

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2009/2278/S73A
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NOTATION:

The site lies within Cuffley as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application site is located on the west side of Theobalds Road and consists of a detached bungalow with front and rear garden. The surrounding area and street scene are residential in character and contain several similar dwellings in respect of both size and appearance. The application site measures approximately 12m width x 53m length. The front of the dwelling is set back approximately 8m from the highway. The dwelling features a hipped roof and is finished in painted render, painted brick quoins, concrete roof tiles and white PVC windows. The dwelling has been previously extended by way of alterations to the roof including a dormer.

DESCRIPTION OF PROPOSAL:

An application was approved under delegated authority on 11 September 2009 for the erection for a rear single storey extension and garage. The current application seeks to remove condition 4 of the planning permission which states that;

4. Detailed drawings of the ramp as indicated within the sustainability schedule shall be submitted to the Local Planning Authority for approval in writing. Subsequently the approved details shall not be implemented and not altered without the prior written consent of the Local Planning Authority.

REASON: In the interests of accessibility for people of limited mobility in accordance with policy SD1 and D9 of the Welwyn Hatfield District Plan 2005.

PLANNING HISTORY:

S6/2008/0714/FP – Erection of Single Storey Front Extension (Granted)
S6/2007/1648/FP – Erection of A Single Storey Front Extension (Refused)
S6/1999/0271/FP - Erection of Detached Garage (Withdrawn)
S6/1999/0702/FP - Erection of Detached Garage (Granted)

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy
PPS1 – Delivering Sustainable Development

East of England Plan 2008:
SS1 Achieving Sustainable Development
T14 Parking
ENV7 Quality in the Built Environment

Hertfordshire Structure Plan Review 1991 – 2011:
None

Welwyn Hatfield District Plan 2005:
GBSP2 Towns and Specified Settlements
D1 Quality of Design
D2 Character and Context
D9 Access and Design for People with Disabilities
SD1 Sustainable Development
R3 Energy Efficiency
M14 Parking

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005
Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

CONSULTATIONS N/A

TOWN/PARISH COUNCIL COMMENTS

Northaw & Cuffley Parish Council – no objection

REPRESENTATIONS

This application have been advertised and a representation was received from the Welwyn Hatfield Access group regarding the application. The group however misinterpreted the nature of the application and therefore have withdrawn their comments. Period expired.

DISCUSSION:

The main issues are:

1. Whether it is acceptable that the condition be removed

1. As detailed in the proposal part of this report, the agents seeks the removal of the following condition;

4. Detailed drawings of the ramp as indicated within the sustainability schedule shall be submitted to the Local Planning Authority for approval in writing. Subsequently the approved details shall not be implemented and not altered without the prior written consent of the Local Planning Authority.

REASON: In the interests of accessibility for people of limited mobility in accordance with policy SD1 and D9 of the Welwyn Hatfield District Plan 2005.

The delegated report published with permission S6/2009/1553/FP discusses the reason for imposing the condition. In essence, details have not been submitted of any terraced area that may or may not be required (land slopes downwards away from the dwelling to the rear). The sustainability schedule submitted with the application however detailed that a ramp will be provided for easy access. Therefore, for this reason, further details of the ramp were requested as a condition of consent.

The applicant has noted that the construction of a ramp complying with the relevant building regulations would be too big for the building and the intention was not to construct an extension which specifically catered for disabled access, and therefore does not wish to construct the ramp as originally proposed.

From a planning perspective, there is no preference for a ramp to be constructed at the rear of the property, rather the condition was added, to consider the aesthetic and

amenity issues of the construction of the ramp in which the applicant proposed to construct.

Given the fall of the land, there is a concern regarding the possibility of the construction of terraced area at the rear of the property over the natural ground level in the rear garden, with regard to amenity and design issues. A informative however has been included on the original consent advising that a terrace, not complying with the amended General Permitted Development Order, cannot be provided without the submission of a further planning application.

It is considered that removing the ramp from the rear of the building would not have any adverse impacts on the physical or aesthetic appearance of the building or character of the area, nor will it impact upon the amenities afforded to adjoining occupiers. The proposal remains to be in accordance with the relevant policies, and therefore no objection is raised to the deletion of the condition requesting details of the ramp.

CONCLUSION:

It is considered that the removal of Condition 4 of planning permission S6/2009/1553/FP would not have a material impact on the approved scheme which remains to be in accordance with the relevant planning policies. Therefore, no objection is raised to the removal of Condition 4 from planning permission S6/2009/1553/FP.

RECOMMENDATION: No objection

No objection is raised to the removal of Condition 4 of planning permission S6/2009/1553/FP. It is considered that the proposal remains in compliance with Planning Policy Statement/Guidance PPS1, East of England Plan 2008 SS1, T14 and ENV7 and development plan policies GBSP2. D1, D2, D9, D1, R3 and M14 of the Welwyn Hatfield District Plan 2005, 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. Condition 4 of permission S6/2009/1553/FP is the only condition removed under this application. The remaining conditions imposed under permission S6/2009/1553/FP therefore remain and shall be complied with. It is recommended that this decision notice be attached to original permission granted for future reference.

Signature of author..... Date.....