

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

**DELEGATED APPLICATION**

**Application No:** 6/2018/0161/FULL  
**Location:** 34 Bluebell Way Hatfield AL10 9FJ  
**Proposal:** Change of use of field margin land to residential.  
**Officer:** Mr Richard Sakyi

**Recommendation:** Granted

6/2018/0161/FULL

<b>Context</b>	
<b>Site and Application description</b>	<p>Number 34 Bluebell Way consists of a two-storey detached dwelling with an integral garage located on the north east side of Bluebell Way, which is a cul-de-sac. The property is part of a larger development of dwellings built on the aerodrome site at the same time to varying designs but in a similar style. Bluebell Way is characterised by detached properties with the majority consisting of integral garages and driveways. The site lies within the settlement of Hatfield as designated in the Welwyn Hatfield District Plan 2005.</p> <p>Planning permission is sought for change of use of field margin land to residential use including the erection of 1.8m high close-boarded timber fence. The land the subject of this application lies to the north of the application site. The land was originally outside the redline site boundary for the original development reference: S6/1999/0971/FP granted on 13 February 2001 for the erection of 144 dwellings and 26 flats. The site/land is adjacent to the spur road (Great Braitch Lane) and previously planted with dense vegetation with trees. There is a public footpath which links the site and the footpath/bridleway which is located behind the rear of properties on the northwest side of Bluebell Way.</p> <p>The land the subject of this application measures approximately 26 metres long x 3.1 metres wide which would be incorporated as garden or residential area and the erection of close boarded timber fence of approximately 1.8 metres high. The land has currently been cleared of trees and vegetation however it has not been fenced off or enclosed. The land is directly behind the existing rear fence and run along the rear of number 32 Bluebell Way.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>GB - Greenbelt - Distance: 3.32          LCA - Landscape Character Area (De Havilland Plain) - Distance: 0          PAR - PARISH (HATFIELD) - Distance: 0          Wards - Hatfield Villages - Distance: 0          A4HD - Article 4 HMO Direction - Distance: 0          FM00 - Flood Zone Surface Water 1000mm (7661190) - Distance: 0          HAT - Hatfield Aerodrome - Distance: 0          HEN - No known habitats present (medium priority for habitat creation) - Distance: 0          SAGB - Sand and Gravel Belt - Distance: 0</p>

<b>Relevant planning history</b>	Application Number: 6/2018/0160/FULL Decision: Decision Date: Proposal: Change of use of field margin land to residential (retrospective).		
	Application Number: 6/2018/0162/FULL Decision: Decision Date: Proposal: Change of use of field margin land to residential (retrospective).		
	Application Number: S6/1999/0971/FP Decision: Approval Subject to s106 Decision Date: 30 June 2000 Proposal: Erection of 144 houses and 26 flats with associated access roads, garages, parking areas and public open spaces, cycleways and footways		
	Application Number: S6/2002/0967/FP Decision: Granted Decision Date: 04 October 2002 Proposal: Erection of 46 dwellings. (amendments to planning approval ref. S6/1999/971/FP)		
	Application Number: 6/2016/0718/HOUSE Decision: Granted Decision Date: 02 June 2016 Proposal: Erection of single storey rear extension following demolition of existing conservatory and alterations to openings		
	Application Number: 6/2017/1765/HOUSE Decision: Granted Decision Date: 05 October 2017 Proposal: Erection of single storey rear extension and conversion of garage to habitable space following demolition of existing orangery		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Site Notice Display Date: 9 February 2018 Site Notice Expiry Date: 2 March 2018		
<b>Summary of neighbour responses</b>	None		
<b>Consultees and responses</b>	<p><b>Hertfordshire County Council - Hertfordshire Transport Programmes &amp; Strategy</b> - commented as follows: -</p> <p>The adjacent Great Braitch Lane is a local access road, with full highway rights over its width. The proposals do not impact the land over which highway rights are maintained. Highway boundaries confirm no land over which the application is made is subject to highway rights.</p> <p>It is considered unlikely that the proposal shall impact the public highway in terms of capacity or safety, the highway authority therefore present no objection.</p> <p><b>HCC - Rights of Way (South)</b> – No representation received</p>		
<b>Relevant Policies</b>			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input type="checkbox"/> M14 <input type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes			

**Draft Local Plan Proposed Submission August 2016**

SP9 Place Making and High Quality Design

SP11 Protection and enhancement of critical environmental assets

SADM2 Highway Network and Safety

SADM11 Amenity and Layout

**Main Issues**

**Is the development within a conservation area?**

Yes  No

**Would the significance of the designated heritage asset be conserved or enhanced?**

Yes  No

**Comment** (if applicable): N/A

**Would the development reflect the character of the area?**

Yes  No

**Comment** (if applicable): The open land "field margin" appears as a general amenity land with a specific purpose to provide a green buffer and the softening of appearance to the rear and side boundaries of properties in Bluebell Way. According to the Council's record on file the land has no identifiable use other than the fact that it lies outside the redline boundary of the application site and has been previously planted with dense vegetation with a number of substantial trees. In principle therefore its incorporation into an adjoining residential garden is considered to be acceptable subject to it having no adverse impact upon the visual amenity of the area.

In considering the design and siting of fencing a balance has to be struck between privacy, safety and security on the one hand and aesthetic considerations on the other. The need for security does not outstrip other relevant considerations such as the visual impact and effects on local amenity.

A number of substantial trees (Oak Trees) have been felled and the land cleared of vegetation. The land would be fenced off and incorporated into the residential garden of the site however in order to minimise the impact of the fence on the character of the area, it would be prudent to require additional or new planting in order to maintain a soft edge to the impact of the development (fence) in the area. Notwithstanding the above, the land falls outside the ownership of the applicant and therefore it would be unreasonable or unenforceable to require additional planting outside of the fence. It is therefore recommended that a condition should be imposed requiring the proposed fence to be at the same form and height and maintained to ensure consistency of form and height in the area.

It is considered that the proposal accords with policies D1, D2 of the Welwyn Hatfield District Plan 2005.

**Would the development reflect the character of the dwelling?**

Yes  No  N/A

**Comment** (if applicable):

**Would the development maintain the amenity of adjoining occupiers?** (e.g. privacy, outlook, light etc.)

With regard to the impact of the development on neighbouring amenity, the nearest residential property that would be affected is number 32 Bluebell Way. This is because, the proposed fence would be parallel with their existing rear boundary fence. It is not considered that the fence would impact adversely on the amenities of the occupants of number 32 Bluebell Way provided the height is similar height to the existing fence of this property. Furthermore, due to the scale and position of the garden it is not anticipated that domestic structures or paraphernalia would be erected on the land and therefore there would be no adverse effect on the occupants living conditions with regard to noise and disturbance and loss of outlook.

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <b>Comment</b> (if applicable):	
<b>Would the development provide / retain sufficient parking?</b>	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <b>Comment</b> (if applicable):	
<b>Any other issues</b>	None
<b>Conclusion</b>	
The proposed change of use change of use of field margin land to residential use including the erection of 2m high close-boarded timber fence is considered acceptable and complies with saved Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.	

**Conditions:**

1. Notwithstanding the details submitted with the application, the fence hereby permitted shall be of the same type and height as the adjoining fence at number 28 and number 36 Bluebell Way.

Reason: To ensure consistency and to minimise the impact of the fence on the character and appearance of the area in accordance with saved Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

**DRAWING NUMBERS**

2. 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>
18008-LP-34		Location Plan	24 January 2018

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).

**Determined By:**

Mr Mark Peacock  
22 March 2018