

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

DELEGATED APPLICATION

Application No: 6/2016/2654/HOUSE
Location: 35 Kentish Lane Brookmans Park Hatfield AL9 6NG
Proposal: Erection of new boundary wall & railings to match existing gates after removal of Leylandii hedge
Officer: Mrs J Pagdin

Recommendation: Granted

6/2016/2654/HOUSE

Context	
Site and Application description	<p>The application site consists of a two storey detached property located on the west side of Kentish Lane. The dwelling is finished in render and plain tiles and benefits from a two storey rear extension and a two storey side extension.</p> <p>The building is set back from the road by 20m and the site frontage is marked by a 4-5m high evergreen hedge. The front garden area contains space for car parking and a lawned area with mature trees towards the front half. The vehicle access is in the centre of the frontage and gated with double metal railing gates.</p> <p>The other site frontages in the immediate vicinity are a combination of planting with mature vegetation and low brick walls.</p> <p><u>Proposal</u></p> <p>Full planning permission is sought for a low wall and railings following removal of the leylandii hedge.</p> <ul style="list-style-type: none"> • Brick wall 0.8m high with 2m high brick piers at 2.4m intervals. (amended from white-painted render) • Railings on the low wall up to 1.6m high with finials to match the retained existing gates • Curved wings to each side of the gates • Line of new beech hedging behind the wall • Retention of oak, maple and other trees in front garden area • Gates positioned 5.3m back from the edge of the highway.
Constraints (as defined within WHDP 2005)	<p>GB - Greenbelt PAR - PARISH (NORTH MYMMS) Wards - Brookmans Park & Little Heath FM10 - 2740854 FM00 - 7619131 FM00 - 7663202</p>

Relevant planning history	<p>6/2016/0398/HOUSE - Conversion of existing loft space including addition of new dormer windows & roof light, external alterations to include reduction of portico, change to fenestration, change of roof finish from plain clay tiles to slate and addition of stone sills and quoins. Granted 28 June 2016.</p> <p>6/2016/1411/LAWP - Certificate of lawfulness for the erection of proposed detached single storey outbuilding for ancillary use to the existing dwelling. Granted 25 August 2016</p>		
Consultations			
Neighbour representations	Support:	Object:	Other:
Publicity	Neighbouring houses were notified in writing for a period of 21 days		
Summary of neighbour responses	None received.		
Consultees and responses	<ol style="list-style-type: none"> 1. North Mymms Parish Council – no comment 2. Councillor Stephen Boulton – no response 3. Councillor John Dean - no response 4. Councillor Jonathan Boulton – no response 5. Landscapes Department – no objection subject to a condition requiring a Tree Protection Statement for the trees on or adjacent to the roadside. 		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input checked="" type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input type="checkbox"/> M14 Others Supplementary Design Guidance 2005			
Main Issues			
Whether the proposed development is appropriate in the Green Belt	<p>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 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, walls and fences but can be applied to such structures associated with residential redevelopments.</p> <p>The relevant criteria are</p> <ol style="list-style-type: none"> (i) the development 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 		

- (ii) countryside; and the development should reflect the character and distinctiveness of its rural setting and accord with the design policies of the plan and any Supplementary Design Guidance.

These criteria are expanded upon in turn below.

Visual impact on Openness

Considerations of the impact on visual character of the Green Belt revolve around the key features of the Green Belt; its openness and rural appearance. Therefore, significant aspects include the height of any structure, its width and its impact on views into and through a site.

The site frontage is currently densely hedged with leylandii evergreens. The house is wide and does not afford views through to the woods beyond. While, the openness of the wider Green Belt would not be adversely impacted by removal of the hedge, it would be affected by the replacement boundary treatment.

The proposed wall and railings would be 1.6m high with 2m piers; lower than the existing hedge and, consequently, would not adversely impact on the openness of the Green Belt in this location. They would be set back 1-2m from the roadway behind the grass verge and not be unduly prominent in the street-scene

The existing metal railing gates would be retained and also allow views into the site and would be set back 5.3m from the roadway behind the grass verge and not be prominent in the street-scene. Consequently, the gates would not have a significant impact on the openness of the Green Belt over and above the recent situation.

The gate piers and walls would be more solid structures. However the gaps between the piers would be approximately 2.4m wide allowing views into the site. Consequently, they would not significantly reduce views into the site or significantly affect the openness of the Green Belt in this location.

Character of the area

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 and surrounding area.

The application site is located within a row of ribbon development along the west side of Kentish Lane. The dwellings are detached and set back over 20m from the road.

The frontage of No 33 was open until recently but is hoarded in brown boards pending a construction project. To the south, the entrance to the drive of No 31 and the frontage of No 27 are marked by a low walls, which are partly covered by shrubs and softened by shrub and tree planting behind. No 39 to the west has a lower hedge on the site frontage and a low brick wall with railing gates at the vehicle entrance. Beyond that is a part open/part walled plot containing mature trees. The wall is built of weathered bricks with stone

	<p>copings on the piers.</p> <p>On the opposite side of the road the land is open Green Belt in agricultural use and slopes down to the east. The character of the street scene is typified by informal verdant boundary treatments comprising dense planting alone or in front of low walls that allow views into the properties. Where there are gates these are low or railings that allow views into the sites beyond. The character is, therefore, open and wooded and any hard or solid materials are softened by planting.</p> <p>The proposed brick walls and railings would not be out of keeping with the material of front boundary treatments used in the near vicinity. The amended proposal now includes the installation of a replacement hedge behind the in front of the fence (but not on the highway verge) to soften it and to maintain the rural appearance of the road.</p> <p>The combined proposals for the wall, railings, retained gates and landscaping are considered to maintain the openness of the Green Belt in this location and to achieve a softened boundary treatment appropriate to the character of the road. They are, therefore, considered to be appropriate in the Green Belt in accordance with the Green Belt Policies of the NPPF (2012) and Policies GBSP2, RA3, D1 and D2 of the Welwyn Hatfield District Pan 2005.</p> <p>The walls and railings, while they would not be rural in character, would be modest in scale, set back from the road and partly softened by landscaping. The scale of the piers and walls is modest and not significantly affect the openness of the green belt in this location. However, the colour of the bricks would need to be appropriate to the setting. It is recommended that a condition is imposed requiring submission of sample bricks prior to commencement of development.</p>
<p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</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 and surrounding area. Materials should be appropriate to the setting and context of the development.</p> <p>As described above the character of the area is open; any hard or solid materials are softened by planting. The walls and railings would be of appropriate materials for this location in the Green Belt and would be softened by a planting strip of hedging. These elements are therefore considered acceptable.</p> <p>Subject to the conditions outlined above the proposals would not be unduly prominent in the street nor significantly affect the openness of the green belt or the character and appearance of the area. The proposals are, therefore, considered acceptable with regard to the Design Policies of the NPPF (2012) and Policies D1 and D2 of the Welwyn Hatfield District Pan 2005 and the SG 2005.</p>
<p>Impact on</p>	<p>Policies D1 and the Supplementary Design Guidance (2005) (SDG) aim to</p>

neighbours	<p>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 proposed wall and railings and the neighbouring properties, the gates and supporting walls would not affect the living conditions of neighbouring properties in terms of overbearing impact, loss of light or privacy.</p>
Access, car parking and highway considerations	<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 gates would be set 5.3m back from the edge of the carriageway. Given this depth, there would be sufficient space off the road for cars to wait while the site gates open. The width of the vehicle entrance (5m) and curved wing design of the piers and walls would allow visibility splays to be provided. The use of the existing crossover would retain the existing vehicle visibility splays along Kentish Lane.</p>
Landscaping Issues	<p>The Council's Local Plan Policy D8 requires retention and enhancement of planting in new developments. The hedge that runs along the site frontage would be removed. The installation of gate piers and walls precludes its reinstatement. However a beech hedge is shown on the amended site layout plan just inside the wall. This would grow over time to provide a softening of the wall and railings.</p> <p>The Landscape Department comments that the trees on the site frontage would need protection during construction and requested a Tree Protection Statement be submitted for approval prior to commencement. This can be secured by condition.</p>
Any other considerations	
Conclusion	
<p>It is considered that the amended design would be acceptable in terms of openness of the Green Belt. The proposed wall and railings would not be out of keeping with the character and appearance of the surrounding area. Subject to conditions over submission of samples of the proposed bricks and copings of the wall and piers, the implementation of the landscaping scheme and submission of a Tree Protection Statement, the proposal would be acceptable in terms of Policies GBSP2, D1, D2 and D8 of the Welwyn Hatfield District Plan 2005, the National Planning Policy Framework 2012 and the Supplementary Design Guidance 2005.</p>	

Conditions:

1. No development shall take place until samples of the materials to be used in the construction of the wall 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 and maintaining the character of the Green Belt in accordance with the National Planning Policy Framework and Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. Prior to commencement of development hereby permitted a Tree Protection Statement shall be submitted to and approved in writing by the Local Planning Authority.

(a) No retained tree or shrub in the front garden shall be cut down, uprooted or destroyed, nor shall any retained tree or shrub be pruned other than in accordance with the approved plans and particulars. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:2010 (Tree Work).

(b) If any retained tree or shrub is removed, uprooted or destroyed or dies, another tree or shrub shall be planted at the same place and that tree or shrub shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree shrub or hedge shall be undertaken in accordance with details to be approved in writing by the Local Planning Authority to comply with the recommendation of British Standard 5837:2012 before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

In this condition, retained tree or shrub, means an existing tree or shrub, as the case may be, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the date of the commencement of the development.

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

3. All agreed landscaping as shown on Plan No774/SP5/A shall be carried out in the first planting and seeding seasons following the completion of the wall, or in agreed phases whichever is the sooner: and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

DRAWING NUMBERS

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

Plan Number	Revision Number	Details	Received Date
774/SP5	A	Site Layout Proposed	2 March 2017
774/05	A	Existing and Proposed Elevations	2 March 2017
774/SP4		Existing Floor Plan	14 December 2016
774/LP1		The location plan	14 December 2016

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. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.

Determined By:

Ms F Nwanze
23 March 2017