



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

DELEGATED APPLICATION

Application No: 6/2019/2571/VAR
Location: 101 Brookmans Avenue, Brookmans Park, Hatfield, AL9 7QG
Proposal: Variation of condition 11 (approved drawings) on planning permission 6/2019/0434/FULL
Officer: Mr David Elmore
Recommendation: Granted

6/2019/2571/VAR

Context	
Site and Application description	<p>This application seeks a variation to condition 11 (approved plans) of planning permission: 6/2019/0434/FULL. The proposed changes to the approved plans include:</p> <ul style="list-style-type: none"> - Increase in size of side dormer serving staircase of Houses 3, 4 & 5. Width increased by 0.6 metres; - One parking space removed from front driveway of Houses 3, 4 & 5; - Study of Houses 3, 4 & 5 replaced with a garage; and - Fenestrations details of Houses 3, 4 & 5 amended
Constraints (as defined within WHDP 2005)	<p>PAR - PARISH (NORTH MYMMS) Wards - Brookmans Park & Little Heath</p>
Relevant planning history	<p>Application Number: 6/2019/3006/COND Decision: Under consideration Decision Date: Proposal: Submission of details pursuant to condition 2 (crown roof details) and condition 3 (biodiversity and external lighting) on planning permission 6/2019/0434/FULL</p> <p>Application Number: 6/2019/2313/FULL Decision: Under consideration Decision Date: Proposal: Erection of six dwellings following demolition of existing buildings</p> <p>Application Number: 6/2019/2155/COND Decision: Part Approved / Part Refused Decision Date: 24 October 2019 Proposal: Submission of details pursuant to condition 1 (Materials), 2 (Crown Roof) and 3 (Biodiversity and Lighting) on planning permission 6/2019/0434/FULL</p> <p>Application Number: 6/2019/0434/FULL Decision: Granted</p>

	<p>Decision Date: 22 May 2019 Proposal: Erection of 5 x detached dwellings with associated landscaping and off-street parking following demolition of existing buildings</p> <p>Application Number: S6/2012/2681/S73B Decision: Granted Decision Date: 05 March 2013 Proposal: Time extension of planning permission S6/2010/0236/FP (erection of five bed detached dwelling)</p> <p>Application Number: S6/2011/0032/FP Decision: Refused Decision Date: 30 March 2011 Proposal: Erection of a detached double garage</p> <p>Application Number: S6/2010/0236/FP Decision: Granted Decision Date: 17 May 2010 Proposal: Erection of five bed detached dwelling</p> <p>Application Number: S6/2009/1551/FP Decision: Granted Decision Date: 28 September 2009 Proposal: Conversion of existing double garage</p> <p>Application Number: S6/2009/1545/FP Decision: Refused Decision Date: 28 September 2009 Proposal: Erection of a detached double garage</p> <p>Application Number: S6/1992/0265/FP Decision: Granted Decision Date: 06 August 1992 Proposal: Extensions and alterations incorporating part single storey, part two storey rear, first floor side, single storey front; detached garage/ outbuilding; new entrance with balcony over ;terraces with balustrading</p>
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Consultations

Neighbour representations	Support: 0	Object: 0	Other: 0
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Publicity	Site Notice Display Date: 30 October 2019 Site Notice Expiry Date: 20 November 2019
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Summary of neighbour responses	No representations received
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Consultees and responses	North Mymms Parish Council – No comment Welwyn Hatfield Borough Council Landscaping Team – No objection
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Relevant Policies

<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input 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
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<p>car parking and garage sizes Others: Policy D8 of the District Plan; Policies SP9, SADM11 and SADM16 of the Emerging Local Plan.</p>
<p>Main Issues</p>
<p>Would the development reflect the character of the area?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comment: The increased width of the dormers and subsequent scale would still remain subservient to the roof of each dwelling. Each dormer would also remain in proportion of the lower level fenestrations on these side elevations.</p> <p>Alterations to fenestrations include either re-positioning of windows, insertion and omission of windows and roof lights, together with the insertion of integral garages at Houses 3, 4 & 5. The altered openings are minor and would retain the design and appearance of the dwellings.</p>
<p>Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Comment: Subject to re-imposition of condition 9 of planning permission: 6/2019/0434/FULL</p>
<p>Would the development provide / retain sufficient parking?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comment: Whilst Houses 3, 4 & 5 would lose a parking space within the front driveway, each of these dwellings would now benefit with an integral garage to serve one car. As such, there would be no net loss of on-site parking provision.</p>
<p>Any other considerations</p> <p><i>Landscaping</i></p> <p>The extension of the driveways reduces a small amount of landscaping by the fronts of plot 3, 4 & 5 and boundary landscaping to Houses 1 & 2 is increased. Such changes are considered minor. An acceptable landscaping layout would remain.</p> <p><i>Re-imposition of remaining conditions subject to planning permission 6/2019/0434/FULL</i></p> <p>A successful application to amend condition 11 would result in the issue of what would be in effect a new planning permission, sitting alongside the original permission. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged.</p> <p>Condition 1 (external materials) of planning permission 6/2019/0434/FULL has been discharged under application 6/2019/2155/COND. The approved external materials would be listed in a varied condition if this section 73 application were to be approved.</p> <p>All other conditions of planning permission 6/2019/0434/FULL remain relevant and would be re-imposed if this section 73 application were to be approved.</p>
<p>Conclusion</p> <p>The proposed variations to planning permission 6/2019/0434/FULL accord with all relevant local and national planning policies.</p>

Conditions:

1. The external materials of all dwellings hereby approved are as follows:

Walls: Michelmerch Hampshire Stock Red Brick Multi ATR
 Roof: Chinese or Spanish slate coloured grey
 Windows: Timber style uPVC sash

Door: Timber front door
Gutters and downpipes: uPVC coloured black
Dormers: Glass Reinforced Plastic (GRP) coloured grey

The development shall be completed 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 with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005; Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

2. No development above ground shall take place until details of the proposed crown roof have been submitted to and approved in writing by the Local Planning Authority. The details, including; a roof plan, elevations and sections, in either 1:50 or 1:100 scale, must clearly show that the flat roof is stepped down and concealed behind the surrounding pitched roof. The pitched roof must use ridge tiles. Subsequently the development must not be carried out other than in accordance with the approved details.

REASON: The proposal contains insufficient information in regards to the detailed design of the roof and this is required in the interests of quality of design and visual amenity in accordance with Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005 (Statement of Council Policy); Policy SP9 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and; the National Planning Policy Framework 2019.

3. No development above ground level in any phase of the development shall take place until details of features to enhance on-site biodiversity and details of an external lighting scheme designed to minimise the impact of lighting on bats have been submitted to and approved in writing by the Local Planning Authority. The development must then be carried out in accordance with the approved details and retained permanently thereafter.

REASON: To enhance and secure measurable net gains for biodiversity in accordance with Policy R11 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 2019.

4. Prior to first occupation of the development hereby approved, visibility splays of 2.4m x 33m must be provided and permanently maintained in each direction for the accesses on Golf Club Road. There must be no obstruction to visibility between 600mm and 2m above the carriageway level.

REASON: In the interest of highways safety in accordance with Policy SADM2 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

5. Prior to first occupation of the development hereby approved, vehicular and pedestrian access to and egress from the adjoining highway must be provided and thereafter retained at the positions shown on drawing number 485018-4 Rev A. Arrangements must be made for surface water drainage to be intercepted and

disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON: In the interest of highways safety in accordance with Policy SADM2 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

6. Prior to first occupation of the development hereby approved, the existing accesses and egresses from Golf Club Road, as shown on drawing number 485018-1 (Existing Site Plan) of varied planning permission 6/2019/0434/FULL, shall be permanently closed, and the highway verge reinstated in accordance with a scheme to be agreed with the Local Planning Authority.

REASON: In the interest of highways safety in accordance with Policy SADM2 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

7. The development hereby approved must be carried out in accordance with the Tree Protection Plan, Arboricultural Method Statement and Tree Protection Barrier Specification contained within the submitted Phase II Arboricultural Impact Assessment (by Arbol EuroConsulting, 22/02/2019).

REASON: To ensure existing trees are protected and in the interest of visual amenity in accordance with Policies D1, D2 and R17 of the Welwyn Hatfield District Plan 2005; Policies SP9 and SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

8. All landscaping comprised in approved drawing number: 1903-GUA-DR-L-001 Revision P02 A, must be carried out 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 must be replaced in the next planting season with others of similar size and species. All landscape works must be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005; Policy SP9 and SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2019.

9. Any upper floor window located in a wall or roof slope forming a side elevation of the dwellings hereby approved must be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and shall be retained in that form thereafter.

REASON: To protect the residential amenity and living conditions of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005; Policy SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

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 enlargements within Classes A or B 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 high quality design and visual amenity of the area in accordance with Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005; Policies SP9 and SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework 2019.

DRAWING NUMBERS

11. 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
485018-4	A	Proposed Site Plan	14 October 2019
485018-8	A	Proposed Plans & Elevations (House 4)	14 October 2019
485018-7	A	Proposed Plans & Elevations (House 3)	14 October 2019
485018-9	A	Proposed Plans & Elevations (House 5)	14 October 2019
485018-10	A	Proposed Street Scenes	14 October 2019

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 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 which may affect the land.
2. The development will involve the numbering of properties. 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. 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Determined By:

Mr Mark Peacock
9 December 2019