

Part I

Main author: Lucy Hale

Executive Member: Councillor S. Boulton  
(Hatfield South West)

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 16 JULY 2020  
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING  
AND GOVERNANCE)

6/2020/0748/FULL

24 HIGH DELLS HATFIELD AL10 9HU

SUBDIVISION OF EXISTING 6-BEDROOM HMO INTO 2 FLATS WITH ASSOCIATED  
CYCLE AND REFUSE STORAGE

APPLICANT: Mr H El-Naggar

**1 Site Description**

- 1.1 The application site is located on the east side of High Dells which is residential in character and features properties of similar style and appearance. The dwelling is located within a row of four two-storey terrace properties. Immediately opposite the site is a row of Council owned garages with a forecourt.
- 1.2 The site comprises a two storey 6-bedroom House in Multiple Occupation (HMO) with a front garden enclosed with a front boundary hedge and a rear garden which is accessed through the property. It benefits from a dropped kerb and a small hardstanding to the front.

**2 The Proposal**

- 2.1 The application seeks planning permission to change the existing 6-bedroom HMO into two flats comprising 1 x 2-bedroom ground floor flat and 1 x 1-bedroom first floor flat.
- 2.2 The two flats would share an access through the existing front door. The ground floor flat would comprise a double and single bedroom, bathroom and an open plan lounge, dining and kitchen and would benefit from private amenity space to the rear. The first floor flat would comprise a single bedroom, bathroom and an open plan living space and would not benefit from private external amenity space.
- 2.3 There would be separate cycle and bin storage to serve both of the flats to the front of the site. No additional car parking provision is proposed.

**3 Reason for Committee Consideration**

- 3.1 This application is presented to the Development Management Committee because Hatfield Town Council have submitted a major objection.

## **4 Relevant Planning History**

- 4.1 Application Number: S6/2011/0267/LU  
Decision: Granted  
Decision Date: 29 March 2011  
Proposal: Certificate of Lawfulness for proposed single storey rear extension

## **5 Relevant Planning Policy**

- 5.1 National Planning Policy Framework (NPPF)  
5.2 Welwyn Hatfield District Plan 2005 (District Plan)  
5.3 Draft Local Plan Proposed Submission 2016 (Emerging Local Plan)  
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)  
5.7 Houses in Multiple Occupation Supplementary Planning Document 2012 (SPD)

## **6 Site Designation**

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

## **7 Representations Received**

- 7.1 The application was advertised by means of a neighbour notification letters. In total three objections have been received, two of which are residents of the same address. All representations received are published in full on the Council's website and are summarised below:

### *Objections*

- Detrimental effect it will have on family home
- Only one parking space to the front and area known for parking issues
- Severe lack of parking at present this would add to congestion
- A bike shed directly opposite my hallway window does not impress me
- Plans show no provision of bin and cycle store
- Enough flats in Hatfield Area
- The property is surrounded by long-standing neighbours who have a strong community feel. Change to flats would change the dynamics

## **8 Consultations Received**

- 8.1 Councillor Kieran Thorpe – Objection summarised as follows:
- This area was not designed to be converted into HMOs or flats
  - It would create a precedent for similar future conversions which would destroy local amenity

- It would create further havoc in relation to parking which is already notoriously bad in this area

The following have responded advising that they have no objections to the proposal:

- WHBC Public Health and Protection
- WHBC Client Services

## **9 Town Council Representations**

9.1 Hatfield Town Council have raised a major objection to the proposed development for the reasons set out below:

*“No bin or cycle storage are shown on the plans submitted. There is no amenity provision for the first floor flat. Whilst welcoming the demise of a HMO, the Town Council would prefer this family home to be returned to its original purpose - a family home. There is no parking provision in the plans.”*

9.2 Following re-consultation on revised drawings which included an amended description, alterations to internal layout of first floor flat and amended layout of cycle and bin storage, the following comments were received:

*“a) Bin space. Although the developer says the storage area for bins has been enlarged-since the original application the bin space provided is still not adequate. With a garden for the ground floor flat, a garden-waste wheelie bin may be required for the ground floor plus 2 for normal waste and recycling, and 2 for the top flat. This requires a minimum width of 2.8m, or bins on the front garden. This is the only point addressed by the developer and this isn’t adequate.*

*b) Road not suitable for flats. This area was not designed for flats – but for family houses. There is currently not adequate parking for flats in this road. To change it from a 2 storey family house structure would be an irreversible change destroying a family home, and the standard of access to green space for all residents. Many flats have already been built in Hatfield in the last 10 years (eg Lime Tree Court, and Aviation Avenue, without gardens) with many more (over 300) being planned in the next year at Hilltop, in the Town centre, and on the corner of Bishops Rise/Wood avenue) Family houses are now at a premium. As Lucy Hale has noted there is not adequate frontage space for more than 1 car at this property. The layby in front for parking is also currently usually full.*

*c) Dangerous precedent for this part of Hatfield. If this change was given permission then there could be similar conversions and nothing stopping other developers trying to change other houses in the street into flats. This would make parking an even worse nightmare, and is not acceptable for this part of Hatfield, where gardens are valued highly.*

*The neighbours at number 26, are not happy with possible changes to the property at number 24. The bin storage space, and parking is likely to affect their own property. The planned new bathroom on the ground floor has a party wall and shared ground floor roof with the neighbour and the front wall (where bins are to be stored) is contiguous with their own utility room. We believe they have made their own objections, which should be considered.”*

- 9.3 It is important to note that a further revised site plan (drawing number 2215-P02B) was submitted following the re-consultation and comments from Hatfield Town Council to address the concerns raised by the Client Services team in relation to the size of the proposed refuse and recycling provision. Client Services are satisfied these details are adequate.

## **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 of the area**
- 3. Residential amenity**
- 4. Highways and parking considerations**
- 5. Other considerations**
  - i) Refuse and recycling**
  - ii) Houses in multiple occupation**
  - iii) Party Wall Act**
- 6. The planning balance**

### **1. Principle of the development**

- 10.2 District Plan Policy SD1 states that development proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they will accord with the objectives and policies of the Plan. Policy R1 requires development to take place on previously developed land and Policy GBSP2 directs new development into the existing towns and specified settlements within the district. These objectives are consistent with the National Planning Policy Framework (NPPF) which supports the development of under-utilised land and buildings (para 118) and the efficient use of land (para 122) taking into account, amongst other criteria, the importance of securing well-designed, attractive and healthy places.
- 10.3 The site is not an allocated housing site and so is considered to be a 'windfall site', District Plan Policy H2, therefore, applies. This policy states that all proposals for windfall housing development will be assessed against the following criteria: the availability of previously-developed sites or buildings; the location and accessibility of the site to services and facilities by transport modes other than the car; the capacity of existing and potential infrastructure to absorb further development; the ability to build new communities to support infrastructure and provide demand for services and facilities; and the physical and environmental constraints on development of land.
- 10.4 Policy SADM1 of the Emerging Local Plan is similar to Policy H2 but also includes criteria that a proposal would not result in disproportionate growth taking into account the position of a settlement within the settlement hierarchy and that the proposal would not undermine the delivery of allocated sites.
- 10.5 The site is located within an existing residential area and as such the infrastructure has been developed to provide good transport links for existing residents. There are also services and facilities available within walking distance of the site. The proposal would therefore meet the requirements of the first four

criteria within Policy H2 and is therefore subject to an assessment of the proposal's impact upon the surrounding environment. The physical and environmental constraints on the development and land have been assessed below.

- 10.6 Policy H3 deals with loss of residential accommodation and states that planning permission will not be granted for redevelopment which would result in the net reduction in the number of dwellings within the District. The policy does not deal specifically with the loss of 'family homes'. In this case, the proposed conversion of the existing single dwelling to form two self-contained flats would result in a net increase of one dwelling and therefore accords with Policy H3 of the District Plan.
- 10.7 Policy H4 outlines that the Council will generally support applications for the conversion of large residential units to provide smaller self-contained units provided that it does not result in a development that is detrimental to the appearance of the application building and the visual amenity of the area; would not adversely affect the amenity of neighbouring residential properties; and would provide appropriate amenity space. These issues are discussed below.

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

- 10.8 In addition to Policy GBSP2, H2, H3 and H4 outlined above, District Plan Policies D1 and D2 aim to ensure a high quality of design and to ensure that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area. These objectives are broadly consistent with the aims of the NPPF which considers that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 10.9 The National Design Guide released in October 2019, expands on the aims of the NPPF and sets out the characteristics of well-designed places and demonstrates what good design means in practice. The guide forms part of the Government's planning practice guidance and is a material planning consideration.
- 10.10 The proposal does not include any extensions or alterations to the external appearance of the dwelling.
- 10.11 Representations have been received from Hatfield Town Council and neighbouring occupiers regarding the changing character of the area due to the loss of family homes and the development of flats. However, there is no policy which refers to types of occupancy, or guidance in respect of the form or pattern of development, other than in terms of overall design and harmonisation. Furthermore, it is important to note that the existing dwelling is not a family home as it serves a 6 bedroom HMO in which occupiers are unrelated individuals. According to the Council's records the property has been operating as a HMO since 2009 and therefore the use and character of the property as a HMO has been established.
- 10.12 Whilst there are concerns that this development could set a precedent which could have a cumulative and detrimental effect on local character, it is noted that only one other application has been granted on High Dells for the conversion of

single dwellinghouse into two flats at 7 High Dells (ref: 6/2017/0300/FULL). Within the wider area, it is noted that an application for the conversion of a single dwellinghouse into two flats was granted by the Development Management Committee, in February 2019, at 11 Holly Close (ref: 6/2018/2968/FULL). In terms of cumulative impacts, neither 7 High Dells nor 11 Holly Close are visible from the application site, being separated by some 200m and bends in the road. The type of flatted development proposed represents a very small percentage of the dwelling types present within the wider estate and it is considered that the grant of planning permission in this instance would not result in any cumulative impacts. Furthermore, it is important to reiterate that each application is considered on its own merits and a generalised fear of precedent can only be given very limited weight in the consideration of this or any other planning application.

- 10.13 The proposed cycle and bin stores are located to the front of the site. Drawing number 2215-P02B indicates that one of the bin stores would be located outside the proposed bathroom and landing window of the ground floor flat. In addition, the other bin store and cycle stores would be located behind an existing front boundary hedge. A suitably worded condition can control the retention of this hedge to the front of the site to assist in screening the stores. Elevation details of the stores have not been provided at this stage however, these can be secured through an appropriately worded condition, together with details of additional hard and soft landscaping.
- 10.14 The current bins which serve the HMO are sited on the hard surface to the front of the property where the proposed bins are to be stored, albeit are not concealed in a store. In line with the Houses in Multiple Occupation Supplementary Planning Document, the number of bins required to serve a 6-bedroom HMO are 2 x recycling bins (240ltr) and 2 x refuse bins (one 240ltr and one 360ltr). The required number of bins to serve the two flats in comparison to the existing HMO would not be greater. In addition, it is considered that concealing the bins in a store in a designated area would assist in reducing clutter to the front of the site in comparison to the existing arrangement. Therefore, in terms of visual amenity, subject to conditions, the proposed conversion into two flats would not have any significant impact upon the character or appearance of the site or the surrounding area.
- 10.15 As reasoned above, the development would be compatible with the character of this part of Hatfield, and therefore there would be no conflict with either the District Plan or the NPPF in this regard.

### **3. Residential amenity**

- 10.16 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.
- 10.17 Policies D1 and R19 of the District Plan seek to ensure that no new development would adversely affect the existing area either in terms of any built form or in terms of the operation of any uses from noise and vibration pollution.
- 10.18 The proposed development comprises a change of use and does not include any new built form. As a result, there would be no impact upon the living conditions

or residential amenity of the occupiers of neighbouring properties in terms of overlooking, loss of light or overbearing impact.

- 10.19 In terms of the potential for the proposal to result in additional noise disturbance to the occupiers of the neighbouring properties, it is considered that use of the building as two flats would not materially increase or intensify the use of the premises over and above the existing property as a 6-bedroom HMO. The proposal would accommodate 1 x 2-bedroom and 1 x 1-bedroom flat. Concluding in this respect, it is considered that the proposed development would protect the living conditions of all neighbouring occupiers.
- 10.20 The Department for Communities and Local Government, Technical housing standards – nationally described space standard (NDSS), March 2015 deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (Floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
- 10.21 The proposed ground floor flat indicates two bedrooms with three bedspaces and therefore it is reasonable to assume this flat would accommodate three people for the purpose of calculating the required internal floor space by defined level of occupancy in line with the NDSS. Consequently a minimum space of 61sqm is required. It would have an internal floor area of approximately 63sqm and is therefore compliant with the NDSS. Furthermore, in order to provide one bedspace, a single bedroom requires a floor area of at least 7.5sqm and is at least 2.15m wide and to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5sqm and is at least 2.75m wide. The proposed double bedroom has a floor area of 14.5sqm and at least 3.3m wide the single bedroom has a floor area of 9.6sqm and at least 3m wide. As such the proposed ground floor flat complies with the NDSS in relation to bedroom sizes.
- 10.22 The proposed first floor flat indicates one bedroom with one bedspace. The internal floor area falls below the required size for two bedspaces and a double bedroom, therefore it is reasonable assume this flat would accommodate one person for the purpose of calculating the required internal floor space by defined level of occupancy in line with the NDSS. Consequently a minimum space of 39sqm is required. It would have an internal floor area of approximately 39.7sqm and is therefore compliant with the NDSS. Furthermore, the bedroom would measure approximately 11.3sqm and be at least 3.2m wide. As such the proposed first floor flat complies with the NDSS in regard to bedroom sizes.
- 10.23 Turning to the amenity space, the Council does not apply rigid standard sizes but the Council's Supplementary Design Guidance requires space to be functional and usable in terms of its orientation, width, depth and shape.
- 10.24 The existing rear garden will serve the ground floor flat only. As a result of the split in levels, it would not be feasible or practical for both flats and occupiers to benefit from this space. Although the proposed first floor flat would not benefit from any private rear garden space, this would not necessarily provide unacceptable living conditions for occupiers who are content with this type of accommodation. The NPPF does not stipulate the requirement for outdoor amenity space but does state that a high standard of amenity should be provided for future occupiers. For the above reasons, there would be no conflict with national policy. Future occupiers of the first floor flat would have access to pockets of communal open space nearby as well as a larger recreation area and

playground at Roe Hill Park within approximately 400m of the application site. On balance, the living conditions and amenity afforded to future occupiers of the propose development would be acceptable in this regard.

#### **4. Highways and parking considerations**

- 10.25 In terms of parking, paragraph 105 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. Policy M14 of the District Plan 2005 and the Parking Standards Supplementary Planning Guidance (SPG) use maximum standards and are not consistent with the NPPF 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. 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. Parking standards should only be imposed where there is clear and compelling justification that they are necessary for managing the local road network.
- 10.26 The application site benefits from a dropped kerb and hardstanding to the front. However, the frontage measures approximately 2.8m wide by 4m in length and therefore does not meet the minimum requirements for a car parking space 2.4m by 4.8m. Whilst the hardstanding may serve a small car, for the purposes of this application, the existing HMO does not benefit from any on-site car parking provision and the site would not be capable of complying with the recommended parking standards for either the existing or the proposed use.
- 10.27 A comparison between the existing situation and the proposed development is a material consideration. In this regard, the existing use of the property as a 6-bedroom HMO requires three parking spaces in line with the Council's Houses in Multiple Occupation SPD. It is important to note that the number of bedrooms and bedspaces within the resultant building would be reduced from six to three, resulting in a decrease in the number of occupiers residing within the site and a likely commensurate reduction in the number of vehicles.
- 10.28 The proposal comprises a 2-bedroom flat and a 2-bedroom flat. The Council's parking guidance SPG recommends that in this area a total of 2.75 spaces are provided for the proposed development, which would be rounded up to three. In line with this, the resultant development would have a shortfall of three on site car parking spaces. This is equal to the existing deficit. The size of the frontage is a constraint to the site and it would not be possible to incorporate on site car parking that would meet the minimum dimensions of a car parking space, although it is noted that this space is used and is likely to continue to be used to serve a smaller vehicle. In addition, the wider area benefits from unrestricted off-street parking which is unallocated.
- 10.29 Whilst the concerns of Hatfield Town Council, Councillor Thorpe and neighbouring occupiers are noted in regard to the parking pressures on this road, the requirement of on-site car parking remains in line with the existing situation and there would be an equal deficit. It is considered that the impact as a result of

this development would be broadly neutral, if not an improvement as a result of the reduction in occupiers at the site.

- 10.30 The proposal would achieve a net increase and compliance with cycle parking standards, thereby promoting sustainable modes of transport. The proposed layout would achieve secure cycle parking storage for both dwellings. A planning condition requiring further details with regard to the design of the cycle store is required and can be submitted to and approved in writing by the Local Planning Authority.
- 10.31 Furthermore, it is important to note that the application site is located within an existing residential area with the Town of Hatfield and as such the infrastructure has been developed to provide good transport links for existing residents. The site is also within walking distance of Hatfield Town Centre, The Galleria, a number of employment areas and The University of Hertfordshire.
- 10.32 In summary, the proposal has been assessed against Policy M14 of the District Plan 2005; the SPG Parking Standards 2004; the Council's Interim Policy for Car Parking Standards 2014; and the National Planning Policy Framework and has been found to be acceptable.

## **5. Other considerations**

### *i) Refuse and recycling*

- 10.33 The introduction of 'wheelie bins' and recycling boxes has led to problems with the storage of these containers. The proliferation of bins can create a considerable amount clutter which in turn has a harmful impact upon the visual amenity of the streetscene and the character of the area contrary to Local Policies D1 and D2. Inappropriate storage of bins on the highway can also disrupt pedestrian and the traffic movements.
- 10.34 Consideration must be given not only to the provision of bin stores, but also to whether or not householders are likely to feel adequately encouraged to make consistent use of these areas. In this case the proposal does include bin storage to be located to the front. Furthermore, the Council's Client Services Team have been consulted for this application and present no objection to the revised size of the proposed bin stores against the required number and type of receptacles. Precise details of the scale, form and appearance of the bin stores is required through a planning condition, in the interest of good design. Whilst the absence of a direct access to the rear garden is not ideal, it will be possible to bring garden waste through the ground floor flat without necessarily using a wheelie bin.

### *ii) Houses in multiple occupation*

- 10.35 Since 12 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.
- 10.36 As a result of the Direction, it is considered appropriate and reasonable to apply a condition to ensure that the ground floor flat, 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 a condition is attached.

*ii) Party Wall Act*

- 10.37 A comment was received from Hatfield Town Council regarding the proposed new bathroom at ground floor and its adjoining party wall with the neighbouring property. This is not a material planning consideration and attributes limited weight in the determination of this planning application. An informative is attached to the decision notice advising the applicant 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.

## **8. The planning balance**

- 10.38 This 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 parts of development plan policies. There is, therefore, a balance to be struck.
- 10.39 District Plan Policy SD1 and the NPPF advocate sustainable development. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways.
- 10.40 The proposed development would result in a deficit of on-site car parking provision in line with the Council's SPG, however it has been concluded above that this would be broadly neutral to the existing situation. In addition, the first floor flat would not benefit private amenity space, however it has been concluded that this would not result in inadequate amenity for the occupiers and would not be contrary to national planning policy.
- 10.41 The benefits of the scheme would include a net contribution of one residential dwellings to help the Borough meet the requirements of its borough-wide housing target where the Council do not have a 5 year housing land supply and in line with Paragraph 11 of the NPPF, this adds weight in favour of the proposal. The proposal also makes efficient use of land, the location is sustainable within close walking distance to range local amenities and public transport, and would provide additional accommodation in the area to support local shops and services.
- 10.42 The proposed development has been assessed against the policies of the District Plan and the NPPF. It has been found to be acceptable, subject to conditions, in terms of impact on: the character of the area, living conditions of future occupiers and neighbouring occupiers, highways and parking. There are no adverse impacts to this development and it meets the economic, social and environmental objective of sustainable development in mutually supportive ways. 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:

## PRIOR TO OCCUPATION

1. Prior to occupation, details of the design of the stores for the refuse and recycling bins to serve the residential units must be submitted to and approved in writing by the Local Planning Authority. Subsequently the refuse and recycling stores shall be constructed, equipped and made available for use, in accordance with the approved details, prior to first occupation of the residential units and retained in that form thereafter.

REASON: To ensure a satisfactory standard of refuse and recycling provision and to protect the visual amenity of the streetscene in accordance with Policies GBPS2, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

2. Prior to occupation, details of secure cycle parking to serve the residential units must be submitted to and approved in writing by the Local Planning Authority. Subsequently the secure cycling parking shall be constructed, equipped and made available for use, in accordance with the approved details, prior to first occupation of the residential units and retained in that form thereafter.

REASON: In order to ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with Policies GBSP2, M14, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

3. Prior to occupation, details of hard and soft landscaping works within the front garden area must be submitted to and approved in writing by the Local Planning Authority. Subsequently the landscaping works must be carried out in accordance with the approved details, prior to occupation of the residential units.

REASON: To ensure a satisfactory standard of development in the interest of visual amenity and to provide usable private amenity space for the benefit of the future occupiers, in accordance with Policies D1, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

4. 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.

#### POST DEVELOPMENT

5. The hedge marked on the Proposed Site Plan (Drawing No.2215-P02B) must be retained. Should any part of the hedge die, be removed or become seriously damaged or diseased, it shall be replaced during the following planting season by a hedge planted in accordance with a specification previously submitted to and approved in writing by the Local Planning Authority.

REASON: To protect the existing planting in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies GBSP2, D1, D2, D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

#### DRAWING NUMBERS

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

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
2215-S01		Existing Ground Floor and First Floor Plans	19 March 2020
2215-P01A		Proposed Ground Floor and First Floor Plan	11 May 2020
2215-P02B		Proposed Site Plan	28 May 2020
Location Plan		Location Plan	19 March 2020

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

#### INFORMATIVES

1. 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.
2. 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.
3. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.

4. The development will involve the numbering of properties and/or the naming of new streets. The applicant MUST contact Welwyn Hatfield Borough Council, Environmental Services (01707 357 000) before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.
5. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.
6. Noise: All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:  
  
8.00am and 6.00pm on Mondays to Fridays  
8.00am and 1.00pm Saturdays  
and at no time on Sundays and Bank Holidays
7. Dust: All efforts shall be made to reduce dust generation to a minimum. Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.

#### 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.



 <p><b>WELWYN HATFIELD</b></p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title: 24 High Dells Hatfield AL10 9HU		Scale: DNS
	Project: Development Management Committee		Date: 03-07-2020
Drawing Number: 6/2019/0748/FULL		Drawn: Emma Small	
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