

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

**DELEGATED APPLICATION**

**Application No:** 6/2018/0804/FULL  
**Location:** The Spinney High Road Essendon Hatfield AL9 6HT  
**Proposal:** Erection of 3 dwellings (1 x 3-bedroom and 2 x 4-bedroom) following the demolition of existing buildings  
**Officer:** Mr David Elmore

**Recommendation:** Granted

6/2018/0804/FULL

<b>Context</b>	
<b>Site and Application description</b>	<p>The application site lies on the southern edge of the rural village of Essendon and approximately 4km east of Hatfield. The B158 (High Road) abuts the western site boundary, the grounds of the Essendon Golf Course abuts the south-eastern site boundary and an area of mature woodland abuts the north-eastern site boundary.</p> <p>The site is currently occupied by a single detached dwellinghouse, a garage and two outbuildings, which are set in grounds that include an extensive area of lawn, peripheral tree/shrub planting and a scattered array of trees. These trees define various grassy glades in the garden. Many existing trees on the site are the subject of a Tree Preservation Order.</p> <p>The existing house is located in the northern part of the site and an access drive lies on the western side of the house. The western site boundary is defined by a timber fence and by peripheral tree/shrub planting. On the opposite side of High Road (to the west) is a historical dwelling known as North Lodge, whilst further South is Essendon Place. The application property is the only one on east side of the road for some considerable distance.</p> <p>Planning permission is sought for the erection of three dwellings (1x3-bed and 2x4-bed) following demolition of the existing dwelling and its associated outbuildings.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>CA - Conservation Area: ESSN; - Distance: 0.46  LBC - LISTED BUILDING Country house - Circa 1830 remodelling of late - Distance: 35.6  GB - Greenbelt  LCA - Landscape Character Area (West End - Brickendon Wooded Slopes) -  LCA - Landscape Character Area (Little Berkhamsted Settled Plateau) -  PAR - PARISH (ESSENDON)  Wards - Brookmans Park &amp; Little Heath  CP - Cycle Path (Leisure Route) - Distance: 6.22  HEN - Existing S41 NERC Act habitat  HEN - No known habitats present (high priority for habitat creation)  HPGU - Bedwell Park  tpos - TPO3 W4  tpos - TPO 717 (2017) W1  tpos - 609 (2017) W1</p>

<b>Relevant planning history</b>	<p>Application Number: 6/2016/1118/FULL Decision: Granted Decision Date: 20 October 2016 Proposal: Erection of 2 dwellinghouses following demolition of existing buildings</p> <p>Application Number: 6/2016/0394/FULL Decision: Withdrawn Decision Date: 06 June 2016 Proposal: Erection of 2no dwellinghouses following demolition of existing buildings</p> <p>Application Number: S6/2015/1203/HH Decision: Prior Approval Not Required Decision Date: 21 July 2015 Proposal: Prior approval for the erection of single storey side extensions to either side following demolition of existing garage and two outbuildings</p> <p>Application Number: S6/2015/0727/LUP Decision: Granted Decision Date: 02 June 2015 Proposal: Certificate of lawfulness for a proposed single storey basement and the erection of two storey rear extension, a porch, alterations to windows and insertion of new windows, erection of single storey garage and single storey outbuilding</p> <p>Application Number: S6/2015/0594/HH Decision: Refused Decision Date: 01 May 2015 Proposal: Construction of single storey side extension on each side of dwelling following the demolition of existing garage and two outbuildings</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 6	Object: 0	Other: 2
<b>Publicity</b>	Site Notice Display Date: 19 April 2018 Site Notice Expiry Date: 10 May 2018 Press Advert Display Date: 11 April 2018 Press Advert Expiry Date: 25 April 2018		
<b>Summary of neighbour responses</b>	Representations of support received from the Essendon Society and occupiers of Bedwell Park Farmhouse, Sandpit Lodge, London Lodge and The Byre. Comments are summarised as follows: <ul style="list-style-type: none"> <li>• Need for medium sized homes</li> <li>• Ample off-street parking</li> <li>• Houses look very attractive and will hardly be seen given the set back from the road</li> </ul>		
<b>Consultees and responses</b>	The statutory consultation responses received are summarised below, and where appropriate expanded upon in later sections of this report. <p><u>Welwyn Hatfield Borough Council (Client Services)</u> – No objection</p> <p><u>Hertfordshire Gardens Trust</u> – No objection provided sufficient screening remains between the proposed houses and Bedwell Park</p>		

	<p><u>Hertfordshire County Council (Fire &amp; Rescue)</u> – Seek provision of fire hydrants under S106 or unilateral undertaking</p> <p><u>Essendon Parish Council</u> – No objection subject to withdrawal of permitted development rights in terms of the Green Belt and that materials used are in keeping with the character and appearance of the local area</p> <p><u>Hertfordshire County Council (Highways)</u> – No objection subject to condition securing provision of visibility splays</p> <p><u>Hertfordshire County Council (Historic Environment Advisor)</u> – No objection</p> <p><u>Hertfordshire County Council (Ecology)</u> – No objection subject to conditions relating to protection of badgers and bats</p> <p><u>Welwyn Hatfield Borough Council (Landscaping Team)</u> – No objection subject to condition</p>
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### Relevant Policies

NPPF  
 D1    D2    GBSP1    GBSP2    M14  
 Supplementary Design Guidance (SDG)    Supplementary Parking Guidance (SPG)    Interim Policy for car parking and garage sizes (Interim Parking Policy)  
 Others: Saved Local Plan Policies SD1, R1, R17, D8, H1, H2 and RA10; Emerging Local Plan Policies SP1, SP3, SADM1, SP4, SADM2, SP9, SADM11, SADM12, SADM15, SADM16 and SADM34

### Main Issues

#### Principle of proposed development within the Green Belt

On 13 October 2016, planning permission was granted for the erection of 2no large single family dwellings with associated garages following demolition of the existing buildings on the application site (ref: 6/2016/1118/FULL). Notwithstanding the officer recommendation that planning permission be refused, the application was approved for the following reason:-

*'The proposed development, by virtue of its scale, nature and location would not cause harm to the openness of the Green Belt, would not result in encroachment of built form, would not fail to assist in urban regeneration or conflict with the five purposes of including land in Green Belt. In comparison with the fall-back position, the overall reduction in footprint compared to the addition of bulk at first floor level is not considered harmful to the openness of the Green Belt.'*

Although this planning permission has not been implemented, it remains extant and relevant Green Belt policies remain unchanged. This planning permission therefore represents a key material consideration when assessing the acceptability of the proposed development in Green Belt terms.

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt, unless it falls within one of the exceptions set out. One exception (bullet point 6) states that previously developed land can be partially or completely redeveloped subject to development not having a greater impact in terms of the openness of the Green Belt and the purposes of including land within it than the existing use. This approach is broadly consistent with Emerging Local Plan Policy SADM34 'Development with the Green Belt'.

In considering bullet point 6 of paragraph 89 of the NPPF, the first test that needs to be met requires the redevelopment of a previously developed site to not have a greater impact on the openness of the Green Belt than the existing development. The second test is that the redevelopment of a previously developed site should not have a greater impact on the purpose of including land within the green belt than the existing development. The tests are considered below.

### *Openness*

Whilst the proposed development proposes three, rather than two dwellings, the aggregate footprint and floorspace of the three dwellings (including associated garages) would not be any greater than the consented development. Furthermore, the aggregate built volume of the consented development is 2,932 cubic metres. By comparison, the aggregate volume of the proposed development is 2,810 cubic metres – a reduction of 4.2%.

With regards to openness this is about the physical presence of built form at the application site as well as the visual sense of openness. There is no definition of openness in the NPPF but, in the context of the Green Belt, it is generally held to refer to freedom from, or the absence of, development. Any above ground development would to some extent diminish the openness of the Green Belt regardless of whether or not it can be seen.

It is acknowledged that openness goes beyond a numerical calculation. Visual openness instead is a qualitative judgement pertaining to the whole, including disposition of buildings, building height, bulk, mass, roof-scape, landscape and topography.

The positioning of the dwelling and associated garage within Plot 1 and Plot 2 are broadly consistent to the consented development. Under this proposal, the extensive curtilage of Plot 2 would be subdivided to its south-western side to accommodate the development of Plot 3. Whilst the dwelling in Plot 3 would be situated within closer proximity to High Road, the retention of existing dense trees lining the front and side boundaries would significantly mitigate views from public vantage points and harm from a visual openness perspective.

The consented 2-house development includes 1, 5-bed house and 1, 6-bed house, giving a total of 11 bedrooms for the whole development. The proposed development of 3 houses is for 1, 3-bed and 2, 4-bed houses, also giving a total of 11 bedrooms. As such, it is considered that the proposal would not represent an intensification of the site or give rise to a material increase in external residential paraphernalia relative to that already approved.

The dwellings in the consented development are broadly two storeys in height (7.55m in height to the ridge) with a pitched roof hipped on all sides and hipped roof single storey elements. The proposed dwelling would also be two storeys in height (7.25m in height to the ridge) with a pitched roof and flat roof single storey elements. Considering the comparative building form, height and numerical calculations, the bulk and massing of the proposed development is acceptable.

Overall, taking account of the above, it is considered that the proposed development would have no greater effect on Green Belt openness relative to that consented.

### *Purposes of including land in the Green Belt*

Plot 3 would be contained within the residential curtilage consented Plot 2. Accordingly, the additional spread of built form would not represent an encroachment into the countryside. Furthermore, any transgression with failing to assist in urban regeneration would be indirect.

The proposed development would not conflict with the purposes of including land in the Green Belt.

### *Conclusion on Green Belt*

Relative to the consented scheme, the proposed development would not have a greater impact in terms of the openness of the Green Belt and the purposes of including land within it. Accordingly, this proposal would accord with the final exception of Paragraph 89 of the NPPF and represents an appropriate form of development within the Green Belt.

## **Quality of design and impact on the character and appearance of the area, including adjacent Conservation Area and nearby listed buildings**

Local Plan Policies D1 and D2 respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in

the Council's SDG which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area. These policies are consistent with the design policies contained in the Emerging Local Plan and are broadly consistent with the NPPF, in particular, paragraph 17 which requires, amongst other things, that decision taking should always seek to secure high quality design. Of particular relevance in this instance is the policy contained in paragraphs 60 and 61 of the NPPF, which states, amongst other things, that design policies should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiatives through unsubstantiated requirements to conform to certain development forms or styles. However, it does then state that it is proper to seek to promote or reinforce local distinctiveness.

The site is located just outside of Essendon Conservation Area and the application property is the only one on the east side of the road for some considerable distance. Development is both clustered and sporadic and dwellings in the immediate locality are broadly of a traditional style and set within generous sized plots. Roofs are typical pitched or hipped with central ridges and gable ends and the two predominant roofing materials are natural slate and clay tiles. External walls are predominately painted render and red/brown brick.

The proposed dwellings would have a simple pitched roof form with gable ends. The walls of the ground floor are predominantly brick, as are the chimneys. The roof and walls of the upper floor, roof and some single storey elements are clad in standing seam zinc. Photovoltaic cells are integrated with the zinc roofing. Aluminium window frames are proposed in a dark grey colour.

The indicative illustrations show a buff-brick colour which is acceptable. In terms of the standing seam zinc, a Quartz-Zinc would be applied. Quartz-Zinc has a grey tone and offers an appearance and texture that does not change over time. Whilst the use of zinc facing and roofing is not witnessed in the area, its tone would not contrast markedly with natural slate. Furthermore, given the presence of a dense tree line, views of the buildings would be limited from public vantage points. The combination of both buff-brick, Quartz-Zinc and grey aluminium are complimentary and result in a high quality finish to the individual dwellings which would sufficiently respect and relate to the character of the immediate area. Precise details of external materials can be suitably secured and controlled through a planning condition.

In terms of heritage assets, the application site is located immediately adjacent to the southern boundary of Essendon Conservation Area and is approximately 58m away from a listed building to the north and approximately 152m away from a listed building to the south west.

The existing house is of no great merit and does not in itself contribute to the setting of either the listed buildings or the conservation area, because it is also set back from a modest entrance and well screened. Given the distance to the historic core of Essendon and to surrounding listed buildings, and with regards to the nature, scale and appearance of the development, it is considered that the proposal would not harm the setting of individual heritage assets or the character of the adjacent Conservation Area. The proposal therefore complies with Section 12 of the NPPF and Policy SADM15 of the Emerging Local Plan.

In terms of landscaping, it is noted that with the exception of T9 and T12, both B category trees, all of the A and B category trees would be retained and protected. In mitigation for the removal of T9 & T12, replacement trees will be planted on a one for one basis in positions where they can achieve full size. The majority of trees proposed for removal are in the lower two categories, C & U, and do not represent a constraint to development. The trees removed will be mitigated for with replacement planting on a one for one basis of native trees.

The Council's Landscaping Team have been consulted for this application and present no objection on landscape grounds subject to the arboricultural method statement and landscape strategy being adhered to. Compliance with the landscaping details can be secured through a planning condition.

Notwithstanding officer recommendation to also refuse planning permission for the 2-house development on the ground of the urbanisation of the site and subsequent harm to the physical attributes within the Landscape Character Area, planning permission was granted at Development Management Committee. Whilst this proposal would introduce an additional dwelling onto the

application site beyond that approved, the proposed landscaping strategy is acceptable and would be broadly consistent with that approved and the character of existing area would be respected. As such, it is considered that the proposal would not acceptability conserve the designated landscape character area.

An existing close boarded fence lines the entire western boundary to high road and this is proposed to be replaced on a like-for-like basis. Landscape drawings provide precise details of hard-surfaces, but not boundary treatments. Whilst the application has been supported by 3-D visualisations, these drawings are unscaled and indicative. Precise details of outstanding hard-boundary treatments can however be suitably secured through a planning condition

### **Impact on living conditions of future occupiers and neighbouring occupiers**

No objections were received from neighbouring occupiers or the Parish Council on amenity grounds. The nearest residential properties are sufficiently separated from each dwelling so as to ensure that the living conditions of neighbouring occupiers would not be harmed.

Furthermore, the proposed dwellings would be appropriately separated and would have sufficient external amenity space for future occupants.

Taking account of the above, the proposed development would accord with Policy D1 of the Local Plan, the SDG, Policies SP9 and SADM11 of the Emerging Local Plan and requirements of the NPPF.

### **Highway safety and parking provision**

#### *Highway safety*

The Highways Authority have been consulted for this application and present no objection in terms of highway safety and capacity subject to a condition securing the provision of appropriate visibility splays. This can be secured through a suitably worded planning condition

#### *Car parking*

Each dwelling would provide an appropriate level of car parking provision, in accordance with Policy M14 of the Local Plan, the SDG, Interim Parking Policy, Policy SP4 and SADM2 of the Emerging Local Plan and requirements of the NPPF.

### **Principle of development with regards to sustainability**

The proposal would be located on previously developed land, in accordance with Policy R1. However, Policy SD1 states that proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they accord with the objectives and policies of the Development Plan. This is consistent with the 'golden thread' running through the NPPF which is the presumption in favour of sustainable development (para. 14). The NPPF states that there are three aspects to sustainable development; social, economic and environmental. These roles should not be undertaken in isolation, because they are mutually dependant (paras. 7-8).

Under planning application 6/2016/1118/FULL it was officer recommendation that the 2-house development would represent an environmentally unsustainable form of the development by virtue of its remote location from services and modes of transport other than the private car. However, all reasons for refusal were overturned and planning permission was subsequently granted.

The proposed development would introduce a third dwelling onto the application site. It is acknowledged that the total number of bedrooms would be no greater than the consented development (total of 11 bedrooms). Whilst the additional dwelling does have the potential to further increase car dependency, the impact beyond the scale of development already consented is considered to be very limited. In favour of the scheme from a social perspective is the provision of

two additional dwellings to the Borough's Housing Stock. In relation to the economy, the proposed development would make a small contribution in the short term through the provision of employment and the sale of materials associated with the construction of the dwelling.

Applying a balancing exercise, the proposed development is found to be adequately sustainable and would accord with Policy SD1 of the Local Plan, SP1 of the Emerging Local Plan and the NPPF.

### **Other material considerations**

#### *Removal of permitted development rights*

The three dwellings would benefit from permitted development rights. This development has been carefully scaled and designed to be acceptable in Green Belt terms, be in keeping with the character and context of the area and ensure that the living conditions of neighbouring/future occupiers are not harmed.

Certain future extensions/alterations to the dwellings, including outbuildings, additional hard-surfacing and certain hard boundary treatments have the potential to cause harm in the above respects. In the interest of ensuring the Green Belt is not harm and maintaining high quality design, it is considered necessary and reasonable for permitted development rights under Classes, A, B, E and F for new dwellings, including gates, fences and walls etc under Part 2, Class A, to be revoked. This can be secured through a planning condition.

#### *Ecology*

The application site is not located within a designated wildlife site. However, the site is located in a rural area, enclosed by established vegetation, and an identified wildlife site is located approximately 90m away to the west of the site.

This application has been supported by a Primary Ecological Appraisal (by The Ecology Consultancy, March 2018) and a Bat Survey Report (by Jones & Sons Environmental Sciences Ltd, February 2018).

Hertfordshire Ecology have been consulted and present no objection subject to conditioning relating to the safeguarding of badgers and bats. Whilst no badgers were seen during the survey, the site has the potential to support them. A walk-over survey and appropriate mitigation for badgers would be a condition of approval. In terms of bats, the Bat Survey draws upon the survey undertaken in 2016 under ref: 6/2016/1118/FULL and up-to-date survey. A daytime inspection of the house in 2018 found no evidence of roosting bats. However, the condition of the house does have the potential to support roosting. The Bat Survey also provides an Outline Mitigation Strategy with appropriate measures to deal with the presence of bats, minimise impacts, and ensure the local population is maintained. Follow-up survey are required to determine with confidence whether bats are roosting, however these can be secured through a planning condition.

Overall, subject to the suggested conditions, the proposed development is considered acceptable from an ecology perspective

#### *Waste and recycling*

Each plot would have their own covered bin store. The scale and location of each bin store is acceptable and the Council's Client Services Team have outlined that the properties could be incorporated on the existing Alternate Refuse and Recycling Collection Scheme

#### *Cycle provision*

Each plot would provide an enclosed area for the storage of up to 2 cycles. This is deemed acceptable

#### *Provision of fire hydrants*

Hertfordshire County Council (HCC) request a planning obligation toward fire hydrants as set out within HCC's Planning Obligations Toolkit. The provision of fire hydrants can however be suitably

secured through a suitably worded planning condition. As such, a S106 legal agreement or unilateral undertaking is not reasonable in this instance.

**Conclusion**

Subject to the suggested planning conditions, the proposed development would accord with relevant local and national planning policies.

**Conditions:**

1. 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 Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2012 and the National Planning Policy Framework 2012.

2. No development shall take place until full details on a suitably scaled plan including means of enclosure and boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The approved details must be completed within 3 months following the occupation of the first dwelling.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005; Policies SP3, SP9 and SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2012.

3. Before any equipment, machinery or materials are brought on to the site for the purposes of the development, tree protection measures set out in the submitted Arboricultural Impact Assessment & Method Statement (by ACD Environmental, dated: 21 March 2018) and read in conjunction with drawing numbers: PRI19764-01 and PRI19764-03B, must be in place. These tree protection measures must be maintained throughout the course of construction works and until 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.

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, Policy SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2012.



4. The development hereby approved must be carried out in accordance with the scheme of landscaping contained in submitted drawing numbers: 1610-A-32 Revision v8, SE\_L001, SE\_L003, SE\_L005, SE\_L007A, SE\_L008A and SEL009, submitted and received on 26 March 2018. Hard-landscaping works must be completed within 3 months following the occupation of the first dwelling. In the case of soft-landscaping, this must be completed in the first planting and seeding seasons following the occupation of the first building, the completion of the development, 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: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005; Policies SP3, SP9 and SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2012.

5. Prior to first occupation of the development hereby permitted, details of visibility splays of the two accesses from High Road (in plan form) shall be submitted to and approved in writing by the Local Planning Authority. The approved splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

REASON: In the interests of highway safety in accordance with Policies SP4 and SADM2 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework 2012.

6. Prior to commencement of the development, an updated Bat Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The updated Bat Mitigation Strategy shall be informed by the results of three dusk emergence / dawn re-entry surveys which must be undertaken during May to September, with at least two surveys between May and August, to determine with confidence whether bats are roosting.

REASON: To ensure the continued ecological functionality of bats and their roosts is maintained in accordance with Policy SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework 2012.

8. Prior to the commencement of development, a scheme for the provision of fire hydrants (served by mains water supply) shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved scheme of hydrant provision serving the development has been provided and is fully operational. The approved scheme shall be maintained and retained permanently thereafter.

REASON: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in the interests of public safety in accordance with the National Planning Policy Framework 2012.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A, B, E and F of Part 1 of Schedule 2 shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order in the interests of Green Belt appropriateness, Green Belt openness and the visual amenity of the area in accordance with Policies GBSP1, D1, D2 and RA4 of the Welwyn Hatfield District Plan 2005; Policy SADM34 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2012.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development within Class A of Part 2 of Schedule 2 shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order in the interests of Green Belt appropriateness, Green Belt openness and the visual amenity of the area in accordance with Policies GBSP1, D1, D2 and RA4 of the Welwyn Hatfield District Plan 2005; Policy SADM34 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2012.

#### DRAWING NUMBERS

10. 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>
1610-A-63	v8	Proposed Plot 2 - West Elevation	26 March 2018
1610-A-43	v8	Proposed Plot 1 - North Elevation	26 March 2018
1610-A-01	v8	Existing Site Layout Plan	26 March 2018
1610-A-30	v8	Proposed Site Layout Plan	26 March 2018
1610-A-31	v8	Proposed Site Layout Plan - Root Protection Areas	26 March 2018
1610-A-32	v8	Proposed Site Plan - Tree Analysis	26 March 2018
1610-A-40	v8	Proposed Plot 1 - Ground Floor Plan	26 March 2018
1610-A-41	v8	Proposed Plot 1 - First Floor Plan	26 March 2018
1610-A-42	v8	Proposed Plot 1 - Roof Plan	26 March 2018
1610-A-44	v8	Proposed Plot 1 - East Elevation	26 March 2018
1610-A-45	v8	Proposed Plots 1 - South Elevation	26 March 2018
1610-A-46	v8	Proposed Plots 1 - West Elevation	26 March 2018
1610-A-47	v8	Proposed Plot 1 - Section A	26 March 2018

1610-A-48	v8	Proposed Plot 1 - Section B	26 March 2018
1610-A-60	v8	Proposed Plot 2 - Ground Floor Plan	26 March 2018
1610-A-61	v8	Proposed Plot 2 - First Floor Plan	26 March 2018
1610-A-62	v8	Proposed Plot 2 - Roof Plan	26 March 2018
1610-A-64	v8	Proposed Plot 2 - North Elevation	26 March 2018
1610-A-66	v8	Proposed Plot 2 - South Elevation	26 March 2018
1610-A-67	v8	Proposed Plot 2 - Section A	26 March 2018
1610-A-68	v8	Proposed Plot 1,2,3 - Garage Plans And Elevations	26 March 2018
1610-A-80	v8	Proposed Plot 3 - Ground Floor Plan	26 March 2018
1610-A-81	v8	Proposed Plot 3 First Floor Plan	26 March 2018
1610-A-82	v8	Proposed Plot 3 - Roof Plan	26 March 2018
1610-A-83	v8	Proposed Plot 3 - North Elevation	26 March 2018
1610-A-84	v8	Proposed Plot 3 - East Elevation	26 March 2018
1610-A-85	v8	Proposed Plot 3 - South Elevation	26 March 2018
1610-A-86	v8	Proposed Plot 3 - West Elevation	26 March 2018
1610-A-87	v8	Proposed Plot 3 - Section A	26 March 2018
1610-A-65	v8	Proposed Plot 2 - East Elevation	26 March 2018
1610 A-00	v8	Location Plan	26 March 2018
PRI19764-01		Tree Reference Plan	26 March 2018
PRI19764-03B		Tree Protection Plan	26 March 2018
1610-A-02	v8	Existing House Ground Floor Plan	29 March 2018
1610-A-03	v8	Existing House First Floor Plan	29 March 2018
1610-A-04	v8	Existing House Elevations 01	29 March 2018
1610-A-05	v8	Existing House Elevations 02	29 March 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. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.
2. The development will involve the numbering of properties and/or the naming of new streets. The applicant **MUST** contact Welwyn Hatfield Borough Council, Environmental Services (01707 357 000) before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.
3. Where works are required within the public highway to facilitate the new vehicle 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. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.
4. Storage of materials: 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.
5. 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.
6. 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 0300 1234047.
7. Vegetation should be cleared outside the sensitive dormouse hibernation period (November – May). In the unlikely event that dormouse are found, all works must

stop and advice sought from a suitably qualified and experienced ecologist.

8. The removal or severe pruning of trees and shrubs should be avoided during the bird breeding season (March to August inclusive [Natural England]) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of vegetation clearance and if active nests are found, works should stop until the birds have left the nest.
9. Keep any areas of grass as short as possible up to, and including, the time when the works take place so that it remains / becomes unsuitable for reptiles or amphibians (including Great Crested Newts) to cross. To avoid killing or injuring of hedgehogs it is best practice for any brash piles to be cleared by hand. Clearance of vegetation should be undertaken progressively towards boundaries to allow any animals present to escape to contiguous areas of retained habitat. Caution should be taken when moving building materials or debris piles as any sheltering animals could be impacted on. If a reptile or hedgehog is found, it should be moved carefully out of harm's way. In the unlikely event that a Great crested newt is found, works must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist.
10. If rhododendron, a Schedule 9 invasive plant, is to be removed or pruned as part of the development proposals, consideration should be given to prevent legal infringement under the Wildlife & Countryside Act (1981).
11. Any steep sided holes left open overnight during the course of construction works should be equipped with a mammal ladder (a reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to prevent entrapment. This is particularly important if holes fill with water. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent badgers becoming trapped.
12. Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.

**Determined By:**

Mr Mark Peacock  
14 June 2018