

WELWYN HATFIELD COUNCIL
PLANNING CONTROL COMMITTEE
13 MAY 2004
REPORT OF THE CHIEF PLANNING AND
ENVIRONMENTAL HEALTH OFFICER

PCC 13.05.04
PART 1
ITEM NO
FOR DECISION
CPEHO

S6/2003/1700/FP
CONVERSION OF BUILDING INTO 8 SELF CONTAINED FLATS
AT SAN FELICE RESTAURANT, GREAT NORTH ROAD,
BROOKMANS PARK

APPLICANT: BUILDWISE LIMITED (North Mymms)

1.0 INTRODUCTION

- 1.1 The application site comprises a substantial detached building (currently a restaurant) set in 0.27 hectares along with landscaping and carparking. The building is 20.8m deep at its deepest, 20.4m at its widest and 8.9m high. It is sited approximately one metre from the boundary with north western boundary (adjacent to a motor workshop) and 14m from the front of the site.
- 1.2 To the rear of the site is a dwellinghouse with outbuildings in its curtilage and open fields. The site is located in the Green Belt.

2.0 THE PROPOSAL

- 2.1 The proposal is for the conversion of the existing building into 8 self contained flats (3 x 1 bed, 4 x 2 bed and 1 x 3 bed). This will involve the insertion of 8 dormer windows in the roof slope of the building. The site will be laid out with landscaping and carparking providing 12 spaces along the frontage of the site..
- 2.2 The dormer window in the south east elevation is to be 2.5m wide and 1.1m high with a flat roof, those in the south west elevation (three windows) are to be 1.1m wide and 1.7m high with pitched roofs, those in the north west elevation (two windows) are to be 1.1m wide and 1.1 high with flat roofs, and those in the north east elevation (two windows) are to be 1.1m wide and 1.7m high with pitched roofs.

3.0 SITE HISTORY

- 3.1 S6/1998/0802/FP Use of first floor as restaurant and ground floor as private club (previously the whole of the building was in use as a restaurant). Withdrawn.
S6/1992/7010/AD Two illuminated signs
S6/1992/0064/FP Use of part of first floor as banqueting suite
S6/1991/7006/AD Externally illuminated pole sign

4.0 PLANNING POLICY

- 4.1 Welwyn Hatfield District Plan Alterations No.1, 1998
GB3 – Development in the Metropolitan Green Belt

RES Criteria 24 – Dormer windows

- 4.2 Welwyn Hatfield District Plan Review Revised Deposit Draft, June 2002
RA1 – Development in the Green Belt
Supplementary Design Guidance
- 4.3 Hertfordshire Structure Plan Review 1991 – 2011
Policy 5 – Green Belt
- 4.4 Hertfordshire Structure Plan Alterations 2001 – 2016
Policy 5 – Green Belt

5.0 REPRESENTATIONS RECEIVED

- 5.1 North Mymms Parish Council – Object to this application as inappropriate development in the Metropolitan Green Belt and to the overbearing appearance caused by the proliferation of dormer windows. (both initial and revised proposals)
- 5.2 Hertfordshire Highways – advises that any permission which may be granted should include conditions relating to visibility splays and the collection of domestic refuse.
- 5.3 Getting Around – Welwyn Hatfield Access Group – comment that the requirements of Part M of the Building Regulations need to be complied with and make detailed comments with regard to the requirements for disabled persons access.
- 5.4 North Mymms District Green Belt Society (to original plans) – note that the site is in the Green Belt and that the application has no proposals for carparking, except the existing carparking. The Society would be opposed to garages due to the impact upon the Green Belt and feel that if permission is granted here, this could be seen as a precedent.
- 5.5 One letter received from the occupiers of a nearby dwelling, objecting on the grounds of additional traffic, loss of a local amenity and that the development will not be in keeping with the area.
- 5.6 Herts Fire and Rescue – set out the criteria for the Fire and Rescue service access and confirm that the necessary water supply is available for fire fighting.
- 5.7 Environmental Health – note that there is a motor vehicle repair shop very close to the flank wall of the building but believe that the type of work carried on there, the small size of the operation and the hours of opening are such that there is unlikely to be any significant noise problem. In addition, the design assists in limiting the affect of any noise from the unit.

6.0 DISCUSSION

- 6.1 The determining issues regarding this application relate to the acceptability of the change of use in the Green Belt, including the impact of the proposed dormer windows upon the openness of the Green Belt. The impact upon the amenities of the neighbouring and surrounding properties, compliance with the Council's

Carparking Standards and the potential for disturbance from the adjoining vehicle workshop unit.

- 6.2 Policy GB3 of the Welwyn Hatfield District Plan Alterations No.1, 1998 and Policy RA1 of the Welwyn Hatfield District Plan Review Revised Deposit Version state that the re- use of buildings in the Green Belt is acceptable in certain circumstances, in accordance with Policy CR11 of the Adopted Plan and Policy RA19 of Revised Deposit Plan. These state that the proposed use should be in accordance with Green Belt policy, that the intensity of the use of the site should not substantially increase and that any increase in traffic generated is acceptable in highway and environmental terms.
- 6.3 It is not considered that the intensity of use of the site would increase as a result of the proposed conversion. The current use as a restaurant generates a fairly significant amount of traffic as indicated by the number of parking spaces provided. The activity associated with a restaurant use is likely to be intensified at evenings and weekends where as that associated with residential use will be spread more evenly throughout the day. It is not considered that the current maximum draw of vehicles to the site will be exceeded.
- 6.4 There are to be 8 dormer windows in the development. Whilst these will have an impact upon the appearance of the building (which is in a prominent location), it is considered, on balance, that they will not have an unacceptably significant impact on openness as they only add marginally to the bulk of the building. They comply with the relevant policies with regard to dormer windows.
- 6.5 The property to the rear of the site is a residential dwellinghouse: the alterations to the restaurant will have an acceptable impact upon this property. By virtue of the distance between the proposed rear dormer windows and the dwelling to the rear (approximately 50m), there will not be a significant degree of overlooking of that property (the view will be partially obscured by the conifer trees at the side and rear boundaries of the site).
- 6.6 Twelve carparking spaces are proposed for the development (one and a half per flat). Members will be aware that the Councils standards are couched in maximum terms. This is a rural location where it would be appropriate to require the maximum provision within the scope of the policy. In this case the maximum requirement is for 12 spaces (1.25 for each 1 bed unit, 1.5 for each 2 bed unit and 2.25 for the 3 bed unit) and so the policy requirement is met.
- 6.7 There is a washout point (which, though not a fire hydrant, serves a similar purpose) opposite the San Felice site. This meets the requirements of Herts Fire and Rescue and accordingly, no objections are raised in this respect.
- 6.8 It is noted that the internal arrangements of the proposed flats do not comply with the disability requirements of the Building Regulations. However, as these elements are internal only, they would be relatively simple to alter such that they meet the requirements.
- 6.9 With regard to the adjacent motor vehicle workshop it has been noted that the small scale nature of the use here is unlikely to lead to noise problems for the residential occupiers of the proposed flat units. It has to be weighed in the balance that the activity at the vehicle workshop may increase, but, given the

modest nature of the buildings and the rural location, this is considered to be unlikely.

7.0 CONCLUSION

7.1 I recommend that planning application S6/2003/1700/FP be approved, subject to the following conditions:

1. The development to which this permission relates shall be begun within a period within a period of 5 years commencing on the date of this notice.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development shall only be carried out in accordance with a landscaping scheme which shall be submitted to, and approved in writing by, the Local Planning Authority before the development commences. The scheme shall show:

(1) which existing trees, shrubs and hedges are to retained or removed.

(2) which new planting is proposed, together with details of species, size and method of planting.

(3) what measures are to be taken to protect both new and existing landscaping during and after development.

The scheme shall be implemented and completed in all respects by not later than the planting season following completion of development, and any trees or plants which within a period of 5 years from completion of 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, unless the Local Planning Authority gives written consent to any variation.

REASON: To enhance the visual appearance of the development and to maintain the privacy of the neighbouring dwelling.

3. The parking and turning spaces shown on the plans hereby approved shall be provided and marked out prior to the occupation of the development, and shall be retained and kept available for those purposes thereafter.

REASON: To ensure that adequate parking facilities are available within the site and that there is no detriment to the safety of the adjoining highways.

4. Prior to the commencement of the use hereby permitted there shall be created visibility splays at the entrance to the site as follows:

- for vehicles a splay of 2.4m by 120m;

- for pedestrians a splay of 2.0m by 2.0m.

once created those visibility splays shall be retained free of any visual obstruction between a height of 0.6m and 2.0m above the carriageway of the Great North Road whilst the site is in use for the permitted purpose.

REASON: In the interests of highway safety.

8.0 REASONS FOR GRANT OF PERMISSION

8.1 It is considered that the proposed development does not have an unacceptably harmful impact upon the Green Belt, residential amenity or the character of the area in which the development is located. Acceptable residential amenity will be created for the occupiers of the new units.

