

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 4 JANUARY 2018
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND
GOVERNANCE

6/2017/2162/HOUSE

54 MYMMS DRIVE, BROOKMANS PARK, HATFIELD, AL9 7AF

ERECTION OF FRONT BOUNDARY WALL WITH RAILINGS, PIERS AND GATES

APPLICANT: Mr A Hamalis

(Brookmans Park)

1 Site Description

- 1.1 The application site comprises a large and recently extended two storey detached dwelling located on the south-side of Mymms Drive, Brookmans Park. The house is set back from the highway by approximately 19 metres and has a carriage driveway. A 4 metre deep grass verge and connected driveway separates the front boundary of the site from the highway. The front of the site is void of any hard boundary treatment.
- 1.2 Mymms Drive is characterised by detached dwellings on spacious plots set well back from the grass verges. There is a fairly open aspect to the street, although certain hard front boundary treatments do exist amongst soft landscaping.

2 The Proposal

- 2.1 Planning permission is sought for the erection of a front boundary wall with railings, piers and gates.
- 2.2 This application is a re-submission following a recent refusal at the site for development of the same description (Planning reference: 6/2017/0977/HOUSE. The reason for refusal is stated below:

'The proposed gates and supporting pillars, by virtue of their height and siting, would be overly dominant and visually intrusive within the street scene. The proposal therefore fails to respect and relate to the existing character and appearance of Mymms Drive where other front facing hard boundary treatments are significantly less prominent and of a lower height in these respects. The resultant harm to the character and visually amenity of Mymms Drive from the proposed development would be contrary to Policies D2 and GBSP2 of the Welwyn Hatfield District Plan 2005 and National Planning Policy Framework 2012.'

3 Reason for Committee Consideration

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

4 Relevant Planning History

- 4.1 6/2017/0977/HOUSE – Erection of wall, railings, piers and gates facing road. Decision: Refused. Decision date: 05 July 2017.
- 4.2 6/2017/0369/HOUSE – Erection of wall with railings and gates facing road. Decision: Refused. Decision date: 24 April 2017.

5 Relevant Planning Policy

- 5.1 National Planning Policy Framework 2012 (NPPF)
- 5.2 Welwyn Hatfield District Plan 2005 (Local Plan)
- 5.3 Draft Local Plan Proposed Submission 2016
- 5.4 Supplementary Design Guidance 2005 (Statement of Council Policy) (SDG)

6 Site Designation

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

7 Representations Received

- 7.1 The application was advertised by means of neighbour notification letters. No responses were received.

8 Consultations Received

Hertfordshire County Council (Transport, Programmes and Strategy) – No objection.

9 Town / Parish Council Representations

- 9.1 North Mymms Parish Council objected on the following ground:

“...Previous comments in respect of Ref: 6/2017/0369 and Ref: 6/2017/0977/HOUSE that the proposal was inappropriate and out of keeping as it would result in it breaking up the openness of the road where there are currently no gates and walls close by and would also be over dominant in the street scene remains the same with this revised application. This continues to be inappropriate development. North Mymms Parish Council request that our current comments are noted as an "Objection with Comments" but if this application is likely to be recommended for approval then we would request that it is registered as a Major Objection.”

10 Analysis

10.1 The main planning issues to be considered are:

- 1. Quality of design and impact on character and context of the area (D1, D2, SDG 2005 and NPPF)**
- 2. Impact on living conditions of neighbouring occupiers (D1, SDG 2005 and NPPF)**
- 3. Other considerations**
 - i) *Highways***

1. Quality of design and impact on character and context of the area

- 10.2 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 2005 (SDG) which requires the impact of a development to be assessed having 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, 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.
- 10.3 The wall would measure 0.6 metres high with railings above. The total height of the wall and railings would be 1.5 metres. Four pillars would be positioned between the two gates and one either side measuring 1.6 metres in height (including coping stone). The metal gates with brick pillars would be sited on the existing carriage driveway either side of the frontage. The proposed gates would measure a maximum height of 1.7 metres and their supporting pillars would measure 1.6 metres (including coping stone).
- 10.4 North Mymms Parish Council have objected on the grounds that the proposed development would not be in keeping with the street scene in terms of its dominance and that it would break-up the openness of the road where no gates and walls are close-by.
- 10.5 Mymms Drive is characterised by detached dwellings on spacious plots which are set well back from the highway and grass verges. Frontages are predominantly open and afford views into the generally well landscaped front gardens which impart a pleasant verdant aspect to the street.
- 10.6 Similarly designed front boundary treatments to that proposed under this application are witnessed along Mymms Drive. In such cases the height of the brick piers and gates have been predominately restricted to a maximum of 1.7 metres with a wall limited to a maximum of 0.6 metres below railings. Additionally, a grant of planning permission has consistently been subject to a condition requiring additional planting adjacent to the hard boundary treatment in order to effectively soften the impact of the built development and to maintain the visual amenity of the area. Notable examples which draw very similar comparisons to that proposed include: No. 47 Mymms Drive (Planning ref:

6/2016/0262/HOUSE – opposite the application site) and No. 40 Mymms Drive (6/2016/2288/HOUSE).

- 10.7 As mentioned in section 2.2 of this report, this application is a re-submission following a recent refusal of planning permission at this site for a scheme of the same description. Whilst the height of the gates and supporting piers at 2.2 metres and 1.9 metres respectively, did form a reason for refusal, the 0.6m brick wall below railings were deemed acceptable.
- 10.8 In an attempt to overcome this reason for refusal, all pillars have been reduced to 1.6 metres (including coping stone) and the gates reduced to a maximum of 1.7 metres. This reduction in height would be consistent with other similarly designed examples in the immediate street-scene which benefit from planning permission.
- 10.9 Whilst no additional front garden and front boundary planting has been proposed under this application, such a requirement can be secured through planning condition.
- 10.10 In terms of appearance, the wall would be rendered and painted to match the existing dwelling. Whilst no details have been provided of the railings, a planning condition can specify an appropriate material and colour. Metal railings painted black would be consistent with other similar railings within the surrounding for the area. All external materials would be secured through planning condition.
- 10.11 Taking account of the above, and subject to the suggested conditions regarding planting and materials, it is considered that the proposed development would represent an acceptable standard of design which is in keeping with the character and appearance of the site and the surrounding area. As such, the proposal would accord with the aims of the above mentioned planning policies.

2. Impact on Neighbours

- 10.12 Policy D1 and the SDG 2005 requires developments to maintain the residential amenity of neighbouring occupiers. These are assessed in terms of overbearing impact, loss of day or sunlight and overlooking /loss of privacy.
- 10.13 This development would not be unduly dominant or result in any adverse loss of light from any neighbouring properties, having regard to both its scale and location. As such, it is considered that the living conditions of neighbouring occupiers would be maintained.

4. Other considerations

Highways impact

- 10.14 Hertfordshire County Council's Highways Department have been consulted for this application and present no objections.

Conditions

- 10.15 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.

- 10.16 In this case it is considered necessary and reasonable to impose conditions requiring the proposed development to be implemented in accordance with the submitted plans and details, ensuring appropriate materials are used and that a planting scheme is submitted and agreed.

11 Conclusion

- 11.1 The proposal has been considered in terms of the impact on the visual amenity of the site and surrounding area, the amenity of neighbouring dwellings and highways matters. It has been concluded that the proposal would respect and relate to the character, design and appearance of the site and the existing area, the living conditions of all neighbouring properties would not be harmed and it is unlikely that the development would have a material impact on highway capacity or safety.

12 Recommendation

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

1. The external materials of the walls and piers must match the existing dwelling in terms of colour and texture, and; the railing and gates must be black painted metal.

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. No development shall take place until full details on a suitably scaled plan of soft landscape works have been submitted to and approved in writing by the Local Planning Authority. Details shall include: planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing. The development shall not be carried out other than in accordance with the approved details.

Any plants which within a period of five years from the date of this decision die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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 Policy D1, D2 and D8 of the Welwyn Hatfield District Plan 2005.

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

Plan Number	Revision Number	Details	Received Date
PL-G1	C	Proposed Plans & Elevations	28/09/2017

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. 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.

David Elmore (Development Management)

Date of Expiry: 23/11/2017

Time Extension: 05/01/2017



Council Offices, The Campus
Welwyn Garden City, Herts, AL9 6AE

Title: 54 Myrms Drive Brookmans Park Hatfield

Scale: DNS

Date: 2018

Project: DMC Committee

Drawing Number:
6/2017/2162/HOUSE

Drawn: Ida Moesner

© Crown Copyright. All rights reserved Welwyn Hatfield Borough Council LA100019547 2017