

**WELWYN HATFIELD BOROUGH COUNCIL  
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

**DELEGATED APPLICATION**

**Application No:** 6/2016/1269/VAR  
**Location:** Willow House, 18 Salisbury Square, Hatfield  
**Proposal:** Variation of condition 2 (drawings) on planning permission S6/2014/2763/FP  
**Officer:** Mrs J Pagdin

**Recommendation:** Granted

6/2016/1269/VAR

| <b>Context</b>                                   |  |
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| <b>Site and Application description</b>          | <p>The application site comprises a two storey office building and approved extensions and conversion to flats under planning permission reference 6/2014/2763/FP.</p> <p><u>Proposal</u></p> <p>The current application seeks to vary Condition 2 (Plan Numbers) of permission 6/2014/2763/FP. The submitted drawings show the following variation to the approved scheme:</p> <ul style="list-style-type: none"> <li>• reduce the number of bedroom windows in the East elevation from four to two</li> <li>• remove the three widows in the west elevation</li> <li>• reposition a roof-light on the south facing roof plane</li> </ul> <p>The number of flats would not increase and the layout of the floors would not be altered from the approved scheme.</p> |
| <b>Constraints (as defined within WHDP 2005)</b> | <p>CA - Conservation Area: HATF;</p> <p>LBC - LISTED BUILDING Houses and shop. C17 timber frame. Long range. 1-5 Park Street immediately to the west of the application site.</p> <p>LBC – MANY LISTED BUILDINGS within 50m from C15 – C18 and the Roman Catholic Church of Marychurch</p> <p>PAR - PARISH (HATFIELD)</p> <p>ROW - FOOTPATH (HATFIELD 010) does not pass in front of the application site – crosses northern end of Salisbury Square 40m away</p> <p>ROW - FOOTPATH (HATFIELD 007) terminates over 30m from the application site.</p>  |
| <b>Relevant planning history</b>                 | <p><u>Application Site</u></p> <p>6/2016/1193/COND - Approval of details reserved by condition 3 (materials) on planning permission S6/2014/2763/FP. Under consideration.</p> <p>S6/2014/2763/FP - Change of use from B1a office to C3 residential, and</p>  |

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|  | <p>alterations to building to form 5 apartments, plus ancillary works. Granted 16 March 2015.</p> <p><u>Salisbury Square – (excludes application site)</u></p> <p>6/2015/1571/COND - Approval of details reserved by condition 5 (landscaping), condition 6 (materials), condition 9 (cycle parking), condition 12 (lighting) and condition 13 (archaeological scheme) on planning permission S6/2011/1994/MA. Granted 04 November 2015.</p> <p>S6/2011/1994/MA - Redevelopment of Salisbury Square; demolition of existing shopping parade building with 7 maisonettes above including retaining wall structures; construction of new road and layout of public spaces; erection of new building containing 19 flats and 4 shops with basements; new two level car park; erection of terrace of 5 houses with road and footways; access alterations, drainage and all ancillary works. Granted 30.1.2013.</p> <p><u>York House</u></p> <p>6/2016/1086/FULL - Demolition of existing staircase extension and construction of new staircase extension with lift; construction of two storey side extension to form two B1 studio units; extension of ground floor shopfronts forward to existing column line on Salisbury Square; external alterations to elevations including re-cladding in brickwork and render, new shopfronts and fenestration; provision of new plant enclosure. Granted 28 July 2016.</p> |
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| <b>Consultations</b>                  |   |         |        |
|---------------------------------------|---|---------|--------|
| <b>Neighbour representations</b>      | Support:  | Object: | Other: |
| <b>Publicity</b>                      | Site Notice Display Date: 20 July 2016<br>Site Notice Expiry Date: 10 August 2016<br>Press Advert Display Date: 13 July 2016<br>Press Advert Expiry Date: 27 July 2016  |         |        |
| <b>Summary of neighbour responses</b> | No responses received.  |         |        |
| <b>Town / Parish representations</b>  | No response received  |         |        |
| <b>Consultees and responses</b>       | <ol style="list-style-type: none"> <li>1. Andrew Robley (Conservation Officer) – No objection. This is close to and within the setting of Listed Buildings in Park Street and within Old Hatfield Conservation Area. However, I would not regard the variation as causing harm to the setting of the listed buildings or the character of the area.</li> <li>2. Councillor Kerstin Holman – no response</li> <li>3. Councillor Lenny Brandon– no response</li> <li>4. Councillor Caroline Gillett– no response</li> <li>5. Carrie Lloyd (Hatfield Town Council) – no response.</li> </ol> |         |        |

| <b>Relevant Policies</b>   |
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| <input checked="" type="checkbox"/> NPPF<br><input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input checked="" type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input type="checkbox"/> M14<br>Others<br>Supplementary Design Guidance 2005 |

| <b>Main Issues</b> |
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| <p><b>Impact on Heritage Assets: setting of Listed Buildings and Old Hatfield Conservation Area</b></p> | <p>The site is within Old Hatfield Conservation area and is also close to a number of listed buildings, notably No's 1-5 Park Street immediately to the west of the site. The National Planning Policy Framework (NPPF 2012) outlines a presumption in favour of the conservation of the historic environment.</p> <p>The original building is understood to be C20th and has undergone a number of changes over the years. The approved extensions and conversion to flats involves the installation of timber sash windows and use of materials to match the existing red brick building. The proposed extensions would match and reflect the existing building in terms of the mass, bulk and roof pitch.</p> <p><u>Windows</u></p> <p>The approved proposals included installation of four bedroom windows in the east elevation and three windows to the stair well of the first floor flat at the west end of the building. The removal of two windows in the east end (one at ground floor and one at first floor) and all three on the west elevation, would not have a significant impact upon the appearance of the building when viewed from the public domain. This is because the windows on the east end would be within gated courtyard areas and the west elevation did not originally contain any windows. The Conservation Officer has not objected to the proposed variations.</p> <p>There are several wooden sash windows replacing unsympathetic modern windows on the south frontage, which faces onto the pedestrian route running past the building from Salisbury Square to Park Street. These will enhance the appearance of the property.</p> <p>Consequently the proposed variations to windows are considered acceptable in terms of the historic environment.</p> <p><u>Materials</u></p> <p>A previous condition required submission of samples of the materials to be used in the extensions and refurbishment works. The same condition shall be applied in this variation application.</p> |
| <p><b>Design (form, size, scale, siting) and Character (appearance within the streetscene,</b></p>      | <p>See above (Heritage assets – historic environment)</p>   |
| <p><b>Impact on neighbours</b></p>  | <p>Policies D1 and D2 are applicable, together with the design elements of the NPPF 2012. These require high quality design in all new development and for extensions to respect the spacing in the locality and not cause loss of light and any overlooking towards the living areas of adjacent dwellings should be minimised.</p> <p>Considerations under the previous application (S6/2014/2763/FP) included the issue of overlooking the rear of No's 1-5 Park Street. This adjoining building has three windows and a door on its rear, which face the application site. One of these windows is at ground floor and the two windows and fire door are at first floor. The door is clear glazed but has a net curtain. The ground floor window is clear glazed but curtained. The windows to be installed in The Willows would be off-set from those at 1-5 Park Street so avoiding direct overlooking. The situation was considered acceptable in terms of privacy, and the current variation proposal would reduce overlooking potential further by removing two windows from the East elevation.</p>   |

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|   | In addition, the proposed cycle store would have been positioned close to the bedroom window of the ground floor flat. A condition was imposed requiring an alternative location to be found for the cycle store to prevent an adverse impact to the living conditions at that property. A revised ground floor plan (Drwg No 16_226_PI04/C) shows the bicycle store positioned behind the bin storage area, away from the bedroom window. This position is considered acceptable and the provision and retention of the cycle store in accordance with the details subsequently submitted shall be secured by condition.   |
| <b>Access, car parking and highway considerations</b>   | Car Parking and access issues were dealt with under the previous application and the proposal was considered to be acceptable in these regards. The current proposal would not affect the parking and access situation.   |
| <b>Any other considerations</b>   | <p><u>Restrict Use to C3</u></p> <p>As a result of the Article 4 direction of January 2012, which removing permitted development rights to change use from C3 to C4 (Houses in Multiple Occupation) in Hatfield Town, it is considered reasonable and necessary to retain the previous condition and informative to ensure the flats are not used as HMO's.</p> <p><u>Refuse and Recycling</u></p> <p>Drawing No 16_226_PL04/C shows the proposed bin store on the eastern front of the site. This position is considered acceptable. The provision and retention of this facility can be secured by condition as it was on the original planning permission.</p> |
| <b>Conclusion</b>   |   |
| The proposal to reduce the number of windows in the east and west elevations of the building as extended has been considered in relation to impact on the historic setting of the building and the character of the surrounding area and the impact on neighbouring occupiers. It is considered to be acceptable and in compliance with national and local planning policy, subject to conditions over the submission of samples of materials and use of matching bonding, submission of details of and implementation of cycle store, removal of PD Rights to change use from C3 to C4 and the provision of the bin store. |   |

**Conditions:**

1. The development/works shall not be started and completed other than in accordance with the approved details:  
Cycle store proposal and Bicycle Storage Rack received 23rd February 2017.

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

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

3. The brickwork of walls hereby permitted shall be constructed in a bonding to match that of the existing building. Subsequently, the bonding 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.

4. Prior to the occupation of the flats hereby permitted the bicycle store for six bicycles to serve the residential units shall be installed in accordance with the approved details and made available for use free of charge to the occupants of the units and be retained for this purpose.

REASON: To ensure the provision of adequate accommodation for alternative modes of transport to the motor car and to protect the residential amenity and living conditions of adjoining and future occupiers in accordance with Policies D1 and M14 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance 2005, Supplementary Planning Guidance, Car Parking 2004 and Interim Policy on Car Parking and Garage Sizes 2014.

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning Use Classes Order 1987 and Class L of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any orders revoking or re-enacting these Orders) this permission shall only permit the use of the units as Class C3 (dwelling houses) and for no other use or purpose.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by these Orders in the interest of protecting the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the Supplementary Planning Document, Houses in Multiple Occupancy 2012.

6. The position of the bin store as shown on drawing 16\_226\_PL04/C shall be retained in this location unless otherwise approved in writing by the Local Planning Authority. The store shall provide 1 x 1,100 litre container for shared refuse and, if recycling facilities are to be provided, 1 x mini recycling centre shall be provided. The refuse and recycling materials storage bins and areas shall be constructed, equipped and made available for use prior to first occupation and retained in that form thereafter.

REASON: To ensure a satisfactory standard of refuse and recycling provision and to protect the residential amenity of adjoining and future occupiers in accordance with Policies IM2, R5 and D1 of the Welwyn Hatfield District Plan 2005.

#### DRAWING NUMBERS

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

| <b>Plan Number</b> | <b>Revision Number</b> | <b>Details</b> | <b>Received Date</b> |
|--------------------|------------------------|----------------|----------------------|
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| 16 226 PL05 | B | Proposed 1st Floor Plan                      | 9 February 2017  |
| 14 226 PL07 | B | Proposed Elevations -PL07<br>REV B           | 8 February 2017  |
| 14 226 PL07 |   | Proposed Elevations (2014)                   | 24 June 2016     |
| 16 226 PL04 | C | Grd Floor General<br>Arrangement Plan-PL04-B | 22 February 2017 |
| 16 226 PL06 | A | Proposed 2nd Floor Plan                      | 9 February 2017  |
| 14 226 PL12 |   | Proposed Roof Plan                           | 9 February 2017  |
| 1308/01     |   | Willow House-Site Plan                       | 9 February 2017  |

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

#### 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).

#### **Informatives:**

1. The development will involve the numbering of properties and naming new streets. The applicant MUST contact Welwyn Hatfield Borough Council, Transportation (Lorraine Davis 01707 357546 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.

#### **Determined By:**

Mr C Carter  
11 April 2017