

## **DELEGATED REPORT**

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<b>APPLICATION NUMBER</b>	S6/2004/1104/FP
<b>LOCATION</b>	Land adjoining No 45 Kentish Lane, Hatfield
<b>PROPOSAL</b>	Erection of one dwelling

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### **THE SITE**

Nos 39 and 45 are two detached dwellings located on the western side of Kentish Lane. The application site is between these two dwellings and presently comprises open land with mature trees and a brick boundary wall fronting Kentish Lane. The site is within the Metropolitan Green Belt.

### **THE PROPOSAL**

The application seeks permission for the erection of a detached 5 bedroom dwelling together with a detached double garage with a pitched semi-hipped roof. The proposed dwelling is to have dimensions 12.5m in width and 12.2m in total depth. The ridge height of the proposed dwelling is to be 9.1m.

Proposed accommodation is to comprise a lounge, kitchen, family room and dining room at ground floor level with five bedrooms (two with ensuite) and a bathroom at first floor. The proposed dwelling is to have a pitched gabled roof of plain clay tiles with rendered elevations. The material to be used for the proposed window frames has not been specified.

Proposed vehicle access is to be via an existing access point and vehicle crossover at the southern end of the site onto Kentish Lane. Parking is to be in the garage that is proposed to the southern side of the proposed dwelling.

### **PLANNING HISTORY**

None

### **SUMMARY OF RELEVANT DEVELOPMENT PLAN POLICIES**

Planning Policy Guidance Note 3 (PPG3): Housing

Hertfordshire Structure Plan Review 1991- 2011:  
Policy 5: Green Belts

Hertfordshire Structure Plan Alterations 2001- 2016 (Deposit Draft Feb 2003):  
Design and Quality of Development (new policy)  
Policy 5: Green Belts

Welwyn Hatfield District Plan Alterations no 1 1998:  
GB1 - Metropolitan Green Belt  
GB3 – Development in the Metropolitan Green Belt

Welwyn Hatfield District Plan Review Deposit Draft, June 2002:  
GBSP1 – Definition of Green Belt

## REPRESENTATIONS

### **Environment Agency:**

No comments to make on this proposal.

### **Hertfordshire Highways:**

Recommends that any permission which the Local Planning Authority may give shall include the conditions below:

1. A visibility splay of 2.4m x 120m must be maintained in both a northern and southern direction from the highway boundary. Such visibility shall not be obstructed by any fencing or proposed development or landscaping under the control of the applicant, between a height of 0.6m and 2.0m above the carriageway. This is in the interests of highway safety and efficiency.
2. A pedestrian visibility splay of 2.0m x 2.0m is to be maintained to the north and the south from the back of the footway of the entrance to the site. Such visibility shall not be obstructed by any fencing or proposed development or landscaping under the control of the applicant between a height of 0.6m and 2.0m above the carriageway. This is required to ensure that the proposed development does not prejudice the safety of pedestrians and the operation of the public highway.
3. The applicant is to seal the site accessway to the satisfaction of the Local Planning Authority, in consultation with the Highway Authority for a distance of 6m back from the edge of the carriageway. This is required to ensure that extraneous material from the unsealed accessway enter the highway (especially the carriageway) and lead to a reduction in highway safety and efficiency.

### **Neighbouring occupiers:**

The application was advertised by neighbour notification. No representations from third parties have been received.

### **Parish Council:**

North Mymms Parish Council object to the proposal as being inappropriate development on Green Belt land.

### **Thames Water:**

No comments received.

### **Welwyn Hatfield Access Group:**

Request that the application be considered subject to the standards and criteria outlined in the current District Plan and that planning approval is conditional on compliance with detailed access requirements. Also that application, where appropriate, is considered against criteria outlined in the Building Regulations Part M and BS8300 Code of Practice- Design of Buildings and their approaches to meet the needs of disabled people.

## DISCUSSION

The main issues are whether or not the proposed development would result in inappropriate development harmful to the openness of the Metropolitan Green Belt. Other matters, including the suitability of the design, impact on the appearance of

the street scene, impacts on the amenities of neighbouring occupiers and parking/access are very much secondary.

The land in question is within the Metropolitan Green Belt. Central Government Guidance in the form of Planning Policy Guidance Note 2 (PPG2) "Green Belts", Policy GB3 of the Welwyn Hatfield District Plan Alterations No 1 1998 and Policy RA1 of the Welwyn Hatfield District Plan Review Deposit Draft, June 2002, state that within the Metropolitan Green Belt there is a presumption against development except for certain purposes. These include mineral extraction, agriculture, small-scale facilities for participatory sport and recreation and other uses appropriate to a rural area.

New housing development is not one of these uses and is therefore considered inappropriate development in the Green Belt. The applicant has not supplied supporting material to make a case that there may be exceptional circumstances to justify an exception to Green Belt policy. The development is therefore contrary to PPG2 and both adopted and emerging District Plan policy.

Although, in isolation, the design of the proposed house may have merit, in this situation the overriding assessment has to be that the proposal constitutes inappropriate development within the Green Belt.

## **CONCLUSION**

The site is within the Metropolitan Green Belt in the Hertfordshire County Structure Plan, the Welwyn Hatfield District Plan Alterations No 1 1998 and RA1 of the Welwyn Hatfield District Plan Review Deposit Draft, June 2002, wherein permission will only be given for erection of new buildings or the use of existing buildings or land for agricultural, other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. The proposed development is an inappropriate use within the Green Belt which is unacceptable in terms of Policy 5 of the Hertfordshire County Structure Plan Review 1991- 2011 and Alterations 2001- 2016 (Deposit Draft Feb 2003) together with Policy GB3 of the Welwyn Hatfield District Plan Alterations No 1, 1998, and Policy RA1 of the Welwyn Hatfield District Plan Review Deposit Draft, June 2002. The proposed residential development cannot be justified in terms of the purposes specified and no exceptional circumstances are apparent in this case.

## **RECOMMENDATION**

That planning application S6/2004/1104/FP be REFUSED.

## **REASONS FOR REFUSAL**

1. The site is within the Metropolitan Green Belt in the Hertfordshire County Structure Plan, the Welwyn Hatfield District Plan Alterations No 1 1998 and RA1 of the Welwyn Hatfield District Plan Review Deposit Draft, June 2002, wherein permission will only be given for erection of new buildings or the use of existing buildings or land for agricultural, other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. The proposed development is an inappropriate use within the Green Belt which is unacceptable in terms of Policy 5 of the Hertfordshire County Structure Plan Review 1991- 2011 and Alterations 2001- 2016 (Deposit Draft Feb 2003) together with Policy GB3 of the Welwyn Hatfield District Plan Alterations No 1, 1998, and

Policy RA1 of the Welwyn Hatfield District Plan Review Deposit Draft, June 2002. The proposed residential development cannot be justified in terms of the purposes specified and no exceptional circumstances are apparent in this case.

## **DRAWING NUMBERS**

Site location plan

616:01

616:02

616:03

616:04