

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No:	S6/2013/0603/FP
APPLICATION Site:	12 Harpsfield Broadway

NOTATION:

The site lies within the Town of Hatfield as designated by the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF PROPOSAL:

This application seeks full planning permission for the erection of new mansard roof.

PLANNING HISTORY:

S6/2004/0221/FP – Change of use from sui generis, car rental to class A3 food and drink (Granted 12/05/2004)

S6/2003/0459/LU – Use of first and second floor as offices (Granted 09/06/2003)

S6/1994/0595/FP – Erection of new workshop/store (Granted 27/10/1994)

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Planning Policy Framework 2012

Circular 03/09: Costs Awards in Appeals and Other Planning Proceedings

Welwyn Hatfield District Plan 2005

GBSP2: Towns and Specified Settlements

SD1: Sustainable Development

R3: Energy Efficiency

D1: Quality of Design

D2: Character and Context

M14: Parking Standards for New Developments

Welwyn Hatfield District Plan, Supplementary Design Guidance, 2005

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

CONSULTATIONS

Hertfordshire County Council Transport Programmes & Strategy Department – no response (consultation expired 29/04/2013).

TOWN/PARISH COUNCIL COMMENTS

Hatfield Town Council – no response (consultation expired 29/04/2013).

REPRESENTATIONS

The application was advertised by site notice and neighbour notification letters. No representations were received (notification expired 30/04/2013).

DISCUSSION:

The main issues are:

1. Impact on the character and appearance of the existing property and the surrounding area
2. Impact on the residential amenity of neighbouring properties
3. Other material considerations

1. Impact on the character and appearance of the existing property and the surrounding area

The National Planning Policy Framework states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments add to the overall quality of the area; respond to local character and history; reflect the identity of local surroundings and materials; are visually attractive as a result of good architecture and appropriate landscaping. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG).

The application site is located within a small neighbourhood centre on the west side of Comet Way opposite the Galleria Centre. To the rear of the site is a service road, a hotel and bus interchange. The application unit is an end of terrace commercial unit. In the main the row of units are two storey with additional mansard roof accommodation, the application site is a focal building within the parade located on a prominent corner.

The layout of the site and the internal layout of the building would remain unchanged. The roof extension allows for essential roof repairs while at the same time allowing for the provision of a storage and plant room. Within the roof void it is proposed to house both existing and upgraded equipment, including new water tanks and air conditioning units. The applicant has suggested within the submitted Design and Access Statement that an upgrade of these units is essential if this building is to remain occupied and attractive for occupiers. In terms of access, a loft ladder will be provided from the second floor office.

The proposed mansard roof reflects the adjoining terrace and is sympathetic in scale to its environment and to the original property. The roof extension would project approximately 1.8m above the existing parapet and would be set back approximately 600mm from the outside wall of the building on all sides. It is relevant that the visible bulk from public vantage points at ground level would be limited due to the height of the building and the set back. The limited increase in height and bulk would be proportionate to the spacing within the street scene and not appear out of character with other large buildings within the immediate vicinity. The extension respects the size of the original building and when viewed in the context of the locality it will not appear overly large or cramped.

Overall, subject to a planning condition requiring samples of materials to be submitted and agreed, it is considered that the proposal would adequately maintain

the character of the area in accordance with the National Planning Policy Framework; Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005 (Statement of Council Policy).

2. Impact on the residential amenity of neighbouring properties

The impact of the proposed development on the residential amenity of neighbouring occupiers is considered in terms of the impact on access to day/sun/sky light, privacy and overbearing impact. Giving consideration to the scale of the proposal and its setting, it is considered that the proposed extension would not have an unreasonable impact on light amenity or the level of privacy afforded to the neighbouring residences and would not appear visually overbearing. The amenity of the adjoining occupiers would be maintained to an acceptable level in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance 2005 (Statement of Council Policy).

3. Other material considerations

Sustainable Development: The applicant has completed a sustainability checklist which highlights that the scheme generally responds positively to the topic areas that are required to be considered in accordance with policies SD1 and R3 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance, 2005.

Protected Species: The presence of protected species is a material consideration, in accordance with, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. In the UK the requirements of the EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9(5) of the Conservation Regulations 2010, which states: *"a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions."* The Conservation Regulations 2010, (Regulation 41) contains the main offences for EPS animals, however 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 and amended 2012 Regulations further.

Chalk Mining: As with all developments across Hatfield, the suitability of the development in accordance with the National Planning Policy Framework, paragraph 121, needs to be considered. This states a requirement to ensure that:

"the site is suitable for its new use taking account of ground conditions and land instability, including ...former activities such as mining...., and any proposals for mitigation including land remediation or impacts on the environment from using that remediation"

In accordance with guidance, the council requires detailed chalk mining surveys to be undertaken for developments that would affect high risk sites, prior to the determination of an application. This is in order to assess whether development could reasonably be undertaken without risk.

The appraisal for chalk mining indicates that the risk for the application site would be very low. In accordance with the guidance and National Planning Policy Framework

it is considered reasonable and appropriate to include an informative on the decision notice.

CONCLUSION:

Subject to a planning condition regarding materials, it is considered that the design of the mansard would adequately respect and relate to the existing building and the character of the area. Giving consideration to the scale of the proposal and its setting, it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level in accordance. The proposed development is considered to be in accordance with the National Planning Policy Framework and the Welwyn Hatfield District Plan 2005 and the requirements of the Supplementary Design Guidance (Statement of Council Policy).

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

- 1. C.2.1 – Time Limit
- 2. C.13.1 – The development/works shall not be started and completed other than in accordance with the approved plans and details AT409-21 & AT409-22 received and dated 19 February 2013

PRE-DEVELOPMENT

- 3. C.5.1 – Samples of Materials to be Submitted and Agreed

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against the National Planning Policy Framework and Development Plan policies GBSP2, SD1, R3, D1, D2, M14 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. The decision has also been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and 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. INF2 – Ownership
- 2. INF7 – Party Wall Act
- 3. INF9 – Chalk mining

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