retention as part of an overall landscaping scheme to be submitted and approved by the Local Planning Authority is recommended. Whilst adequate amenity space is proposed for this development, considering those prevailing in the locality, it is considered reasonable to remove permitted

development rights, to prevent extensions and outbuildings being erected without further consideration by the Local Planning Authority.

#### **4. Access, Impact on the Highway and Parking (M14 and SPG)**

- 10.32 In terms of access and parking, the adopted parking standards (supplementary planning guidance) specify that the maximum parking requirement for dwellings in this location (Zone 4) is 2.25 spaces for a 3 bedroom property and 1.5 spaces for a 2 bedroom property. As such, in accordance with the interim Policy for Car Parking Standards the total maximum parking requirement for the proposal is 13.5 spaces. The proposal provides 14 communal parking spaces; 2 parking spaces each per dwelling. This level of parking provision is sufficient for the size and use of the proposed buildings using the Supplementary Parking Standards as guidance. The proposal therefore complies with Policy M14.
- 10.33 Policy D5 of the Welwyn Hatfield Plan requires that new development take into account its impact on existing and proposed movement patterns. Hertfordshire County Council has raised no principle objection to the application based on the impact of the development on Little Mead and Cornerfield.
- 10.34 The proposed driveway and communal parking area is shown as being laid to permeable block paving whereas at present it is concrete. The provision of a permeable surface will reduce surface water run-off and would afford easy accessibility and public safety.
- 10.35 In terms of cycle storage, the Parking Standards SPG identifies a requirement for one long term secure cycle storage space per residential unit. Storage space is shown in the submitted block plan and as the proposal is for houses with their own private garden, it is considered that the proposed scheme complies with relevant Council policy.

#### **5. Other Considerations**

- 10.36 Landscaping – Policy R17 of the District Plan states that ‘The Council will seek the protection and retention of existing trees, hedgerows and woodland by use of planning conditions... and tree preservation orders where applicable’. Policy D8 requires that ‘all development should include landscaping as an integral part of the overall design...to reflect the strong tradition of urban landscape design in the district’
- 10.37 It is noted that at present the application site do not benefit from established vegetation, and as such little will be lost should dwellings be constructed. It is therefore considered that landscaping would be important to the success of any development. Whilst some degree of landscaping has been proposed, the Council’s Landscaping and Ecology Officer has raised concern about the level of landscaping being proposed. However, this is not considered enough to warrant refusal of the application. As such, landscaping conditions have been recommended in order to ensure a satisfactory landscaping and maintenance scheme.
- 10.38 Refuse and Recycling Storage – The submitted Site Plan shows a bin store proposed in the front of each unit. The Council’s Waste Collection Services

were consulted and have not objected to the proposal nor the Highways Authority with regards to the manoeuvrability of the refuse collection vehicle.

- 10.39 Secure by Design – Policies D4 and D7 encourage new developments to be designed to ensure natural surveillance and to minimise the opportunities for crime/antisocial behaviour. Terrace A has windows at first floor in the north side elevation which would overlook the footpath to the side of the site. Likewise, stair windows and bedroom windows are proposed in the west elevation of Terrace B to allow natural surveillance of the parking area and public footpath to the side.
- 10.40 Flood Risk / Surface Water Drainage – The application site is not located within flood zone 2 or 3 and the area is not known to have critical drainage problems. The Lead Local Flood Authority were consulted on this proposal and removed their initial objection following the review of the Drawing No. 3500/300, revision P2, which shows the existing water drainage scheme, submitted with the additional information. The applicant has provided sufficient detail to demonstrate that the proposed development will not increase flood risk on site or elsewhere and that the capacity of the current drainage scheme will not be detrimentally affected. The site currently drains to three linked soakaways located within the car park. The proposed development will not modify the working of the existing system, there will be no increase in impermeable surfaces and the existing drainage will remain unchanged. The applicant's drainage consultant has confirmed that the current drainage system drainage is operating satisfactorily and that drainage covers and yard gullies can be lifted for inspection and removal of any silt build up.
- 10.41 Contaminated Land – It is expected that remediation would have taken place prior to the development of the existing building. On this basis it is unlikely that any contamination will be found, however, due to the previous use of the surrounding land there may still be some potential for contamination. For this reason it is recommended that an unexpected finds condition be placed on the application in accordance with Local Plan Policy R2 and the NPPF.
- 10.42 Houses in Multiple Occupation – Since 12th January 2012, there has been an Article 4 Direction covering the whole of Hatfield removing permitted development rights for change of use from C3 (Dwellinghouse) to C4 (Houses in Multiple Occupation). The rationale for the Direction is detailed within the Houses in Multiple Occupation, Supplementary Planning Document, February 2012.
- 10.43 As a result of the Direction, it is considered appropriate and reasonable to a condition to ensure that the development, which has been assessed and determined on the basis of being in C3 use, is not first occupied within C4 use, over which the Council would have no control. It is also reasonable to remove permitted development rights for a change of use from a C3 dwellinghouse to a C4 HMO. It is therefore recommended that conditions are attached.
- 10.44 Some local residents have raised concern regarding loss of parking space (garages) and likely impact of the proposal on the parking conditions in the area, which according to them, is very difficult. In the supporting Transport Statement, the applicants state "the existing garages are approximately 5.4m

long x 2.6m wide and are substandard when compared to current guidance. According to the submitted Transport Assessment statement, the existing site generates vehicle traffic associated with the use of the garages. The proposed development consists of seven houses, 4 x 3bed and 3 x 2bed. 14 parking spaces will be provided on site with three additional parking spaces provided on-street.

- 10.45 The statement further states that based on an occupancy of eight garages and the loss of two flats the traffic movements generated by the development will be broadly similar to that generated by the existing site. And that any additional trips generated by the new development are considered to be well within the daily fluctuations of traffic using Little Mead and the surrounding roads. The conclusion of the statement is that although the development would lead to a slight increase in parking stress in the local area, there is sufficient space to accommodate anticipated parking demand following the development within the local area.
- 10.46 A stakeholder engagement feedback has been submitted as part of the supporting documents for the application. The applicants state that all the garage occupiers have been offered an alternative council owned garage to rent in a nearby location while the proposed parking on the development will be for the use of the occupants of the new dwellings; that the Council has undertaken a Transport Survey which concluded that the new development would lead to a slight increase in parking stress in the local area but there is sufficient space to accommodate anticipated parking demand following the redevelopment. The Council has identified 3 additional on-street parking bays in response to concerns raised by local residents.
- 10.47 The Highways Authority have not raised any fundamental concern about proposal and advised that the proposal is acceptable on highways ground.

### **Conditions**

- 10.48 The National Planning Policy Guidance governs the use of conditions in planning and the power to impose conditions when granting planning permission is very wide. If used properly, conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. The objectives of planning, however, are best served when that power is exercised in such a way that conditions are clearly seen to be fair, reasonable and practicable. Conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. In considering whether a particular condition is necessary, both officers and members should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. If it would not, then the condition needs special and precise justification.

## **11 Conclusion**

- 11.1 The general design and detailing of the proposal is considered acceptable. The terrace houses have been designed to be more in keeping with the

predominant style of properties along Little Mead and the proposed materials and fenestration help to ensure that the visual dominance of the proposal within the site and the street scene is limited.

- 11.2 The development is considered to represent appropriate windfall development which would maintain the character and context of the area and be of reflective and respectful design which would relate well to the surrounding dwellings. The amenity of the occupiers of adjoining premises has been considered and the resultant impact from the development is considered to be acceptable when weighed against the benefits of the proposal. The Highways Authority have considered the impacts of the development upon the safe use of the highway, and have accepted the scheme as it is presented as having a neutral impact on highway safety, and sufficient parking relative to the size and use of the building would be accommodated on site. Accordingly, the proposed development complies with policies D1, D2, D4, D7, D8, H1, H2, R1, R2, R9, R17, GBSP2, M14 and SD1 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance Statement of Council Policy 2005, the Supplementary Planning Guidance on Parking Standards 2004 taken in conjunction with the Interim Garage Size and Car Parking Policy 2014 as well as relevant parts of the National Planning Policy Framework 2012.

## 12 Recommendation

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

1. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings 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 the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. A scheme of landscaping is to be submitted and agreed, which shall include details of the following:
  - (a) original levels and proposed finished levels
  - (b) means of enclosure and boundary treatments
  - (c) hard surfacing, other hard landscape features and materials
  - (e) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing
  - (f) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife.

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.

3. Prior to commencement of development a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved management plan.

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area. To comply Policies D1, D8 and R17 of the Welwyn Hatfield District Plan 2005

4. No works or development shall take place before a scheme for the protection of the existing trees (other than those the removal of which has been granted express permission in writing by the Local Planning Authority) has been submitted to and approved in writing by the Local Planning Authority. Such a scheme will comply with the provisions of BS5837 ("Trees in relation to construction – 2012") and BS 3998 ("Recommendations for tree works – 2010"). The approved scheme for the protection of the existing trees shall be implemented before development commences and be maintained in full until the development has been completed.

REASON: To ensure protection during construction works of trees, hedges and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area are not impaired. To comply Policies D1, D8 and R17 of the Welwyn Hatfield District Plan 2005

5. 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.

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - (a) the parking of vehicles of site operatives and visitors
  - (b) loading and unloading of plant and materials

- (c) storage of plant and materials used in constructing the development
- (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (e) wheel washing facilities
- (f) measures to control the emission of dust and dirt during construction
- (g) a scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking and re-enacting that Order with or without modification), there shall be no enlargement or extension of the dwelling(s) hereby permitted, including any additions or alterations to the roof and no new building or enclosure shall be constructed within the application site (no development within Classes A, B, D and E), without the prior written approval of the Local Planning Authority.

REASON: To satisfactorily protect the character and appearance of the area and the residential amenities of nearby occupiers. To comply with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

8. No development shall take place before a Drainage Impact Study, a surface water drainage scheme for the site (based on sustainable drainage principles SuDS) including infiltration test has been submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented before the first occupation and/or use of the development and be constructed in accordance with the approved details.

REASON: To ensure the proposed development does not overload the existing drainage system resulting in flooding and/or surcharging. To comply with Policy R9 of the Welwyn Hatfield District Plan 2005.

9. The area set aside for car parking shall be laid out surfaced and marked out, in accordance with a scheme which has been submitted to and agreed in writing by the Local Planning Authority before the buildings hereby permitted are first occupied and shall be retained permanently thereafter for the free parking of vehicles for residents/occupiers of the development permitted and shall not be used for any other purpose.

REASON: To ensure that the spaces are provided prior to the occupation of the units in the interests of highway safety in accordance with the National Planning Policy Framework.



10. The development hereby permitted shall be used for Class C3 dwellinghouse[s] only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

REASON: The Article 4 Direction covering Hatfield removes the Class I permitted development rights to move from a use falling within Class C3 (dwellinghouses) to a use falling within Class C4 (Houses in Multiple Occupation) and to enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity in accordance with the Houses in Multiple Occupation Supplementary Planning Document 2012 and Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework

#### DRAWING NUMBERS

11. 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>
773 002 P-02	B	Existing Site Plan	22 March 2017
773 002 P-05	B	Proposed Floor Plans Terrace A	13 July 2017
773 002 P-06	B	Proposed Floor Plans Terrace B	13 July 2017
773 002 P-07	A	Proposed Elevations Terrace A	22 March 2017
773 002 P-08	A	Proposed Elevations Terrace A	22 March 2017
773 002 P-09	A	Proposed Elevations Terrace B	22 March 2017
773 002 P-10	A	Proposed Elevations Terrace B	22 March 2017
773 002 P-11	B	Proposed Aerial Views	22 March 2017
773 002 P-12	A	Proposed Street View	22 March 2017
773 002 P-13	A	Proposed Street View	22 March 2017
3500/300	P2	Proposed Drainage Strategy	22 March 2017
773 002 P-03	D	Proposed Block Plan	19 June 2017
773 002 P-04	D	Proposed Site Plan	19 June 2017
773 002 P-01	A	Site Location Plan	22 March 2017

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

## 1. POSITIVE AND PROACTIVE STATEMENT

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 viewed on the Council's website or inspected at these offices).

### **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 which may affect the land.
2. The development will involve the numbering of properties and naming new streets. The applicant MUST contact Welwyn Hatfield Borough Council, Transportation (Lorraine Davis 01707 357546 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.
3. The decision notice contains conditions which require you to submit information to the Local Planning Authority and have it approved in writing before any development relating to the approval takes place. There is a formal procedure for applying to discharge conditions and further information can be found at <http://www.welhat.gov.uk/index.aspx?articleid=834> . Failure to comply with this type of condition may result in the development being considered unlawful and enforcement action could be taken. If you require any clarification or information please contact the section on 01707 357000.
4. Noise control
  1. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:  
  
8.00am and 6.00pm on Mondays to Fridays  
8.00am and 1.00pm Saturdays and at no time on Sundays and Bank Holidays
  2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
  3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions
  4. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in

use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.

5. All machines in intermittent use shall be shut down during intervening periods between works, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.

6. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.

7. All pile driving shall be carried out by a recognised noise reducing system.

8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material

9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.

10. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub-contractors.

11. Any emergency deviation from these conditions shall be notified to the Council without delay

12. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.

13. Permissible noise levels are not specified at this stage.

#### Dust control

1. All efforts shall be made to reduce dust generation to a minimum

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2. Stock piles of materials for use on the site or disposal that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.

5. AN1) Construction standards: Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047. Storage of materials.

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website

<http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047. Obstruction of the highway.

AN3) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

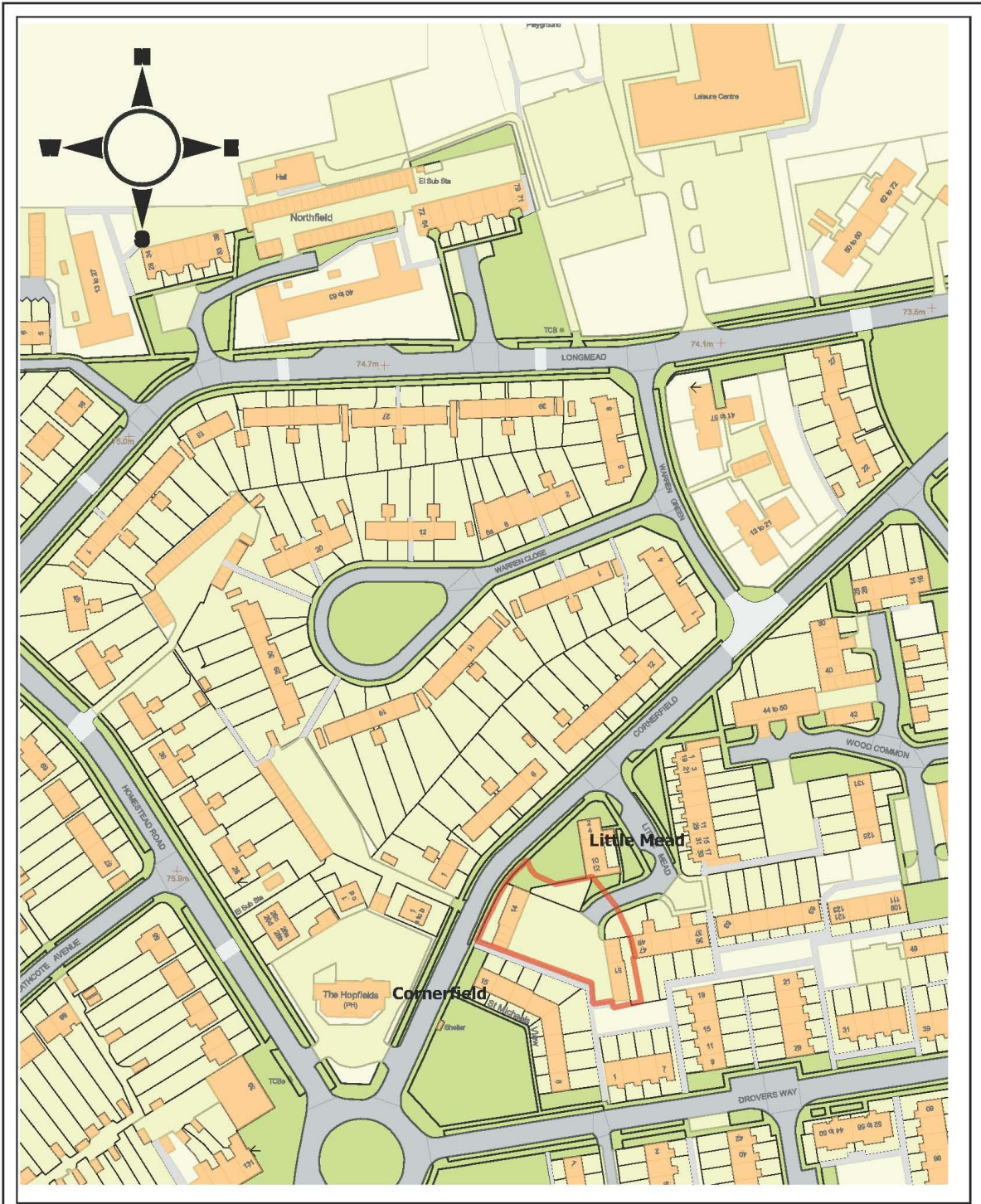
AN4) Roads to remain private: The applicant is advised that all new roads / the routes marked on the plan associated with this development will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

6. Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

*Raphael Adenegan* (Public Protection, Planning and Governance)

Date 1<sup>st</sup> August 2017

Expiry date 30<sup>th</sup> April 2017



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

Title: Little Mead Hatfield		Scale: DNS
		Date: 2017
Project: DMC Meeting	Drawing Number: 6/2017/0546/FULL	Drawn: Baras Mast-Ingle

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