

Part I

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(Northaw & Cuffley)

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 12 JANUARY 2023  
REPORT OF THE ASSISTANT DIRECTOR (PLANNING)

6/2022/0293/OUTLINE

CARRAMORE HOUSE 50 VINEYARDS ROAD NORTHAW POTTERS BAR EN6 4PD

OUTLINE PERMISSION FOR THE ERECTION OF 1 X DWELLING WITH ALL  
MATTERS RESERVED

APPLICANT: TIM WALLER

**1 Site Description**

- 1.1 The application site is located within the Metropolitan Green Belt, and also within the village of Northaw. Vineyards Road is lined by residential properties to the south which taper away from the village centre, forming a pattern of 'ribbon' development
- 1.2 The application site is a private garden, belonging to Carramore House 50 Vineyards Road. The application plot measures approximately 0.1865 hectares in area and is laid to lawn and contains a number of large mature trees.
- 1.3 The proposed dwelling would be situated between the residential plots of 48 (to the west) and Carramore House 50 Vineyards Road. No. 48 Vineyards Road is a two-storey detached dwelling and is separated from the application site by a dense, mature hedgerow. The land to the south of the site is open with vegetation and trees. To the north of the site, on the opposite side of the road is a protected woodland covered by a Tree Protection Order.

**2 The Proposal**

- 2.1 This application seeks outline planning permission for the erection of a detached house, with all matters reserved (layout, appearance, scale, landscaping and access) for future determination.
- 2.2 An illustrative layout, not forming part of the application, has indicated that the proposed dwelling would sit on a similar building line to its neighbours facing the street to form a continuous built-up frontage.
- 2.3 Details of access to the new dwelling have not been confirmed but could be achieved either via the existing access, or by the formation of a new access. However, given this is an outline application, this is a matter which would be considered further at the reserved matters stage. The plot of land is considered to be of a sufficient size to accommodate adequate on-street parking.

**3 Reason for Committee Consideration**

- 3.1 This application is presented to the Development Management Committee because Northaw and Cuffley Parish Council have submitted a Major Objection.

#### **4 Relevant Planning History**

- 4.1 Application Number: E6/1973/0263/  
Decision: Refused  
Decision Date: 18 April 1973  
Proposal: Site for staff cottage and garage
- 4.2 Application Number: 6/2016/2206/PN8  
Decision: Prior Approval Refused  
Decision Date: 30 November 2016  
Proposal: Prior approval for a single storey rear extension measuring 8m. in depth, 3.67m. in height and 2.4m. to the eaves
- 4.3 Application Number: 6/2016/2154/LAWP  
Decision: Refused  
Decision Date: 06 December 2016  
Proposal: Erection of 3 outbuildings and a single-storey rear extension
- 4.4 Application Number: 6/2016/2657/PN8  
Decision: Prior Approval Not Required  
Decision Date: 24 January 2017  
Proposal: Prior approval for the erection of a single-storey rear extension measuring 8m. in depth, 3.67m. in height and 2.4m. to the eaves
- 4.5 Application Number: 6/2016/2640/LAWP  
Decision: Granted  
Decision Date: 03 February 2017  
Proposal: Erection of a swimming pool enclosure, a 4-car garage and a gym/game room/home office/store outbuilding

#### **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 lies within the Metropolitan Green Belt, Northaw Common Parkland Landscape Character Area and the Village of Northaw as designated in the Welwyn Hatfield District Plan 2005.

## **7 Representations Received**

- 7.1 The application was advertised by means of a site notice and neighbour notification letters. In total twenty-three objections have been received, including an objection from HGH Consulting on behalf of the residents of Vineyards Road Northaw. All representations received are published in full on the Council's website and are summarised below:

### *Objections*

- The proposal would affect the openness of the Green Belt;
- There are no very special circumstances for this development;
- Lack of local plan / 5-year housing supply is not sufficient to justify exceptional circumstances;
- This is on a dangerous bend on a dark narrow country lane, this is not made obvious on the application;
- Unstable location far from services shops, doctors, schools and train stations;
- There is already an excess of million+ pound houses in the village;
- This would not be affordable housing
- This is not a previously developed site and it is not infill, not similar to 34 Vineyards Road;
- Trees will have to be felled and the openness of the surrounding area and the countryside feeling will be adversely affected;
- It would add to the considerable traffic congestion and air pollution in the area as any occupant would need to make all journeys by car.

## **8 Consultations Received**

- 8.1 The following have responded advising that they have no objections to the proposal in principle, subject to conditions or obligations being applied:
- HCC Transport Programmes and Strategy
  - WHBC Landscape and Ecology
- 8.2 No response was received from the following consultees:
- a) Thames Water

## **9 Town/Parish Council Representations**

- 9.1 Northaw and Cuffley Parish Council have raised a major objection to the proposed development for the reasons set out below:

*The Parish Council would like to raise a major objection to this application on the basis that this application is in the Green Belt and is in an unsustainable location. Furthermore, it is completely out of character with the surrounding area. Concerns were raised by local councillors that there is a mature tree to the front of the property which would likely have to be felled if the application proceeds as stated.*

## 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) Ecology and biodiversity
  - ii) Renewable Energy
  - iii) Landscaping
  - iv) Neighbour Representations
6. The planning balance

### 1. Principle of the 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. These objectives are consistent with the National Planning Policy Framework (NPPF) which supports the development of under-utilised land and buildings (para.120) and the efficient use of land (para.124).

10.3 The National Planning Policy Framework (NPPF) encourages the provision of more housing and states that applications should be considered in the context of the presumption in favour of sustainable development.

10.4 The site has not been allocated in the District Plan for additional housing supply and as such comes forward as a windfall residential site where 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; and*
- v. *The physical and environmental constraints on development of land.*

10.5 Policy SADM1 of the Emerging Local Plan is also relevant in regards to windfall housing development. This policy is similar to Policy H2 of the District Plan but adds that the proposal should not undermine the delivery of allocated sites or the overall strategy of the Plan; and proposals would not result in disproportionate growth taking into account the position of a settlement within the settlement hierarchy.

- 10.6 The application site is a private garden, belonging to Carramore House. The application site would comprise only around a quarter of the total residential curtilage. Carramore House would clearly retain an adequate garden area. Gardens in built-up areas are not classed as previously developed land, having lower priority for development, but that does not mean they cannot be built on in any circumstances. Although gardens are not a priority for development, the need to make efficient use of land remains a policy objective.
- 10.7 Paragraph 110 of the NPPF states that in assessing specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location; and safe and suitable access to the site can be achieved for all users. Furthermore, Paragraph 112 emphasises that applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
  - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- 10.8 In terms of accessibility, the site is located just outside of Northaw village centre. Northaw has limited services including a pub, restaurant, church, primary school, nursery and a village hall. As a result, future occupiers of the development would be unable to access the majority of their day-to-day service requirements from the village. The site is approximately 3km from Potters Bar and Cuffley, which provides a wide range of facilities and services as well as education and employment opportunities and a railway station. Whilst there are footpaths between the site and Cuffley and Potters Bar, street lighting is infrequent. Given the distance involved and the limited bus service, it is considered highly likely that future occupiers would still be primarily reliant on the use of a car to access day to day facilities and services. As such, the proposed development fails to comply with Policy H2 and paragraphs 110 and 112 of the NPPF. However, a single dwelling does not represent significant development and would not generate a substantial number of additional vehicle trips.
- 10.9 With regards to *“the capacity of existing and potential infrastructure to absorb further development”* it is considered that a single dwelling would not exacerbate the pressure on existing infrastructure such as schools, health and community facilities. For example, the applicant has outlined that Hertfordshire County Council’s Applications and Allocations Statistics for Primary Schools 2022/2023, as at 19 April 2022, shows that the local school had space for 15 pupils in its reception year, with only 10 spaces filled. In addition, Government data indicates that the school has space for 120 pupils, but only 98 on its roll. The proposed development could provide a family house, which has the potential to help sustain the local primary school.
- 10.9 Based on the above, it is acknowledged that there would be a degree of conflict with the NPPF and Policy H2, however a realistic approach is necessary where sites are in rural areas and where residents are generally more likely to be reliant

upon private transport to travel to work, shops or services. This is discussed in more detail later in this report.

- 10.10 The physical and environmental constraints of the development of the land in the manner proposed is assessed under the section below.

### *Green Belt*

- 10.11 The site is located within the Metropolitan Green Belt as defined by District Plan Policy GBSP1. The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 10.12 Within that context the main issues to consider in terms of Green Belt policy are:
- the appropriateness of the development in Green Belt;
  - the effect on the openness and purposes of the Green Belt; and
  - whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

### *Appropriateness*

- 10.13 Paragraph 149 of the NPPF outlines that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, although there are some exceptions. Paragraph 149(e) of the NPPF states new buildings may not be inappropriate if they are considered to constitute the limited infilling of a village. The NPPF does not provide any guidance as to what constitutes a village or what constitutes limited infilling.
- 10.14 Northaw is defined as a 'Rural Village' in the District Plan. Policy RA2 of the District Plan states that development in Green Belt settlements will only be permitted to accommodate the specific needs of the settlement and the surrounding local rural area for housing, employment, local facilities, services and leisure. Northaw is also identified as a 'Green Belt village' within the settlement hierarchy of Emerging Policy SP3. In addition, this policy states that further development of these settlements should be considered against other Green Belt policies to assess the acceptability of the proposed development.
- 10.15 Emerging Policy SADM34 covers all forms of development within the Green Belt. As a consequence of the nature of the proposed development it is considered that the proposal should be considered against requirements and restrictions of infill development. Policy SADM34 states as follows:

Limited infill development will be permitted in villages within the Green Belt provided:

- It is within a continuous built-up frontage*
- It does not extend the existing 'built up' area of the village into the open countryside;*

- iii. *It would not result in the loss of a view or vista which makes a significant contribution to the character of the settlement; and*
- iv. *It is small scale and would not result in the provision of more than four dwellings (net)*

10.16 Vineyards Road forms a linear pattern of development, with the majority of the residential properties located on the southern side of the road. The houses have been built with a relative conformity as their frontages face the public highway and maintain a similar setback. The illustrative plan indicates that the proposed dwelling would sit on a similar building line to Carramore House and No. 48 facing the street. Given the generally consistent relationship between properties within the row of the existing houses, the proposed dwelling would not disrupt the existing pattern of development and would therefore be located within a continuous built-up frontage. In addition, the site falls within the village of Northaw and would not extend the existing 'built up' area of the village into the open countryside. Therefore, the proposed development would constitute limited infilling.

10.17 As stated above, the site is part of Carramore House's garden and contains a number of large mature trees. Given the location of the site, views through the site are only available if the viewer stops in front of it. However, most people passing the site will be in a car, and any view would be a glimpse, experienced either just before or just after passing through open countryside. Therefore, the introduction of a new dwelling would not result in the loss of a view or vista which makes a significant contribution to the character of Northaw as a whole.

10.18 The proposed development would consist of a single detached dwelling which would not provide more than four dwellings and therefore falls within the definition of 'limited infill' development.

10.19 On this basis it is judged that the proposal accords with the exception under paragraph 149 (e) of the Framework and local policies and is not inappropriate development in the Green Belt.

#### *Openness and Purposes of Including Land in the Green Belt*

10.20 The Courts have held that appropriate development is not harmful to Green Belt openness or the purposes of including land within it. Consequently, no discussion of this has been made in respect of the new dwelling.

10.21 The new dwellinghouse would benefit from permitted development rights. It is therefore appropriate to assess what impact further extensions could have on the Green Belt. NPPF paragraph 54 states "planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so." The Planning Practice Guidance (PPG) advises that "Area-wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity". In this case, given the location of the site within the Green Belt further extensions and new buildings would likely impact upon the openness of the Green Belt. Therefore, to protect the openness of the Green Belt, it would be reasonable to impose a planning condition withdrawing permitted development rights enabling the Local Planning Authority to retain control over the enlargement or, alteration of, the proposed new dwelling under (Class A), enlargement of consisting of an

addition or alteration to its roof (Class B) and buildings incidental to the enjoyment of a dwellinghouse (Class E).

### *Conclusion on the Green Belt*

- 10.22 Taking account of the above, it is considered that the proposal would fall within the limitations of paragraph 149(e) of the NPPF and SADM34 of the Council's Emerging Local Plan and is not inappropriate development within the Green Belt.

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

- 10.23 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 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.
- 10.24 Vineyards Road is lined by large, detached houses. The majority of the buildings on this road are located on its southern side. These houses follow a relatively consistent building line, all being set well back from the road, with large gardens and driveways in front of them. Based on the illustrative layout it appears that the dwelling would sit comfortably within the plot and would be compatible with character of the surrounding area.
- 10.25 Houses along Vineyards Road vary in scale, from bungalows and chalet bungalows to two storey houses, and houses with 2.5 storeys, with rooms in their roof. As such, there is an opportunity to have a dwelling designed in a style that would be in keeping with other houses along the streetscene.
- 10.26 This is an outline planning application, with all matters reserved for future determination; matters relating to design would be determined by a later "reserved matters" application. However, the Illustrative Layout demonstrates that a suitable form of development can be achieved within the site.

### **3. Residential amenity**

- 10.27 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.
- 10.28 As only outline permission is sought with all matters reserved and only an illustrative layout plan of the location of the proposed dwelling has been provided, it is not possible to fully assess the impact of the proposal on the amenities of the adjoining dwellings. Full consideration would be given to neighbouring amenity in the event of an approval of permission and following the submission of reserved matters relating to appearance, layout and scale.



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

- 10.29 The Highway Authority have been consulted and have raised no objection based on the limited information that has been provided. They have noted that the illustrative layout shows access to the proposed dwelling could be achieved using one of the existing accesses to 50 Vineyards Road. This is an established access which allows good visibility in both directions with no recorded accident history. The addition of a single dwelling is unlikely to generate a significant number of additional vehicle trips.
- 10.30 The planning statement mentions that another option would be to create a new access if the large oak tree is required to be removed. HCC Highways have commented that there are no obvious reasons why a safe and suitable access could not be created at this approximate location but have questioned why this is necessary and generally look to minimise the number access points along classified roads.
- 10.31 In general, there are no obvious reasons why the development would not be able to comply with the requirements regarding refuse collections, emergency access, cycle storage, parking provision and turning space.
- 10.32 The application is for outline permission for all matters reserved, therefore details regarding access and parking would be addressed under reserved matters in the event of the permission being recommended for approval.

#### **5. Other considerations**

##### *i) Ecology*

The application is for outline permission for all matters reserved, therefore ecology would be reviewed under reserved matters in the event of the permission being recommended for approval. It is considered necessary and reasonable to attach a planning condition requiring an ecological survey report to be submitted to an approved in writing by the Local Planning Authority.

##### *ii) Renewable Energy*

- 10.33 The application is for outline permission for all matters reserved, therefore details of renewable energy would be reviewed under reserved matters in the event of the permission being recommended for approval.
- 10.34 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

10.35 It is considered necessary and reasonable to attach a planning condition requiring details of a renewable energy scheme to be submitted and approved in writing by the Local Planning Authority.

*iii) Landscaping*

10.36 The outline application is supported by an Arboricultural Survey. The Landscapes and Ecology team have no objection in principle on landscape grounds. With regards to the removal of the large, over mature oak and black poplar, both are in poor structural condition with the oak, in particular, showing signs of decay. Therefore, these trees would not be worthy of a Tree Preservation Order (TPO) and there is no objection to their removal. The proposal would require the removal of some additional c, low category, trees, however these losses could be mitigated with a robust landscape scheme.

10.37 According to the Design and Access Statement, wherever possible, the existing landscape features would be retained, including the mature hedgerow on the site's western boundary, and other existing trees and shrubs. In addition, new planting would also be provided to further enhance the site's appearance and biodiversity value.

10.38 The application is for outline permission with all matters reserved, therefore detailed landscaping would be addressed under reserved matters in the event of the permission being recommended for approval. However, in the event of the permission being recommended for approval The Landscapes and Ecology team have recommended pre-commencement conditions requesting detailed tree protection plan, arboricultural method statement and landscaping plan.

*iv) Neighbour representations*

10.39 Some representations suggest that there is a need for affordable housing in the village. However, the proposal is below the threshold for affordable housing in the current District Plan (25 dwellings) and below the threshold set in Policy SP7 of the Emerging Local Plan – Type and Mix of Housing and NPPF (10 and more). Therefore, there is no policy requirement for affordable housing in the scheme.

10.40 Some representations also suggest that this would be a luxury home, and that it would as a consequence not accommodate a family. However, this is not a material planning consideration and may not be considered as part of this application.

10.41 Also, some of the representations have suggested that this application has only been made at this particular time, due to the fact that the adopted Local Plan is very out of date, and there is a shortfall in the 5-year supply of housing land. Based on the assessment above, the proposals comply with national policy in relation to infill development within the Green Belt.

**8. The planning balance**

10.42 In decision-taking, if an authority cannot demonstrate a five year housing land supply, including any appropriate buffer, the presumption in favour of sustainable development will apply, as set out in Paragraph 11(d) of the NPPF.

10.43 The recent Annual Monitoring Report (2020) indicates the current position of the five-year housing land supply in the Borough. The housing land supply of 2.58 years was identified.

10.44 In addition, the Government published the housing delivery test results on 19 January 2021. It confirmed that Welwyn Hatfield had built 1,450 homes in the period 2017/18-2019/20 against a target of 2,284 which equates to 63% of its delivery.

10.45 In accordance with paragraph 11(d) of the NPPF, this means that the policies which are most important for determining the application are to be considered to be out-of-date as Footnote 8 clarifies that:

*“This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”*

10.46 For decision taking this means:

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>7</sup>; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

10.47 Furthermore, paragraph 79 outlines that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

10.48 Policy SD1 of the District Plan and Policy SP1 of the Draft Local Plan require that proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they accord with the objectives and policies of the Development Plan. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF outlines, in its introduction, three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. Of particular relevance to this application is an economic role, among others, to ensure land is available in the right places to support growth; a social role to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; as well as an environmental role which includes protecting and enhancing the environment.

10.49 The NPPF does not require development to jointly and simultaneously achieve planning gain in each of the three considerations. It is sufficient for all three to be considered and for a balance between benefit and adverse effects to be achieved across those three areas.

- 10.50 The proposal would be in conflict with Policies SD1 and H2 and paragraphs 110 and 112 of the NPPF in terms of the location and accessibility of the site to services and facilities by transport modes other than the car. However, moderate rather than significant weight is attached to this harm, the proposal is for a single dwelling it is unlikely to generate a significant number of additional vehicle trips.
- 10.51 In relation to the economy, the proposed development would make a small contribution through the provision of employment and the sale of materials associated with the construction of the dwelling. However, the economic benefits in terms of construction of the building would be short-term and therefore limited. Local business would derive some long term economic benefit from the future occupiers spending on goods and services but this would be limited in scale. These considerations therefore carry limited weight in favour of the proposal.
- 10.52 The proposal would provide one additional dwelling which would contribute to housing stock in the Borough. This reduces pressure on housing land take elsewhere, albeit to a limited degree, and would accord with the support in the NPPF for increasing the supply of housing.
- 10.53 Turning to the environment, the proposal would not be inappropriate development and would not materially harm the openness of the Green Belt or conflict with the purposes of including land within it. These considerations weigh moderately in favour of the proposal.
- 10.54 Whilst the development would result in the loss of some existing garden land to a new residential dwelling, it is considered that, on balance, the proposal provides opportunities to enhance the site through landscaping, sustainable construction techniques. Such environmental benefits enhance the sustainability credentials of the development would be attributed moderate weight.
- 10.55 Subject to submission of reserved matters (layout, appearance, scale, landscaping and access) the principle of the development would represent sustainable development.

## **11 Conclusion**

- 11.1 This is an outline planning application, for the erection of a detached house, with all matters reserved (layout, appearance, scale, landscaping and access) for future determination.
- 11.2 The proposal as submitted would not be inappropriate development and would not materially harm the openness of the Green Belt or conflict with the purposes of including land within it. In addition, the proposal would not harm the visual amenity or the character and appearance of the area.
- 11.3 Overall, the proposal would represent sustainable development and would comply with the guidance set out within the NPP, the adopted Local Plan and also the emerging Draft Local Plan
- 11.4 For the reasons summarised above, together with all other material considerations, subject to the standard conditions for the submission of reserved matters and implementation of the permission and the suggested landscaping conditions the proposal is recommended for approval.

## 12 **Recommendation**

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

### PRIOR TO COMMENCEMENT

1. Approval of the details of access, layout, scale, appearance and landscaping of the site (hereafter called 'the reserved matters') shall be obtained in writing from the local planning authority before the development is commenced and the development shall be carried out as approved.
2. No development shall commence until a scheme for the protection of the trees within the vicinity of the site, in accordance with BS 5837:2012, including a tree protection plan and an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the tree protection plan and arboricultural statement include:
  - a) Methods of demolition within the root protection area as defined in BS 5837: 2012) of the retained trees;
  - b) Details of construction within the root protection area or that may impact on the retained trees including details of: site access, on site welfare facilities, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires;
  - c) A full specification for the installation of boundary treatment works;
  - d) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing;
  - e) Tree protection during construction indicated on a tree protection plan and the construction activities clearly identified as prohibited in this area;
  - f) A schedule of arboricultural supervision and inspection by a suitably qualified tree specialist, including any ongoing reporting, inspection or supervision that is required.
  - g) Methods to improve the rooting environment for retained and proposed trees and landscaping

Subsequently, the development must not be implemented other than in accordance with the approved details.

REASON: To ensure that any works undertaken comply with arboricultural best practice 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, D8 and R17 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

3. 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

4. No development shall commence until an Ecological Survey Report has been submitted to and approved in writing by the Local Planning Authority. The survey must check all habitats, buildings, trees (from ground level only) or structures that may be affected by the proposals on site, including checking for protected species, signs of protected species or habitat value e.g. crevices, badger setts, ponds etc. as well as mapping the habitats on site. The survey must also identify if further surveys are required for protected species.

REASON: In the interest of the protection of protected species and the biodiversity of the site in accordance with Policies R11 and R16 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

#### PRIOR TO ABOVE GROUND DEVELOPMENT

5. No development above ground level 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. planting plans, including specifications of species, sizes, planting centres,
- d. number and percentage mix, and details of seeding or turfing
- e. details of siting and timing of all construction activities to avoid harm to all nature
- f. conservation features
- g. management and maintenance details of communal areas

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 and the National Planning Policy Framework.

#### OTHERS

6. All agreed landscaping details comprised in the approved landscaping scheme must be carried out in the first planting and seeding seasons following the

occupation of the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. 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 GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A, B and E of Part 1 of Schedule 2 shall take place.

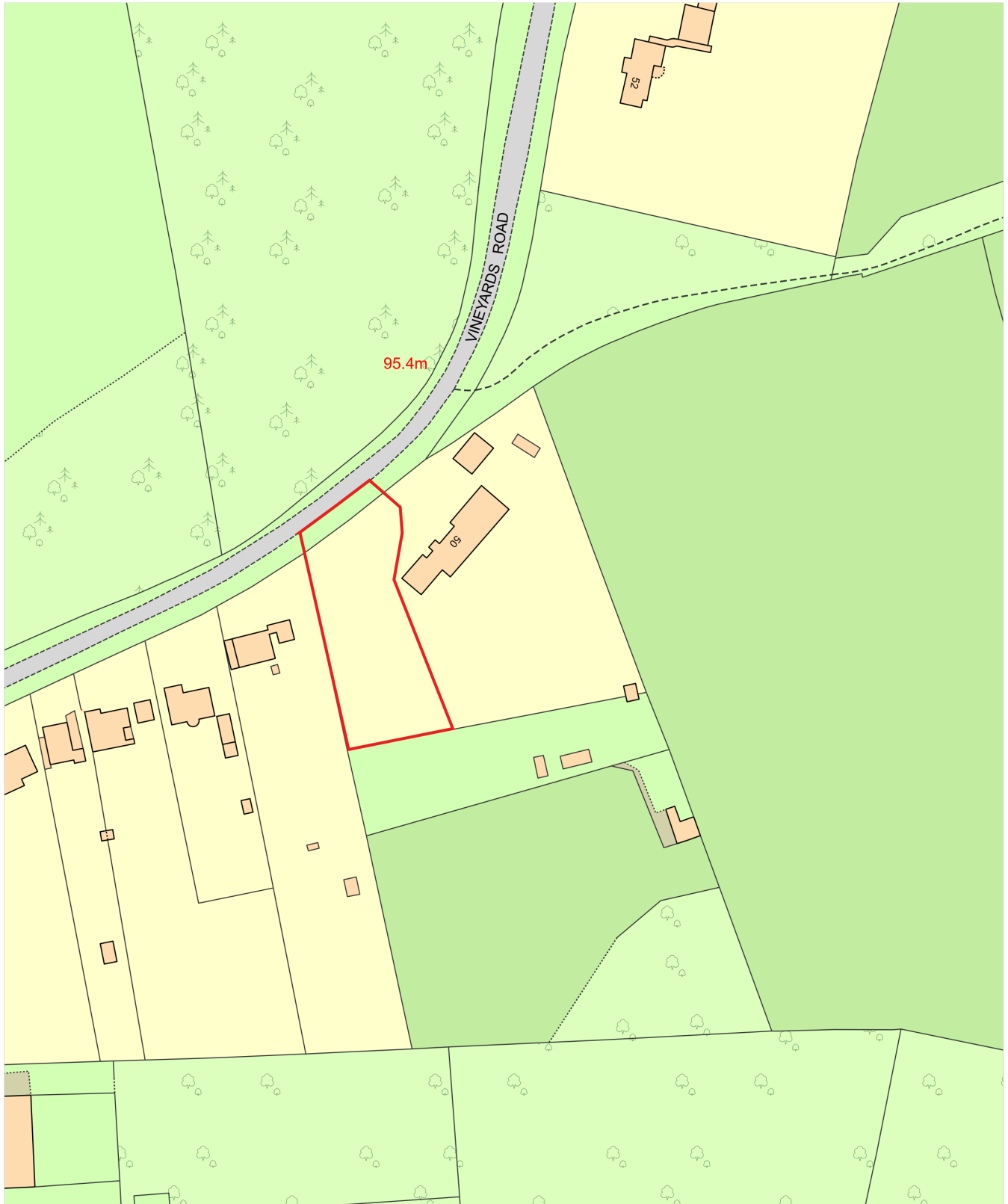
REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interest of protecting the Green Belt in accordance with Policies GBSP1 of the Welwyn Hatfield District Plan 2005; Policy SADM34 of the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.


#### 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.

Lizzie Mugova Development Management)

Date: 13 July 2022



 <b>WELWYN HATFIELD</b>  Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE	CARRAMORE HOUSE 50 VINEYARDS ROAD NORTHAW POTTERS BAR EN6 4PD		Scale: DNS
			Date: 05-07-2022
Development Management Committee	6/2022/0293/OUTLINE	Drawn: N McIver	
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