

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

DELEGATED APPLICATION

Application No: 6/2018/0163/FULL
Location: 42 Bluebell Way Hatfield AL10 9FJ
Proposal: Change of use of field margin land to residential (retrospective).
Officer: Mr Richard Sakyi

Recommendation: Granted

6/2018/0163/FULL

Context	
Site and Application description	<p>Number 42 Bluebell Way is a three-storey detached dwellinghouse with detached garage situated on the north side of Bluebell Way, which is a cul-de-sac. The property forms part of a larger development of dwellings built on the former 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>Retrospective planning permission is sought for change of use of field margin land to residential use. The land the subject of this application lies to the north or the rear 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 was 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 rear boundary adjoins the rear gardens of other residential properties.</p> <p>The land the subject of this application measures approximately 29 metres long x 3.1 metres wide, incorporated as garden or residential area with a close boarded timber fence of approximately 1.8 metres high.</p>
Constraints (as defined within WHDP 2005)	<p>AAS - Area of Archaeological Significance : - Distance: 5.83</p> <p>GB - Greenbelt - Distance: 3.17</p> <p>LCA - Landscape Character Area (De Havilland Plain) - Distance: 0</p> <p>PAR - PARISH (HATFIELD) - Distance: 0</p> <p>Wards - Hatfield Villages - Distance: 0</p> <p>A4HD - Article 4 HMO Direction - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7661190) - Distance: 0</p> <p>HAT - Hatfield Aerodrome - Distance: 0</p> <p>HEN - No known habitats present (medium priority for habitat creation) -</p>

	Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0		
Relevant planning history	<p>Application Number: 6/2018/0162/FULL Decision: Decision Date: Proposal: Change of use of field margin land to residential (retrospective).</p> <p>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</p> <p>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)</p> <p>Application Number: S6/2008/1210/FP Decision: Granted Decision Date: 09 September 2008 Proposal: Erection of single storey rear extension</p> <p>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</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 9 February 2018 Site Notice Expiry Date: 2 March 2018		
Summary of neighbour responses	None		
Consultees and responses	<p>Hertfordshire County Council - Hertfordshire Transport Programmes & Strategy - 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>Hertfordshire County Historic Environment – Commented as follows:</p> <p>The development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal.</p> <p>HCC - Rights of Way (South) – No representation received</p>
<p>Relevant Policies</p>	
<p><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</p> <p>Others 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</p>	
<p>Main Issues</p>	
<p>Is the development within a conservation area?</p>	
<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>Would the significance of the designated heritage asset be conserved or enhanced?</p>	
<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Comment (if applicable):</p>	
<p>Would the development reflect the character of the area?</p>	
<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment (if applicable):</p> <p>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. However, 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 to avoid a monotonous and an oppressive streetscene. 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.</p> <p>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.</p> <p>A number of substantial trees (Oak Trees) have been felled and the land cleared of vegetation. The land has been 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 and unenforceable to require additional planting outside of the fence. It is therefore recommended that a condition should be imposed on the adjoining properties, whose fences are not in situ to erect the same form and height of fence to ensure consistency of form, alignment and height in the area.</p> <p>It is considered that the proposal accords with policies D1, D2 of the Welwyn Hatfield District Plan</p>	

2005.	
Would the development reflect the character of the dwelling?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
Comment (if applicable):	
Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Comment (if applicable):	
Would the development provide / retain sufficient parking?	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Comment (if applicable):	
Any other issues	None
Conclusion	
The development is considered acceptable and complies with saved Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.	

DRAWING NUMBERS

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
18008-LP-42		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 Chris Carter
22 March 2018