

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

DELEGATED APPLICATION

Application No: 6/2020/2592/FULL
Location: 22 Cornflower Way Hatfield AL10 9FY
Proposal: Change of use of amenity land to residential land, erection of outbuilding (garden room) and fencing.
Officer: Mr David Elmore

Recommendation: Refused

6/2020/2592/FULL

Context	
Site and Application description	<p>The application site comprises No.22 Cornflower Way and a section of amenity land beyond the rear of its residential curtilage.</p> <p>A fence which separated the rear garden of No.22 from the amenity land and trees within the amenity land have been removed and an outbuilding has been partly constructed in the section of amenity land.</p> <p>Planning permission is sought for the change of use of the amenity land to residential land to encompass it within the rear garden of No.22, erection of fencing to enclose the land and erection of an outbuilding.</p> <p>The amenity land forms part of a long and dense stretch of landscaping (including trees, hedging and grass) between the rear gardens of properties along Cornflower Way and a shared Right of Way (HATFIELD 033) and cycle path. This landscape buffer formed part of the approved landscaping scheme for the large residential area which the site a part of (planning permissions: S6/1999/0884/FP and S6/2001/0577/FP). A wide grass verge with trees and hedging separates the Right of Way and cycle path from Hatfield Avenue. On the opposite side of Hatfield Avenue is a further landscaped verge and foot/cycle path.</p>
Constraints (as defined within WHDP 2005)	<p>PAR - PARISH (HATFIELD) - Distance: 0 ROW - FOOTPATH (HATFIELD 033) - Distance: 3.92 Wards - Hatfield Villages - Distance: 0 A4HD - Article 4 HMO Direction - Distance: 0 CP - Cycle Path (Cycle Facility / Route) - Distance: 1.4 FM00 - Flood Zone Surface Water 1000mm (7585125) - Distance: 0 HAT - Hatfield Aerodrome - Distance: 0 HEN - No known habitats present (medium priority for habitat creation) - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0 HHAA - Hatfield Heritage Assessment Area(Hatfield Garden Village) - Distance: 0</p>
Relevant planning history	<p>Application Number: 6/2019/0954/HOUSE Decision: Granted Decision Date: 12 June 2019 Proposal: Erection of a single storey rear extension and a rear dormer to facilitate loft conversion</p>

	<p>Application Number: S6/2001/0577/FP Decision: Approval Subject to s106 Decision Date: 24 July 2003 Proposal: Residential development comprising 370 dwellings, new roads, cycleways, footpaths, landscaping and public open space (revision to planning permission S6/1999/0884/FP)</p> <p>Application Number: S6/1999/0884/FP Decision: Approval Subject to s106 Decision Date: 30 June 2000 Proposal: Residential development comprising 370 dwellings, new roads, cycleways, footpaths, landscaping and public open space</p>		
Consultations			
Neighbour representations	Support: 0	Object: 1	Other: 1
Publicity	Neighbour letters Site Notice Display Date: 28 October 2020 Site Notice Expiry Date: 18 November 2020		
Summary of neighbour responses	<p>Objection from No.54 Cornflower Way summarised as follows:</p> <ul style="list-style-type: none"> - Unfair to take amenity land - Build within existing garden - Building and damage to hedgerow has already started - A grant of planning permission will start a mass land grab <p>Comment from No.46 Cornflower Way raising no objection to the garden room and enquiring on the price of the land and whether any other plots on the same stretch are available.</p>		
Consultees and responses	Hatfield Town Council – Objection stated as follows: <ul style="list-style-type: none"> - Members consider that this will set a precedent, create an eyesore and be out of keeping in the area 		
Relevant Policies			
<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 checked="" type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes Others: Polices D8 and R11 of the District Plan			
Main Issues			
Design (form, size, scale, siting) and Character (appearance within the streetscene)	<p>Policies D1 and D2 of the District Plan require the standard of design in all new development to be of a high quality and that all new development respects and relates to the character and context of the area in which it is proposed. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG). The SDG outlines, amongst other things, that development must be informed by the wider context. It also highlights that one of the main issues to be taken into account in considering how a development may affect the character of an area should be an attempt to integrate the new development into the landscape to reduce its impact on nature and reinforce local distinctiveness.</p> <p>The NPPF places a clear emphasis on high quality design and explains that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality</p>		

	<p>of an area and the way in functions, taking into account any local design standards or style guides in plans or supplementary planning documents.</p> <p>Paragraph 127 of the NPPF outlines that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.</p> <p>The amenity land subject to this application forms part of a well-established and dense stretch of landscaping which was approved under the overall landscape strategy for the original residential development. Similar such landscaping is witnessed further along Hatfield Avenue. This landscaping provides a buffer between residential properties and a footpath/cycle way and road, softens the presence of built form and has assisted in achieving an effective balance between soft and hard landscaping. The amenity land is therefore considered to contribute to the character of the area, including its landscape character.</p> <p>The extension of the rear garden of No. 22 Cornflower Way into the amenity land and removal of trees has resulted in a partial, but noticeable, loss of this landscape buffer and has severely detracted from the character of the area. The Council's Landscaping Team have also been consulted for this application and consider that the loss of the trees, scrubs and hedging has had a significant detrimental impact on the character of the landscape.</p> <p>The outbuilding and extended boundary fencing would also be highly prominent when passing along the footpaths and cycle ways on both sides of Hatfield Avenue and also in views from the main road. The built development, by virtue of its location, scale and appearance would be obtrusive and incongruous in its context.</p> <p>Having regard to these factors, it is considered that the development would conflict with the above policies.</p>
Impact on neighbours	No adverse impact
Other considerations	<p><u>Landscaping</u></p> <p>Policy D8 of the District Plan states that all development, other than changes of use of buildings, should include landscaping as an integral part of the overall design. This should reflect the strong tradition of urban landscape design in the district.</p> <p>The NPPF states that planning decisions should ensure that developments have appropriate and effective landscaping.</p> <p>The proposal does not include landscaping within its design. Indeed, the proposal fails to have an appreciation of the context of the site and its distinctiveness. Consequently, the proposal would fail to accord with the above policies</p> <p><u>Biodiversity</u></p> <p>The proposal has resulted in the loss of landscaping and the Council's mapping system identifies the site is being within an area of medium priority for habitat creation.</p> <p>Policy R11 of the District Plan requires all new development will be required to demonstrate how it would contribute positively to the biodiversity of the site.</p> <p>The NPPF requires planning decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.</p>

	Hertfordshire Ecology have been consulted for this application and outline that the amenity land provides a good ecological resource and green corridor for a variety of wildlife. It is suggested that, if the outbuilding remains, appropriate native-species hedgerow vegetation is planted or allowed to grow up and around it on the three sides facing outwards from the house, effectively forming green walls to the building in order to provide compensation/net gain. The submitted application form states that the walls would be timber clad. A green wall is not indicated but a 2m high close boarded fence is shown on the submitted drawings. The proposal does not minimise impacts on and provide net gains for biodiversity. As such, there would be conflict with Policy R11 of the District Plan and the NPPF in this respect.
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Conclusion

The development would severely detract from the character and appearance of the area, including its landscape setting. It would represent a poor standard of design and conflict with Policies D1, D2 and D8 of the Welwyn Hatfield District Plan 2005, the Council’s Supplementary Design Guidance 2005 and the National Planning Policy Framework.

The development would fail to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Consequently, the development would conflict with Policy R11 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

Reasons for Refusal:

1. The development would severely detract from the character and appearance of the area, including its landscape setting. It would represent a poor standard of design and conflict with Policies D1, D2 and D8 of the Welwyn Hatfield District Plan 2005, the Council’s Supplementary Design Guidance 2005 and the National Planning Policy Framework.
2. The development would fail to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Consequently, the development would conflict with Policy R11 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

3.

Plan Number	Revision Number	Details	Received Date
5099-P01	A	Proposed Plans and Elevations	12 October 2020
5099-OS1		Location Plan	7 October 2020
5099-OS2		Block Plan	7 October 2020

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).

Determined By:

Mr Mark Peacock
7 December 2020