

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

DELEGATED APPLICATION

Application No: 6/2021/2513/HOUSE
Location: 8 Thistle Drive Hatfield AL10 9FQ
Proposal: Retention of conversion of garage into habitable space and proposed alterations to hardstanding to facilitate the creation of 1x car parking space.
Officer: Ms Kirsty Shirley

Recommendation: Refused

6/2021/2513/HOUSE

Context	
Site and Application description	<p>The application site is located to the east side of Thistle Drive and is comprised of a semi-detached two storey dwelling with front driveway and triangular shaped rear garden.</p> <p>The application is for the retention of the conversion of the garage into a habitable space and the extension of the hardstanding to facilitate additional driveway space.</p> <p>Condition 14 of planning permission S6/1999/0884/FP states:</p> <p><i>“Prior to the occupation of any dwelling on the site the garaging or car parking spaces to serve that dwelling shall be laid out in accordance with the details shown on the approved layout drawing and shall be kept available for that purpose thereafter.</i></p> <p><i>REASON To ensure adequate off-street parking is provided, in the interests of highway safety.”</i></p> <p>Additionally, condition 16 of planning permission S6/1999/0884/FP states:</p> <p><i>“Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no development falling within Classes A, B, D or F of Part 1 or Classes A or B of Part 2 to Schedule 2 to that Order shall be carried out without the prior written permission of the Local Planning Authority, granted on application.</i></p> <p><i>REASON To enable the Local Planning Authority to exercise control over extensions to the dwellings and means of enclosure, in the interests of visual and residential amenity and over new access in the interest of visual amenity and highway safety.”</i></p> <p>These conditions are also included in subsequent planning approvals the application site is included within, including S6/2001/0557/FP and S6/2001/1338/FP.</p>

	Consequently, retrospective planning permission is sought for the conversion of the garage into a habitable space, as the property does not benefit from the relevant Permitted Development Rights.		
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	<p>Application Number: S6/1999/0884/FP Decision: Approval Subject to s106 Decision Date: 30 June 2000 Proposal: Residential development (outline) including access to public highway</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 S6/199910884/FP)</p> <p>Application Number: S6/2001/1338/FP Decision: Approval Subject to s106 Decision Date: 22 April 2002 Proposal: Residential development comprising of 200 dwellings, new road, cycle ways, footpaths, landscaping and public open space (revisions to planning permissions S1999/0884/FP and S6/2001/0577/FP)</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Neighbour notification letter		
Summary of neighbour responses	None received		
Consultees and responses	Hatfield Town Council – no response		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF <input type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" 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 car parking and garage sizes Others: Hatfield Aerodrome Supplementary Planning Guidance			
Main Issues			
Design (form, size, scale, siting) and Character (appearance within the streetscene)	<p>The existing window within the previous front garage elevation is similar in design and style to the existing windows within the front elevation of the dwelling, and would respect and relate to the character of the existing dwelling and surrounding area.</p> <p>In regards to the creation of a driveway, the hardstanding would be located adjacent to a footpath and would be highly visible within the street scene.</p>		

	<p>However, it is commonplace within the street scene that driveways are not assuaged by any soft landscaping or boundary treatments, and in this case it is considered that the creation of a hardstanding in this location would not be detrimental to the character of the area.</p>
<p>Impact on neighbours</p>	<p>No neighbour representations have been received for this application.</p> <p>It is considered that the positioning and scale of the proposal would not result in adjoining neighbours to experience a detrimental loss of light or privacy, nor would the proposal appear unduly dominant towards adjoining neighbours.</p>
<p>Access, car parking and highway considerations</p>	<p>Paragraph 107 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development; the type, mix and use of the development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.</p> <p>The Council's Interim Car Parking and Garage Policy confirms that planning applications will be determined on a case-by-case basis to achieve a sensible level of parking provision taking account of existing SPG standards, NPPF guidance, the relevant circumstances of the proposal, its site context and its wider surroundings.</p> <p>The applicant has described the resultant habitable room following the garage conversion is to be used a dining room and utility room. The Council's Hatfield Aerodrome SPG 1999 applies to this dwelling and requires two car parking spaces for a 2-3 bedroom dwelling. The application site has three bedrooms as advised by the applicant.</p> <p>The Interim Policy for Car Parking Standards and Garage Sizes 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. Whilst dimensions of the previous garage fall below the identified size requirements, at approximately 5.3m in length and approximately 2.6m in width, these measurements could reasonably park a vehicle and it is therefore considered that the loss of the garage has resulted in the loss of a car parking space.</p> <p>The application site benefits from a front driveway suitable for parking one vehicle. The proposal also includes the creation of an additional car parking space within the existing front garden. The existing driveway space is approximately 4.5m in length and 2.2m in width. The proposed driveway would be an unusual shape due to the curved frontage of the application site. The length of the proposed driveway would measure approximately 3.9m in length, but due to the curved shape of the driveway, only 2.5m of the driveway length would be suitable to park on without risk of a vehicle parking on and subsequently blocking the adjoining footpath. There are few, if any, car models that are 2.5m in length, and it is therefore considered that the proposed driveway would not be suitable to park a vehicle. Additionally, the applicant does not intend to make amendments to the highway, i.e. a dropped kerb, and it is unclear how the proposed driveway space would be accessed should a vehicle be parked in the existing driveway, without utilising the footpath and</p>

	<p>subsequently endangering pedestrians.</p> <p>It is acknowledged that there are garage conversions within the vicinity of the application site, notably 1 Thistle Drive and 3 Daisy Drive. These addresses sought planning permission in 2014 and 2015 respectively, and it was considered in these cases the conversion of the garage would not result in a net loss of car parking spaces.</p>
Conclusion	
<p>The permitted development rights were removed from this property in the interest of visual amenity and highway safety. From a recent site visit at public vantage points, there were a considerable number of vehicles parking on the street, and to avoid blocking the road, vehicles were parked across the footpath, severely reducing the width of the footpath. Parking in this manner endangers pedestrians and causes accessibility issues for those with pushchairs, wheelchairs etc. who may be forced to travel in the road, further endangering themselves. Paragraph 111 of the National Planning Policy Framework states development should be refused on highway grounds if there would be an unacceptable impact on highway safety.</p> <p>Furthermore, the garage conversion has resulted in the loss of one parking space and the proposed driveway space is not conducive to useable car parking space, resulting in a net loss of one car parking space, an unacceptable loss in this location.</p> <p>The proposal would therefore have significant impact on the safety and operation of the adjoining highway network contrary with Policies D1 and M14 of the Welwyn Hatfield District Plan; the Interim Policy for Car Parking Standards and Garage Sizes; and the National Planning Policy Framework.</p>	

Reasons for Refusal:

1. The proposal would have significant impact on the safety and operation of the adjoining highway network, and would result in an unacceptable loss of a car parking space, contrary with Policies D1 and M14 of the Welwyn Hatfield District Plan; the Interim Policy for Car Parking Standards and Garage Sizes; and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

2.

Plan Number	Revision Number	Details	Received Date
5385-PE01		Pre-Existing	10 September 2021
5385-OS2	A	Block Plan	27 August 2021
5385-OS1	A	Site Location Plan	27 August 2021
5385-E01		Plans and Elevations as Existing	8 September 2021

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 Derek Lawrence
5 November 2021