

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 1 DECEMBER 2022
REPORT OF THE ASSISTANT DIRECTOR (PLANNING)

6/2022/1816/FULL

8 TANGLEWOOD WELWYN AL6 0RU

ERECTION OF PROPOSED NEW DWELLING AND ASSOCIATED
INFRASTRUCTURE

APPLICANT: COUNCILLOR R. TRIGG

1 **Site Description**

- 1.1 The application site is located on the western side of Tanglewood, within the Oaklands and Mardley Heath area of Welwyn, accessed from a private road. Tanglewood comprises of detached single storey dwellings where the plots are generally well-landscaped and the street-scene is verdant in character. The plot comprises part of the residential garden of number 8 which is a large detached bungalow. The garden mainly consists of amenity grassland (lawn) and some young trees and ornamental planting. The site itself is screened by trees, vegetation and fences at the boundaries.
- 1.2 The site comprises of a triangular shaped plot that is approximately 453sqm in size, located within the Welwyn settlement area, outside of the conservation area and the Green Belt.
- 1.3 It is noted that part of the land which is the subject of this application was approved with a dwelling on it under a historic application for 10 dwellings in 1966. Subsequent applications for the dwellings on the road altered the layout and reduced the number of dwellings to 8, therefore the land formed part of the private rear garden of No.8 Tanglewood instead.

2 **The Proposal**

- 2.1 Planning permission is sought for the erection of a new bungalow. The development would be served by a new parking and turning area at the side of the new building and a single carport structure accessed by the existing crossover. The existing circa 1.8m timber fence along the eastern boundary will be removed and a new low level hedge will be planted along the front boundary.
- 2.2 The proposed dwelling would measure approximately 4.75m in height to the ridgeline, 11.3m in total width and 7.2m in overall depth. The new dwelling will have a footprint of around 75sqm and it will be set back from the road by approximately 3.8m. The dwelling would retain a distance of around 6.8m from the common boundary with the host property and around 18m from the building. The single storey carport will be approximately 4m to the ridge, 5.4m in depth

and 5.4m in width. It will be located approximately 5m from the front boundary of the site.

3 Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because the applicant is a Member of the Borough Council. The Monitoring Officer has confirmed that the application has been processed normally in accordance with planning legislation.

4 Relevant Planning History

- 4.1 Application Number: N6/1974/0407/
Decision: Granted
Decision Date: 08 August 1974
Proposal: Bungalow with garage
- 4.2 Application Number: 6/2021/2441/PA
Decision: Refused
Decision Date: 23 November 2021
Proposal: Pre-application advice for new dwelling in rear garden of No8

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)

6 Site Designation

- 6.1 The site is within the settlement boundary 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 and a site notice. No representations have been received.

8 Consultations Received

- 8.1 The following have responded advising that they have no objections to the proposal;

- Welwyn Hatfield Borough Council Client Services
- Hertfordshire Ecology

8.2 The following have responded advising that they have no objections to the proposal in principle, subject to conditions being imposed;

- Welwyn Hatfield Borough Council Landscape Department
- Welwyn Hatfield Borough Council Public Health and Protection
- Hertfordshire County Council Transport Programmes and Strategy

9 Town/Parish Council Representations

9.1 Welwyn Parish Council has submitted no observations to the proposed development.

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. Flood risk**
 - ii. Landscaping**
 - iii. Refuse and recycling**
 - iv. Ecology**
 - v. Renewable Energy**
 - vi. Removal of permitted development rights**
- 6. The planning balance**

1. Principle of development

10.2 District Plan Policy SD1 states that development 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 District Plan; Policy R1 states that in order to make the best use of land in the district, the Council will require development to take place on land which has been previously used or developed; Policy GBSP2 directs new development into the existing towns and specified settlements within the district, providing that it will be limited to that which is compatible with the maintenance and enhancement of their character and the maintenance of their Green Belt boundaries. 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).

10.3 The application site has not been allocated for additional housing supply and therefore comes forward as a windfall residential site where Welwyn Hatfield District Plan 2005 (District Plan) Policy H2 applies. This policy states that all applications for windfall residential development will be assessed for potential and suitability against the following criteria:

- i. The availability of previously-developed sites and/or buildings;**

- ii. The location and accessibility of the site to services and facilities by transport modes other than the car;
- iii. The capacity of existing and potential infrastructure to absorb further development;
- iv. The ability to build new communities to support infrastructure and provide demand for services and facilities;
- v. The physical and environmental constraints on development of land.

10.4 The application site forms part of the residential land associated with No. 8 Tanglewood, which will be subdivided into two separate plots. Land in built-up areas such as residential gardens is not classed as previously developed land, having a lower priority for development, but that does not mean they cannot be built on in any circumstances. The need to make efficient use of urban land remains a policy objective. The application site is located within the specified settlement of Oaklands in Welwyn and is within an established residential area. Policy GBSP2 directs new developments to existing towns and settlements including Oaklands and Mardley Heath. The site is within reasonable walking distance (approximately 650m) of a small range of local shops which include a convenience store, butchers and a post office that can be reached along footpaths. The proposed development would comply with the criteria in that it is accessible by means of transport other than the private car given that there is a bus route approximately an 800m walk away. The capacity of existing infrastructure is sufficient to be able to accommodate the development for one additional dwelling, the development would not undermine the delivery of allocated sites as a consequence of its' limited nature. Overall, the site is acceptable in principle as a residential windfall site subject to achieving a high quality of design and there being no physical and environmental constraints of the land for development.

3. Quality of design and impact on the character of the area

10.5 The Government attaches great importance to the design of the built environment. The National Planning Policy Framework (NPPF) notes that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

10.6 The National Design Guidance (NDG) lists ten characteristics which contribute towards the creation of well-designed places. These include context, identity and

built form and should include an analysis of the relationship between the natural environment and built development, the typical patterns of built form that contribute positively to local character, the street pattern, their proportions and landscape features, the proportions of buildings framing spaces and streets, and the local vernacular, other architecture and architectural features that contribute to local character.

- 10.7 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 own Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing buildings and area and also with the Digswell Character Appraisal. These objectives are broadly consistent with the Council's Emerging Local Plan and 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.
- 10.8 No. 8 Tanglewood is located within a cul-de-sac which, as indicated on the submitted site plans, benefits from a larger than average plot. Tanglewood comprises detached bungalows which are sited fairly centrally in their plots. The boundaries of properties are well landscaped with trees and hedging. Dwellings also feature a variety of architectural styles and materials. As such the principle of single dwellings is well established in the area and the proposal would be compatible with the surrounding residential area.
- 10.9 The site currently forms part of the residential garden of No. 8 Tanglewood. The site is very well landscaped with trees and hedging both within and to its boundaries. Views of the garden from the road are therefore limited.
- 10.10 In this case, the proposal would introduce a dwelling of modest dimensions to the rear of the existing property on a similar building line from the street albeit with its front oriented to be parallel with Tanglewood. The new dwelling would be of a single storey in height which reflects the character of the area. The design of the proposed bungalow comprises of a simple hipped roof with a modest pitched roof projection to the principal elevation. The dwelling would also be lower in height than the existing dwelling and generous spacing around and between the built form would be maintained. Therefore the development would not visually compete with the host dwelling. Furthermore, the topographical incline, and resultant varied building heights within the streetscene, would ensure the proposed development does not appear significantly obtrusive or out of keeping. Although it is proposed to erect a carport structure in close proximity to the new dwelling, it would utilise a hipped roof form with a modest height and the mature vegetative screening along the front, side and rear boundaries would be retained. Therefore the new dwelling would not appear unduly prominent from the street scene.
- 10.11 The proposed materials comprise of facing bricks to match the existing dwelling at No. 8 Tanglewood, plain clay roof tiles with bonnet hips and white uPVC windows and doors. Subject to planning conditions requiring details of the external materials, it is considered that the development would represent an acceptable standard of design in this respect.

- 10.12 The existing plot is of a substantial size with a considerable amount of amenity space towards the side and rear. Although the introduction of another property would reduce spacing on site, the proportion of amenity space to the size of properties would still be reasonable and not result in a cramped development on the site. The proposed site area would be smaller than the site area of the adjoining bungalows. However, the application site and garden area would be larger than that of the terraced properties along Turpins Chase to the north of the application site. As such, the spatial pattern would not be disrupted to such an extent that would appear out of keeping with the character of the surrounding area with amenity space which would not be dissimilar to that of other plots in the immediate area.
- 10.13 With respect to garden space standards, the Council's adopted guidance for gardens says that gardens should be functional and useable in terms of their width, depth, shape and orientation. Even though the garden size will inevitably be reduced, the gardens for the dwellings appropriate to meet the needs of the residents. A close boarded fence of 1.8m in height is proposed to provide additional privacy for the amenity area. As a result of the character and appearance of the surrounding area, a fence is not considered to appear out of keeping. Furthermore, soft landscaping in the form of tree and hedges and planting are proposed to create a natural visual boundary with the host dwelling.
- 10.14 The proposed layout of the development would result in the provision of an area of hardstanding to the north of the proposed building to accommodate the driveway and parking area. However, this location within the site would ensure that it would be softened by the existing and proposed planting and bushes around the boundary of the site.
- 10.15 Overall, it is considered that the size and visual presence of the proposed dwelling would be limited from the street-scene by virtue of its set back positioning within the site, separation gaps between the built form, sympathetic height relative to the neighbouring dwellings, use of traditional materials and retention and reinforcement of the existing boundary landscaping which would partially screen the development. The scale and massing of the proposed building would also be commensurate to the other properties of the area. The proposed development would therefore be in keeping with the form, layout and character of the area and would not appear visually over dominant or cramped to the detriment of the appearance of the street scene. The design of the proposal would be of a good quality and would respect and relate to the general character of the area and the surrounding dwellings. The development is considered on balance to accord with Policies D1 and D2 of the District Plan, the NDG and the NPPF.

4. 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 Policy D1 of the District Plan seeks good design and 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 With regard to amenity, this is considered in two parts, firstly the impact on adjoining occupiers and secondly the impact of the scheme on future occupiers of the proposed dwellings.

Impact on Neighbours

10.19 In this case, no neighbour comments have been received from those immediately adjoining. The proposal is of a modest single storey height and is sufficiently distanced from any neighbouring property to ensure that there would be no significant harm to the living conditions of adjoining occupiers as a result of the proposed development in terms of light and outlook. Similarly, overlooking would not be an issue either due to the location of the proposed ground floor openings and the mature vegetative screening at the shared boundaries between the dwellings.

10.20 The proposal would also involve sub-division and delineation of the existing plot. Suitable hard boundary treatments can be secured through planning condition in the event of an approval to ensure the privacy of the host dwelling is maintained.

10.21 Policy R19 of the District Plan 2005 requires proposals to be refused if the development is likely to generate unacceptable noise or vibration from other land uses. This level of development by providing one additional dwelling would not cause any undue noise or disturbance. Impacts of construction noise would be temporary.

10.22 In summary, giving consideration to the size of the dwelling, the separation distance of neighbouring properties and the existing and proposed boundary vegetation, the proposal would not have an unreasonable impact on the amenity of neighbouring occupiers and would not appear visually overbearing by virtue of design. Overall it is considered that the living conditions of the adjoining occupiers would be maintained to an acceptable level in accordance with Policy D1 and R19 of the District Plan 2005, the Supplementary Design Guidance 2005; Policy SADM11 of the Emerging Local Plan and the National Planning Policy Framework.

Living Conditions of Future Occupiers

10.23 Policy SADM11 of the Emerging Local Plan, requires as a minimum, for all proposals for C3 dwellings will be required to meet the Nationally Described Space Standard (NDSS), unless it can be robustly demonstrated that this would not be feasible or viable. The Standards outline the minimum requirements for floor space and storage for new dwellings.

10.24 The floorspace is shown to exceed the size requirements as stipulated in the Nationally Described Technical Housing Standards document for a 2 bed dwelling (61sqm). The bedroom sizes would also exceed the standards in the previously referred to document. Furthermore, the development would provide suitable views/outlook and natural light for the future occupiers from the front and rear facing windows/openings. The private amenity space proposed would also be wholly adequate for this size of property. In terms of noise and disturbance, the Council's Environmental Health Officer was consulted on the scheme and no objections were raised to the development.

10.25 Overall, the internal and external space for the proposed dwelling would result in satisfactory living accommodation for the future occupants.

5. Highways and Parking Considerations

- 10.26 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.
- 10.27 Hertfordshire Transport Programmes and Strategy have been consulted on the application and no objection was raised. It was stated that Tanglewood is a private access road and does not form part of the adopted public highway. Vehicle access to the site does not, therefore, require approval from the highway authority.
- 10.28 The access into the proposed driveway is within 10m of the junction with Turpins Chase and it is noted that this is an existing access point. The existing close boarded fence and vegetation will be removed and replaced with low level planting only and this is considered to vastly improve visibility from the access. The County Highways Officer has raised no objections with regards to the proposed access arrangement or visibility splays
- 10.29 It was considered that the level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity therefore it is considered that the proposal would not have an unacceptable impact upon highway safety.
- 10.30 In terms of parking, the development comprises of a 2 bedroom dwelling. The Council's parking guidance SPG (2014) recommends that in this area a total of 1.5 spaces for properties with 2 bedrooms. The submitted plans indicate that there would be space within the carport and driveway for the parking of two vehicles. As such the proposed parking provision is suitable and would not result in conflict with the guideline parking standards contained within the SPG for the proposed development.
- 10.31 Having regard to all of the above, the proposal would provide an acceptable level of on-site car parking and therefore no objections are raised in regard to Policy M14 of the District Plan; the SPG Parking Standards; the Council's Interim Policy for Car Parking Standards; and the NPPF.

6. Other considerations

- i) Flood risk and sustainable drainage*

- 10.32 The NPPF deals with issues of climate change and flooding and by means of the sequential test seeks to steer new development to areas with the lowest probability of flooding.
- 10.33 This site is located within Flood Zone 1 i.e. a low probability of flooding. The location of the proposed dwelling is therefore in an area which is not prone to flooding and due to the limited scale of the proposal which is for a single dwelling, the impacts on flooding and drainage would be limited. Therefore no objections are raised to the development on these grounds.

ii) Landscaping

- 10.34 District Plan Policy R17 seeks to protect existing trees whilst Policy D8 requires landscaping to form an integral part of the overall design, and in this respect the high quality design required by Policy D1 would again be relevant. Landscaping is important in order to protect and enhance the existing character of the area and to reduce the visual and environmental impacts of the development.
- 10.35 The arboricultural information supplied includes an Arboricultural Impact Assessment and Method Statement. It is noted that there are no TPO's on any of the trees on site.
- 10.36 The proposal requires the removal of two trees and a hedge to facilitate the new dwelling. The Landscape Officer states that one of the trees, an oak, is considered of good quality although it is showing some signs of stress. It was therefore considered that the loss of the trees and hedge could be mitigated via a robust landscape scheme. The submitted plans indicate additional planting being proposed and if approved, it would be reasonable to impose a condition for a detailed landscape scheme to include plant species, plant sizes, planted densities and planting methods.
- 10.37 It was noted that the proposed building would be within the Root Protection Area of some of the trees. The arboricultural report does include an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) which are considered sufficient to protect the retained trees throughout the development. If approved, a condition could be reasonably imposed to ensure that both the AMS and TPP are adhered to fully.
- 10.38 The arboricultural report states that piled foundations are to be used for the new dwelling to minimise the impact on the trees. The Council's Landscape Department did not raise any objections to this however it was recommended that details of the foundation and a method statement showing how the foundations are to be built be secured via condition prior to development.

iii) Refuse and Recycling

- 10.39 In this case, there would be sufficient space within the curtilage of the site for the storage of refuse and recycling bins which may be conveyed to the front of the curtilage on collection day. The servicing of the dwelling could be done in the same manner as with the existing dwelling. The Council's Client Services Team raise no objection to the principal of the proposed development. No concerns are therefore raised in this regard.

iv) Ecology

- 10.40 Paragraph 174 of the NPPF states that the 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. District Plan Policy R11 seeks to conserve the biodiversity of the borough and seek opportunities for enhancement to ensure no net loss of biodiversity. Policies SP10 and SADM16 of the Draft Local Plan Submission 2016 are similar in these aims.
- 10.41 In addition, the planning system should now aim to deliver overall net gains for biodiversity where possible. Paragraph 180 of the NPPF lists principles that Local Authorities should apply when determining a planning application. It is stated within Paragraph 180(d) that *“opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate”*.
- 10.42 The Environment Act 2021 gives greater emphasises to measurable biodiversity net gain and advocates using the current version of the Biodiversity Metric (Biodiversity Metric 3.1). However, mandatory Biodiversity Net Gain (BNG) as set out in the Environment Act applies in England only by amending the Town & Country Planning Act and is not likely to become law until 2023. Therefore, whilst there is increasing expectation for developments to deliver BNG, use of a biodiversity metric is not yet mandatory and must be considered on a case-by-case basis.
- 10.43 Hertfordshire Ecology have been consulted for this application and no objections were raised to the proposed development. It was noted that the site is located close to Harmergreen Wood Local Wildlife Site (LWS) to the east but is separated from it by the railway line. It will therefore not have any significant effect on the LWS either directly or indirectly. Given the site’s location within an established residential garden, it is not considered the impact of the proposals to be sufficient to represent a fundamental constraint on ecological grounds. However, since trees and hedges will need to be removed to accommodate the new building, which includes a semi-mature oak tree, any new building should incorporate bat or bird boxes to compensate for the loss of potential for these species. This can be conditioned as part of a condition in the event of permission being granted. Subject to the suggested conditions, it is considered that the proposal satisfies the ecological requirements of the District Plan and the NPPF.

v) *Renewable Energy*

- 10.44 The NPPF is clear that sustainable development is integral in determining planning applications. Policy SD1 of the District Plan states that development proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied. In addition, Policy R3 of the District Plan requires that all development includes measures to maximise energy conservation through the design of buildings, site layout and provision of landscaping and incorporate the best practical environmental option for energy supply. Furthermore, Policy SP10 and SADM 13 of the Council’s Draft Local Plan Proposed Submission 2016 have the similar objectives.
- 10.45 No details have been provided regarding measures to maximise energy conservation through means such as renewable energy or low carbon sources for the proposed development. It would therefore be reasonable to condition on

an Energy and Sustainability Statement to be submitted and approved in writing by the local Planning Authority prior to above ground development.

vi) Removal of permitted development rights

- 10.46 The new dwelling would benefit from permitted development rights. The proposed development has been carefully designed to be in keeping with the character and context of the area and ensure that the living conditions of neighbouring occupiers would not be harmed. The resultant built development would also remain commensurate to the plot.
- 10.47 Certain future extensions under permitted development would potentially be likely to cause harm in the above respects. In the interest of maintaining high quality design and visual amenity, it is considered necessary and reasonable for permitted development enlargements under Class A, Class AA, B and E of the General Permitted Development Order 2015 (as amended) for new dwellings to be revoked through a planning condition.

7. The planning balance

- 10.48 The proposed development has been assessed against the policies of the Local Plan, Emerging Local Plan and NPPF. It has been found to be acceptable in all planning respects, subject to conditions, in terms of impact on the character of the area, living conditions of future occupiers and neighbouring occupiers, highways and parking.
- 10.49 The proposal would make a small contribution to the Council's supply of housing in line with the government's objective set out at paragraph 60 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. It is considered that there are no adverse impacts to this development and it meets the economic, social and environmental objective of sustainable development in mutually supportive ways.

11 Conclusion

- 11.1 Further to the above and subject to conditions, the proposal would have no significant adverse impact upon the character and appearance of the area, adjoining occupiers living conditions, nature conservation interests or highway safety. Accordingly and for the reasons given, the proposal is recommended for approval.

12 Recommendation

- 12.1 It is recommended that PLANNING PERMISSION BE GRANTED subject to the following conditions:

PRIOR TO COMMENCEMENT

1. Prior to any clearance, building or other works commence on site, details of the foundation and an Arboricultural Method Statement must be submitted to and approved in writing by the Local Planning Authority. The information must include:

- a) Details of any proposed alterations to existing ground levels and details of the proposed piling solution within the proximity of the root protection area of any retained tree; and
- b) Specify any other reasonable means needed to protect all of the trees and shrubs within the proximity of the works on site without causing harm during the development, in so far as making every effort to avoid damage to their root system.

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity in accordance with Policies R17 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

- 2. The development hereby approved shall be carried out in strict accordance with the submitted Arboricultural Method Statement and the Tree Protection Plan by Tree Planning Solutions dated 8th July 2022.

REASON: To protect the existing trees in the interest of visual amenity in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

- 3. All noisy 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

If noisy works must be carried out beyond these times, then an application must be made for consideration by environmental health under the Control of Pollution Act 1974 (Section 61 application).

REASON: To protect residents from noise from construction works beyond reasonable times in line with Policy R19 and D1 of the District Plan 2005, Supplementary Design Guidance 2005 and the National Planning Policy Framework

PRIOR TO ABOVE GROUND DEVELOPMENT

- 4. No development above ground level shall take place until details of a scheme for the installation of bird boxes and bat boxes, as appropriate to the site and its surroundings, 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 scheme

REASON: To make appropriate provision for natural habitat within the approved development in accordance with Policies R11 of the Welwyn Hatfield District Plan 2005; Policies SP10 & SADM16 of the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

- 5. No development above ground level shall take place until details of a scheme for the installation of bird boxes and bat boxes, as appropriate to the site and its surroundings, 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 scheme

REASON: To make appropriate provision for natural habitat within the approved development in accordance with Policies R11 of the Welwyn Hatfield District Plan 2005; Policies SP10 & SADM16 of the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

6. Notwithstanding the approved plans, no above ground development 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. original levels and proposed finished levels (earthworks to be carried out)
 - b. means of enclosure and boundary treatments
 - c. hard surfacing, other hard landscape features and materials
 - d. planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing
 - e. means of hard/soft landscaping to separate the new residential plots from the existing and proposed properties to preserve privacy

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

7. No above ground development in any phase of the development 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 Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

8. No development above ground level shall take place until full details of EV charging parking facilities have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved EV charging facilities must be fully implemented and made available for use before the development is occupied and thereafter retained for this purpose.

REASON: To ensure the provision of adequate electric vehicle charging points in order to meet the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1 of Hertfordshire's Local Transport Plan (adopted 2018); Policies SP10, SADM3 & SADM12 of the Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

9. No development shall commence until a scheme to maximise energy conservation and/or opportunities for renewable energy and low carbon energy supply have been submitted and approved in writing by the Local Planning Authority. Subsequently the scheme agreed in writing must be fully installed in accordance with the approved details, made fully operational prior to the occupation of the building and maintained as such for their operational lifetime.

The details to be submitted shall include, on a suitably scaled plan and written statement, the design of the proposed renewable energy scheme.

REASON: To maximise energy conservation and/or opportunities for renewable energy and low carbon energy supply in the interest of tackling climate change and creating sustainable development whilst also ensuring a satisfactory standard of development in the interests of visual amenity and maintaining the character of the area in accordance with the Policies SD1, R3, R4, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework

PRIOR TO OCCUPATION

10. Prior to the first occupation of the development hereby permitted, the proposed on-site car parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter and made available for that specific use.

REASON: To ensure the permanent availability of the parking and manoeuvring area, in the interests of highway safety in accordance with Policy M14 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

11. Prior to the first occupation of the development hereby permitted, full details (on a suitably scaled plan) of the proposed cycle parking shall be submitted and approved in writing by the Local Planning Authority. Subsequently, the approved details must be fully implemented and thereafter retained for this purpose.

REASON: To ensure the provision of adequate cycle parking in order to meet the needs of the residential dwelling, in the interests of encouraging the use of sustainable modes of transport in accordance with policy M6 of the District Plan 2005, Supplementary Planning Guidance Parking Standards 2004 and the National Planning Policy Framework

POST DEVELOPMENT

12. All agreed landscaping comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the first building, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies D1, D2 and D8 of the Welwyn Hatfield District Plan 2005.

13. 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 enlargements under Class A, Class AA, B or E of Part 1 of Schedule 2 shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order in the interests of the visual amenity of the area and the living conditions of neighbouring occupiers in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

DRAWING NUMBERS

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

Plan Number	Revision Number	Details	Received Date
At960 01	A	Existing site and location plans	05 October 2022
At960 02	A	Proposed Site Plan	05 October 2022
At960 03		Proposed plans and elevations	03 August 2022
At960 04		Car Port proposed plans and elevations	03 August 2022

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

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.

INFORMATIVES

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.
2. The decision notice contains conditions which require you to submit information to the Local Planning Authority and have it approved in writing before any development relating to the approval takes place. There is a formal procedure for applying to discharge conditions and further information can be found at <http://www.welhat.gov.uk/index.aspx?articleid=834>. Failure to comply with this type of condition may result in the development being considered unlawful and enforcement action could be taken. If you require any clarification or information please contact the section on 01707 357000.
3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

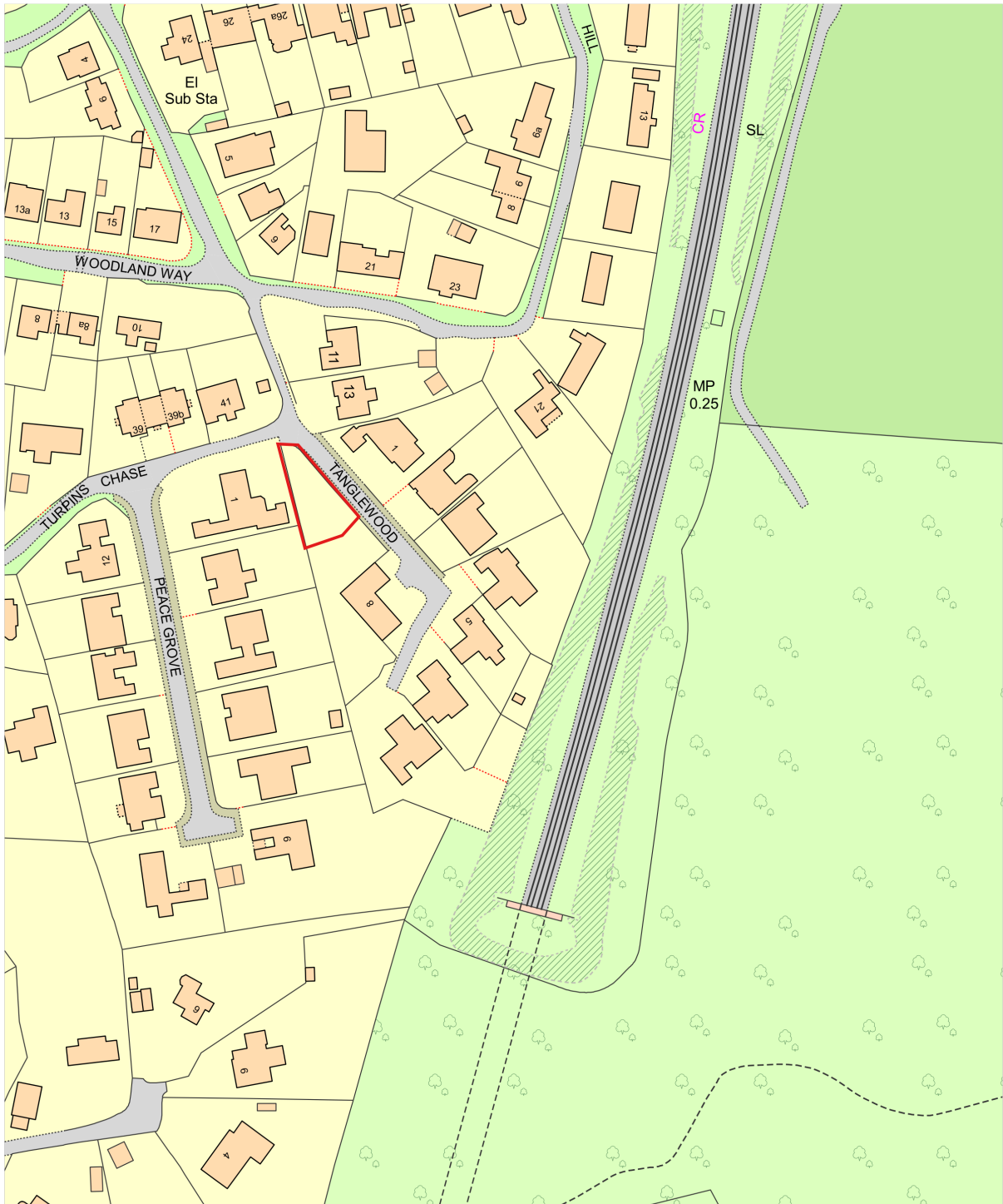
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx>


4. Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.
5. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
6. Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/drop-ped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
7. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, should 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
8. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
9. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions.
10. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in

use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.

11. All machines in intermittent use shall be shut down during intervening periods between works, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
12. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.
13. Any pile driving shall be carried out by a recognised noise reducing system.
14. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material.
15. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
16. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.
17. Any emergency deviation from these conditions shall be notified to the Council without delay.
18. All efforts shall be made to reduce dust generation to a minimum.
19. 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.
20. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.
21. Any vegetation clearance should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.
22. Bats and their roosts are protected at all times under domestic and European law. Works should proceed with caution, and in the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900.

Raymond Lee (Development Management)
Date: 03 November 2022



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	8 Tanglewood Welwyn Hertfordshire AL6 0RU		Scale: DNS
			Date: 14-11-2022
	Development Management Committee	6/2022/1816/FULL	I Azunma
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