

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

DELEGATED APPLICATION

Application No: 6/2021/0801/HOUSE
Location: 8 Orchid Close Hatfield AL10 9FE
Proposal: Installation of front window to facilitate conversion of garage into a habitable room
Officer: Ms Emily Stainer

Recommendation: Granted

6/2021/0801/HOUSE

Context			
Site and Application description	Planning permission is sought for the installation of a front window to facilitate conversion of garage into a habitable room. This is a retrospective application as the works have already been completed. The applicant advises that the works were completed by 4 th March of this year. Planning permission is required as permitted development rights were removed under the original application (reference S6/1999/0971/FP).		
Constraints (as defined within WHDP 2005)	PAR - PARISH (HATFIELD) - Distance: 0 Wards - Hatfield Villages - Distance: 0 A4HD - Article 4 HMO Direction - Distance: 0 HAT - Hatfield Aerodrome - Distance: 0 HHAA - Hatfield Heritage Assessment Area(Hatfield Garden Village) - Distance: 0		
Relevant planning history	Application Number: S6/1999/0971/FP Decision: Approval Subject to s106 Decision Date: 30 June 2000 Proposal: Erection of 144 houses and 26 flats with associated access roads, garages, parking areas and public open spaces, cycleways and footways Application Number: S6/2002/0967/FP Decision: Granted Decision Date: 04 October 2002 Proposal: Erection of 46 dwellings. (amendments to planning approval ref. S6/1999/971/FP)		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Neighbour notification letters		
Summary of neighbour responses	None		
Consultees and responses	Hatfield Town Council – No response. HCC Hertfordshire Transport Programmes & Strategy - The loss of a garage space would not impact the surrounding highway network in terms of parking		

	issues. The parking area at the front of the site is adequate to accommodate an extra parked vehicle.
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Relevant Policies

NPPF
 D1 D2 GBSP1 GBSP2 M14
 Supplementary Design Guidance Supplementary Parking Guidance Interim Policy for car parking and garage sizes

Draft Local Plan Proposed Submission August 2016: SP1, SP9, SADM2, SADM11, SADM12

Main Issues

Is the development within a conservation area?

Yes No

Would the development reflect the character of the area?

Yes No

Comment (if applicable):

Would the development reflect the character of the dwelling?

Yes No N/A

Comment (if applicable):

Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)

Yes No N/A

Comment (if applicable):

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

Saved Policy M14 of the Welwyn Hatfield District Plan 2005 and the Parking Standard Supplementary Planning Guidance (SPG 2004) use maximum parking standards that are not consistent with the NPPF and are, therefore, not afforded significant weight. In light of this situation the Council has produced an Interim Policy for Car Parking Standards and Garage Sizes (2014) that states that parking provision will be assessed on a case by case basis and the existing maximum standards within the SPG should be taken as guidance only. As the works involve the conversion of the garage, the parking provision at the site is a material consideration.

The Interim Policy for Car Parking Standards and Garage Sizes 2014 also outlines that many existing domestic garages are too small for their intended purpose for parking/storing vehicles. The Council will seek to ensure that new garages have a genuine ability to be used for their intended purpose and will require them to be at least 6 metres long by 3 metres wide and sufficiently tall to accommodate modern cars. The pre-existing garage measured approximately 2.2m at the entrance and then widened to approximately 2.3m internally, with a total depth of approximately 5.2m. Using the Interim Policy as a guide, it is clear that the existing garage would fall below the dimensions for a genuine ability to be used for its intended purpose. As the dimensions of the garage fell below the size requirements for a modern car, the conversion of the garage would be unlikely to result in the loss of a parking space.

Furthermore, using the plans provided by the applicant, the existing frontage can accommodate at least 3 cars, however it is noted that part of the frontage appears to be shared between the driveways of 8, 10 and 12 Orchid Close. As such it may not be practical for the spaces on the frontage to be used for parking as it will restrict access, but land ownership is not a material planning consideration. Nonetheless, the property also benefits from a sufficient frontage comprising of grass,

where if necessary additional spaces could be provided in future. Given the above, it is considered that it would be unreasonable to refuse the application on these ground alone and on balance, the existing level of parking at the site is acceptable. The County Highway Authority have not objected to the proposal either.

Any other issues	Informatives have been included which advise the applicant that the granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant, nor does it negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.
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Conclusion

Overall there are no objections raised with regard to the relevant district plan policies, the SDG, emerging plan and the NPPF.

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
02		Proposed Plans And Elevations With Block Plan	11 March 2021
01		Existing Plans And Elevations With OS Map	11 March 2021

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 or legal interest (easements or wayleaves) which may affect the land.

2. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
3. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at www.hertfordshirebc.co.uk

Determined By:

Mr Mark Peacock
5 May 2021