

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

DELEGATED APPLICATION

Application No: 6/2018/0426/HOUSE
Location: 42 The Ridgeway Cuffley Potters Bar EN6 4BA
Proposal: Formation of a crossover, carriage drive, car lift and associated works.
Officer: Mr William Myers

Recommendation: Granted

6/2018/0426/HOUSE

Context	
Site and Application description	The application site is located to the north of The Ridgeway and consists of a detached dwelling with attached double garage and front and rear garden. The application dwelling is a modern two storey house built pursuant to planning permission reference S6/2009/0558/FP. The surrounding area is characterised predominantly by detached dwellings of individual design, set within spacious plots. The front of the dwelling is set back from the highway by approximately 22 meters. Ground levels fall steeply south to north away from the edge of the highway.
Constraints (as defined within WHDP 2005)	GB - Greenbelt - Distance: 0 LCA - Landscape Character Area (Northaw Great Wood) - Distance: 0 LCA - Landscape Character Area (Northaw Common Parkland) - Distance: 0 PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0 Wards - Northaw & Cuffley - Distance: 0 tpos - TPO3 W35 - Distance: 0
Relevant planning history	<p>Application Number: 6/2017/2899/LAWP Decision: Refused Decision Date: 07 February 2018 Proposal: Certificate of lawfulness for the replacement of an outbuilding</p> <p>Application Number: S6/2010/1598/FP Decision: Granted Decision Date: 21 October 2010 Proposal: Formation of front boundary and railings</p> <p>Application Number: S6/2009/2244/DS Decision: Granted Decision Date: 11 November 2009 Proposal: Discharge of conditions:3 (landscaping, 6 (materials), 10 (wheel-cleaning) and 11 (vehicular parking) for planning permission S6/2009/558/FP</p> <p>Application Number: S6/2009/0558/FP Decision: Granted Decision Date: 15 June 2009 Proposal: Erection of detached dwelling following demolition of existing</p>

Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 20 March 2018 Site Notice Expiry Date: 10 April 2018		
Consultees and responses	Hertfordshire County Council, Hertfordshire Transport Programmes & Strategy – No objection Northaw & Cuffley Parish Council – No objection		
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 checked="" type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes Others: D8 <u>Draft Local Plan Proposed Submission August 2016</u> SADM 34 Development in the Green Belt SADM 11 Amenity and Layout SP 1 Delivering Sustainable Development SP 9 Place Making and High Quality Design SADM 12 Parking, Servicing and Refuse			
Main Issues			
Green Belt			
<p>The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. In the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.</p> <p>The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 90 states that engineering operations may be a form of development that is not inappropriate within the Green Belt provided that it preserves the openness of the Green Belt and it does not conflict with the purposes of including land in the Green Belt.</p> <p>As the existing levels on the site slope down from road towards the house and from east to west, the proposed development would result in the raising of the ground levels and an increase in the area of hardstanding at the front of the property to facilitate the intended use. Given the topography at the front of the site, the proposed changes would be at their greatest towards the front of the house and away from the road. The proposal would also require the excavation of an area of approximately 15m² to accommodate the subterranean car parking space, with a retaining wall around it which would also be below ground and not visible. It is considered that the nature of the proposed works would be best described as an engineering operation and therefore should be considered under paragraph 90 of the NPPF.</p> <p>The NPPF indicates that the essential characteristics of Green Belts are their permanence and openness. As the proposed development would only result in the changing of ground levels within a small area of land to the front of the property where the land levels are already varied and other proposed engineering works to create the subterranean parking space, the impact on the openness of the Green Belt would be limited. In addition, given its location, the surrounding built form of the house and other hard landscaping features within the front garden, it is considered the proposed development would not cause harm to the openness of the wider Green Belt or the purposes of its</p>			

designation.
Is the development within a conservation area?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Would the significance of the designated heritage asset be conserved or enhanced?
<input type="checkbox"/> Yes <input type="checkbox"/> No
Comment (if applicable): N/A
Would the development reflect the character of the area?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Comment (if applicable):
Would the development reflect the character of the dwelling?
<input checked="" type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Comment (if applicable): The site currently benefits from more than three car parking spaces and the proposal would result in the creation of additional parking provision. The Highway Authority have been consulted on the proposed new access and have no objection with it. As a consequence it is considered that the proposal would be acceptable on these grounds.
Conclusion
The proposal would represent an appropriate form of development in the Green Belt and would respect and relate to the character of the area. Accordingly, the proposed development is considered to be in accordance with the aims and objectives of saved policies of the Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guidance and the relevant chapters of the National Planning Policy Framework.

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
18008/2		Existing Layout and Elevation	12 February 2018
18008/3		Proposed Layout, Section and Elevations	12 February 2018
18008/1	A	18008-1A	30 April 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).

Informatives:

1. Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
2. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
3. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
4. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 03001234047.
5. 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:

Mr Mark Peacock
30 April 2018