

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 24 OCTOBER 2024  
REPORT OF THE ASSISTANT DIRECTOR (PLANNING)

6/2024/0608/FULL

13 TOLMERS ROAD CUFFLEY POTTERS BAR EN6 4JF

ERECTION OF A NEW DWELLING FOLLOWING DEMOLITION OF EXISTING DWELLING

APPLICANT: ZILVINAS BABRAUSKAS

**1 Site Description**

- 1.1 The application site comprises a single storey dwelling with an integral garage with front and rear gardens located on the west side of Tolmers Road. The application property is bounded by two storey dwellings with Nos 11 and 15 to the south and north. The rear of the application site bounds the gardens of properties on Tolmers Gardens.

**2 The Proposal**

- 2.1 The proposal seeks planning permission to demolish the existing dwelling and erect a larger two storey dwelling with an integral garage in the same location.

**3 Reason for Committee Consideration**

- 3.1 This application is presented to the Development Management Committee because Councillor George Michaelides has called-in the application, and the proposal is recommended for approval. The reason for the call-in request is set out below:

*“I have reviewed the above application and would like to call it in on the following grounds:*

- 1. It constitutes substantial overdevelopment.*
- 2. It does not comply with a number of Neighbourhood Plan Policies.*
- 3. The development is at a higher elevation compared to neighbouring properties.*
- 4. The rear balcony represents significant intrusion”.*

**4 Relevant Planning History**

- 4.1 Application Number: E6/1950/0530/  
Decision: Granted

Decision Date: 30 May 1950  
Proposal: Addition to house

- 4.2 Application Number: E6/1960/0211/  
Decision: Granted  
Decision Date: 18 February 1960  
Proposal: Extension to kitchen & lounge
- 4.3 Application Number: E6/1960/0523/  
Decision: Granted  
Decision Date: 21 April 1960  
Proposal: Extension to bungalow
- 4.4 Application Number: S6/1976/0059/  
Decision: Granted  
Decision Date: 09 March 1976  
Proposal: Single storey side extension, front porch and front extension to garage
- 4.5 Application Number: S6/1978/0282/  
Decision: Granted  
Decision Date: 27 June 1978  
Proposal: Conservatory

## **5 Relevant Planning Policy**

- 5.1 National Planning Policy Framework 2023 (NPPF)
- 5.2 National Design Guide 2021 (NDG)
- 5.3 The Welwyn Hatfield Borough Council Local Plan 2016-2036 (Local Plan)
- 5.4 Supplementary Design Guidance 2005 (SDG)
- 5.5 Northaw and Cuffley Neighbourhood Plan
- 5.6 Parking Standards Supplementary Planning Guidance 2004 (SPG)
- 5.7 Interim Policy for Car Parking Standards and Garage Sizes 2014 (Interim Car Parking Policy)
- 5.8 Hertfordshire Local Transport Plan (2018-2031) 2018

## **6 Representations Received**

- 6.1 The application was advertised by means of neighbour notification letters. In total 3 representations have been received, all of which were objections to the scheme. All representations received are published in full on the Council's website and are summarised below.

## *Objections*

- proposal is contrary to policies D1 e, g and k of the Northaw & Cuffley Neighbourhood Plan,
- overdevelopment of the site,
- roof in its entirety should be lowered and the section to the left of the proposal (as viewed from the road) should be stepped down,
- increase in total height and bulk of the structure and the impact it has on No 11 and the adjoining area,
- the sense of enclosure provided by the proposal has been disregarded,
- no submission of a Daylight and Sunlight Report by the applicants, concerning the effects of the proposals upon No 11,
- when DN 2402/10 View 2 is considered fully it will be seen that there are inaccuracies relating to the position of the boundary to No 11
- to clarify and to assist in determining the impact of the proposals on No 11, DN 2402/12 Proposed Section AA, should show accurately the paving and internal floor levels of No 11.
- first floor side elevation window facing No 11 should be obscured,
- the proposed full height chimney stack to the side elevation facing No 11 adds to the bulk of the structure. This has been omitted from Front Elevation 1,
- there are discrepancies between DN's 2402/05 and 2402/09, in terms of the boundary line between Nos 11 and 13 regarding the position shown of the proposed flank wall to the garage to No13,
- disturbance to the existing substantial retaining wall constructed approximately 10 years ago,
- the balcony and upper windows to the rear will substantially overlook the gardens of Nos 15 and 11 and also at least nine properties to the rear,
- discrepancy between 3D View 1 (which shows block walling to front side boundaries) and proposed site plan (which shows hedges),
- overspill parking on the front driveways and grass verges,
- not in keeping with the character of the area,
- There is already an intrusive building at Number 15 Tolmers Road. This proposal, would significantly add to the intrusion to No 29 and properties at Nos 9,7 and 5 Tolmers Road would also be significantly impacted by this proposed development, and they should also be consulted,
- any addition of solid walls and gates would have a detrimental effect on the wildlife habitat provided by the gardens on this whole block,
- rainwater runoff will flow down to Tolmers Gardens increasing flood risk,
- the proposed scheme should be prohibited from putting flood lighting at a height above 2 metres,
- No 15 should not be used as precedent, this was given planning consent before the Neighbourhood Plan was adopted,
- the dormer window fitted to the roof space (side elevation II) should be obscured with restricted opening.

## **7 Consultations Received**

- 7.1 An objection was received from Highway Authority and the comments are summarised below:
- the proposed access arrangement is contrary to the current HCC's Dropped Kerb policy and will not be acceptable,
  - the additional access point proposal will be detrimental to highway safety.

## **8 Town/Parish Council Representations**

Northaw and Cuffley Parish Council have submitted a major objection, and their comments are summarised below:

- No 15 Tolmers Road was built prior to the adoption of the Neighbourhood Plan and should not be taken as a precedent,
- Proposed development contravenes with the Neighbourhood Plan Policies D1a, b, e, g and k,
- Overlooking and loss of amenity due to both the height of the building and features such as balconies,
- Overdevelopment due to height of building, construction up to the boundary and general massing.

## **9 Analysis**

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

- 1. Quality of design and impact on the character of the area**
- 2. Residential amenity**
- 3. Highway and transport considerations**
- 4. Other considerations**
  - i) Landscaping and trees**
  - ii) Ecology and biodiversity**
  - iii) Sustainable design and low carbon homes**
  - iv) Neighbour representations**

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

- 9.2 Paragraph 131 of the National Planning Policy Framework (NPPF) clearly advises that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development.

- 9.3 Local Plan Policy SP1 requires the need to deliver sustainable development whilst ensuring development is built to high design standards reflecting local character. Policy SP9 emphasises this need to deliver a high-quality design that fosters a positive sense of place. Proposals should be informed by an

analysis of the site's character and context so that they relate well to their surroundings and local distinctiveness, including the wider townscape and landscape. Development proposals must respect neighbouring buildings and the surrounding context in terms of height, mass and scale. They should also be of a high-quality architectural design that creates coherent and attractive forms and elevations and uses high quality materials. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG).

- 9.4 In terms of the character of the area, paragraph 2.4 of the SDG outlines, amongst other things, that new development should:
- Respond to building forms and patterns of existing buildings in the detailed layout and design to reinforce a sense of place;
  - New development positively contribute to the continuity and enclosure of an area and the frontage of the buildings should relate to the frontage of the existing buildings in the area
  - Ensure that the scale, height, massing, and space around the new development in relation to the adjoining buildings is considered
- 9.5 Moreover, Policy D2 of the Northaw and Cuffley Neighbourhood Plan (NCNP) states that "Proposals for replacement or new housing development, extensions to existing properties, the sub-division of plots, infill and/or back land development should respond positively to the Northaw and Cuffley Design Code (Appendix 2). Relevant further guidance in Appendix 2 in support of Policy D2 states:
- The use of a repeating type of dwelling along the entirety of the street should be avoided (to create variety and interest in the streetscape)
  - Existing landscape features (such as tree, flower beds, hedgerow) should be retained and where possible their presence should be enhanced by new landscape elements.
  - Car parking design should be combined with landscaping to minimise the presence of vehicles.
  - Parking areas and driveways should be designed to ameliorate impervious surfaces, for example through the use of permeable paving.
- 9.6 It is important to note that part of the objection submitted by Northaw and Cuffley Parish Council relates to Policy D1 (a, b, e, g and k) of the NCNP. However, Policy D1 applies only to a closed list of development types which does not include replacement dwellings. Policy D1 states "As appropriate to their scale, nature and location, development proposals for plot sub-division, infill and back land development should respond positively to the following issues and design features". Whilst Policy D1 (a, b, e and g) may not refer to replacement dwellings, the issues identified in elements of this policy are a consideration in more general design terms. In terms of Policy D1 (k), the application site does not benefit from a side access gate, therefore no weight is attributed to this part of the policy.
- 9.7 Tolmers Road is characterised by large plots containing detached dwellings in a variety of architectural styles many of which are of individual design. There has been much redevelopment in the area, where smaller dwellings have been extended or replaced by larger dwellings and a number of large plots

have been subdivided resulting in increased density and a less spacious form of development.

- 9.8 The proposed dwelling would occupy the width of the plot at ground floor level and the first floor would be inset by approx. 1.5 metres from the boundary with No 11 and 15 Tolmers Road. This spacing would avoid the possibility of a terracing effect with the adjoining properties.
- 9.9 The proposed two storey dwelling would be substantially larger than the existing dwelling in terms of mass and bulk. It is considered that there would be a degree of conflict with Policy SP9 and the SDG. However, the appearance of the resultant dwelling is not considered in isolation; Policy SP9 requires proposals to be respond to the site's character and surrounding context, including the street scene, having regard to neighbouring buildings in terms of height, mass and scale. There are examples of large replacement dwellings within the street for instance No 15, 27, 53 and 61.
- 9.10 Land levels on this part of Tolmers Road fall in a downward slope from north to south. Whilst the main ridge of the proposed dwelling would be lower than the ridge of No 15, it would be approx. 3.5m higher than the main ridge of No 11. Given that the first floor is inset by approx. 1.5 from this neighbouring property, it is considered that it would not appear out of context within the streetscene, there are examples of similar relationships such as No 11 and No 9; No 15 and No 17; No 23 and No 25.
- 9.11 It is considered that the examples given in paragraphs 9.9 and 9.10 above inform the character of the area, and this is a material consideration in assessing this application. The proposed dwelling is not considered overly dominant or prominent within the streetscene. The proposed dwelling has been carefully designed, the roof would be hipped along all sides thereby reducing its bulk and the front projecting gable would sit subservient to the main roof. As such, the replacement dwelling would relate well with the surrounding area in terms of its siting and orientation. On balance, it is considered that the larger replacement dwelling would not appear discordant with the character of the area and are therefore considered acceptable in this instance.
- 9.12 Furthermore, the application site benefits from a large rear garden, therefore, the resultant dwelling would not appear cramped within its plot when viewed from the front and rear of the application site.
- 9.13 In terms of elevational design and treatment, no objection is made to the proposed fenestration. Whilst Georgian style windows are not prevalent in the surrounding street scene, given its mixed character with individually designed properties, it is not evident why the proposed Georgian fenestration, or surrounding front elevation design, should not be compatible with the maintenance and enhancement of this character.
- 9.14 Furthermore, the proposal includes a crown roof. It is noted that this type and size of roof form is common in this location. It is considered that the crown

roof feature would not be readily apparent from street level, and therefore acceptable. Notwithstanding this, in terms of visual amenity and quality of design, some crown roofs are not attractively designed and can significantly detract from the appearance of a dwelling and the overall character of the area. It is therefore considered necessary and reasonable to attach a planning condition requiring a cross-section drawing to be submitted to and approved in writing by the Local Planning Authority. Provided that the flat roof is stepped down and concealed behind the surrounding hipped roof, its impact in terms of visual amenity would be limited.

- 9.15 With regards to external materials, these would comprise brick/block finish, plain dark grey roof tiles and timber finish doors and windows. The colours of the brick and timber finish has not been specified. It is considered reasonable and necessary to require exact details of all the external materials to be submitted to and approved in writing by the Local Planning Authority.
- 9.16 Overall, subject to a condition regarding external materials, it is considered that on balance, the resultant dwelling would not appear discordant with the character of the area or result in an overdevelopment of the site. The proposal would accord with the Welwyn Hatfield Borough Council Local Plan, Northaw and Cuffley Neighbourhood Plan, and the National Planning Policy Framework.

## **2. Residential amenity**

- 9.17 The NPPF is clear that planning should be a means of finding ways to enhance and improve the places in which people live their lives. This means that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 9.18 Policy SADM11 provides the local policy framework for assessing the impact of development on the residential amenity and living conditions of neighbouring properties and aims to ensure adequate amenity for future occupiers of the proposed development. This is expanded upon in the Council's SDG which outlines that development should be designed and built to ensure that there is a satisfactory level of sunlight and daylight, that adequate amenity space is provided and that overlooking is minimised. Policy D2 of the NCNP Neighbourhood Plan is also relevant.
- 9.19 Policy SADM11 additionally states that as a minimum, all proposals for C3 dwellings will be required to meet the Nationally Described Space Standard, unless it can be robustly demonstrated that this would not be feasible or viable. Therefore, the National Technical Housing Standard, March 2015 is a material consideration.
- 9.20 The most likely neighbours to be impacted are those at No. 11 and 15 Tolmers Road.

### *i) Neighbour impact*

- 9.21 During the course of the application, amendments to the application were submitted which removed the rear balcony. This has overcome concerns raised by neighbours regarding overlooking and privacy.
- 9.22 The application site is on higher ground than No 11 Tolmers Road, as discussed in paragraph 9.10, the replacement dwelling would be taller than this neighbouring property. Additionally, the proposal would be set back from the front wall of No 11 by approx. 2.5m and would project the rear wall of this neighbouring property by approx. 5.5m. The garage would be built up to the boundary with the No 11. However, to the rear, the utility and kitchen/breakfast room would be set away from this neighbouring boundary by approx. 1.6m. The rear gardens of the application site and No 11 are east facing, therefore, the neighbouring property would receive sufficient day light most of the day. Additionally, the proposal complies with the 45 degree rule and would not appear overbearing towards this neighbouring property. On balance, it is considered the proposal would not cause adverse impacts to the amenities of the neighbouring occupiers to a degree sufficient to warrant refusal.
- 9.23 In terms of No 15 Tolmers Road, the proposed dwelling would project the front and rear wall of this neighbouring property by approx. 1.2m and 0.8m respectively. The main ridge line of the proposed dwelling would be lower than the neighbouring dwelling. It is therefore considered that the proposal would not impact on the living conditions of neighbouring occupiers in terms of overbearing and loss of light.
- 9.24 The side elevation windows facing No 11 and 15 would serve bathrooms. These windows are likely to be obscure glazed however, in order to maintain privacy of the neighbouring occupiers, a condition is attached to ensure that this flank window would be obscure glazed and fixed shut below 1.7 metres.
- 9.25 The proposed rooflights on the side elevations would be 1.7m above the floor level. It is considered that these would not impact on the living conditions of neighbouring occupiers in terms of loss of privacy.
- 9.26 Whilst a substantial dwelling would be introduced on this site, to the rear, there would be acceptable distance between the application site and No 28 and 29 Tolmers Gardens. As such, the proposal would not impact on the living conditions of these neighbouring occupiers.

*ii) Future occupiers*

The proposed layout is considered to provide adequate living conditions for future occupiers with regard to natural light and internal space. The proposed dwelling would meet the minimum requirements for floor space and storage for new dwellings as set out by the NDSS. The rear garden is of a considerable size.



9.27 Overall, subject to the suggested conditions, the proposal would not have an impact on neighbouring and future occupiers and would be in accordance with the local and national policies.

### **3. Highways and transport considerations**

9.28 Policy SADM12 of the Local Plan in regard to parking is informed by the standards that are set out within the Council's parking standards. The Parking Standards SPG use maximum standards that are not consistent with the Framework and are therefore afforded less weight. In light of this, 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. This means that higher or lower car parking standards than those set out in the SPG can be proposed and determined on a case-by-case basis taking into account the relevant circumstances of the proposal, its size, context, and its wider surroundings.

9.29 Policy SADM2 also states that development proposals will be permitted provided there would be no negative impacts on highway safety, they are designed to allow safe and suitable means of access and site operation and they provide satisfactory and suitable levels of parking.

#### *(i) Highway safety*

9.30 The Highway Authority were consulted and they raised an objection to the proposed additional access. This was considered to be detrimental to highway safety and contrary to the HCC's dropped kerb policy.

9.31 During the course of the application, amended plans were received which removed the additional access point. The proposal therefore now retains the existing access arrangement and is considered acceptable in terms of highway safety.

#### *(ii) Car parking*

9.32 The application site is located within parking Zone 4; the parking standards require a property with four bedrooms to provide 3 off road spaces. The dwelling would have 6 bedrooms. The proposal includes an integrated garage and the site benefits from a large driveway which would provide adequate on-site car parking provision for the resultant dwelling in line with the Council's SPG.

#### *(iii) Construction Traffic Management Plan*

9.33 Tolmers Road is a narrow road. It is considered essential to ensure that a Construction Management Scheme is submitted to and approved in writing by the Local Planning Authority.

9.34 Subject to the suggested condition, it is considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways.

#### **4. Other considerations**

##### *i) Landscaping and trees*

9.35 The NPPF sets out at paragraph 135 that planning decisions should be sympathetic to local character, including the landscape setting. Paragraph 136 acknowledges that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

9.36 Policy SP9 of the Local Plan requires that the appropriate definition of spaces should be created or maintained through the siting, layout and design of routes, buildings, landscaping and boundary. These principles are broadly consistent with Policy SADM11 which states that the outlook and visual amenity afforded from within buildings and private/communal garden areas should be satisfactory, taking account of for instance, boundary treatments and landscaping.

9.37 Landscaping is important in order to protect and maintain, or ideally enhance, the existing character of the area and to reduce the visual and environmental impacts of the development. It is important that an appropriate balance between hard and soft landscaping is maintained and the Council will aim to ensure that a proportion of the site frontage is retained as landscaped 'greenery' to reduce the visual prominence of hard surfacing and parked vehicles.

9.38 There are small trees in front of the application site, these are likely to be removed. The plans do not show details of retention or removal of trees. Submitted drawing Nos 2402/11 and 2402/16 shows the location of both proposed soft and hard landscaping to the front and rear of the application site. The majority of the front garden would feature permeable paving which would allow rainwater to drain easily, reducing run-off to the surrounding area. However, the proposal does not include specific details of the proposed soft landscaping. The front boundary would feature hedges and low brick wall which would be less than a one metre in height. However, details of the materials and type of hedge have not been provided. It is considered necessary and reasonable to attach a condition to requiring a detailed landscaping scheme to be submitted to and agreed in writing by the Local Planning Authority. The scheme of landscaping should show the type and extent of trees, to be retained and removed, specifications of species and sizes and hard landscape features. This would be required to maintain and

enhance the visual character of the area in accordance with local and national policies.

*ii) Ecology and biodiversity*

- 9.39 Paragraph 180 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and delivering net gains in biodiversity where possible. Paragraph 186 of the NPPF goes on to list principles that Local Authorities should apply when determining a planning application. It is stated within Paragraph 186(d) of the NPPF that “opportunities to incorporate biodiversity improvements in and around developments should be encouraged”.
- 9.40 Policy SADM16 states that proposals will be expected to maintain, protect, conserve and enhance biodiversity. All developments that are not otherwise exempt will be required to deliver a measurable biodiversity net gain of at least 10%.
- 9.41 Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.
- 9.42 With respect to whether a site is considered to be exempt from BNG, the site is considered to be 'small development' which is defined by the Government as 'not major developments'. A small development is taken to mean, in the instance of this site, as a 'residential development where the number of dwellings is between 1 and 9, or if this is unknown, the site area is less than 0.5 hectares'. Small scale developments that were submitted prior to 2nd April are exempt from providing a measurable biodiversity net gain of at least 10%. This is the case for this application.
- 9.43 In light of the above, whilst the site is currently exempt from providing a measurable biodiversity net gain of at least 10%, Policy SADM16 and the NPPF require proposals to enhance biodiversity. In this instance, the proposed soft/hard landscaping condition suggested above would help to ensure that biodiversity is enhanced on site, by way of ecological enhancements to encourage wildlife.

*iii) Sustainable design and low carbon homes*

- 9.44 In June 2019 Welwyn Hatfield declared a Climate Change Emergency, with the aspiration of achieving net-zero carbon emissions by 2030.
- 9.45 The NPPF, at paragraph 157, sets out the broad objectives that the planning system should support the transition to a low carbon future in a changing climate. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

- 9.46 Paragraph 162 states that, in determining planning applications, local planning authorities should expect new development to:
- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
  - b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 9.47 Local Plan Policies SP10 and SADM13 seek to maximise opportunities for reducing carbon emissions; encourage the use of renewables where it is appropriate and consistent with other policies; and ensure that proposals are responsive to how the climate will change over their lifetime and minimise their contribution to the urban heat island effect. This is consistent with the environmental objective of sustainable development as outlined in Policy SP1 of the Local Plan.
- 9.48 The applicant has not submitted any details of energy efficient construction. It is considered reasonable to require details of energy-efficient construction materials and processes, including measures for long term energy and water efficient use of the building, to be submitted to and approved in writing by the Local Planning Authority by way of a planning condition.
- vi) Refuse and recycling*
- 9.49 Drawing No. 2402/11 shows that bins would be stored within the front boundary between the proposed gates. However, details of the type, elevations or the external finish of the storage have not been provided. In the event of a recommendation for approval, these details can be secured through a suitably worded planning condition.
- vii) Neighbour representations*
- 9.50 The height of the proposed chimney does not exceed 1m above the highest part of the roof. It would relate well to the proposed dwelling. Moreover, the chimney can be implemented under permitted development.
- 9.51 The comments regarding the discrepancy between 3D drawings and proposed site and sections plans are noted. It should be noted that 3D view plans are for illustrative purposes and the details on the site and section plans have been taken into consideration when assessing the application.
- 9.52 Neighbour consultation was carried out in accordance with the Development Management Procedure) (England) Order 2015. All the relevant adjoining neighbours were consulted. Nos 5, 7 and 9 do not share a boundary with the application site and were therefore not consulted.

9.53 The proposal does not include flood lighting. Domestic external light fittings are not subject to planning controls. Nevertheless, when installed, property owners are advised that the intensity and direction of light should not disturb neighbouring occupiers. Separate legislation exists to control nuisance from light pollution.

## **10 Conclusion**

10.1 Subject to the suggested conditions, the proposed scheme would comply with local and national policies. Accordingly, and for the reasons given, the proposal is recommended for approval.

## **11 Recommendation**

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

### **Conditions:**

1. No development shall commence until a Construction Management Scheme has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development must not be carried out other than in accordance with the approved Plan. The Construction Management Scheme shall identify details of:
  - a) construction vehicle numbers, type, routing;
  - b) access arrangements to the site;
  - c) traffic management requirements;
  - d) construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
  - e) siting and details of wheel washing facilities;
  - f) cleaning of site entrances, site tracks and the adjacent public highway;
  - g) timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
  - h) provision of sufficient on-site parking prior to commencement of construction activities;
  - i) post construction restoration/reinstatement of the working areas and temporary access to the public highway; and
  - j) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

REASON: To protect highway safety and the amenity of other users of the public highway and rights of way; to protect the living conditions of neighbouring properties, in accordance with Hertfordshire's Local Transport Plan; the Welwyn Hatfield Borough Council Local Plan; and the National Planning Policy Framework.

2. No development above ground level (excluding demolition) shall take place until details of the proposed crown roof have been submitted to and approved in writing by the Local Planning Authority. The details, including; a roof plan, elevations and sections, at an appropriate scale, must clearly show that the flat roof is stepped down and concealed behind the surrounding hipped roof. The hipped roof must use ridge tiles. Subsequently the development must not be carried out other than in accordance with the approved details.

REASON: The proposal contains insufficient information in regards to the detailed design of the roof and this is required in the interests of quality of design and visual amenity in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

3. No development above ground level (excluding demolition) shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

4. No development above ground level (excluding demolition) shall take place until 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. The development shall not be carried out other than in accordance with the approved details.

The landscaping details to be submitted shall include:

- a) means of enclosure and boundary treatments;
- b) hard surfacing, other hard landscape features and materials;
- c) existing trees, hedges or other soft features to be retained and a method statement showing tree protection measures to be implemented for the duration of the construction;
- d) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing and
- e) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife.

REASON: The landscaping of this site is required in the interest of maintaining the character and amenity of the area, to provide ecological, environmental and biodiversity benefits, and to mitigate the impacts of climate change in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

5. No development shall commence (excluding demolition) until details of energy-efficient construction materials and processes, including measures for long

term energy and water efficient use of the building, have been submitted to and approved in writing by the Local Planning Authority. These measures should promote the use of renewable resources and involve sustainable drainage, heating and power systems. The building shall be constructed in accordance with the agreed materials, processes and systems, and shall thereafter be maintained in the approved form.

REASON: To ensure that the development contributes towards Sustainable Development and Energy efficiency in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

6. No development above ground level (excluding demolition) shall take place until full details of refuse and recycling storage have been submitted to and approved in writing by the Local Planning Authority. Subsequently the refuse and recycling storage shall be constructed, equipped and made available for use prior to first occupation of the development and thereafter retained for this purpose.

REASON: To ensure a satisfactory standard of refuse and recycling provision and to protect the residential amenity of adjoining and future occupiers in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

7. The first-floor side elevation windows [facing No 11 and 15 Tolmers Road] of the building hereby approved must be obscure-glazed to a level equivalent to Pilkington Level 3 or above and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall be retained in that form thereafter. Obscure glazing does not include applied film or one-way glass.

REASON: To protect the residential amenity and living conditions of adjoining occupiers in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

8. The side elevations of the balcony screen (facing No 11 and 15 Tolmers Road) of the building hereby approved must be obscure glazed obscure-glazed and be 1.7m above external finished level and shall be retained in that form thereafter.

REASON: To protect the residential amenity and living conditions of adjoining occupiers in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

9. The development must not be carried out other than in accordance with the approved landscaping details and all landscaping must be carried out in the first planting and seeding seasons following the occupation of any part of the development, or the completion of the development, or in agreed phases, whichever is the sooner. Any plants which within a period of five years from planting die, are removed, or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species. All

landscape works must be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure implementation of the approved landscaping details in the interest of maintaining the character and amenity of the area, to provide ecological, environmental and biodiversity benefits, and to mitigate the impacts of climate change in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

#### DRAWING NUMBERS

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

<b>Plan Number</b>	<b>Details</b>	<b>Received Date</b>
2402/20	Location Plan	2 April 2024
2402/14	Proposed Block Plan	2 April 2024
2402/15	Existing Block Plan	2 April 2024
2402/12	Proposed Section- Section A-A	2 April 2024
2402/13	Proposed Section - Section B-B	2 April 2024
2402/05	Proposed Ground Floor Plan	2 April 2024
2402/06	Proposed First Floor	2 April 2024
2402/07	Proposed Second Floor & Roof Plan	2 April 2024
2402/08	Proposed Front & Side Elevation	2 April 2024
2402/09	Proposed Rear Elevation & Proposed Side Elevation II	2 April 2024
2402/11	Proposed Site Plan	2 April 2024
2402/04	Existing Site Plan	2 April 2024
2402/01	Existing Ground Floor & Roof Plan	2 April 2024
2402/02	Existing Front & Side Elevation	2 April 2024
2402/03	Existing Rear Elevation & Existing Elevation II	2 April 2024
2402/16	Parking Layout	2 August 2024

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

#### 1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of 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 or legal interest (easements or wayleaves) which may affect the land.
2. 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.
3. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

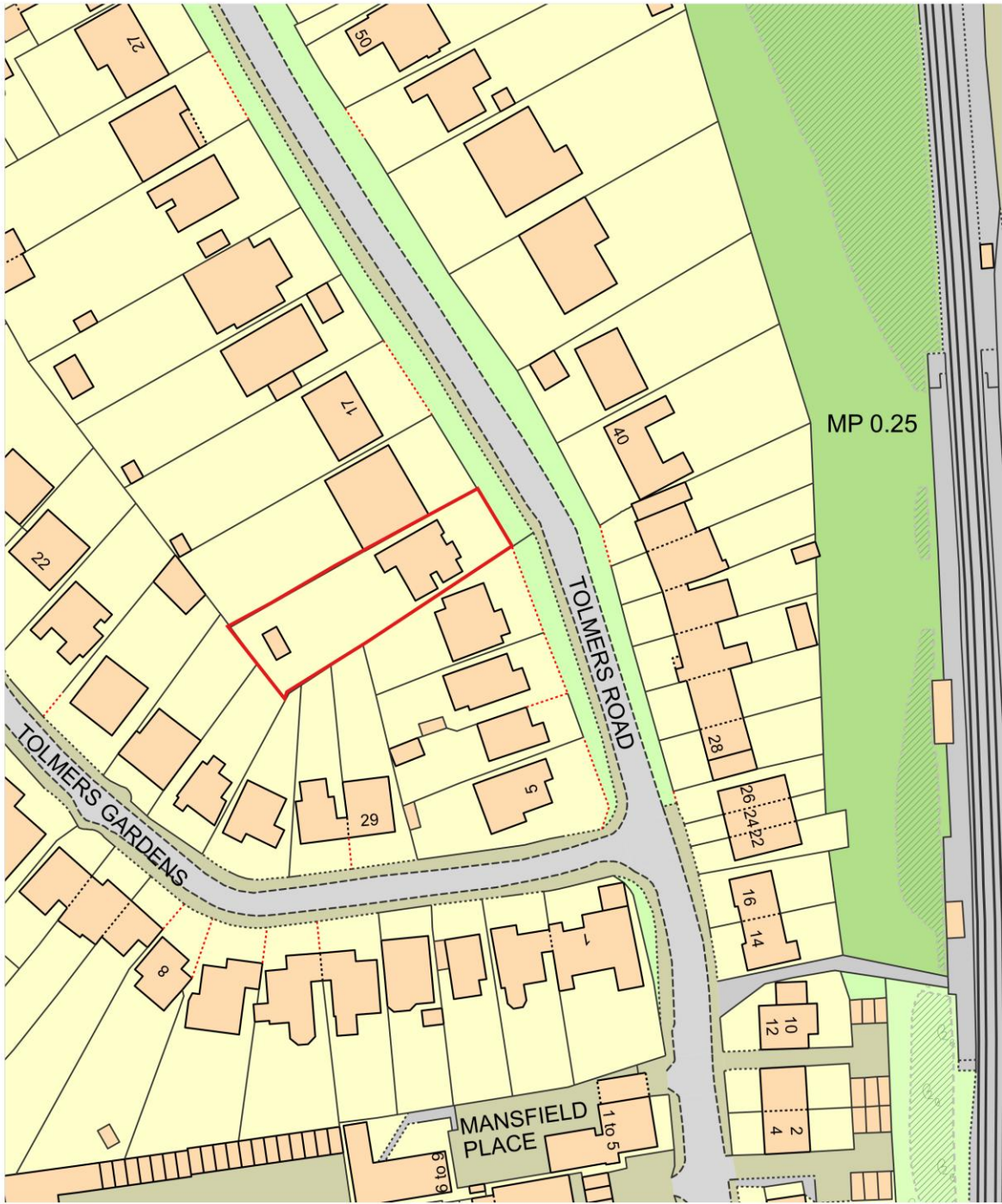
The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.


Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

Lizzie Mugova (Development Management)  
Date: 20/08/2024



 <p>Welwyn HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title:		Scale:		
	13 Tolmers Road Cuffley EN6 4JF		1:5000		
	Development Management Committee		Date:		
		29-08-2024		Drawn:	
		6/2024/0608/FULL		R.Islam	
© Crown Copyright. All rights reserved Welwyn Hatfield Borough Council LA100019547 2024					