

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2011/2485/FP
APPLICATION Site:	32 Fore Street

NOTATION:

The site lies within the Conservation Area of Old Hatfield as designated in the Welwyn Hatfield District Plan 2005 and the building is designated as Grade II Listed.

DESCRIPTION OF SITE:

The property dates back to the mid 16th Century in parts and is part of a terraced row of listed mainly 2 storey dwellings which front onto Fore Street.

To the rear of the application property there is a rear garden which backs onto the rear of neighbouring lock-up garages which are situated on lower ground.

In the rear garden of the application property there is already an existing timber wooden shed and adjoining open loggia which has a mono-pitch roof.

DESCRIPTION OF PROPOSAL:

The application seeks full planning permission for the extension of the existing garden shed which is approximately 2m square to a larger shed with a larger footprint of approximately 1.8m x 2.4m.

The existing loggia is to be retained and the height and mono-pitch style of the existing roof will be retained.

PLANNING HISTORY:

S6/2011/2485/FP - Alterations to chimney to form new fire place– no decision.

S6/2011/1903/LUP - Lawful Use Certificate for the proposed erection of extension to existing outhouse - withdrawn 14/10/2011

S6/2010/2189/LB - Replacement of existing modern staircase, demolish modern addition to original 17c chimney, make good existing walls, floor and ceiling and new oak handrail. Granted 26/11/2011

S6/1999/0589/LB - Internal alterations to reveal original structure, and removal of modern partitions – granted 20/09/99

SUMMARY OF POLICIES:

National Policy

PPS1: Delivering sustainable development

PPS5: Planning for the Historic Environment

PPS9: Biodiversity and Geological Conservation

PPG 14: Development on Unstable Land

East of England Plan 2008

SS1: Achieving Sustainable Development

ENV6 Historic Environment

ENV7: Quality in the Built Environment

Hertfordshire Structure Plan Review 1991 – 2011:

None

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

D1 – Quality of Design

D2 – Character and Context

Supplementary Design Guidance

CONSULTATIONS:

HCC Archaeological Unit – advice that the proposed development is unlikely to have an impact on significant archaeological deposits.

TOWN/PARISH COUNCIL COMMENTS:

None

REPRESENTATIONS:

None,

Period expired 20/12/11

DISCUSSION:

1. The Quality of Design and impact on the character of the area.

Local Plan Policy D1 & D2 and the Supplementary Design Guidance. Planning Policy Statement 5 (Planning for the Historic Environment) PPS5 is also relevant.

The proposed design will replicate the character of the existing outbuildings by using the same materials and by keeping the same design of roof and height.

Although the proposals will enlarge the existing size of the outbuilding, the visual impact will not be significant when viewed from the neighbouring land where the lock-up garages are located.

Although the size of the garden is modest, the proposal will still provide sufficient amenity space which would be usable for the occupiers and would not harm the setting of the Listed Building or the wider Conservation Area.

In summary, the proposal would maintain the character of the area and the setting of the Listed Building and so would comply with Local Plan Policy D1, D2 and the SDG and PPS5, subject to a Planning Condition for the use of matching materials.

Chalk Mining: As with all developments across Hatfield, the suitability of the development in accordance with PPG14: Development on Unstable Land needs to be assessed. The site is not within any designated area that has been identified as possibly being at risk of chalk mining. As the development would result in little alteration in terms of weight bearing load upon ground conditions, an informative only is required.

Protected Species The presence of protected species is a material consideration, in accordance with PPS9 (Biodiversity and Geological Conservation), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05.

Protected species such as great crested newts, otters, dormice and bats benefit from the strictest legal protection. These species are known as European Protected Species ('EPS') and the protection afforded to them derives from the EU Habitats Directive, in addition to the above legislation. Water voles, badgers, reptiles, all wild birds, invertebrates and certain rare plants are protected to a lesser extent under UK domestic law (NERC Act and Wildlife and Countryside Act 1981).

The existing site and development is such that there is not a reasonable likelihood of EPS being present on site nor would a EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

East of England Plan 2008: On 10th November 2010, The High Court quashed the decision of the Secretary of State for Communities and Local Government to unilaterally revoke Regional Spatial Strategies in England on two grounds:

That he acted outside his statutory powers in circumventing the need for parliamentary scrutiny of such a fundamental change to the national planning system; and

He failed to consider the likely environmental effects of revoking Regional Strategies

However, the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Act. In the meantime, the policies in the East of England Plan are re-established and form part of the development plan again and are therefore a material consideration which can be taken into account in reaching a decision. However, the Government's intention to abolish Regional Spatial Strategies is also a material consideration that could be considered to reduce the weight to be attached to policies in Regional Spatial Strategies.

The application has been considered against policies in the East of England Plan, which at the time of this decision forms part of the development plan for the Borough but that the weight accorded to these policies, in light of the above circumstances, has been carefully considered in reaching a decision.

CONCLUSION:

The proposal is considered to comply with the above policies subject to the following conditions:

RECOMMENDATION: LISTED BUILDING CONSENT WITH CONDITIONS

CONDITIONS:

1. C.2.1 Time limit for commencement of development
2. C.13.1 Development in accordance with approved plans/details Site Location Plan & MW/1111/05 received and dated 11 November 2011.
3. C.5.1 – Matching Materials.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against Planning Policy Statement 1, 5 & 9 and Planning Policy Guidance Note 14, East of England Plan 2008 Policies SS1, ENV6 and ENV7 & local development plan policy SD, D1 & D2 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. INF9

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