

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2009/2746/FP
------------------------	------------------------

NOTATION:

The site is located within Hatfield Aerodrome (Inset 3) as designated by the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application site is located on the north side of Cunningham Avenue and consists of a two storey end of terrace maisonette with a single garage, entrance porch and utility room at ground floor and living accommodation at first floor. One car parking space is provided to the front of the garage. The amenity land which is the subject of this application measures approximately 1.5m x 12m located adjacent to the west flank elevation of the application dwelling and extending forward of the application dwelling into the parking area. The amenity land currently consist of loose bark surface.

DESCRIPTION OF PROPOSAL:

Change of use from garage to habitable accommodation and change of use from amenity land to cycle storage and car parking to provide one additional off street parking space to the front of the dwelling and a secure cycle storage area between the application dwelling and adjacent garage to the west.

PLANNING HISTORY:

S6/2009/1065/FP - Change of Use from Garage to Habitable Accommodation (Refused 06/10/2009)

Summary of reasons for refusal of planning application S6/2009/1065/FP:

1. The loss of a garage parking space would likely add to the parking pressures within the vicinity and consequently would exacerbate the existing problems of inconvenience and danger to road users and damage to grass verges and landscaped areas.
2. The proposed development would result in the loss of a garage and no alternative provision has been made for cycle storage

S6/2003/0957/DE - Residential development of 322 dwellings and associated infrastructure (works pursuant to outline approval S6/1999/1064/OP) (Granted 23/10/2003)

S6/1999/1064/OP - Demolition of existing (unlisted) buildings, removal of runway and other hard standing areas and redevelopment for the following purposes: as a business park comprising uses within use class B1, B2, B8 and sui generis use; housing; new university campus (use class D1 and D2) to include replacement De Havilland sports and social club and associated playing fields; two hotels; primary

school and associated facilities; district centre; works of conversion to enable recreation use of existing listed hangar; aviation heritage centre. Together with associated highway, transport and service infrastructure (including a strategic transport corridor), landscaping and open space, diversion of Ellenbrook. Means of access to be determined (Granted 29/12/2000)

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Planning Policy:

PPS1 Delivering Sustainable Communities

PPG13 Transport

East of England Plan 2008:

SS1 Achieving Sustainable Development

ENV7 Quality in the Built Environment

T14 Parking

Welwyn Hatfield District Plan 2005:

GBSP2 Towns and Specified Settlements

SD1 Sustainable Development

D1 Quality of Design

D2 Character and Context

M14 Parking Standards for New Development

R3 Energy Efficiency

Welwyn Hatfield District Plan, Supplementary Design Guidance, 2005

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

Hatfield Aerodrome Supplementary Planning Guidance, 1999

CONSULTATIONS

Hertfordshire County Council (Transportation Planning and Policy): does not wish to restrict the grant of permission subject to a suggested planning condition.

TOWN/PARISH COUNCIL COMMENTS

Hatfield Town Council: "Hatfield Town Council object to the application considering the loss of amenity land unacceptable, few areas exist in this development and those that do are an integral part of the features of the development"

REPRESENTATIONS

The application was advertised by site notice and neighbour notification letters. Six letters of representation were received objecting to the proposals on the following grounds:

- Insufficient parking provision
- Proposed parking space not wide enough
- Proposed parking space too close to neighbouring property
- Loss of permeable surface
- Lack of bin storage
- Communal bin stores likely to result in fly tipping and are unsightly
- Noise disturbance
- High proportion of accommodation in the area let to students
- The property already houses more people than it was originally intended for
- Change of use of the garage to habitable accommodation would set a precedent making it difficult to resist other similar proposals in the area
- Adversely affect the value of neighbouring property

DISCUSSION:

The main issues are:

1. Quality of Design and Character and Context
2. Impact on Amenity of Adjoining Occupiers
3. Highways and Parking
4. Other Material Considerations

1. Quality of Design and Character and Context

National Planning Policy Guidance PPS1 Delivering Sustainable Development requires planning authorities to plan for high quality design which is appropriate in its context. Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location.

The proposed replacement of the garage door with a window and facing brick below was considered acceptable under the previous planning application S6/2009/1065/FP. The current planning application proposes the same alterations to the garage as previously considered under planning application S6/2009/1065/FP and are therefore acceptable.

The change of use of amenity land to cycle storage and parking is a new feature not previously considered. The application site and the surrounding development were constructed at high density with relatively small gardens and minimal space around dwellings. Where amenity land and soft landscaping does exist, it provides a valuable benefit in terms of enhancing the character of the area and visual amenity. The amenity land that is subject of this planning application consists of an area between the application dwelling and the adjacent garage to the west and an area of soft landscaping to the front of the dwelling adjacent to the footpath.

The area of soft landscaping to the front of the application dwelling provides an important visual break within a large car parking area. The loss of soft landscaping to provide further parking would be detrimental to the visual amenity and character of the area. The proposed change of use from amenity land to parking therefore fails to comply with PPS1, Policy SS1 and ENV7 of the East of England Plan 2008 and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005 (Statement of Council Policy).

The amenity land currently consist of loose bark surface although it has previously contained planting which appears to have been removed. It should be noted that Condition 6 of planning application S6/1999/1064/OP required the implantation of a landscaping scheme submitted to and approved in writing by the Local Planning Authority. Condition 6 also states that any trees or plants which, within a period of five years from completion of the development, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species. Therefore, planting which has been removed should be replaced.

The issue of complying with Condition 6 of planning application S6/1999/1064/OP of is a matter currently being investigated by the Planning Enforcement Team.

2. Impact on Amenity of Adjoining Occupiers

The development would have no impact on the light or privacy that is afforded to neighbouring residents. The conversion of the garage to a habitable room would not result in additional noise generation beyond what would be expected as reasonable noise within a residential environment. In addition, sound insulation required under building control regulations will safeguard the amenity of occupiers of the adjoining property. The proposal would have no significant impact on the occupiers of the adjacent dwellings in accordance with PPS1, Policy SS1 and ENV7 of the East of England Plan 2008, Policy D1 and D2 of the Welwyn Hatfield District Plan and Supplementary Design Guidance, February 2005 (Statement of Council Policy).

3. Highways and Parking

The application dwelling, a three bedroom maisonette, currently benefits from two car parking spaces in accordance with the requirements of Hatfield Aerodrome Supplementary Planning Guidance, 1999 (SPG). The proposal would result in the loss of one garage parking space and the creation of one additional off street parking space. The current level parking provision would therefore be retained.

It is not known how the applicant proposes to use the habitable accommodation, however, there is a likelihood that the conversion of the garage would provide for an additional bedroom resulting in a four bedroom dwelling with two car parking space. The SPG identifies a parking requirement of three spaces for a four bedroom dwelling.

There is evidence of a significant level of unmet pressure for car parking in the vicinity of the application site. The intensification of uses of the site would add to the parking pressures within the vicinity and consequently would exacerbate the existing problems of inconvenience and danger to road users and damage to grass verges and landscaped areas. The application, therefore, fails to comply with PPG13, Policy T14 of the East of England Plan 2008, Policy M14 of Welwyn Hatfield Council District Plan 2005, Supplementary Planning Guidance, Parking Standards, 2004 and Aerodrome Supplementary Planning Guidance, 1999 (SPG).

4. Other Material Considerations

Private Amenity Space: The proposed garage conversion would increase the habitable accommodation provided within the application dwelling potentially creating a four bedroom house as the proposed new room could potentially be used as a fourth bedroom.

The application dwelling does not benefit from any private amenity space. Policy D1 and the Supplementary Design Guidance do not give specific dimensions but require private amenity space to be appropriate for the location and function. However, the original development was built without the requirement for this building to have private amenity space and it would appear unreasonable for the application to seek this as a result of the garage conversion.

Bin Store: Neighbour objections were received to the proposed garage conversion on the grounds that there is no provision for bin storage and that additional habitable accommodation would exacerbate an existing problem. It was evident from the site visit that a general lack of bin storage within the

vicinity has lead to refuse being left outside properties including the application dwelling. Currently bin storage could be provided within the existing garage/utility area. An increase in habitable accommodation might result in increased household waste in addition to the loss of existing storage. The proposed development would have the potential of reducing areas available within the building for bin storage. However in the absence of policy requirements in relation to bin storage within residential accommodation, it would not be possible to refuse the proposal on these grounds.

Cycle Store: Supplementary Planning Guidance on Parking Standards identifies a requirement for a minimum of one long term cycle storage space per dwelling in no garage or shed is provided. The proposed development includes provision of secure cycle storage overcoming reason 2 for refusal of planning application S6/2009/1065/FP.

Impact on Property Value: Property value is not protected by planning legislation and is therefore not a material consideration in determining planning applications.

Student Lets: A number of objections were received claiming the application dwelling has been let to students. The issue as to whether or not the application dwelling is as a House in Multiple Occupation (HMO) is a separate matter to be investigated by the Planning Enforcement Team.

Sustainable Development: The applicant has submitted completed the sustainability checklist in accordance with Policies R3 of the District Plan and SD1 of the Supplementary Design Guidance. The applicant has indicated within the submitted sustainability checklist that The development is within a previously developed site. The cycle storage are would be surfaced with semi-permeable membrane and gravel. The additional car would make use of existing drainage.

CONCLUSION

The proposals fail to comply with PPG13, Policy T14 of the East of England Plan 2008, Policy M14 of Welwyn Hatfield Council District Plan 2005 and Supplementary Planning Guidance, Parking Standards, 2004.

RECOMMENDATION: REFUSAL AND REASON (S)

SUMMARY OF REASONS FOR THE REFUSAL OF PERMISSION:

1. The loss of soft landscaping to provide further parking would be detrimental to the visual amenity and character of the area. The proposed change of use from amenity land to parking therefore fails to comply with PPS1, Policy SS1 and ENV7 of the East of England Plan 2008 and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005 (Statement of Council Policy).
2. The intensification of uses of the site would add to the parking pressures within the vicinity and consequently would exacerbate the existing problems of inconvenience and danger to road users and damage to grass verges and landscaped areas. The application, therefore, fails to comply with PPG13, Policy T14 of the East of England Plan 2008, Policy M14 of Welwyn Hatfield Council District Plan 2005, Supplementary Planning Guidance, Parking

Standards, 2004 and Aerodrome Supplementary Planning Guidance, 1999 (SPG).

INFORMATIVES

None

DRAWING NUMBERS

1:500 Block Plan & INVEST/CT2023 VT1/WD1 REV E received and dated 9 February 2010.

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