



Application by Mr I Ganney

Retention of existing gate, boundary wall and railings
No. 63 The Ridgeway, Cuffley, Herts, AL8 6AE

Planning Report, incorporating Design & Access Statement of DLA Town Planning Ltd

DLA Ref: 2006/171

August 2012

The evidence which I have prepared and provided for this proposal in this report is true and has been prepared and is given in accordance with the guidance of the Royal Town Planning Institute and I confirm that the opinions expressed are my true and professional opinions.

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1.0 INTRODUCTION

This report relates to an application for the retention of the existing gates, boundary wall and railings at No. 63 The Ridgeway, Cuffley, Herts.

1.1.0 Scope

This document comprises a Planning Report, incorporating a Design and Access Statement, prepared in compliance with the guidelines produced by the Commission for Architecture and the Built Environment (CABE) in 2006. Sections 2 to 4 consider the physical, economic, social and historical context of the site, identifying the relevant local, regional and national planning policy framework; Section 5 sets out the proposal in relation to the factors identified by the CABE guidelines; Section 6 details any consultations undertaken prior to the submission of the application. These sections inform the evaluation of the proposal in Section 7 against the identified planning policy framework. The overall conclusions are set out in Section 8.

1.2.0 Summary

This report concludes that: -

1. The wall, railings and gates would have an acceptable impact on the Green Belt in accordance with Local Plan Policy RA1.
2. The character of the area would be maintained in compliance with Local Plan Policy D2.
3. The existing tree on the front boundary would be maintained in accordance with Local Plan Policy R17.

2.0 SITE & CONTEXT APPRAISAL

2.1.0 Site Location

The application site lies on the southern side of The Ridgeway and to the west of its junction with Carbone Hill and Vineyards Road. The settlement of Cuffley is 1.1 miles to the east of the site.

2.2.0 Site Description

2.2.1 The application site comprises the residential curtilage of No. 63 The Ridgeway, Cuffley, Herts, a rectangular plot of land of some 0.23ha. The existing property is a chalet style bungalow constructed of facing brick with a hipped roof containing a dormer window on the front and rear roof slope. To the front boundary with The Ridgeway there is a brick wall with railings and two access gates. It is this wall and railings that this application seeks to retain. The application site is shown below.

Application Site



2.2.2 The site is accessed direct from The Ridgeway via an existing crossover. Off-street parking is provided on the driveway to the front of the existing property and there is an 'in and out' drive.

2.3.0 **Proposals Map Notation and Other Relevant Designations**

The proposals map of the Welwyn Hatfield District Plan 2005 shows the site within the Green Belt and Landscape Character Area. There is an existing tree on the front boundary that is subject to a tree preservation order.

2.4.0 **Adjoining Uses**

2.4.1 **No. 65 The Ridgeway** This is a two storey residential dwelling that adjoins the application site to the west. Along the front boundary there is a brick wall with railings and gates, which is shown below.

No. 65 The Ridgeway



2.4.2 **No. 59 The Ridgeway** This is a detached dwelling to the east of the application site. Along the front boundary there is a brick wall that is shown below.

No. 59 The Ridgeway



2.4.3 **No. 57 The Ridgeway** This is a recently constructed two storey residential dwelling that adjoins the application site to the east. There is a brick wall with railings along the front boundary, which is shown below.

No. 57 The Ridgeway



2.5.0 Surrounding Area

The surrounding area is characterised by residential development comprising modest dwellings set in large plots with long rear gardens. There is a mix of styles and designs. A number of properties make use of brick walls and railings, including Nos. 57, 59 and 65 The Ridgeway, such that this is a common feature in the area.

3.0 RELEVANT PLANNING HISTORY

3.1.0 Application Site

3.1.1 Reduce Oak Tree Crown (LPA Ref: S6/2009/1673/CT)

On the 15th September 2009 consent was given to reduce the Oak Tree Crown by 30% sparse leaf over and deadwood throughout (TP064 T75).

3.1.2 Erection of a New Dwelling following the Demolition of the Existing Dwelling (Amendments to permission S6/2005/0427/FP) (LPA Ref: S6/2005/1412/FP)

On the 6th January 2006 planning permission was granted for the erection of a new dwelling following the demolition of the existing dwelling. This dwelling has now been built.

3.1.3 Condition No 5. Attached this permission states that: -

“Notwithstanding the details shown on drawing no. DS/490 04a dated 11 November 2005, the planning permission hereby granted does not include any approval for a front wall.”

3.1.4 The wall, gate and railings the subject of this application is in breach of this condition. This application therefore seeks to retain the existing wall, gate and railings as built.

4.0 POLICY CONTEXT

4.1.0 Welwyn Hatfield District Plan 2005

I consider the following policies to be directly relevant to this application: -

Policy No	Title
Policy D1	Quality of Design
Policy D2	Character and Context
Policy RA1	Development in the Green Belt
Policy RA10	Landscape Regions and Character Areas
Policy R17	Trees, Woodland and Hedgerows

4.2.0 Supplementary Planning Guidance

SPG No	Title
Design Principles	Supplementary Design Guidance February 2005

4.3.0 National Government Guidance

The National Planning Policy Framework (NPPF) replaces previous Government planning policy and is a material consideration in the determination of planning applications. The following paragraphs/sections are considered to be relevant: -

- Paragraphs 7 and 9 – Sustainable Development
- Paragraph 17 – Core Planning Principles
- Section 7 – Requiring Good Design
- Section 9 – Protecting Green Belt Land

5.0 DESCRIPTION OF DEVELOPMENT

5.1.0 Design

The proposal is detailed below with reference to the headings identified by the 2006 CABE guidelines, where relevant.

5.1.1.0 Use

The application site is currently occupied by a residential dwelling. The residential use of the application site would be retained by this application.

5.1.2.0 Amount

No additional floorspace is proposed by this application.

5.1.3.0 Layout

The existing layout of the application site would be unchanged by this application. This application seeks permission for the retention of the existing wall, railings and gates as built. The walls, railings and gates are along the front boundary of the application site.

5.1.4.0 Scale

The height of the wall, gates and railings is noted below.

Feature	Height (m)
Brick Piers	1.9m
Brick Wall	0.9m
Brick Wall & Railings	1.8m
Gates	2.2m

5.1.5.0 Landscaping

The existing landscape features would be retained by this application. The TPO Oak Tree to the front boundary would also be retained.

5.1.6.0 Appearance

5.1.6.1 The wall, railings and gate that this application seeks to retain, comprises eight brick piers and a low level brick wall with railings above. There are full

length railings around the existing tree and metal gates at the entry and exit to the drive.

5.1.6.2 The wall and railings to No. 65 The Ridgeway as mentioned in Section 2.4.1 above, is of a similar design to that proposed by this application.

5.1.6.3 Nos. 57 and 59 The Ridgeway also have front boundary brick walls with No. 57 also incorporating railings.

5.2.0 **Access**

The existing parking and access arrangements would be unchanged by this application.

6.0 CONSULTATIONS

- 6.1 Between July 2006 and October 2006, there was a series of correspondence between Welwyn Hatfield Borough Council and this office, seeking agreement on the front boundary wall, railings and gates. This is attached as Appendix 1.
- 6.2 The letter dated the 21 July 2006 from this office to the Council confirms that agreement was reached with the Council regarding the impact on the existing tree.
- 6.3 Further letters to the Council requested confirmation that the proposed boundary treatment is acceptable, given that it allows for the retention of the existing tree.

7.0 EVALUATION

Based on the analysis set out in sections 2 to 6, I consider that the application proposal raises the following 3 issues, which I will consider in turn below:

1. Principle
2. Layout & Design
3. Landscaping

7.1.0 Issue No 1: Principle

7.1.1 It is accepted that the proposal constitutes inappropriate Green Belt development in the context of Local Plan Policy RA1 and the advice contained in The National Planning Policy Framework (NPPF). Notwithstanding this it must be accepted that, in the context of case law, even when a proposal is considered inappropriate development in a Green Belt, this should not result in the application being automatically refused. A balancing exercise is required to show that the advantages of a proposal in the particular circumstances are such as to outweigh the harm to a Green Belt caused by it.

7.1.2 Very Special Circumstances

I consider the existing wall, railings and gates to have an acceptable impact on the Green Belt for the following reasons: -

1) The small scale of the wall, railings and gates.

The existing wall and railings comprise 1.9m high piers with a 0.9m high wall and 0.9m high railings over. This is comparable to that found at Nos. 57, 59 and 65 as mentioned in Section 2.4.0 above. Also, views through the railings over the brick wall are readily available. In addition, the front boundary wall and railings are read as part of the wider development on the site consisting of the residential dwelling of No. 63 The Ridgeway. In this circumstance, and given the modest size and scale of the wall and railings, it is considered that in the context of the existing residential development on the site, the wall and railings

do not appear intrusive, such that there is no detrimental impact on openness or the wider green belt setting of the application site.

2) The compatibility with surrounding development.

The design and materials are appropriate to the site's rural setting and the use of brick piers with a low level brick wall with railings over is compatible with the boundary treatment found on nearby properties. Furthermore, walls and railings are not an uncommon feature for residential properties, and given the presence of walls and railings elsewhere along The Ridgeway, it is considered that the wall and railings at the application site would be in keeping with the character of the area and the wider streetscene.

7.1.3 Conclusion

To conclude this issue, I have demonstrated above that the existing wall and railings would not have a detrimental impact on openness or the wider green belt setting of the application, and are compatible with the character of the streetscene. The proposal therefore complies with Local Plan Policy RA1.

7.2.0 Issue No 2: Layout & Design

7.2.1 Local Plan Policy D1 requires development to be of a high quality. Local Plan Policy D2 requires development to relate to the character and context of the area. There is no requirement for development to mirror the local character, rather it should be sensitive to it and as a minimum, maintain the character of the existing area.

7.2.2 As mentioned in Section 2.0 above, this part of The Ridgeway is characterised by detached residential properties set in generous plots. A number of properties have made use of walls, railings and gates to the front boundary, such that this is a common feature in the streetscene. In particular, Nos. 57 and 65 The Ridgeway have brick piers and a wall with railings over that are similar in design and size to that at the application site. Therefore, the existing walls and railings on the application site reflect that found elsewhere along The Ridgeway, such that the character of the existing area is maintained in accordance with Local Plan Policy D2.

7.2.3 In addition to the above, walls and railings are a common feature for residential properties and they provide a clear definition between public and private spaces. Therefore, the walls and railings provide privacy and security to the occupants of the application property without being a dominant and intrusive feature in the streetscene.

7.2.4 **Conclusion**

To conclude this issue, I have demonstrated above that the existing wall, railings and gates reflect that found on nearby properties, such that the character of the area is maintained. The proposal therefore complies with Local Plan Policies D1 and D2.

7.3.0 **Issue No 3: Landscaping**

7.3.1 Local Plan Policy R17 seeks the retention of existing trees and hedgerows. The existing wall and railings allows for the retention of the existing tree on the front boundary in compliance with this policy.

8.0 CONCLUSIONS

8.1 This report relates to an application for the retention of the existing gates, boundary wall and railings at No. 63 The Ridgeway, Cuffley, Herts.

8.2 Principle

It is considered that the existing wall, railings and gates have an acceptable impact on the Green Belt in accordance with Local Plan Policy RA1 for the following two reasons: -

- 1) The wall, railings and gates are modest in size and do not appear intrusive, such that there is no detrimental impact on openness or the wider green belt setting of the application site.
- 2) The wall, railings and gates are in keeping with the character of the area and the wider streetscene.

8.3 Design and Layout

The existing walls, railings and gates reflect that found on other nearby properties and use materials that are appropriate to the site's rural setting. Therefore the character of the area is maintained in accordance with Local Plan Policy D2.

8.4 The walls and railings are a common feature for residential properties and provide privacy and security to the occupants of the application property without being a dominant and intrusive feature in the streetscene.

8.5 Landscaping

In accordance with Local Plan Policy R17, the existing wall and railings allows for the retention of the existing tree on the front boundary.

9.0 **Appendices**

- 9.1 Appendix 1 – Correspondence between Welwyn Hatfield Borough Council and DLA Town Planning Ltd

APPENDIX 1

Email to: o.waring@welhat.gov.uk

Mr O Waring
Welwyn Hatfield Borough Council
Council Offices
Campus East
Welwyn Garden City
Herts AL6 6AE

6th July 2006

My Ref: 06/171/001/DW

Dear Mr Waring

**RE: ERECTION OF BOUNDARY WALL AND RENCE, NO 63 THE RIDGEWAY,
CUFFLEY**

Further to my recent conversation with your Mr Coate regarding the above, I enclose a copy of Drawing No 1 which shows a proposed boundary wall to be erected to the front of the above property.

Whilst there is a separate issue I am addressing with Mr Coate on the height of the wall, I also understand that there is an issue, which I can understand, with regard to the proximity of the wall to the protected ash tree.

In this context I consider it would be useful to meet you on-site as:-

1. The drawing does not show the existing brick wall which almost encircles the ash and which it is proposed to remove and to restore the ground levels, so allowing the tree roots to spread to the south, east and west.
2. It would be possible to provide a beam to the wall in the location of the ash to enable it to span much of the tree roots so avoiding the need for excavation.

Perhaps you could call or email me to arrange a mutually convenient date and time to meet myself and the developer on site?

I look forward to speaking with you.

Yours sincerely

David Lane

c.c. G Hunt
J Coate WHDC

Welwyn Hatfield Borough Council
Council Offices
Campus East
Welwyn Garden City
Herts AL6 6AE

FOR THE ATTENTION OF MR J COATE

21 July 2006

My Ref: 06/171/003

Dear Sir

RE: ERECTION OF BOUNDARY WALL TO REPLACEMENT DWELLING, NO 63 THE RIDGEWAY, CUFFLEY.

You will see from the attached copy correspondence that agreement has been reached with your Mr Waring regarding the above and impact on the adjoining ash tree.

In this context there remains the planning issue to resolve. In this respect you will be aware that:-

1. The adjoining house to the west, No 65, has a brick frontage wall 1.6m high with metal railings above, 0.2m high and gates of metal railings, 1.8m high.
2. To the east, Nos 57 and 59 have 1m high brick frontage walls with 1.6m high piers.

In that the proposal for No 63 comprises 1.8m high piers with a 0.5m high wall and 1.1m high railings over, you will see that the enclosure is not only far less than No 65 adjoining but that views through the railings over the 0.5m high wall would be readily available. Consequently I consider that the scheme is acceptable in respect of its impact on the streetscene.

In these circumstances I would ask that you accept the boundary treatment as shown on the previously circulated drawing.

Please do not hesitate to call if you have any queries.

Yours sincerely

David Lane

Enc:

c.c. G Hunt
Messrs B and B Smith

Email to: o.waring@welhat.gov.uk

Mr O Waring
Welwyn Hatfield Borough Council
Council Offices
Campus East
Welwyn Garden City
Herts AL6 6AE

21 July 2006

My Ref: 06/171/004

Dear Mr Waring

**RE: ERECTION OF BOUNDARY WALL AND FENCE, NO 63 THE RIDGEWAY,
CUFFLEY**

Further to the recent meeting on the above site I confirm that:-

1. The existing dwarf retaining wall to the rear and sides of the tree will be demolished and the levels within the retaining wall reduced by hand.
2. The proposed wall in the vicinity of the tree will be supported on a beam raised some 150mm above ground level.
3. The drive will be laid in blocks so as to be water and air permeable.

I confirm that a copy of a drawing showing the above will be forwarded to you and that in the above circumstances you would have no objection to the proposed wall in so far as it affects the adjoining ash tree.

Thank you for your help.

Yours sincerely

David Lane

c.c. G Hunt
J Coate WHDC
Messrs B and B Smith

Chief Planning and Environmental Health Officer
Welwyn Hatfield Borough Council
Council Offices
Campus East
Welwyn Garden City
Herts AL6 6AE

FOR THE ATTENTION OF MR J COATE

11th October 2006

My Ref: 06/171/005/DW

Dear Sir

**RE: ERECTION OF BOUNDARY WALL TO REPLACEMENT DWELLING, NO
63 THE RIDGEWAY, CUFFLEY.**

Further to my letter of the 21st July 2006, copy attached and copy letter of today to your Mr Waring, I would ask for your written confirmation that the proposed boundary treatment as shown on the extract from Drawing No 1 is now acceptable in that it provides for the retention of the ash tree to the east of the frontage.

Yours sincerely

David Lane

Enc: Extract from Drawing No 1

c.c. G Hunt
Messrs B and B Smith

Mr O Waring
Welwyn Hatfield Borough Council
Council Offices
Campus East
Welwyn Garden City
Herts AL6 6AE

11th October 2006

My Ref: 06/171/006/DW

Dear Mr Waring

**RE: ERECTION OF BOUNDARY WALL AND FENCE, NO 63 THE RIDGEWAY,
CUFFLEY**

Further to my letter of the 21st July 2006, I enclose 3 copies of an extract from Drawing No 1 showing the proposed wall in the vicinity of the tree supported on a beam, raised some 150mm above ground level, so avoiding the need for any foundations to the wall within a length of 5.6m close to the tree. Subject to conditions that:-

1. No works to erect the proposed front boundary wall shall be commenced until the existing dwarf retaining wall to the rear and sides of the ash tree to the east of the site frontage shall have been demolished and the levels within the retaining wall reduced by hand.
2. The proposed drive is to be laid in blocks so as to be air and water permeable.

I would be grateful for your confirmation that the ash tree can now be safely retained.

Yours sincerely

David Lane

Enc. Extract from Drawing No 1

c.c. G Hunt
J Coate WHDC
Messrs B and B Smith