

Part I

Executive Member: Councillor S. Boulton

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 16 AUGUST 2018
REPORT OF THE COPERATE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE

6/2018/1117/FULL

13A STATION ROAD WELHAM GREEN HATFIELD AL9 7PN

ERECTION OF A 3-BED CHALET STYLE BUNGALOW

APPLICANT: Mr Makowski

(Welham Green & South Hatfield)

1 **Site Description**

- 1.1 The application site is located at the junction of Station Road and Dellsome Lane, towards the southern end of the village of Welham Green, south of Hatfield. The immediate locality features a mix of detached, semi-detached and terrace properties in various sizes, designs and appearance.
- 1.2 The application site comprises a parcel of land measuring approximately 236sqm situated between 13A Station Road and 10 Twyndens Terrace. Whilst the land was formally part of the rear garden of 13A Station Road, it is now a separate area which is enclosed by fencing with some dense vegetation and gates along the frontage with Dellsome Lane. The site measures approximately 15m in width and 13.6m in depth along the south eastern flank boundary widening to 18.8m along the north western flank boundary.
- 1.3 Situated towards the north west corner of the site, on the rear boundary with 13 Station Road, is a small derelict outbuilding which is to be demolished.

2 **The Proposal**

- 2.1 The application seeks planning permission for the erection of a three bedroom detached chalet style bungalow with dormer windows following the demolition of the existing detached outbuilding.
- 2.2 The accommodation would comprise of a living room, an open plan kitchen/dining/sitting area, bedroom and bathroom at ground floor, with two further bedrooms and a shower room at first floor. The proposed development also includes front and rear gardens, together with a total of four parking spaces. Two spaces would be for the benefit of future occupiers of the new dwelling and would be accessed via the existing crossover, whilst two additional spaces would be provided for the occupiers of 13A Station Road with access via a new crossover and dropped kerb.

3 **Reason for Committee Consideration**

- 3.1 This application is presented to the Development Management Committee because Councillor Zukowskyj has called-in the application:

'I would like to call in this application as the location is really prominent in the village so raises sensitive planning issues as it would visually impact the central village green. There is also the issue around the scale of development where the internal footprint of the dwelling is more than 50% of the curtilage area, which is atypical of the area.'

4 **Relevant Planning History**

- 4.1 None

5 **Relevant Planning Policy**

- 5.1 National Planning Policy Framework 2018 (NPPF)
- 5.2 Welwyn Hatfield District Plan 2005 (Local Plan)
- 5.3 Draft Local Plan Proposed Submission 2016 (Emerging Local Plan 2016)
- 5.4 Supplementary Design Guidance, February 2005 (SDG)
- 5.5 Supplementary Planning Guidance, Parking Standards, January 2004 (SPG)
- 5.6 Interim Policy for Car Parking Standards and Garage Sizes, August 2014 (Interim Car Parking Policy)

6 **Site Designation**

- 6.1 The site lies within Welham Green as designated in the Welwyn Hatfield District Plan 2005.

7 **Representations received**

- 7.1 The application has been advertised by neighbour notification letters and a site notice. There have been two objections received from 46-48 Station Road and 10 Twyndens Terrace. Their objections are summarised below:

- The size of the new dwelling and lack of garden
- Negative impact on character and appearance of surrounding area
- Overlooking and loss of light concerns
- Parking provision
- Proximity to the border
- Loss of trees and green space
- Demolition of an original feature of the house
- Concern regarding the history of the area
- Infringe on fire safety regulations
- Concern regarding wells in the area

7.2 A comment has been received from 2 Somers Road expressing concern regarding ongoing parking issues on this part of Dellsome Lane.

8 **Consultations Received**

8.1 The statutory consultation responses received are summarised below, and where appropriate expanded upon in later sections of this report.

8.2 **Welwyn Hatfield Borough Council (Public Health and Protection)** – No objection

8.3 **Welwyn Hatfield Borough Council (Client Services)** – No objection

8.4 **Welwyn Hatfield Borough Council (Landscaping)** – No objection

8.5 **Hertfordshire County Council (Ecology)** – No objection

8.6 **Hertfordshire County Council (Transport Programmes and Strategy)** – No objection subject to conditions

9 **Parish Council**

9.1 **North Mymms Parish Council** – Comments stated as follows:

“North Mymms Parish Council have concerns about the footprint of the proposed building in relation to the overall size of the plot.”

10 **Analysis**

10.1 The main planning issues to be considered are:

1. **Principle of development** (NPPF; Policies SD1, GBSP2, R1 and H2 of the Local Plan; Policies SP1, SP3 and SADM1 of the Emerging Local Plan)
2. **Quality of design and impact on the character and appearance of the area** (NPPF; Policies D1, D2, D8, GBSP2 and SDG of the Local Plan; Policy SP9 of the Emerging Local Plan)
3. **Impact on the living conditions of neighbouring occupiers and future occupiers** (NPPF; Policy D1 and SDG of the Local Plan; Policy SADM11 of the Emerging Local Plan)
4. **Highway and parking considerations** (NPPF; Policies M14, SPG and Interim Car Parking Policy of the Local Plan; Policies SP4, SADM2 and SADM12 of the Emerging Local Plan)
5. **Other considerations**
 - i) **Listed buildings**
 - ii) **Bats and Ecology**
 - iii) **Refuse and recycling**
 - iv) **Removal of permitted development rights**
 - v) **Other non-material neighbour representations**

1. Principle of development

10.2 Local Plan Policy SD1 states that development proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they will accord with the objectives and policies of the Local Plan. Policy R1 requires development to take place on previously developed land and Policy GBSP2 directs new development into the existing towns and specified settlements within the district. These objectives are consistent with the National Planning Policy Framework (NPPF) which supports the development of under-utilised land and buildings (para 118) and the efficient use of land (para 122) taking into account, amongst other criteria, the importance of securing well-designed, attractive and healthy places. Chapter 12 of the NPPF emphasise the importance of achieving well-designed places and provides the criteria against which planning decisions should be made at paragraph 127, whilst paragraph 130 states that:

“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. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.”

10.3 The site has not been allocated in the Local Plan for additional housing supply and as such comes forward as a windfall residential site where Policy H2 applies. This policy states that all applications for windfall residential development will be assessed for potential and 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; and*
- v. The physical and environmental constraints on development of land.”*

10.4 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 2005 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.

10.5 The application seeks permission for the erection of an additional dwelling on land which historically formed part of the residential garden of 13A Station Road. Gardens in built-up areas are not classed as previously developed land, having lower priority for development, but that does not mean they cannot be built on in any circumstances. Although gardens are not a priority

for development, the need to make efficient use of urban land remains a policy objective.

- 10.6 The application site is located within the large village of Welham Green as designated in the Welwyn Hatfield District Plan 2005. The village has a varied character of older and newer housing and a relatively large and established employment area. The village has access to a wide range of services, facilities and public transport including access to rail services along the East Coast Main Line and Great Northern Route, and access to the A1000 to the east.
- 10.7 The site is part of an existing residential area in a sustainable location and the development would not have an adverse impact upon the existing community. Infrastructure has been developed to provide transport links for existing residents and there are services available in the village centre. Therefore, the site meets the first four criteria of the policy. The fifth criteria relating to the physical and environmental constraints of the site is considered below in the following sections of this report. Additionally given the proposal includes the erection of one new dwelling, it is not considered to impact on the criteria of Policy SADM1.

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

- 10.8 Local Plan Policies D1 and D2 respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council's 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. Policy GBSP2 directs new development into the existing towns and specified settlements within the district, providing that it will be limited to that which is compatible with the maintenance and enhancement of their character. These policies are consistent with the design policies contained in the Emerging Local Plan and are broadly consistent with the NPPF, in particular, paragraph 127 which requires new developments to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping as well as being sympathetic to the local character and history.
- 10.9 The proposed dwelling has been designed as a chalet style bungalow with the first floor accommodation contained within the roof. The closest neighbouring dwelling is 10 Twyndens Terrace, which is a two storey semi-detached property. The height of the proposed dwelling is approximately 6.5m compared to 10 Twyndens Terrace which measures approximately 8.1m in height. The proposed dwelling would therefore appear subservient in scale when compared to neighbouring dwellings. The proposal would also respect the building line of the neighbouring dwelling and would not impose any significant bearing on nearby properties. An area of soft landscaping in front of the dwelling, together with the space to be retained either side of the building, would further assist in creating the perception of a relative spacious

setting when viewed in the context of the surrounding streetscene and pattern of development. Whilst the rear garden would be relatively compact, this would be reasonably well concealed and as such would not appear unduly discordant from any public vantage point.

- 10.10 With regard to spacing, the Supplementary Design Guidance (SDG) states that “for all multi-story, two storey and first floor extensions, a minimum distance of 1m between the extension and the adjoining flank boundary must be maintained”. Although it is good practice to apply this rule to new dwellings to ensure sufficient spacing is maintained to prevent overdevelopment across plot widths where spacing is typically more generous, the SDG does not explicitly apply to new developments.
- 10.11 In this case, a distance of approximately 3m would be maintained between the new dwelling and the common boundary with 10 Twyndens Terrace. To the south, the site would be bound by the parking area and rear garden of 13A Station Road, with approximately 1.3m separation distance from the boundary in accordance with aims of the SDG.
- 10.12 In terms of appearance, the proposed bungalow would feature a gable roof with a lower front gable incorporating a bay window. The front elevation features a single dormer whilst two further dormers would be sited to rear. The dormers have been designed to be subservient to the roof and to reflect the scale and appearance of the dwelling. In terms of materials, the proposed walls would feature red facing brick below smooth painted render whilst the roof would be finished in plain clay roof tiles. The proposed windows and doors would be upvc off white/cream. Overall, the design and palette of materials would be in keeping with the style of other dwellings visible within the surrounding streetscene and throughout Welham Green. Precise details of external materials can be secured through a suitably worded planning condition.
- 10.13 The proposal represents an efficient use of land whilst still sitting comfortably within the site when taking account of the adjacent buildings and the surrounding pattern of development. Whilst the development would introduce more built form into the plot, the dwelling has been carefully designed in terms of siting, scale, bulk and massing so as not to appear cramped within the plot. In this regard, it is considered that the proposal represents a good standard of design which would adequately maintain the character of the surrounding area in accordance with extant and Emerging Local Plan Policies and the NPPF.
- 10.14 A neighbour has objected to the demolition of the existing outbuilding within the site. This building is not listed, does not have any significant architectural merit and is not known to be of any significant historical interest which would warrant further assessment. Furthermore, the building is not considered to contribute significantly to the character of the area given its modest scale and because it is also set back from the site frontage and well screened from public view. The demolition of this outbuilding is therefore not considered to result in harm to the character of the site or surrounding area.

Landscaping design

- 10.15 Policy D8 of the Local Plan outlines that this type of development should include landscaping as an integral part of the overall design. Policy SADM16 of the Emerging Local Plan states that proposals will be expected to sit comfortably within the wider landscape setting. Furthermore, the NPPF, paragraph 127 requires new developments to ensure appropriate and effective landscaping, sympathetic to the surrounding built environment and landscaping setting.
- 10.16 The existing site is overgrown and derelict with no Tree Preservation Orders present. A landscaping plan has been submitted and the Landscaping Team consider the plan to be adequate and raised no objections. The site would include an area of hard surface for on-site car parking provision and areas of grass to the front and rear of the site. In regard to boundary treatments, a 1.8m fence borders the site to the sides and rear. Planting is proposed along the front boundary of the site along Dellsome Lane, creating a natural visual barrier. The site would retain a suitable balance between hard and soft landscaping, respecting the character of the area and representing good quality design.

3. Impact on the living conditions of neighbouring occupiers

- 10.17 Policies D1 and the 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 127 of the NPPF seeks high standards of amenity for all existing and future users.
- 10.18 The potential impact on neighbouring occupiers is assessed in regard to loss of light, overbearing impact and loss of privacy.
- 10.19 The main properties which may be affected by the proposed development are the neighbouring dwellings at 13A Station Road, 13 Station Road, 9 Station Road and 10 Twyndens Terrace.

13A Station Road

- 10.20 13A Station Road is located approximately 14.8m to the south of the site. As a result of the separation distance and orientation, together with the limited scale and height of the proposed dwelling, it is not considered that the development would result in a detrimental loss of light or overbearing impact to this property.
- 10.21 In terms of privacy, there are no side windows proposed which would result in a direct overlooking into the habitable windows of the neighbouring property or towards the private amenity space. A 1.8m high fence is proposed along the boundary. It is considered that the proposal would respect the amenity of this neighbouring occupier.

13 Station Road

- 10.22 13 Station Road forms part of the semi-detached pair of properties with 13A Station Road and adjoins the site to the west. The outlook from the rear of the proposed dwelling would be towards a detached double garage situated at the northern end of the garden serving 13 Station Road. As a result of the positioning of the dormer windows, views would be towards the roof of the garage and more distant views beyond. There would not be direct views to habitable windows or to the primary amenity space serving 13 Station Road. Furthermore, it is not considered that the proposed dwelling would result in a detrimental loss of light or overbearing impact as a result of its scale and separation distance.

9 Station Road

- 10.23 9 Station road is located to south west of the site and consists of a detached dwelling which is set approximately 25 metres away from the site.
- 10.24 The proposed dwelling is of sufficient distance from 9 Station Road and as a result of its scale and separation distance, is not considered to result in a detrimental loss of light or overbearing impact. As a result of the positioning of the rear windows, there would be views towards part of the outdoor amenity space of 9 Station Road, however, these would not be direct and would be of reasonable distance not to result in a detrimental loss of privacy. Furthermore, as a result of the siting of 9 Station Road and separation distance, there would not be direct views to habitable windows.

10 Twyndens Terrace

- 10.25 10 Twyndens Terrace is located to the north west of the site and consists of a two storey semi-detached dwelling. Objections have been received from 10 Twyndens Terrace in relation to proximity, scale, overlooking and loss of light.
- 10.26 The proposed dwelling would be positioned to the south of the site and set in approximately 3m from the shared boundary with approximately 3.8m separation distance from the neighbouring dwelling. The proposed dwelling would be set back from the rear building line of 10 Twyndens Terrace by approximately 3.7m and would be approximately 1.2m lower in ridge height. As a result of the siting, separation distance and the proposed scale of the dwelling, it is not considered to appear overbearing or result in a detrimental loss of light to the neighbouring occupier.
- 10.27 In terms of privacy, no side windows are proposed for the first floor accommodation. Bi-folding doors are proposed on the side elevation of the single storey rear element of the scheme. As a result of the proposed boundary treatment of a 1.8m high fence, the siting of the proposed dwellings within their plot and separation distance to the boundary, it is not considered that there would be a detrimental loss of privacy. Concern has been raised by the occupier of 10 Twyndens Terrace in regard to the two rear dormer windows. The proposed dwelling would be set back from the rear building line of 10 Twyndens Terrace by approximately 3.7m. As a result of the set back

and separation distance, the dormers would not result in any direct overlooking to habitable windows. Whilst there is potential for overlooking to parts of the rear garden of neighbouring properties, the degree of overlooking would be consistent with a neighbouring relationship generally expected between residential properties and is not considered to result in a significant detrimental impact in regard to privacy.

4. Highway and parking considerations

- 10.28 No objections have been received from the Highway Authority in regard to access arrangements. The site already benefits from a vehicle crossover and access onto Dellsome Lane. It is not considered that the proposed dwelling would intensify the use of the existing dwelling and no accidents have been associated with the use of the access.
- 10.29 It is noted that the boundary treatment of dense vegetation has resulted in limited visibility from the access. The proposed plan indicates removal of existing vegetation and planting of evergreen along the front boundary. A condition is considered appropriate to ensure that such planting should be maintained to a maximum height of 600mm in order to avoid interference with visibility.
- 10.30 The existing access and parking of 13A Station Road which is located to the rear are to be utilised by the proposed site. As such, the resultant site of 13A Station Road would be left with no parking. The agent has confirmed that this land is still within ownership of 13A Station Road and the sale of the land is subject to the grant of planning permission. To ensure car parking provision for 13A Station Road, negotiations were made with the agent and a new vehicle crossover and dropped kerb is proposed along Dellsome Lane. As such, both of the sites would benefit on-site car parking and this represents a significant betterment in terms of overall parking provision. The Highway Authority were consulted and have outlined that the principle of a new vehicle crossover in this location would not be unacceptable.
- 10.31 In terms of parking, paragraph 105 of the NPPF 2018 states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Saved Policy M14 of the District Plan and the Parking Standards SPG use maximum standards and are not consistent with the framework and are therefore afforded less weight. 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.
- 10.32 The car parking requirement for a 3-bedroom dwelling is 2.25 spaces and the proposal would provide 2 spaces on-site. The proposed site would use the existing access associated with 13A Station Road. The proposal also includes the addition of 2 on-site car parking spaces at 13A Station Road which is also a 3-bedroom dwelling.

- 10.33 The site is located at the junction of Station Road which is an unnumbered Classified Road providing a local distributor function and Dellsome Lane which is a local access road. Parking is not prohibited within Dellsome Lane, with a carriageway width of approximately 6.4m. The proposal is not considered to result in a material increase or a material change in the character of traffic in the vicinity of the site. On this basis, it is considered that the proposed development would not adversely prejudice the safety and free flow of highway users.
- 10.34 Furthermore, the proposed development is small scale within a sustainable location. Taking into account the parking provision on the proposed site and the resultant existing dwelling, the site is within walking distance to a range of services, approximately 200m from the centre of Welham Green, with good access to public transport. The site is located within a 3 minute walk of a bus stop and an 8 minute walk to the Welham Green train station.
- 10.35 Whilst concern has been raised by a resident regarding existing parking issues in this part of Dellsome Lane, it is considered that as a result of the small scale proposed development and sustainable location of the site, it is not considered that the proposal would give rise to a detrimental impact on highway arrangements and safety in accordance with Local Plan Policy M14, the SPG, Interim Parking Standards and requirements of the NPPF.

5. Other considerations

Listed buildings

- 10.36 There is a listed building located to the south east of the site and a listed building located to the south west along Station Road. It is considered that given the separation distance, the proposal would not adversely affect the setting of the listed buildings.

Bats and Ecology

- 10.37 A preliminary Roost Assessment was submitted which found no evidence of bats. Hertfordshire Ecology are satisfied the approach set out within the report taken satisfied the Habitats Regulations test. Subject to a condition of the report, no objections are raised.

Refuse and Recycling

- 10.38 The Council's Client Services Department have been consulted for this application and consider that the development can be incorporated into the Council's existing Alternate Refuse and Recycling Scheme. As such, no objection is presented.

Removal of permitted development rights

- 10.39 The proposed development has been carefully designed to be in keeping with the character and context of the area and ensure that the living conditions of neighbouring and future occupiers would not be harmed. In the interest of maintaining adequate amenity space for future occupiers it would be

reasonable to impose a planning condition withdrawing permitted development rights under Class A (*enlargement, improvement or other alteration of a dwellinghouse*).

Other non-material neighbour representations

- 10.40 Representations received from a resident outlined the potential for a loss of history of the site, in which 13 and 13A Station Road were originally built for daughters of Mr Vyse in 1894. The history of occupancy and future occupancy of the site is not a material planning consideration.
- 10.41 Concerns were also raised with regard to fire safety regulations. Safety regulations are handled by Building regulations which is a separate matter outside of the control of the planning system.
- 10.42 A further representation has been received in regard to the impact on wells within the area. The applicant has outlined a full site survey has found no evidence of a well on site. It has been outlined that a new sealed foul sewer system will be connected directly to the public sewer in the main road. Rainwater runoff from the roofs will be diverted back into the ground and into a soak-a-way. However, it should be noted that this matter is outside of the control of the planning system.

11 **Conclusion**

- 11.1 The impacts of the proposal have been considered on the visual amenity of the site and surrounding area and on the amenity of neighbouring dwellings. It has been concluded that the proposal would sufficiently maintain and relate to the character, appearance and spatial pattern of development of surrounding area and would not have any significantly adverse impacts on the residential amenity of neighbouring dwellings. As a result, and subject to the suggested planning conditions, the proposal is in accordance with Policies GBSP2, D1, D2, D8, H2 and R1 of the adopted Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guide and with the National Planning Policy Framework 2018.
- 11.2 The proposal has also been considered with regard to parking and highway safety. It has been concluded that the proposed development would meet the Council's Car Parking Standards and not have any material impact on highway safety and capacity. The proposal is therefore in accordance with Policies M14, the SPG Car Parking Standards and the Council's Interim Policy for Car Parking Standards and Garage Sizes and the relevant parts of the National Planning Policy Framework 2018.

12 **Recommendation**

- 12.1 It is recommended that planning permission be approved subject to the following conditions:
1. Prior to the first occupation of the development hereby permitted, the proposed onsite car parking shall be laid out and surfaced in accordance with

drawing number 1036-P03 Rev B. This provision must be retained permanently thereafter for the parking of vehicles for residents/occupiers of No.13 Station Road and No.13A Station Road and must not be used for any other purpose. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON: To ensure the permanent availability of the parking and manoeuvring area, in the interests of highway safety with Policy M14 of the Welwyn Hatfield District Plan 2005, Policy SADM12 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and National Planning Policy Framework 2018.

2. All agreed landscaping details on drawing 1036-P03 Rev B 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, Policies SP9 and SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and requirements of the National Planning Policy Framework 2018.

3. The landscaping details shown on drawing 1036-P03 Rev B shall be maintained in accordance with the approved plans and the front boundary planting shall be maintained at a height of no greater than 600mm from the soil level.

REASON: To maintain visibility between users of the access and vehicles on Dellsome Lane in the interest of highway safety in accordance with the National Planning Policy Framework 2018.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting that Order with or without modification), no development within Class A of Part 1 of Schedule 2 shall take place for the new dwelling hereby approved.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order in the interests of residential amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Policies SP9 and SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and requirements of the National Planning Policy Framework 2018.

5. 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
1036-P04	A	Proposed Plans and Elevations	28 June 2018
1036-P02	A	Existing Site Plan and Street Scene	28 June 2018
1036-P03	B	Proposed Site Plan and Street Scene	28 June 2018
1036-P01	A	Location Plan	28 June 2018
		Proposed Elevation	30 April 2018
		Materials	
		Ecology Report	30 April 2018

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

6. 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).

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/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.
3. 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.
4. The applicant is advised to take account the provisions of The Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to a shared boundary.

5. 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.
6. 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developerinformation/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
7. 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developerinformation/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
8. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-andpavements.aspx> or by telephoning 03001234047.
9. Noise control – construction
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
 1. 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
 2. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions


3. 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.
 4. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
 5. 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.
 6. All pile driving shall be carried out by a recognised noise reducing system.
 7. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
 8. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
 9. '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.
 10. Any emergency deviation from these conditions shall be notified to the Council without delay.
 11. 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.
 12. Permissible noise levels are not specified at this stage
-
7. Dust control
 1. All efforts shall be made to reduce dust generation to a minimum
 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.
 3. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.

Lucy Hale (Development Management)

Date: 23rd July 2018

Expiry date: 17th August 2018



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 5AE</p>	Title: 13A Station Road Welham Green Hatfield		Scale: DNS
			Date: 2018
	Project: DMC Committee	Drawing Number: 6/2018/1117/FULL	Drawn: Ida Moesner
© Crown Copyright. All rights reserved Welwyn Hatfield Borough Council LA100019547 2018			