

PLANNING STATEMENT

in relation to

Project Name: 5 Chipmunk Chase – garage conversion
Address: 5 Chipmunk Chase, Hatfield, AL10 9GH
Project No: 20_001
Date: 3rd February 2020
Revision: -

This application has been submitted in response to the concerns raised as part of the enforcement action from Welwyn Hatfield Borough Council ref: ENF/2019/0135 – “Change of use of garage to living accommodation and possible HMO”.

(A) Scheduled ancient monument (SAM):

1.0 The building is not an ancient monument.

(B) Archaeologically Sensitive Area (ASA):

1.0 The building is not of archeological importance.

(C) Listed Buildings:

1.0 The building is not listed with English Heritage, nor is it locally listed.

(D) Conservation Area(s):

1.0 The building is not located within a conservation area.

(E) Historic Parks and Gardens:

1.0 The building does not fall within a designated historic park or garden.

(F) Relevant planning restrictions:

S6/1999/1064/OP

Development of land at: land at Hatfield Aerodrome, Comet Way, Hatfield.

Condition no.23:

All car parking, cycle storage, turning, manoeuvring and loading spaces approved in accordance with Condition 1 hereof shall be provided and available for use prior to the occupation of the buildings to which they relate, and shall be retained and kept available for those purposes at all times thereafter.

REASON

To ensure that adequate parking facilities are available within the site and that there is no detriment to the safety of the adjoining highways.

(G) Points raised within enforcement letter ref: ENF/2019/0135:

1.0 Correspondence from the Planning Enforcement team, and the case officer Mr. Chris Perry dated 12.12.19 (attached), raised the following concerns regarding the property in question:

"I have been made aware that the garage has been converted over 10 years ago and a copy of a Building Notice for the conversion has been produced dated 13/08/2009

In relation to the garage conversion planning permission ref: S6/1999/1064/OP was granted planning permission on the 12th December 2000 & condition 23 attached to that planning permission required the car parking facilities to be retained for those purposes unless of course a planning application was submitted for a change of use or a variation of that condition. The Building Regulations completion certificate that you have attached is dated the 5th October 2009, which would indicate that the planning condition has been breached for more than 10 years & therefore it is immune from any formal Enforcement Action."

(H) Comments in response to section (G):

1.0 The garage conversion was completed on 5th October 2009 (refer to Building Regulations completion certificate attached).

2.0 Although the garage conversion is/was in breach of condition no. 23 of the Planning approvals contained within S6/1999/1064/OP it has received no objections or caused any negative or detrimental impact to its neighbours or surrounding users due to the loss of parking provision. It is our opinion in this case that the garage conversion be acceptable under deemed permitted development rights and is also further immune from any formal enforcement action. Mr Perry has also commented above in much the same way.