

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2007/1726/FP
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NOTATION:

The site is located within the Metropolitan Green Belt as designated by the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The site comprises a former chapel, now in use as vehicle storage (1999) and stable. The garage is green metal clad and located towards the front of the site, accessed by hard standing. The stables is set further back in the site and is traditional timber clad. It is currently not used for the stabling of horses.

Beyond the stables the site extends some distance back and sideways behind the rear garden of 5 Bell Lane. A mixture of close board fencing, post and rail and soft landscaping provides boundary treatment to the rear.

Land slopes very gently upwards from the front to the rear of the site.

DESCRIPTION OF PROPOSAL:

The application seeks full planning permission for change of use and demolition of the stables and new single storey extension to provide a residential dwelling. The built form of the extension would be approximately the same in footprint as the stables, to be demolished and of a higher ridge height (3.4 metres to 4.5 metres). This would be set back slightly from the existing garage but would be forwards of the stable.

As part of the development the stables would be demolished and the land restored. Materials proposed would be as existing for the garage, timber clad featheredged boarding for the new build and a part glazed / part timber clad link between the two buildings.

PLANNING HISTORY:

S6/1998/0317/FP	Erection of replacement stables, boundary wall and gates Refused
S6/1998/1051/FP	Extension to side of former chapel, in connection with use for domestic vehicle storage Granted
S6/2001/0486/FP	Erection of a new stable block after demolition of existing Granted
S6/2007/0057/FP	Change of use of chapel to residential ... Granted

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy
PPS1: Sustainable Development
PPG2: Green Belts
PPG13: Development on Unstable Land

Hertfordshire Structure Plan Review 1991 – 2011:

None

Welwyn Hatfield District Plan 2005:

SD1 Sustainable Development

GBSP1 – Definition of Green Belt

RA1 – Development within the Green Belt

RA17 – Reuse of Rural Buildings

R3 - Energy Efficiency

M14 - Parking standards for new developments

D1 - Quality of design

D2 - Character and context

D8 - Landscaping

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

Welwyn Hatfield District Plan,

CONSULTATIONS

None

TOWN/PARISH COUNCIL COMMENTS

None received

REPRESENTATIONS

None received, consultation expired 10th January

DISCUSSION:

The principal of the conversion was established last year under planning reference S6/2007/0056/FP. Other than the loss of policy 5 of the Hertfordshire Structure Plan (Green Belts) there has been no change to the legislation. The main point for consideration therefore is whether the change in materials to the walls and roof of the former chapel from the existing metal to stained timber cladding.

For reference the previous report has been attached.

Policy RA17 requires buildings to be of a permanent nature and to not require complete or substantial reconstruction to bring it back to use as well as any proposed alteration to be in accordance with the design policies of the local plan. It is proposed to remove the metal cladding leaving the frame remaining and to then attach the timber cladding to the frame with similar fixings. On the basis that this is the case, it is considered that the proposal would comply with policy. However, to confirm that the building including frame is not demolished during this process, it is appropriate to include a condition. The same would apply to the roof. Timber cladding is considered would respect the rural character of the area and hence the proposal would comply with policies RA1, RA17, D1 and D2.

All other matters are the same as with the previous application.

CONCLUSION:

The proposal, where this has changed compared to the previous application, accords with the policies and no other material considerations indicate that planning permission should not be granted.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2.1 – Time Limit
2. C.5.1 – Samples of materials
3. 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 be retained or removed.

- (2) what new planting is proposed, together with details of the 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 approved shall be implemented and completed in all respects by not later than the planting season following completion of the development, and any trees or plants which within a period of 5 years from 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, unless the Local Planning Authority gives written consent to any variation.

REASON

To enhance the visual appearance of the development in accordance with policy D8 of the Welwyn Hatfield District Plan 2005.

4. The parking area shown on the plan hereby approved shall be provided prior to the occupation of the dwelling on the site, 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 highway safety in accordance with Planning Policy Guidance Note 13: Transport

5. The existing stable as shown on plan 1148/A1/100 and shown hatched in black on the proposed site plan shall be demolished in its entirety prior to the occupation of the development hereby permitted.

REASON: In the interests of the amenity and visual amenity of the area and in accordance with policies RA1, D1 and D2 of the Welwyn Hatfield District Plan 2005.

6. C.7.17 – Construction Parking
7. Before first occupation of the development hereby approved all access arrangements serving the development shall be submitted to and approved in writing by the Local Planning Authority and then completed and constructed in accordance with these details.

REASON: To ensure that the access is constructed to the current Highway requirements and to comply with Planning Policy Guidance Note 13: Transport

8. C.8.5 – Wheel Washing Equipment

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against national policy PPS1, PPG2 and PPG13 development plan policies (i.e. Welwyn Hatfield District Plan 2005 SD1, GBSP1, RA1, RA17, R3, M14, D1, D2, D8, Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005 and Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004), in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan (see Officer's report which can be inspected at these offices).

INFORMATIVES:

1. Development work (conversion of chapel and demolition of existing stables) should proceed with caution. In the event of bats being found, work must stop immediately and Natural England informed; telephone 01206 796666.
2. The highway authority require the construction of the vehicle cross-over and the removal of the existing to be undertaken by their own contractors such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to apply to the Mid West Hertfordshire Highway Area Office (Telephone 01727 816000) to arrange this.

DRAWING NUMBERS: 114//A1/100 & photograph 'Former Chapel, Bell Lane, Bell Bar'
received and dated 7th December 2007

Signature of author.....

Date.....

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PLANNING HISTORY:

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S6/2001/0486/FP	Erection of a new stable block after demolition of existing Granted

SUMMARY OF DEVELOPMENT PLAN POLICIES:

Hertfordshire Structure Plan Review 1991 – 2011:
Policy 5 – Green Belt

Welwyn Hatfield District Plan 2005:
SD1 Sustainable Development
GBSP1 – Definition of Green Belt
RA1 – Development within the Green Belt
RA17 – Reuse of Rural Buildings
R3 - Energy Efficiency

M14 - Parking standards for new developments

D1 - Quality of design

D2 - Character and context

D8 - Landscaping

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

CONSULTATIONS

Thames Water – no objection

Environment Agency – would have a low environmental risk

HBRC – no known records – recommend cautionary condition

HCC Highways - no objection, recommend conditions

PARISH COUNCIL COMMENTS

No comments received

REPRESENTATIONS

None. Notification period expired 20th February

Welwyn Hatfield Access Group request that this application is considered subject to the standards and criteria outlined in the current District Plan (Policy D3d, Policy D5).

North Mymms District Green Belt Society – object – within green belt, very special circumstances have been put forwards, no comment on design, historical data makes it difficult to refuse.

DISCUSSION:

The main issues are

- 1) Impact of the development on the green belt**
- 2) Impact on amenity of adjoining occupiers**
- 3) Highway and parking implications**

Policy RA1 identifies those developments that are acceptable within the green belt and unless very special circumstances have been demonstrated, those outside of these should be refused.

Policy RA17 identifies the criteria under which the re-use of buildings will be permitted. This includes any use and extensions are in accordance with green belt policies. Use of the site as residential is considered acceptable in this location being adjacent to other residential dwellings. Although the pet farm is adjacent and therefore some form of business use might be acceptable, this particular site would not lend itself well to business use and would be likely to lead to amenity issues for neighbouring occupiers due to the proximity of adjoining residents.

The extension involves the demolition of the existing stables with a resulting residential extension footprint virtually identical to the stables. However, the bulk is larger by virtue of the increase in height. This is minimised somewhat by virtue of the roof having hipped ends to all elevations and the bulk visually reduced by being more square rather than rectangular like the stables. The height of the building compared to the existing garage and its set back on the site and relatively light-weight link is considered, on balance acceptable and would be unlikely to result in detriment to the openness of the green belt.

Traffic generation from the addition of one dwelling is unlikely to raise significant impacts in highway terms. Three bedrooms are proposed which require 2.25 spaces (3) which the proposal would provide. This compared to the existing use of the site, although perhaps not used to a great intensity at present, is considered would not be unacceptable.

In itself, the demolition of the existing building (stables) and relocation to form residential accommodation does not fall within the criteria outlined in RA17. However, reference needs to be made to planning application S6/2003/0120/FP (Outbuilding, junction of Bell Lane and Bulls Lane) that involved a similar proposition – conversion of one building and demolition of an outbuilding and rebuild to form an extension. This was approved at committee (report attached as appendix B within Design and Access statement). This forms part of the very special circumstances for allowing the development and due to the close proximity of this site and its relative recent nature is considered supports this case. A condition is required to ensure the demolition of the stables.

The design of the extension and insertion of window into the existing garage is compatible with the existing building and with the rural location. The materials whilst different are of traditional nature and again would fit well in this rural location.

The design and impact upon this rural location, as already discussed, is acceptable. Two small windows are proposed to the flank elevations of the southern elevation. These would overlook the access drive to the pet farm and would therefore not have any impact on amenity. To the northern elevation, windows are proposed in the elevation to the garage as well as the new build. The distance of the garage elevation to the boundary is such that there would not be any issue regarding overlooking, the elevation nearest (living room) does have a double window to this elevation. This is still 7 metres from the boundary and with the boundary treatment (wall of approximately 1.5 metre height) would ensure that existing privacy to the existing occupiers of no. 5 together with future occupiers of this development would be achieved. There would be no issue regarding loss of light due to the distance from the boundary and single storey height of the building and therefore policies D1 and D2 would be complied with.

Landscaping has been proposed with this development. This would include hedging to part of the front boundary and replacement of the existing hard surfaced areas (as well as that resulting from the demolition of the barn). A new formal access would be provided to the north of the existing utilising the five bar gate. The parking area would be grasscrete thus helping to retain the softness of the area. The proposal would therefore comply with policy D8 and attached condition would ensure this was achieved.

Parking standards (policy M14) as previously discussed would be achieved.

CONCLUSION:

The proposal has demonstrated very special circumstances as to why the development is acceptable in terms of the green belt. The design and character of the development would accord with local plan policy and would not detrimentally impact upon neighbour amenity. Parking meets the standards required.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. SC01 – Full Time Limit
2. SC19 – Materials to be submitted
3. SC9 – Landscaping Scheme
4. The parking area shown on the plan hereby approved shall be provided prior to the occupation of the dwelling on the site, 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 highway safety in accordance with policy R29 of the Hertfordshire Structure Plan Review 1991-2011

5. The existing stable as shown on plan 1148/A1/011 and shown hatched in black on the proposed site plan shall be demolished in its entirety prior to the occupation of the development hereby permitted.

REASON: In the interests of the amenity and visual amenity of the area and in accordance with policies RA1, D1 and D2 of the Welwyn Hatfield District Plan 2005.

6. All areas for the parking and storage and delivery of materials associated with the construction of this development shall be provided within the site on land which is not public highway and the use of such areas must not interfere with the use of the public highway.

REASON: In the interests of highway safety and free and safe flow of traffic.

7. Before first occupation of the development hereby approved, all access arrangements serving the development shall be submitted to and approved in writing by the Local Planning Authority and then completed and constructed in accordance with these details.

REASON: To ensure that the access is constructed to the current Highway requirements and to comply with policy R29 of the Welwyn Hatfield District Plan 2005.

8. No development (including demolition) shall commence until wheel-cleaning apparatus have been provided in accordance with details to be submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved.

REASON: In order to ensure that the wheels of the vehicles are cleaned before leaving the site in the interests of highway safety in accordance with Policy 29 of the Hertfordshire Structure Plan Review 1991 – 2011.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

Reason for Grant of FP/LB/CA/DT/ (Approvals only):

The proposal has been considered against development plan policies (i.e. Hertfordshire Structure Plan Review 1991 - 2011 Policy 5 & Welwyn Hatfield District Plan 2005 SD1, GBSP1, RA1, RA17, R3, M14, D1, D2, D8, Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005 and Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004), in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan (see Officer's report which can be inspected at these offices).

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DRAWING NUMBERS:

114/A1/011 & 1148/A3/012 and date stamped 15 January 2007

Signature of author.....

Date.....