

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

DELEGATED APPLICATION

Application No: 6/2019/1972/FULL
Location: Woodland North West of The Ridgeway, Cuffley
Proposal: Retention of a driveway
Officer: Mr David Elmore

Recommendation: Granted

6/2019/1972/FULL

Context			
Site and Application description	Retrospective planning permission is sought for the laying of a driveway on the north-west side of The Ridgeway, Cuffley. This driveway provides single vehicular access to and from woodland adjacent to The Ridgeway. It is understood that the purpose of the driveway is to provide vehicular access for the applicant to use the wider woodland (edged in blue on location plan) for the walking of his dogs.		
Constraints (as defined within WHDP 2005)	GB - Greenbelt LCA - Landscape Character Area (North Mymms Common and Newgate Street Farmed Plateau) PAR - PARISH (NORTHAW AND CUFFLEY) Wards - Northaw & Cuffley		
Relevant planning history	None		
Consultations			
Neighbour representations	Support: 0	Object: 1	Other: 0
Publicity	Neighbour letters sent		
Summary of neighbour responses	One objection received from a neighbour (The Ridges) and is summarised as follows: <ul style="list-style-type: none"> - No need for driveway - Fences erected and disturbing nature - Assuming this is granted, it will be the land owners intention to request more permissions (houses etc.) 		
Consultees and responses	Highways England – No objection HCC Highways – 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 type="checkbox"/> GBSP2 <input type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes Others. RA10			

Main Issues**Would the development reflect the character of the area?** Yes No

Comment: This part of The Ridgeway is bounded by woodland on either side. The subject hardstanding is located adjacent to The Ridgeway on its north-western side and provides single vehicular access to a vast area of woodland (edged in blue on location plan). The hardstanding is a porous hard-core and is 28sqm in area.

The development and its scale does not adversely affect the wooded and rural context of the site or the immediate locality. For these reasons, it is considered that the area's character is maintained

Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.) Yes No**Green Belt**

The application site is washed over by the Metropolitan Green Belt.

Policy GBSP1 of the District Plan states that the Green Belt will be maintained in Welwyn Hatfield as defined on the Proposals Map. The policies for rural areas in the District Plan outlines criteria for development in the Green Belt, however none relate to the laying of hardstanding.

The NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 145 and 146 of the Framework set out the forms of development that are not considered inappropriate within the Green Belt. This includes engineering operations provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The hardstanding which has been laid and subject to this application is considered to represent an engineering operation.

Although the change in surface from grass/vegetation to an engineered surface has resulted in a limited increase in the ground levels, the land remains free from built form and the hardstanding does not appear incongruous or visually prominent along The Ridgeway. It is therefore considered that this development would not harm the openness of the Green Belt for its intended purpose.

In terms of the purposes of including land within the Green Belt, the NPPF in paragraph 134 states that the Green Belt serves five purposes:

- a) To check the unrestricted sprawl of large built-up areas;
- b) To prevent neighbouring towns merging into one another;
- c) To assist in safeguarding the countryside from encroachment;
- d) To preserve the setting and special character of historic towns; and
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Having regard to the scale of the hardstanding, its limited visual discernibility and location broadly between woodland and the road (The Ridgeway), it is considered that the development would conflict with any of the above purposes.

Highways

Hertfordshire County Council's Highways Team have been consulted for this application present no objection having regard to highway safety and capacity.

Neighbour representation

A neighbouring property (The Ridges) has raised an objection to the development in term of need for the driveway, fencing erected and impact on nature, and that a grant of planning permission may result in an intention for further development of the woodland.

As mentioned above, the driveway provides vehicular access for the applicant to park within the confines of the site and take his dogs walking in the wider woodland which is also in his ownership.

This is considered reasonable. However, even if no justification was presented, planning policy for such a development does not require a need to be identified.

The fencing which has been erected does not form part of this application. In addition, a grant of planning permission would not enable the principle of other development within the woodland to be accepted. Each planning application must be considered on its own merits.

Conclusion

The development accords with all relevant local and national planning policies.

DRAWING NUMBERS

1. 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
Location Plan		Location Plan	4 February 2020
Wood1		Pre-Existing Block Plan	29 November 2019
Wood2		Existing Block Plan	29 November 2019

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 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 or legal interest (easements or wayleaves) which may affect the land.

Determined By:

Mr Mark Peacock
14 February 2020