

**WELWYN HATFIELD BOROUGH COUNCIL
DIRECTORATE OF STRATEGY AND DEVELOPMENT**

DELEGATED APPLICATION

Application No: 6/2016/1217/HOUSE
Location: The Oaks, Shepherds Way, Brookmans Park, Hatfield, AL9 6NR
Proposal: Installation of metal gates and brick wall
Officer: Mrs J Pagdin

Recommendation: Granted

6/2016/1217/HOUSE

Context	
Site and Application description	<p>The application site comprises a two storey detached house on a 40m wide plot in the Green Belt. It is positioned on the north side of Shepherds Way (B157) just west of the sharp right hand bend and junction of Well Rd and The Ridgeway.</p> <p>The main part of the house is set 4m back from the site frontage. It has been extended to the west side with a two-storey addition set back 6m from the front building line. In addition there is a separate double garage set back 18m from the site frontage and positioned close to the western boundary of the site.</p> <p>The site has a carriage driveway, which is surfaced in gravel. The main vehicle entrance is in front of the side addition. The exit is close to the west boundary of the site.</p> <p>The site is bounded by an open field to the west and north. To the east is the detached house at Mymmwood. To the south is Shepherds Way. The eastern part of the front boundary of the site is marked with a 1.5m high panel fence. Between the two vehicle accesses there is a large oak tree (not covered by a TPO) and substantial shrubs. This part is not fenced. There are no gates at present.</p> <p><u>Proposed Development</u></p> <p>Full planning permission is sought for the following:</p> <ul style="list-style-type: none"> • Double metal gates in a simple style at both vehicle access points: 2.2m high in the centre to 1.5m at the hinges and 3.8m wide; • 1.6m high brick piers with coping stones to support the gates (5m in from the back of the road surface at the entrance and 3.5m in at the exit); • On each side of the entry gates, a 5m long curved wing wall with a brick coping, 1.2m high adjacent to the road rising to 1.5m at the gate posts; • To the east side of the exit gates and, along the central part of the carriage drive, a 1.5m high wooden panel fence with low level planting in front; • Materials - wall and piers to be in yellow reclaimed bricks to match the extension to the house. Gates to be black wrought iron in simple design.

Constraints (as defined within WHDP 2005)	GB – Greenbelt –washed over LCA - Landscape Character Area (North Myrms Common and Newgate Street Farmed Plateau) PAR - PARISH (NORTH MYMMS) Ward6 - Brookmans Park & Little Heath APPS - S6/1072/87/FP APPS - S6/0319/87/FP APPS - S6/0090/90/FP APPS - S6/0305/79 APPS - S6/0649/89/OP NGGP -		
Relevant planning history	S6/0319/87/FP - Two storey side and first floor rear extension, detached double garage and conversion of two dwellings into one. Granted 1.6.1987. S6/1072/87/FP - New vehicular access. Granted 1987.		
Consultations			
Neighbour representations	Support:	Object:	Other:
Publicity	Site Notice Display Date: 8 July 2016 Site Notice Expiry Date: 29 July 2016		
Summary of neighbour responses	No response received.		
Town / Parish representations	No response received		
Consultees and responses	<ol style="list-style-type: none"> 1. Sue Chudleigh (Parish Council) – see above 2. Councillor Stephen Boulton - No response received 3. Councillor John Dean - No response received 4. Councillor Jonathan Boulton - No response received 5. Landscapes Department – commented that, should the application be approved, a Tree protection Plan and Method Statement will be required for approval before works start on site. This should consider both the above and below ground parts of the tree. 		
Relevant Policies			
NPPF D1 D2 GBSP1 GBSP2 M14 Others			
Main Issues			
Impact on GreenBlet	The application site is within the Green Belt and the key policies for this proposal are contained in NPPF 2012 Paragraphs 86-89 and Saved Policies SD1, H2 and GBSP2 RA3 of the Welwyn Hatfield District Plan 2005. These Policies direct new residential development towards existing towns and settlements outside the Green Belt. They make clear that new residential		

	<p>development is inappropriate in the Green Belt and therefore harmful to it and would only be considered in very special circumstances.</p> <p>Exceptions to this are set out in paragraph 89 of the NPPF and are limited to extensions that are not disproportionately larger than the existing building and preserve the openness of the Green Belt.</p> <p>The issue of the size and scale of acceptable extensions is also determined by Saved Policy RA4 of the Welwyn Hatfield District Plan 2005. This policy does not specifically refer to gates but can be applied to other structures associated with residential redevelopments.</p> <p>The relevant criteria are</p> <ul style="list-style-type: none"> (i) the new building should not have a greater visual impact in terms of prominence, bulk and design on the character, appearance and pattern of development of the surrounding countryside; and (ii) the new building should to reflect the character and distinctiveness of its rural setting and accords with the design policies of the plan and any Supplementary Design Guidance. <p>These criteria are expanded upon in turn below.</p> <p><u>Visual impact on Openness</u></p> <p>A key consideration in the impact on visual openness in the Green Belt is the height of any structure and its width and its impact on views into and through a site.</p> <p>The eastern part of the site frontage was previously open but planted with mature oak and shrubs which enclosed the driveway to a considerable extent. The proposed fence would be 1.5m high, below eye hieght, and softened at the front by low level indigenous planting.</p> <p>The proposed gates would be simple in design and made of metal. Although they would introduce an urban element to a previously open scene, they would allow views into the site along the driveway and, consequently, would not have a significant impact on the openness of the Green Belt.</p> <p>The gate piers and walls would be more solid structures. However the wing walls would be modest in height (1.2-1.6m) and length (5m) and they would frame the gateway and run into the site rather than along the frontage. Consequently, they would not significantly reduce views into the site or significantly affect the openness of the Green Belt in this location.</p> <p>The proposals are, therefore, considered acceptable with regard to the Green Belt Policies of the NPPF (2012) and Policies GBSP2, RA3, D1 and D2 of the Welwyn Hatfield District Pan 2005.</p>
<p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</p>	<p><u>Character of the area</u></p> <p>Local Plan Policies D1 (Quality of Design) and D2 (Character and Context) aim to ensure a high quality of design and that new development respects and relates to the character and context of the area in which it is proposed. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed with regard to its bulk, scale and design and how it harmonises with the existing buildings</p>

	<p>and surrounding area.</p> <p>The application site is located in a small cluster of buildings at the east end of Shepherds Way. The dwellings are detached and set back a few metres from the road behind fences and gates made of natural materials – wood and metal. On the opposite side of the road is the hedged frontage to Queenswood School. Just to the south is the treed and gated entrance to Woodlands and a walled and gated entrance to Vine Cottage.</p> <p>The character of the street scene is typified by boundary treatments comprising fences with dense planting or materials that allow views into the properties behind (railings). Where there are gates these are wooden or metal gates of varying heights (1.6 to 2m high), which also allow views into the sites beyond. The character is, therefore, open and any hard or solid materials are softened by planting.</p> <p>The proposed gates would be in keeping with the style of gates used in the vicinity. The design and materials of the supporting walls would also be in keeping with the character of those in the vicinity.</p> <p>The height, scale, materials and simple design of the proposed gates would not result in an unduly prominent development in this location in Shepherds Way. The proposals are, therefore, considered acceptable with regard to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance 2005.</p>
<p>Impact on neighbours</p>	<p>Policies D1 and the Supplementary Design Guidance (2005) (SDG) aim to preserve neighbouring amenity. The SDG sets out the Council's guidelines with regard to residential development for the provision of adequate amenity for future occupants and the protection of neighbouring residential amenity. Guidance in Paragraph 17 of the NPPF seeks high quality design and good standards of amenity for all existing and future occupiers of land and buildings.</p> <p>Given the substantial distances between the application site and the neighbouring properties, the gates and supporting walls would not affect the living conditions of neighbouring properties.</p>
<p>Access, car parking and highway considerations</p>	<p><u>Vehicle Access</u></p> <p>It is a strategic aim of the Movement Chapter of the Welwyn Hatfield District Plan 2005 to encourage road safety for all the community. This includes ensuring that the safety of pedestrians and other road users is not adversely affected by new developments.</p> <p>The proposed entrance gates would be set 5m back from the edge of the carriageway and would open into the site. This distance would provide sufficient space off the road for cars to wait while the site gates open. The curve of the walls would allow pedestrian and vehicle visibility splays to be provided. The use of the existing crossover would retain the existing vehicle visibility splays along Shepherds Way.</p> <p>The proposed exit gates would be set back 3.5m from the back of the road surface. The design intends to discourage drivers from entering the site from this point. The other entrance would be wider at the road frontage and marked with walls to make it more visually obvious. Vehicles exiting the site</p>

	would have adequate vehicle visibility splays but pedestrian visibility splays to the footpath may be affected by planting on the site frontage. Although the footpath does not appear to be heavily used, it is recommended that a condition be imposed requiring adequate pedestrian visibility splays on both sides of the exit.
Landscaping Issues	<p><u>Trees and landscaping</u> The Council's Local Plan Policy D8 requires retention and enhancement of planting in new developments. The installation of gate piers and walls and fences would require removal of some of the planting on the site frontage. However, the oak tree would remain. The proposed wing wall would be within 2m of the tree bole and excavation for wall foundations would be likely to affect the tree.</p> <p>The Landscape Department was consulted and they commented that a Method Statement and Tree Protection Plan would be required to demonstrate that the roots and canopy of the tree would not be adversely impacted. It is recommended that these be required by a pre-commencement condition.</p>
Conclusion	
<p>It is considered that the proposal would introduce an urbanising element into the Green Belt. However, by reason of the design and materials, the impact would be acceptable in terms of openness of the Green Belt and the gates, piers, fence and walls would not be out of keeping with the character and appearance of the surrounding area.</p> <p>The application has also been considered in terms of highway safety and impact on landscaping and found to only be acceptable subject to conditions over pedestrian visibility splays and tree protection. The proposal is, therefore, considered acceptable in terms of Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2012.</p>	

Conditions:

1. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Site Location Plan at scale 1:1250 & 1622/1 received and dated 17.6.2016.

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

2. No development shall take place until an Arboricultural Method Statement and a Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

The details to be submitted shall include:

- (a) original levels and proposed finished levels of any earthworks to be carried out

(b) means of excavating for and constructing foundations for the wing walls and fence

(c) existing trees, hedges or other soft features to be retained and a method statement showing tree protection measures (for below and above ground parts of the tree) to be implemented for the duration of the construction

(d) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

3. Prior to the first use of the development permitted a visibility splay measuring 0.6m x 0.6metres shall be provided to each side of the western vehicle access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2metres above the level of the adjacent highway carriageway.

REASON: In the interests of highway safety.

1. POSITIVE AND PROACTIVE STATEMENT

The decision has 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 viewed on the Council's website or inspected at these offices).

Determined By:

Mr A Mangham
31 August 2016