

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 31 MARCH 2015
REPORT OF THE DIRECTOR (GOVERNANCE)

S6/2015/1035/FP

GARAGES TO THE REAR OF, 2 HILLCREST, HATFIELD, AL10 8HW

ERECTION OF 8 NO. 2 BEDROOM DWELLINGS AND THE CREATION OF 19 NO. ASSOCIATED OFF-STREET PARKING SPACES FOLLOWING THE DEMOLITION OF 78 NO. GARAGES

APPLICANT: Welwyn Hatfield Borough Council

(Hatfield West)

1. Site Description

- 1.1 The application site is comprised of 78 single storey garages located to the rear of residential properties within Hilcrest, from which access to the site is taken. Hillcrest to the south is comprised of semi-detached, detached and terraced two storey units which vary in build and form and are constructed from a diverse palate of materials. To the east of the site there are terraced and semi-detached units within Briars Lane that are constructed of facing red brickwork under pitched roofs.
- 1.2 Immediately to the north of the site there are allotments and beyond this there are two storey gable fronted and gable ended terraced units within Holliers Way. West of the site there are semi-detached and terraced residential properties constructed in a variety of forms, again with a range of materials.
- 1.3 The gardens of properties to east, south and west all back on to the application site and the rear gardens of dwellings to the north are only separated from the site by the existing allotments.

2. The Proposal

- 2.1 This application seeks full planning permission for the construction of eight two bedroom dwellings and the creation of 19 no. associated off-street parking spaces following the demolition of 78 no. garages.
- 2.2 The units would be organised as four pairs of two storey semi detached dwellings. Each dwelling would have a maximum height of approximately 7.8m, an eaves height of 5m and a depth of approximately 5m. Dwellings would be constructed of facing buff brickwork under grey tiled roofs.

3. Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because Councillor James Broach has called the application stating:

“The reason for my calling it in was that several residents had contacted me directly expressing severe concerns at the proposed development. The proposed development is encircled by existing houses; and as such the proposed properties could well have a detrimental impact on existing properties by means of overlooking gardens and blocking out light. I would also say that the proposed properties would suffer the same issues - so not an ideal scenario all round.

Concerns were also raised about parking. There are 17 spaces allocated for these properties. If any household has more than 2 cars, or indeed has visitors over, this will spill out into neighbouring streets causing even more issues in an area with well documented parking issues- indeed I believe that parking restrictions have recently been introduced or proposed in the vicinity.

Looking at the site plan I am also concerned about access for waste collection and emergency services, as the junction between the site and Hillcrest seems incredibly tight.

In summary, the view of the residents that have contacted me is that this is completely the wrong location for this kind of development. I would also note that I have not had one single resident contact me in support of this proposal, and the grounds for objecting are therefore:

Design of the proposal

Impact on the character and appearance of the surrounding area Impact on the amenity of neighbours (e.g. sunlight/daylight, privacy, overbearing) Parking provision”.

- 3.2 Hatfield Town Council have also objected to the proposed development (see below).

4. Relevant Planning History

- 4.1 None relevant

5. Planning Policy

- 5.1 National Planning Policy Framework (NPPF) March 2012
- 5.2 Welwyn Hatfield District Plan 2005
- 5.3 Supplementary Design Guidance, February 2005
- 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 Hatfield as designated in the Welwyn Hatfield District Plan 2005.

7. Representations Received

7.1 The application was advertised by means of neighbour notification and site notice. Three letters of objection have been received from addresses in Hillside, Hillcrest and Chelwood Avenue. Comments are summarised as:

- The proposal would result in a detrimental impact in terms of access to the site and highway safety.
- Provision for refuse and recycling is unacceptable.
- Parking provision is unacceptable and would impact upon surrounding residential properties.

8. Consultations Received

8.1 No objections have been received from: Welwyn Hatfield Client Services, Hertfordshire Biological Records Centre, Thames Water, Affinity Water and Hertfordshire Fire and Rescue.

8.2 No objections subject to relevant conditions have been received from: Hertfordshire County Council Transport, Programs and Strategy, Welwyn Hatfield Environmental Health and Welwyn Hatfield Landscape and Ecology.

9. Parish Council Representations

9.1 Hatfield Town Council have objected to the proposal stating:

“This application will impact on the light to neighbouring properties, overlook neighbouring properties and has insufficient access for emergency vehicles and refuse lorries. The proposed plans are over development of the site and have insufficient visitor parking in an area already burdened by parking problems. If the planning authority is minded to approve the application then the Town Council requests that the Article 4 direction for HMO’s is applied from the outset so that no new housing can be bought to buy to let by speculative purchasers.”

10 Analysis

10.1 The main planning issues to be considered in the determination of this application are:

1. Principle of development (SD1, R1, H1, H2, National Planning Policy Framework (NPPF))

- 2. The quality of the design and the impact on the character and appearance of the area (D1 & D2 & D8, SDG & NPPF)**
- 3. The potential impact on the residential amenity of adjoining neighbours (D1, R19, SDG and NPPF)**
- 4. Highway Safety and Parking Provision (M14 & NPPF)**
- 5. Other Material Planning Considerations**

- i) Refuse and Recycling Storage (D1 & IM2 & M4)**
- ii) Contaminated Land (R2)**
- iii) Protected Species (R11 & NPPF)**
- iv) Other Matters**

1. Principle of development

- 10.2 The National Planning Policy Framework (NPPF) encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing land that has been previously developed. Local Plan Policy R1 which requires development to take place on previously used or developed land is consistent with the NPPF. Furthermore, Policy GBSP2 directs new development towards existing towns and settlements.
- 10.3 The site is not an allocated housing site and so is considered to be a 'windfall site' and Policy H2 applies. Policy H2 relates specifically to applications for windfall housing development and states that all proposals of this type will be assessed for potential suitability against the following criteria:
 - i. The availability of previously-developed sites and/or buildings;
 - ii. The location and accessibility of the site to services and facilities by transport modes other than the car;
 - iii. The capacity of existing and potential infrastructure to absorb further development;
 - iv. The ability to build new communities to support infrastructure and provide demand for services and facilities;
 - v. The physical and environmental constraints on development of land.
- 10.4 Whilst the Council have a 5 year housing supply, as outlined in the AMR, the national situation has changed to the extent that it is considered that the country is not building sufficient housing to meet its needs. It is therefore considered that the windfall residential development proposed could make a small but valuable contribution to housing land supply.
- 10.5 The application site is situated within the existing settlement of Hatfield as outlined in the Welwyn Hatfield District Plan 2005. This site has previously been developed and currently comprises single storey garages. Additionally, as the application site is located within the settlement of Hatfield the infrastructure has been developed to provide good transport links for existing residents. There are also services and facilities available within close proximity of the site. Furthermore, there are no known physical or environmental constraints at this site that cannot be dealt with by means of appropriate conditions.

- 10.6 Having regard to the above, the proposal would not be contrary to policies H1, H2, SD1, GBSP2 and R1 and there is no compelling objection to the principle of this site for residential purposes.

2. The quality of the design and the impact on the character and appearance of the area

- 10.7 Local Plan Policies D1 (Quality of Design) and D2 (Character and Context) 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 buildings and surrounding area. In addition, Chapter 7 of the National Planning Policy Framework (NPPF) emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.
- 10.8 The application site comprised of single storey garages enclosed by residential developments. Surrounding residential properties vary in form and units are constructed of a diverse range of materials, including rendered brickwork, buff brick, red brick and timber cladding. Immediately to the north of the site lie allotments which separate the application site from the rear gardens of properties in Holliers Way.
- 10.9 With regards to submitted plan 401 Rev. H, there would be a minimum gap of approximately 2.7m between the rear elevations of proposed units labelled 'Plot 5', 'Plot 6', 'Plot 7' and 'Plot 8' and the adjacent northern boundary of the site and a minimum gap of approximately 5.2m between the rear elevations of properties labelled 'Plot 3' and 'Plot 4' and the adjacent western boundary of the application site. Furthermore, there would be a gap of approximately 7.8m between the rear elevations of properties labelled 'Plot 1' and 'Plot 2' and the adjacent southern boundary of the site.
- 10.10 Having regard to the above, and as rear gardens of neighbouring properties which adjoin the site to the south, east and west and the allotments to the north aid in retaining the spacious feel of the area, it is considered that sufficient space would be left about the proposed development to ensure that the units would not appear cramped or overdeveloped upon their plots. Furthermore, the proposal would not form part of the established streetscenes surrounding the site and, as such, views of the proposed development would be restricted from the public domain. Taking this into account, and as the proposed scale of units would be consistent with surrounding residential properties, it is not considered that the development would result in a dominant or incongruous feature within the immediate area.

- 10.11 In respect of the design and appearance of the proposed development, it is noted that the surrounding area is predominately comprised of terraced properties. However, it is not considered that the construction of pairs of two storey semi-detached units would significantly disrupt the surrounding spatial pattern of development. Furthermore, there are examples of properties constructed of buff brick and grey tiled roofs within the immediate area and so it is considered that the proposed palette of materials would be acceptable.
- 10.12 The proposal has been designed to be modern residential accommodation. With regards to all of the above, it is considered that the proposed design, which is more contemporary than surrounding units, would be acceptable and, subject to a condition requesting samples of materials to be submitted and approved prior to the works commencing, would not result in significant harm to the adjacent streetscenes and the visual interests of their surroundings. It is, however, considered reasonable to remove permitted development rights for extensions and alterations, alterations to the roof and outbuildings (Schedule 2, Part 1, Classes A, B and E) to ensure that the ratio of built form to open space remains acceptable and that buildings remain acceptable in design.
- 10.13 It has noted that concerns have been raised by Welwyn Hatfield Landscape and Ecology regarding the loss of vegetation to the south of the application site, which is currently established on Hillcrest. Though the development would result in inset parking bays which would likely result in the removal of these trees, it is considered that this vegetation can be appropriately replaced through the imposition of a condition requesting the submission of a Landscaping Plan prior to works commencing. This plan would also include further details on species of vegetation to be planted throughout the site and a statement describing how vegetation within and adjacent to the site would be appropriately protected during the construction phase. Furthermore, this scheme is recommended to include details of the means by which proposed vegetation will be successfully established and maintained, details for all hardsurfacing and also proposed details of boundary treatments. This would ensure that the landscaping at the site is of a high standard and that any vegetation lost would be appropriately replaced.
- 10.14 In conclusion, it is considered that the layout, design and scale of the proposal would not significantly disrupt the character of the immediate area. As such, the proposal complies with policies D1, D2 and D8 of the adopted Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guide and Section 7 of the NPPF.

3. The potential impact on the residential amenity of adjoining neighbours

- 10.15 Policies D1, R19 and the Supplementary Design Guidance aim to preserve neighbouring amenity. In addition, Policy R20 seeks to minimise the impact of light pollution on residential areas. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.

- 10.16 The proposed dwellings would have a maximum height of approximately 7.8m. The proposed buildings labelled 'Plot 5', 'Plot 6', 'Plot 7' and 'Plot 8' would be approximately 35m away from dwellings to the north, a minimum of 22m away from units to the east and a minimum of 23m away from properties to the west. Proposed units labelled 'Plot 3' and 'Plot 4' would be approximately 21m away from neighbouring properties to the west, approximately 44m away from properties to the north and would be approximately 18m away from existing dwellings to the south. Furthermore, units labelled 'Plot 1' and 'Plot 2' would be approximately 23m away from properties to the south and in excess of 35m away from existing dwellings to the east. Taking these distances into account, it is considered that the build, form and positioning of the proposed dwellings would not result in harm to the living conditions of the occupiers of surrounding neighbouring properties, in terms of overbearing and loss of light.
- 10.17 Given the above mentioned distances, it is not considered that proposed first floor rear windows would only afford long distance views of primary private neighbouring amenity space. On this basis, it is considered that the development would preserve the privacy of surrounding neighbouring units. Furthermore, given the existing use of the site, it is not considered that the proposed development is of a significant scale to result in harm to the amenity of surrounding residential units in terms of noise and disturbance.
- 10.18 Turning to the amenity the development would afford future occupiers of the proposed units, the Council's Supplementary Design Guide does not provide standards which should be met. However, each unit would benefit from external amenity space in excess of 45m². With regards to the scale of proposed units, this is considered acceptable. Furthermore, though there would be approximately 12m between units labelled 'Plot 6' and 'Plot 2', it is considered that, overall, the relationships the proposed units would share with one another would not result in significant harm to the living conditions of future occupiers, in terms of overbearing, overlooking and loss of light.
- 10.19 In addition to all of the above, though not shown on plans, there is the potential for street lighting to be introduced to this development in the future. In order to adequately manage the impacts any future lighting may have on the living conditions of those occupying surrounding units, it is considered reasonable to attach a condition in this regard.
- 10.20 Having regard to the above, it is considered that the development would not detrimentally impact upon the living conditions of the occupiers of surrounding residential units, in terms of overbearing, overlooking and loss of light and in terms of noise and disturbance. Furthermore, the proposal would provide adequate amenity for future occupiers of the units. The proposal, therefore, complies with Policies D1, R19 and R20, the Supplementary Design Guidance or the relevant paragraphs of the NPPF.

4. Highway Safety and Parking Provision

- 10.21 Paragraph 39 of the NPPF 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 Supplementary Planning Guidance (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.
- 10.22 In accordance with the adopted SPG, the proposal should afford eight parking spaces for the proposed units. The development would afford 19 parking spaces and would retain six garages. Having regard to this, and as each unit would have a secure rear garden in which to store bicycles, it is considered that there would be adequate parking spaces for the proposed units.
- 10.23 The proposal would result in a loss of 78 garages. It is acknowledged that this may result in a potential increase in on-street parking within the vicinity. However, the applicant has stated that a maximum of 14 garages of the total garage provision are in use and that it would be possible to arrange alternative garage tenancies if sought. Local alternative garage locations have been identified at Hillcrest and consultation will be required with tenants who do not live within the immediate area to ascertain whether they would prefer a garage tenancy closer to home rather than in Hillcrest. It is clear that the loss of parking has been considered in depth by the applicant and that measures have been taken to reduce any impact the loss of off street parking may have in an area with historical on street parking problems.
- 10.24 Taking all of the above into account, it is considered that the loss of the existing garages would not result in such a significant increase in on-street parking in the area that would be to the extent that would warrant a refusal of permission and that the proposal would provide sufficient parking for future residents. As such, and as the proposal is in a sustainable location within close proximity to existing public transport facilities, it is considered that the development is acceptable in terms of parking provision and is not contrary to paragraph 39 of the NPPF in this regard.
- 10.25 With regards to highway safety the existing access to the site has a width of approximately 3.2m. However, following the removal of one of the garages towards the entrance to the site, it is proposed that this will be widened to approximately 4.2m. This is considered appropriate to serve the eight proposed units and would allow two vehicle flow along the length of the access to the site. Furthermore, the applicant has provided swept path details which show that larger vehicles can enter, manoeuvre within and then exit the site appropriately.
- 10.26 Initial concerns were raised regarding on-street parking immediately opposite to the access to the site, which may hinder the manoeuvrability of larger

vehicles. However, amended plans (drawing no. 401 Rev. H) have been submitted which show that three inset parking bays would be provided opposite to the proposed access. This would not compromise the safe operation of the highway and would retain on-street parking facilities, whilst removing the possibility that vehicles would be parked opposite the site entrance - within the turning envelope of larger vehicles.

- 10.27 Turning to visibility, it is acknowledged that visibility from the access to the east is constrained through the boundary treatment to no. 88 Briars Lane. This boundary restricts visibility to 32m to the inside near channel of the carriageway. Though this falls below the recommended visibility splay (43m) for a road which is subject to a 30mph speed limit, the proposals do not create a new access and the highway arrangement in this location encourages a lower speed through the slightly reduced forward visibility to vehicles, the proximity of the give-way junction of Briars Lane, highway gradient and parked vehicles. As such, the reduced visibility to the east is considered acceptable.
- 10.28 Hertfordshire County Council Transport, Programs and Strategy (HCCTPS) have been consulted and have not raised objection to the development, stating that vehicular movements as a result of the proposal could be accommodated on to the immediate highways network. HCCTPS have also requested conditions requiring the width of the access to be implemented at a width of 4.2m for the first 6m, further details of proposed in-set parking bays and requesting the submission of a Construction Management Plan prior to the works commencing. These are considered reasonable to impose.
- 10.29 Taking all of the above into account, it is considered that the proposed development is acceptable in terms of access to the site, visibility, trip generation and manoeuvrability for larger vehicles (refuse/emergency). As such, subject to the above mentioned conditions, the development would be acceptable in terms of highway safety.

5. Other Material Planning Considerations

- 10.30 *i) Refuse and Recycling Storage (D1 & IM2 & M4)*
The Council has adopted a Supplementary Planning Document 'Planning Obligations' which may require a development to provide financial contributions for new bins and recycling facilities. Welwyn Hatfield Borough Council Client Services have been consulted and have not requested a financial contribution. The proposals demonstrate that there is adequate storage for wheelie bins and that bins may be presented and collected appropriately from the allocated bin store areas. As such, the development is acceptable in this regard.
- 10.31 *ii) Contaminated Land (R2)*
Policy R2 states that the Council will encourage development on land that may be contaminated. However, on such sites applications must be accompanied by a full survey of the level of contamination and proposals for remediation of the site.

10.32 Welwyn Hatfield Borough Council Environmental Health have been consulted and have not raised any objection to the scheme, subject to the attachment of an unexpected find contamination condition. Accordingly, subject to the imposition of this requested condition, the proposal would not be contrary to policy R2.

10.33 *iii) Protected Species (R11 & NPPF)*

The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy R11 requires developments to contribute positively to biodiversity.

10.34 There are no records of protected or endangered species at the site and Hertfordshire Biological Records Centre have been consulted and do not object to the proposal, recommending only the attachment of relevant informatives.

10.35 Having regard to the above, it is considered that the proposal is unlikely to result significant harm to the biodiversity of the area and, subject to the attachment of the above mentioned informatives, the development would not be contrary to saved Policy R11 and the relevant paragraphs of the NPPF in this regard.

10.36 *iv) Other Matters*

Houses in Multiple Occupation: Since 11th 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.

10.37 As a result of the Direction, it is considered appropriate and reasonable to include on new housing developments within Hatfield details to inform developers that there is an Article 4 Direction, by virtue of an informative, but also include 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.

11. **Conclusion**

11.1 The proposal would not be contrary to policies H1, H2, SD1 and R1 and there is no compelling objection to the principle of this site for residential purposes in purely land use terms.

11.2 The impacts of the proposal have also been considered on the visual amenity of the area, on the amenity of neighbouring dwellings and on other relevant material considerations. It has been concluded that the proposal is acceptable in terms of the above. As such, the development is in accordance with the relevant policies of the adopted Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guide and with the NPPF.

12. **Recommendation**

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

1. Development constructed and maintained in accordance with approved plans and details: 042 & 043 & 044 & 402 Rev. D & 403 Rev. D & 406 Rev. C & 410 Rev. B Received and dated 19 January 2016 & 401 Rev. H & 404 Rev. D & 041 Rev. B received and dated 22 February 2016.

2. Samples of materials.

3. No development shall take place until further full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) means of enclosure and boundary treatments;
- b) existing and proposed finished levels and finished floor levels of the dwelling;
- c) planting plans, including specifications of species, sizes, planting centres, number and percentage mix;
- d) details for all hard surfacing
- e) a tree protection statement demonstrating how vegetation within and adjacent to the site will be protected during construction and a plan identifying areas where no chemical or materials or equipment will be stored, mixed or prepared and no fires or site washings within the RPA of the tree or under the canopy spread whichever is the greater.
- f) A landscape maintenance plan demonstrating how any dead or damaged vegetation will be replaced over a five year period.

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 D8 of the Welwyn Hatfield District Plan 2005

4. All planting, seeding or turfing and soil preparation comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the building; and any trees or plants which within a period of five 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, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.

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

5. Before any demolition, clearance, building or other works commence on site, details shall be submitted to and approved in writing by the Local Planning Authority, specifying:

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Cleaning of site entrances, site tracks and the adjacent public highway;
- e. Timing of construction activities to avoid school pick up/drop off times;
- f. Provision of sufficient on-site parking prior to commencement of construction activities;

REASON: In the interests of highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005

6. 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

7. 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 Classes A, B and E of Part 1 of Schedule 2 shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

8. Details of any external lighting proposed in connection with the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of neighbouring amenity in accordance with Policies D1 and R20 of the Welwyn Hatfield District Plan 2005.

9. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The contents of the scheme and the written report are subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part B, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

E. Long Term Monitoring and Maintenance

Where indicated in the approved remediation scheme, a monitoring and maintenance scheme to include, monitoring the long-term effectiveness of the proposed remediation over the agreed period of years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the

monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and others offsite in accordance with Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

10. Prior to first occupation of the development hereby approved the vehicular access (indicated for improvement on drawing number 401 Rev H) shall be widened to a minimum width of 4.2 metres in accordance with the Hertfordshire County Council residential /industrial access construction specification for the first 6 metres as measured back from the near channel edge of the adjacent carriageway. 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: In the interest of highway safety and traffic movement in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

11. Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the highway improvement works as indicated on drawing number 401 Rev H, comprising the provision of 3 off inset parking bays opposite the site access with all modifications to street lighting, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

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 inspected at these offices).

INFORMATIVES

1. The development will involve the numbering of properties and naming new streets. The applicant MUST contact WHBC Transportation (Cathy Wilkins

01707 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.

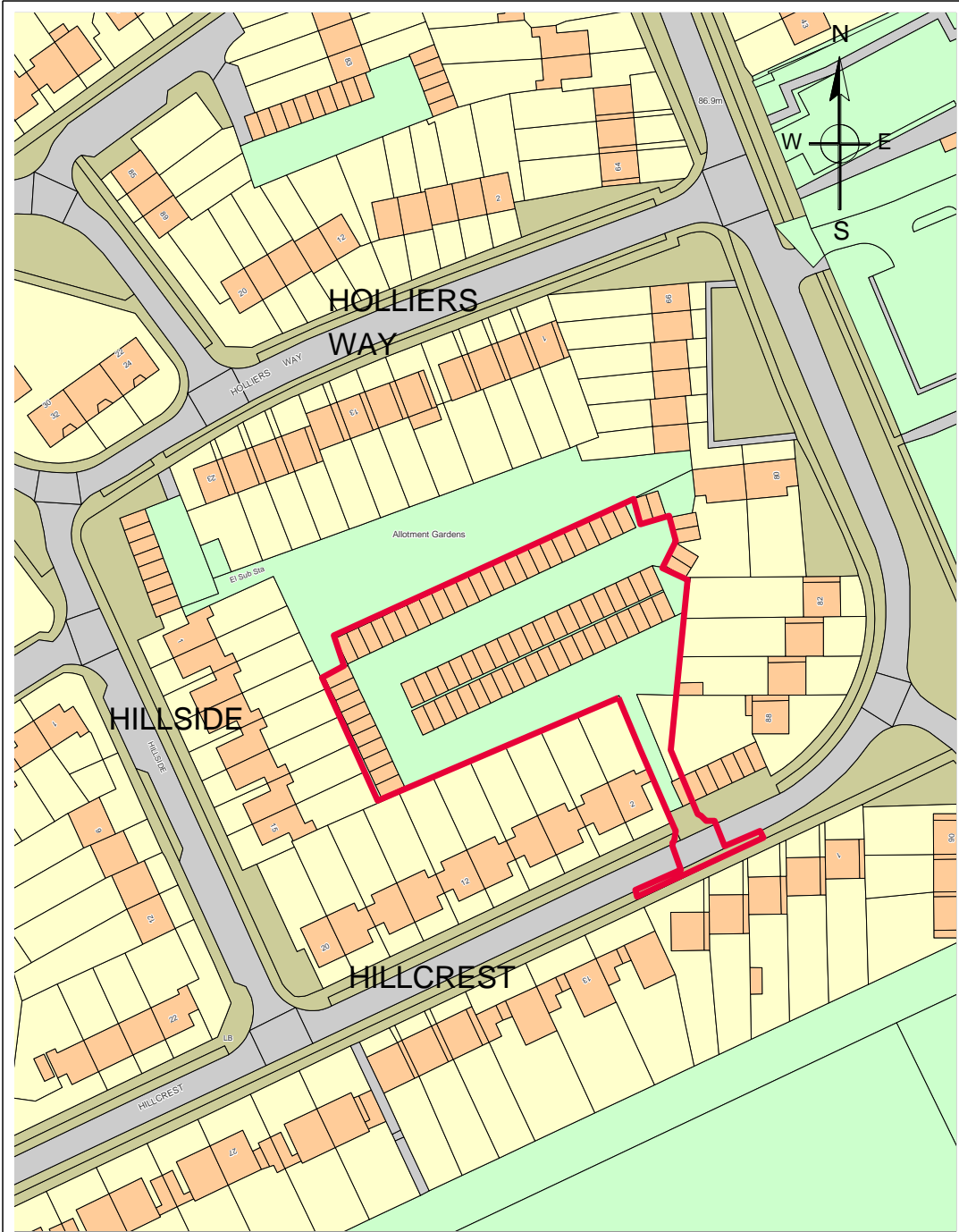
2. For Birds, the removal of trees & shrubs should be avoided during the breeding season (March to September inclusive). If this is not possible then a search of the area should be made by a suitably experienced Ecologist and if active nests are found, then clearance must be delayed until the nesting period has finished.

3. Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.

4. Soft landscaping - new trees and shrubs should be predominantly native species, particularly those that bear blossom and fruit (berries) to support local wildlife. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife.

5. Biodiversity enhancements could be incorporated into the development proposal. These could be in form of bat and bird boxes in trees, integrated bat roost units (bricks and tubes) in buildings, refuge habitats (e.g. log piles, hibernacula) for reptiles at the site boundaries. These should be considered at an early stage to avoid potential conflict with any external lighting plans. Advice on type and location of habitat structures should be sought from an ecologist.

Matthew Heron, (Strategy and Development)
Date 26/02/2015



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

Title: **Garages to the rear of
2 Hillcrest, Hatfield**

Scale: DNS

Date: 2016

Project: **DMC Meeting**

Drawing Number:
S6/2015/1035/FP

Drawn: **Andrew Windscheffel**

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