

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No:	S6/2012/1106/LB
APPLICATION Site:	10 Park St Hatfield

NOTATION:

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

DESCRIPTION OF SITE:

The property is an end of terrace 2 storey red brick building under a pitched gable end plain tile roof.

At ground floor level there is a an entrance door and to the side of this there a wooden white painted sash windows, with the brickwork below also painted white.

DESCRIPTION OF PROPOSAL:

The application seeks listed building consent to re-point the brickwork to the front elevation with a traditional lime based mortar.

PLANNING HISTORY:

S6/2010/0534/LB S6/2010/0534/LB - Removal of rear single door and replace with window. Enlargement downwards of lower floor window at rear of property, to be the same size as the upstairs windows - (G) 29/06/2010

S6/1997/0908/FP - Erection of boundary wall - (G) 08/12/1997

S6/1997/0205/LB - Demolition of existing outbuilding in rear garden -(G) 09/05/1997

S6/1995/0055/LB - Internal and external alterations including installation of two rear roof lights - (G) 12/04/1995

S6/1995/0054/FP - Change of use from estate agent to residential with alteration to front, and formation of 2 rear roof lights to attic - (G) 12/04/1995

SUMMARY OF POLICIES:

National Planning Policy Framework

East of England Plan 2008 Policies:

SS1: Achieving Sustainable Development

ENV6: The Historic Environment

Hertfordshire Structure Plan Review 1991 – 2011:

None

SD1: Sustainable Development

GBSP2: Towns and Specified Settlements

D1: Quality of Design

CONSULTATIONS:

BEAMS – advise the following : I visited the site a couple of weeks ago & spoke briefly with the applicant. The proposed re-pointing of the front street elevation in lime-based mortar is, of course, to be welcomed & encouraged. I suggested that while these enhancing works are to be carried out it would be an opportune time to re-introduce cast iron rwgs also.

As with all re-pointing, & seeking to achieve a sympathetic, high conservation standard of work, so much depends on the skill of the craftsman carrying out the re-pointing, so, I suggest a condition or directive to request that a sample area be prepared for inspection & agreement & to act as a reference for all other pointing finish.

TOWN/PARISH COUNCIL COMMENTS: None

REPRESENTATIONS:

None, period expired 13/07/12

DISCUSSION:

The main issues are:

1. The impact of the proposal on the heritage asset.

The NPPF is relevant along with Local Plan Policy D1.

The Councils Conservation Adviser (BEAMS) have been consulted and there is no objection to the principle of the work proposed, but the quality of the final result will be very much dependent on the materials and workmanship.

As such it would be reasonable to request that specification details of the mortar are submitted for approval and a sample panel of brickwork re-pointed to check the quality of the workmanship. This can be subject to a planning condition.

The proposal therefore complies with the NPPF & Local Plan Policy D1 subject to this condition.

An Informative would be reasonable to attach to explain that an application to discharge this condition will be required.

2. Other Material Planning considerations

Chalk Mining: As with all developments across Hatfield, the suitability of the development in accordance with the National Planning Policy: 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 the National Planning Policy, 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:

RECOMMENDATION: LISTED BUILDING CONSENT WITH CONDITIONS

CONDITIONS:

1. C.2.2 Time limit for commencement of development (Listed Buildings)
2. C.13.1 Development in accordance with approved plans/details Site Location Plan received and dated 21 May 2012

Pre-Development

3. The walls to the front elevation shall be re-pointed with a cement lime mortar in accordance with manufacturers specification details, which have been previously submitted to and approved in writing by the Local Planning Authority, prior to the commencement of the work. At least 10 working days notice is to be then given the Local Planning Authority to confirm when a sample panel of re- pointed brickwork (0.5m x 0.5m in size) in a discrete location on the front elevation has been completed to this approved specification for inspection and approval by the Local Planning Authority Subsequently, the remaining re-pointing will be finished to the same agreed standard of the sample panel and the materials shall not be changed without the prior written consent of the Local Planning Authority.

REASON: To ensure the historic and architectural character and setting of the building is properly maintained, in accordance with the National Planning Policy Framework and Local Plan Policy D1 of the Welwyn Hatfield District Plan 2005.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against the National Planning Policy, East of England Plan 2008 policies SS1 & ENV6 and development plan policies SD1, GBSP2 & D1 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which, at the time of this decision 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. Planning Condition 3 above needs to be discharged through an application to the Council. The forms for this application can be downloaded on the

Planning Section of the Councils website (www.welhat.gov.uk). There is currently no charge to submit this application for a discharge of a planning condition for Listed Building Consent

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