

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 31 JANUARY 2019  
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING  
AND GOVERNANCE)

6/2018/2455/FULL

37 CHURCH STREET, WELWYN, AL6 9LS

ERECTION OF 8 APARTMENTS ARRANGED IN 2 BLOCKS WITH PARKING,  
AMENITY AREA AND BIN STORE FOLLOWING DEMOLITION OF EXISTING  
BUILDING ON SITE

APPLICANT: Mr H Tamber

(Welwyn West)

**1 Site Description**

- 1.1 The application site is located on the southern side of Church Street at the edge of the settlement of Welwyn. On the opposite side of Church Street to the north is a modern flatted development named 'Clock House Gardens'. Adjacent to the east is a busy roundabout at the junction of the Welwyn Bypass Road to the east of the site which leads to an access slip-road onto the A1(M) and Church Road. To the immediate south and west of the site are a continuation of residential properties.
- 1.2 The site comprises a detached bungalow sited in a broadly central position within a generously sized (0.15ha) semi-circular shaped plot that is well enclosed by trees and hedging on its boundaries. Access to the site is taken from Church Street via Wendover Drive. Land levels on the site slope downward from west-to-east which result in the existing dwelling being at a noticeably lower level than Church Street and Wendover Drive.

**2 The Proposal**

- 2.1 Planning permission is sought for the erection of 8 apartments arranged in 2 blocks with parking, amenity area and bin store, following demolition of the existing bungalow.
- 2.2 Block A would be sited in a similar location to the existing dwelling, have a height of 1.5 storey's and include 2x2-beds at ground floor level with 1x3-bed above
- 2.3 Block B would be sited to the rear of Block A at a right angle, have a height of 2.5 storey's and include 4x2-beds and 1x3-bed.
- 2.4 A total of 12 parking spaces would be provided on site to the front (west) part of the plot.

- 2.5 This application follows a previously refused application for the 'Erection of 8x2 bedroom apartments arranged in two blocks, with associated parking, amenity areas and bin stores, following the demolition of existing 4 bedroom house' (Planning reference: 6/2017/2107/FULL). The application was refused for the following reason:

*1. The proposed development constitutes of an undesirable form of development by virtue of the cumulative impact of the scale, layout, design and siting of the proposed flatted blocks, which would represent an over intensive form of development that would appear visually over dominant and cramped to the detriment of the character and appearance of the surrounding area. Lack of space about the buildings is not reflective of the spacious character of the area. Additionally the detailed design of the buildings would appear over complicated and fussy, making for an awkward external appearance, detracting from the appearance of the development and would not be in keeping with the character of the area. Furthermore the large sections of flat roofs, demonstrate that the proportions of the buildings are poor. Accordingly the proposed development would be detrimental to the character and appearance of the application site, street scene and visual interest of its surroundings contrary to the National Planning Policy Framework and policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the Council's Supplementary Design Guidance; Statement of Council Policy 2005.*

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

- 3.1 This application is presented to the Development Management Committee because Councillor Markiewicz has an interest in the land.

### **4 Relevant Planning History**

- 4.1 Application number: 6/2017/2107/FULL  
Proposal: Erection of 8x2 bedroom apartments arranged in two blocks, with associated parking, amenity areas and bin stores, following the demolition of existing 4 bedroom house  
Decision: Refused  
Decision date: 04 January 2018
- 4.2 Application number: 6/2015/2342/FULL  
Proposal: Erection of 3no three bedroom dwellings following demolition and replacement of existing dwelling with associated garaging and parking  
Decision: Refused  
Decision date: 05 February 2016

### **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 2005 (SDG)
- 5.5 Supplementary Planning Guidance, Parking Standards 2004 (SPG)

- 5.6 Interim Policy for Car Parking Standards and Garage Sizes 2014 (Interim Car Parking Policy)

## **6 Site Designation**

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

## **7 Representations Received**

- 7.1 The application was advertised by means of neighbour notification letters. Responses have been provided from the Hertfordshire Gardens Trust and No. 2 Carleton Rise The comments are summarised as follows:
- Development far too intensive for the site and incompatible with the type of development in the street which features large detached dwellings not flats.
  - Scale and amount of development is inappropriate for this location and would harm the approach to Welwyn Conservation Area which is currently of a leafy low-density nature
  - Flats opposite at Clock House Gardens does not set a precedent for this site as it is isolated.

## **8 Parish Council Representations**

- 8.1 Welwyn Parish Council present a major objection to the proposal, stated as follows:

*'This proposed development would be over development of the site and would have a detrimental impact on the area. The development would be cramped and visually over dominant. The design is not in keeping with the spacious character of the area. Parking issues and vehicular movements do not appear to have been thoroughly addressed'.*

## **9 Consultations received**

- 9.1 Welwyn Hatfield Borough Council (Client Services) – Conditional.

The requirements for refuse would be 4 x 360l bin for refuse and 1 x Mini Recycling Centre (MRC) for glass/cans and Paper The 360l bins are 75cm wide and the MRC is 120cm wide therefore the space provided is insufficient for the number of bins. The store will need to be at least 4.5-5m wide. Advise the design of the bin store is revised accordingly

- 9.2 Welwyn Hatfield Borough Council (Parking Services) – Comment.

Although the proposed parking provision meets the Councils standards, there is currently an overflow of parked vehicles in what is a cycle road next to this development. Although, visitor parking is not part of the current Council Parking Standards, where are visitors going to park is there is no provision for this within the development?

- 9.3 Welwyn Hatfield Borough Council (Public Health & Protection) – No objection subject to conditions

- 9.4 Hertfordshire County Council (Highways Authority) – No objection subject to conditions
- 9.5 Hertfordshire County Council (Growth Team) – Fire hydrant provision requested by S106 agreement
- 9.6 Hertfordshire County Council (Historic Environment Advisor) – No objection

## **10 Analysis**

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

- 1. Principle of Development**
- 2. Quality of design and impact on the character and appearance of the area**
- 3. Impact on the living conditions of neighbouring occupiers and future occupiers**
- 4. Highways and parking provision**
- 5. Noise and vibration**
- 6. Other considerations:**
  - **Ecology and**
  - **Waste and recycling**
  - **Accessible and adaptable**
  - **Fire hydrant provision**

### **1. Principle of Development**

- 10.2 Saved Policy R1 of the Local Plan requires development to take place on previously used or developed land. Development will only be permitted on 'greenfield' land where it can be demonstrated that no suitable opportunities exist on previously used or developed land.
- 10.3 The NPPF encourages the provision of more housing and states that applications should be considered in the context of the presumption in favour of sustainable development. Local Planning Authorities should encourage the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value. Gardens and residential curtilages 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. The settlement of Welwyn is defined as an urban area for the purposes of the Local Plan. Although gardens/residential curtilages are not a priority for development, the need to make efficient use of urban land remains a policy objective.
- 10.4 The application site is not allocated in the Local Plan as a designated housing site so comes forward as a windfall site. Saved 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.
- 10.5 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 Local Plan 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.
- 10.6 The site is situated within the settlement of Welwyn, where services and facilities are available within reasonable walking distance. Existing infrastructure can absorb this development and the proposal would not undermine the delivery of allocated sites in the overall strategy, nor result in disproportionate growth of the settlement. The physical and environmental constraints of development of the land in the manner proposed is assessed below.

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

- 10.7 Local Plan Policies D1 and D2 of the Local Plan require the standard of design in all new development to be of a high quality and that all new development respects and relates to the character and context of the area in which it is proposed. These policies are expanded upon in the Council's SDG and are consistent with Policy SP9 of the Emerging Local Plan Furthermore, Policy GBSP2 of the Local Plan requires that 'within specified settlements' development will be limited to that which is compatible with the maintenance and enhancement of their character.
- 10.8 The NPPF places a clear emphasis on high quality design and states in paragraph 130 that planning 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 in functions, taking into account any local design standards or style guides in plans or supplementary planning documents. As such, there is also consistency between the Council's Saved and Emerging Local Plan with the NPPF.
- 10.9 The site is located on the edge of the settlement and forms part of an area to the south which has a residential, suburban character of broadly two-storey detached dwellings set with good sized plots. There is a strong presence of soft landscaping in the area which effectively softens the built development. A number of generously sized plots each containing a single dwelling have been redeveloped over the years to include 2 dwellings. A modern residential development consisting of several 3 storey flatted blocks can be seen opposite the site to the north. Whilst this development is visible from the application site, its character is distinguishable from the application site due to its self-contained location, separate from other residential development.
- 10.10 The proposed development comprises 2 flatted blocks, named Block A and Block B, with associated cycle and bins stores, amenity space and parking.
- 10.11 Block A is a 1.5 storey building with a crown roof hipped on all sides. This building would have an approximate eaves height of 3.6m and maximum height

of 5.8m. This height would increase slightly as a result of the slope of the land. Roof-lights feature on all roof slopes and 3no dormers are included on the rear roof slope facing west.

- 10.12 Block B is a 2.5 storey building again with a crown roof hipped on all sides. This building would have an eaves height of between 5.8m-6.1m and maximum height of between 7.1m-8.5m, due to the slope of the land. Roof-lights feature on all roof slopes and 3no dormers are included on the rear roof-slope facing north.
- 10.13 In terms of layout, access to Block B would be via a narrow passageway to the side of Block A and the front elevation of Block B would be very close (minimum of 2.2m) from the shared side boundary with neighbouring properties at No. 1 and No.1a Wendover Drive. This contrived access arrangement and proximity of the main elevation of Block B to the side boundary is a clear indication that there is insufficient space within the site to accommodate the scale of development and number of units proposed. This represents a physical constraint to the proposed development on this site. Furthermore, the sheer length and height of Block B within such close proximity to this boundary would be completely at odds with the spacing and disposition of built form in the immediate locality. The development would therefore serve to detract from the character of the area in conflict with the above policies.
- 10.14 The site slopes downwards from west-to-east. Block A would be built on existing ground level whilst Block B would be partially set into the ground. These factors together with the presence of a strong soft landscaped boundary respecting the existing situation, would mitigate views of the development.
- 10.15 In terms of the design and appearance of the blocks, whilst each block would feature large areas of flat roof, it is noted that a flatted development along Church Street (Wendover Lodge) to the south-west, and within the locality of the site, features similarly expansive crown roofing. Whilst the form of the development is clearly different to detached dwellings in the area, the overall character would not be harmed in this respect. The blocks would have a simple and refined domestic appearance which is sympathetic to the area.
- 10.16 The proposed pitched roof bin and cycle store buildings would be sited forward of Block A adjacent to the designated car parking area. An elevation of the larger cycle store would face directly toward the living room bay window of Flat 1 and be separated by a limited distance of 3m. This is an unsatisfactory relationship of poor design and reinforces the view that the proposed development as a whole would be excessive relative to the size of the plot.
- 10.17 The application has been supported by a landscaping plan showing retained and proposed planting. All existing boundary landscaping would be retained which is essential in the interest of visual amenity. The Council's Landscaping Officer has been consulted and advises details of any tree works required to facilitate the development, a tree protection plan, and a further landscaping plan requiring additional trees and hedging to bolster the most prominent boundaries. All recommendations are reasonable and can be secured through planning conditions.
- 10.18 Details of hard-landscaping have not been provided, however precise details can be secured through a planning condition.

- 10.19 Whilst the development would not appear overly prominent from the street and certain aspects of its design are acceptable, these factors however would not outweigh the harm which has been identified in terms of cramped over-development and failure to respect the spacing and disposition of development in the immediate locality. Consequently, the proposal would represent a poor standard of design which fails to respect and relate to the character of the existing area in conflict with Policies D1 and D2 of the Local Plan, Policy SP9 of the Emerging Local Plan and the NPPF.
- 10.20 The consultation response from Hertfordshire Gardens Trust expresses concern that the scale and amount of development proposed would harm the approach to Welwyn Conservation Area which is currently of a leafy low-density nature. Church Street is an approach into Welwyn Conservation Area which, at its nearest point, is separated from the application site by 86m. The Conservation Area at this point is also set on notably higher land level. Whilst design harm has been identified, this would not transfer to harm to the character and appearance of the Conservation Area. The application site and Conservation Area are considered to be well separated and views toward the Conservation Area would not be adversely affected as a result. The proposal would also retain and bolster soft boundary landscaping, so the green and leafy appearance of the approach would be maintained. For these reasons, the development proposal would not harm the significance of this designated heritage asset.

### **3. Living conditions of future occupiers and neighbouring residents**

- 10.21 Policy D1 of the Local Plan requires the standard of design in all new development to be of a high quality. This is expanded upon in the Council's SDG which sets out the guidelines with regard to residential development for the provision of adequate amenity for future occupants and the protection of neighbouring residential amenity. The NPPF advocates high quality design and outlines that planning decisions should create a high standard of amenity for existing and future occupiers

#### *Living conditions of future occupiers*

- 10.22 The proposed 2-bed and 3-bed flats are of a good size internally for its occupiers. Communal amenity space would be provided around the blocks of an acceptable area, however no details are shown as to how this area would be arranged for the benefit of all occupiers. A planning condition can be imposed in the event of planning permission requiring a detailed landscaping scheme including boundary treatments, and details of any garden furniture to ensure that the amenity area is appropriately designed for users.
- 10.23 The rear elevation of Block A would face the side elevation of Block B at right angles (and vice-versa), and be separated by a distance of approximately 12m. Whilst each of these elevations would have windows facing one another, this separation distance would be sufficient to ensure that occupiers would not suffer any adverse loss of outlook, privacy, sunlight and daylight.
- 10.24 There would be a clear lack of outlook from and sunlight and daylight to the front elevation windows of Block B. However, much of the rooms which these windows serve are non-habitable and the rooms which are habitable (living/kitchen room), feature additional windows to the side and rear elevations. Overall, it is considered that from the perspective of future occupiers in this block,

sufficient levels of outlook, privacy, sunlight and daylight would be afforded to its internal accommodation.

- 10.25 In terms of the living conditions of neighbouring residents, the main properties which may be affected by the development proposal are those at No. 1 and No. 1a Wendover Drive. All other neighbouring properties are sufficiently separated from the application site so as to ensure that their living conditions would be not be adversely affected.
- 10.26 No. 1 Wendover Drive is a two storey detached dwelling sited to the immediate south of the application site. The flank elevation of Block A would be separated from the shared boundary with No. 1 by approximately 2m and face directly onto the front driveway/garden of this property. The flank wall of this Block is blank and the 2no roof-lights in the side roof-slope would not present any direct overlooking to this property provided they are non-opening and glazed in obscure glass below 1.7m from finished internal floor level. This measure can be secured through a planning condition. The 1.5 storey height of Block A would not appear unduly dominant or result in any adverse loss of sunlight or daylight from this neighbouring property.
- 10.27 The front elevation of Block B would be separated from the shared boundary with No. 1 by 2.2m at its narrowest point and face directly onto the private rear garden of this neighbouring property. A line of 4 well-established Holly trees within the confines of No. 1 run adjacent and parallel to this part of the shared boundary and would mask most views from the windows of Block A toward the rear garden of this property. However, views through the trees would be exposed if, for one reason or another, the trees had to be felled. It is noted that the submitted elevation drawing for this Block annotates that all first floor windows and roof-lights serving both habitable and non-habitable space would be obscure glazed and non-opening 1.7m above finished floor level. Whilst such a measure is normally sufficient to overcome privacy and overlooking concerns, it is considered in this case given the very close proximity of the proposed 2.5 storey building to the shared boundary and number of first floor windows along the length of this front elevation that there would be a perception of overlooking from these first floor windows toward the private rear garden of No. 1, harmful to the living conditions of its occupiers. In addition, the height, length and proximity of Block B to No. 1 would be unduly dominant when viewed from the private rear garden of No. 1 harmful to the living conditions of its occupiers.
- 10.28 No. 1a Wendover Drive is a detached chalet-style dwelling sited to the immediate south-east of the application site. The side garden of No. 1a and its flank wall which includes a ground floor window serving habitable space would face onto the shared boundary with the application site. There would not be any adverse overlooking or privacy from the front elevation windows of Block B toward this property as views would be oblique rather than direct. However, it is considered that Block B, by reason of its height and close proximity to the shared boundary, would appear unduly dominant from this property when viewed from the private side garden area and ground floor flank window of this property. Harm to the living conditions of the occupiers of this neighbouring property would result.
- 10.29 Block A would be sufficiently separated from No. 1a to ensure no planning harm would result.

- 10.30 For the above reasons, the proposed development would represent a poor standard of design, harmful to the living conditions of No. 1 and No. 1a Wendover Drive and in conflict with Policy D1 of the Local Plan, the Council's SDG, Policy SADM11 of the Emerging Local Plan and the NPPF.
- 10.31 It is recognised that harm to living conditions of neighbouring properties did not form a reason for refusal for the previous proposal on the site for flatted development (reference: 6/2017/2107/FULL). However, in application 6/2017/2007/FULL, Block B was sited further away from the shared boundary with 1 and 1A Wendover Drive and had a dissimilar design to that now under consideration. As such, the previously refused scheme is materially different to this current application.

#### **4. Highways and parking provision**

- 10.31 The Highways Authority have been consulted for this application and present no objection to the development proposal subject to conditions requiring the parking and servicing area to be provided prior to occupation, and a construction management plan. Both matters can be secured through planning conditions.
- 10.32 The development would provide 6x2-beds and 3x3-beds which amounts to a total of 13 car parking spaces against the Council's maximum parking standards. 12 on-site parking spaces of suitable dimensions would be provided to the front portion of the site. Whilst this would represent a shortfall of 1 car parking space below the Council's SPG, the Council's Interim Car Parking Policy states that the car parking standards contained in the SPG should be treated as guidelines rather than maximums consistent with the NPPF. Therefore, applications can be determined on a case-by-case basis to achieve a sensible level of provision.
- 10.33 The site is located within walking distance of the village centre of Welwyn where amenities and facilities are located, and close to a main road where public transport can be found. The Local Planning Authority can also exercise control, by planning condition, over the allocation of car parking in order to ensure that on-site parking spaces are designated and spread appropriately across all flats. Taking account of these factors, it is considered that the provision of 12 car parking spaces would be acceptable in this case.
- 10.34 A cycle store (for up to 12 cycles) has also been indicated which supports sustainable modes of transport. Whilst full details of the building have not been provided, this can be secured through a planning condition.
- 10.35 Overall it is considered that a suitable level of parking would be provided on site and the proposal would not represent a severe impact to highway capacity to justify a refusal of the application. Therefore subject to conditions the development would accord with Policy M14 of the Local Plan, the Council's SPG and Interim Parking Policy, Policy SADM12 of the Emerging Local Plan and the NPPF.

#### **5. Noise and vibration**

- 10.36 Policy R19 of the Local Plan states that proposals will be refused if the development is likely to generate unacceptable noise or vibration for other land uses. Policy SADM18 of the Emerging Local Plan outlines that a noise and vibration impact assessment will be required for proposals with the potential to cause disturbance to people or the natural environment due to noise and/or

vibration. Very disruptive noise and/or vibration pollution will not be permitted and disruptive or intrusive effects will be weighed against the needs for, and benefits of, the development. These policies are in place in the interest of high quality design to ensure that the living conditions of existing and future occupiers are maintained.

- 10.37 The Council's Public Health & Protection Officer has been consulted for this application. The submitted acoustic report shows that noise levels can meet those within BS8233 with a suitable glazing and ventilation scheme. Mechanical ventilation will also be required so that windows can remain closed during the warmer months so that internal noise levels are not compromised.
- 10.38 The outdoor amenity space is also being listed as being able to comply with the 55dB WHO Guidelines for Community Noise level through the addition of screens/ barriers. However, additional details on this matter are required, including information on the expected noise levels.
- 10.39 The above additional information requested can be secured through a planning condition.
- 10.40 No details of external lighting have been provided alongside this application. A planning condition however can request details in the interest of protecting the living conditions of neighbouring occupiers and for the avoidance of any doubt.

## **6. Other considerations**

### *Ecology & Biodiversity*

- 10.41 The application site has been identified as an area of high priority for habitat creation and as the proposed development would involve the demolition of an existing dwelling, Hertfordshire Ecology have been consulted. Whilst no response has been received, it is not that the most recent refused application for redevelopment of the site following demolition of the existing, the Ecology Team presented no objection.

### *Waste and recycling*

- 10.42 The requirements for refuse would be 4x360L bin for refuse and 1x mini recycling centre. The Council's Client Services Team have been consulted for this application and advise that the proposed bin store is insufficient in size for the number and size of bins required. Notwithstanding this, a revised size can be secured through a planning condition in the event of a grant of planning permission.

### *Accessible and adaptable dwellings*

- 10.43 Policy H10 of the Local Plan states that in all residential developments involving 5 or more dwellings, the Council will seek to secure a proportion of dwelling to be built to lifetime home standards. Policy SP7 of the Emerging Local Plan stipulates that this proportion is at least 20%. Block B is unlikely to be compatible for wheelchair users given the topography of the land, separation distance from the entrance to the site, and indication of stepped access. However Part M4(2) standards could be applicable, particularly in Block A. Provision can be secured through a suitably worded planning condition.

## *Fire hydrants*

- 10.44 Hertfordshire County Council have requested the provision of fire hydrants through a S106 Agreement. However, as this is the only request for a S106 it is considered reasonable for this requirement to be addressed by way of condition in the event of a grant of planning permission.

## **11 Overall balance and conclusion**

- 11.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. This proposal both breaches and complies with different policies of the development plan, moreover there are other considerations such as the effects on housing land supply to be taken into account. There is, therefore, a balance to be struck.
- 11.2 The proposal would represent cramped overdevelopment of its plot. Indicators of this overdevelopment are found in the contrived access to Block B from the site entrance, excessively close proximity of the front elevation of Plot B to the southern boundary of the site, and the harm this layout would cause to the character of the area; unsatisfactory arrangement of an associated bin store directly facing a habitable window of Flat 1 in Block A; and harm to the living conditions neighbouring occupiers in terms of Block B being unduly dominant when viewed from adjoining properties including perceived overlooking and loss of privacy. As such, it is deemed that there is insufficient space within the site to accommodate the scale of development and number of units proposed. Substantial weight is afforded to this harm.
- 11.3 The proposal is acceptable in terms of highway safety and capacity, and parking provision. However, the lack of harm in these respects is a neutral consideration that does not weigh for or against the proposal.
- 11.4 There is an identified need for dwellings in the borough. Given the amount of development proposed the social and economic benefits derived from the occupation and construction of the dwellings would be modest. These modest benefits have limited weight in favour of the proposal.
- 11.5 The proposal would help to boost the supply of housing in line with the government's objective set out at paragraph 59 of the NPPF. Also, as the Council cannot demonstrate a 5-year supply of deliverable housing sites, paragraph 11(d) of the NPPF applies. This outlines that applications involving housing should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.
- 11.6 In weighing the balance in favour of sustainable development, it is considered that the extent of harm identified would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. Consequently, the development proposal would represent a poor standard of design in conflict with Policies H2, D1, D2 and GBSP2 of the Local Plan; the Council's SDG; Policies SADM1, SP9 and SADM11 of the Emerging Local Plan; and the NPPF.

## 12 Recommendation

It is recommended that planning permission is refused for the following reasons:

1. The proposal, by virtue of its layout and scale, results in cramped over-development of the site that fails to respect or relate to the character of the existing area. Consequently, the proposal would represent a poor standard of design in conflict with Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005 (Statement of Council Policy); Policies SADM1 and SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2018.
2. Proposed Block B, by virtue of its height, span and proximity to the southern boundary, would be unduly dominant when viewed from the private rear garden of 1 Wendover Drive. For the same reasons, there would be a perception of overlooking and loss of privacy from the front elevation first floor windows of this Block toward the private rear garden of 1 Wendover Drive. Harm to the living conditions of the occupiers of this neighbouring property would result. This represents a poor standard of design in conflict with Policy D1 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005 (Statement of Council Policy); Policy SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2018.
3. Proposed Block B, by virtue of its height, span and proximity to the southern boundary, would be unduly dominant when viewed from the private side garden and north facing ground floor flank window of No.1a Wendover Drive. Harm to the living conditions of the occupiers of this neighbouring property would result. This represents a poor standard of design in conflict with Policy D1 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005 (Statement of Council Policy); Policy SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2018.

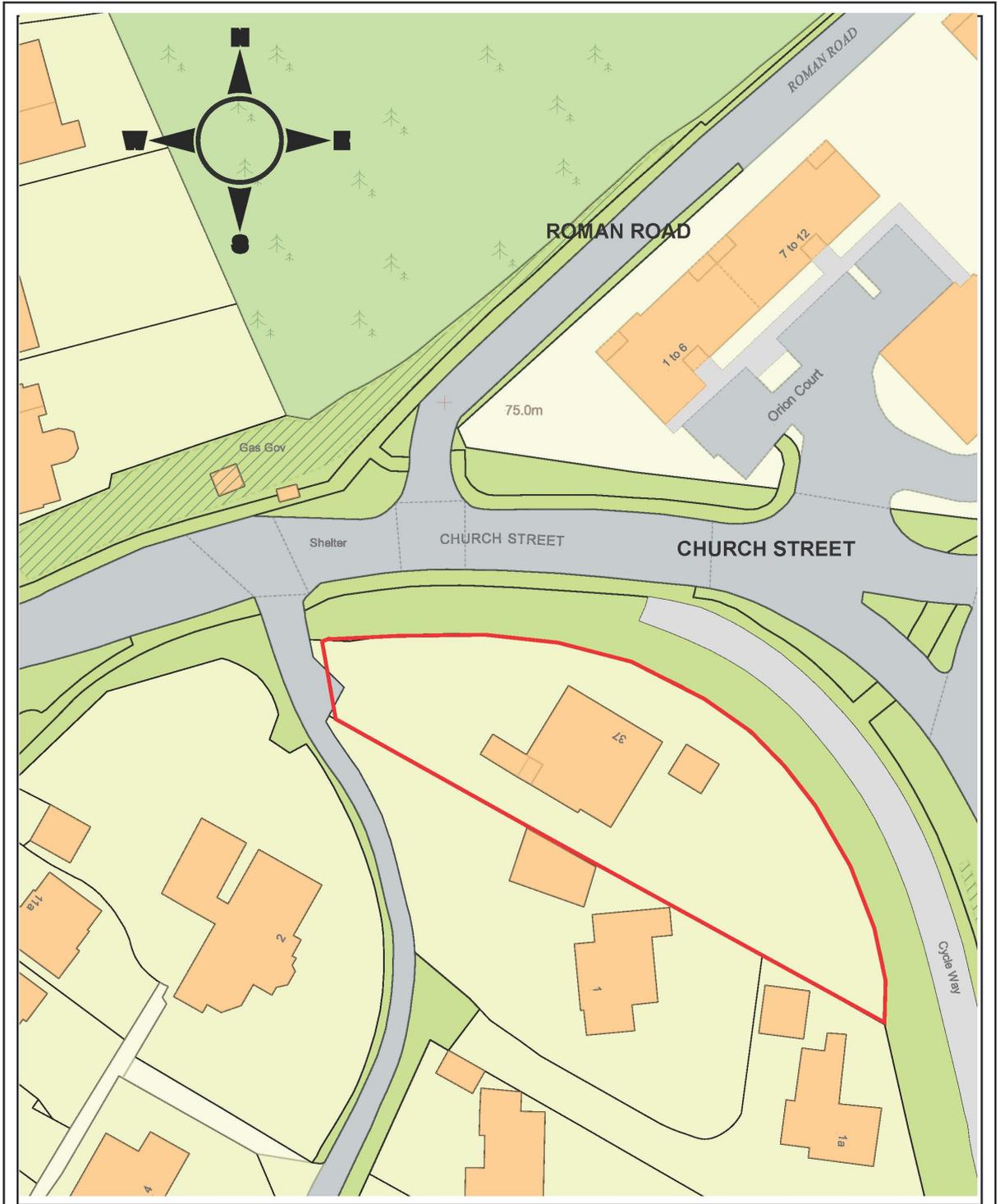
### POSITIVE AND PROACTIVE STATEMENT

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).

REFUSED DRAWING NUMBERS:

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
T03-BA 20-01	P02	Block A – Ground, First & Roof Floor Plans	25 September 2018
T03-BA 22-01	P02	Block A – Sections	25 September 2018
T03-BA 21-01	P02	Block A – Elevations	25 September 2018
T03-BB 20-02	P02	Block B – Second, Roof Floor Plans	25 September 2018
T03-BB 20-01	P02	Block B - Ground, First Floor Plans	25 September 2018
T03-BB 22-01	P02	Block B - Sections	25 September 2018
T03-BB 21-01	P02	Block B – Elevations	25 September 2018
907		Existing Plans	25 September 2018
19130cv-01		Topographical Survey	25 September 2018
T03-Z1 01-02	P02	Proposed Site Plan	25 September 2018
T03-Z1 01-04	P02	Street Elevations	25 September 2018
T03-Z1 01-05	P02	Site Section	25 September 2018
T03-Z1 01-06	P03	Refuse & Bike	25 September 2018
T03-Z1 01-07	P03	3D Views	25 September 2018
T03-Z1 01-01	P01	Block & Location Plan	25 September 2018
LC-2577-01		Landscape Plan	25 September 2018
T03-Z1 01-08		Site Section and Existing Context	17 October 2018

David Elmore (Development Management)  
 Date of expiry: 20 November 2018  
 Extension of time: 04 January 2019



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

Title: 37 Church Street Welwyn

Scale: DNS

Date: 2019

Project: DMC Committee

Drawing Number:  
6/2018/2455/FULL

Drawn: Ida Moesner

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