

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

DELEGATED APPLICATION

Application No: 6/2021/2816/HOUSE
Location: 53 High Road Essendon Hatfield AL9 6HS
Proposal: Extension of existing dropped curb
Officer: Ms Ashley Ransome

Recommendation: Refused

6/2021/2816/HOUSE

Context	
Site and Application description	<p>The application site comprises a semi-detached property, located within the Essendon Conservation Area.</p> <p>The proposal involves the extension of the existing dropped kerb to increase the size of the driveway, including the remove of a hedge and wall to the front boundary.</p> <p>Amendments involving the reduction of the overall width of the proposed dropped kerb extension were received during the course of the application and a period of re-consultation undertaken.</p> <p>A site visit was made but only from public vantage points. A suitable level of information has been acquired in which to make a full and thorough assessment by use of photographs provided by the applicant/agent and aerial/street scene imagery online. The specific merits of this case means that a full and complete assessment can be made in respect of this particular application.</p>
Constraints (as defined within WHDP 2005)	<p>CA - Conservation Area: ESSN; - Distance: 0 AAS - Area of Archaeological Significance Area of Archaeological Significance : AAS18 - Distance: 0 GB - Greenbelt - Distance: 0 LCA - Landscape Character Area (Little Berkhamsted Settled Plateau) - Distance: 0 PAR - PARISH (ESSENDON) - Distance: 0 Wards - Brookmans Park & Little Heath - Distance: 0</p>
Relevant planning history	<p>Application Number: S6/2003/0452/FP Decision: Granted Decision Date: 03 July 2003 Proposal: Erection of replacement garage</p> <p>Application Number: 6/2018/1997/LAWP Decision: Granted Decision Date: 21 November 2018 Proposal: Certificate of lawfulness for the formation of a hardstanding which utilises the existing access and dropped kerb</p>

Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Neighbour Letters Site Notice Display Date: 30 December 2021 Site Notice Expiry Date: 21 January 2022 Press Advert Display Date: 1 January 1900		
Summary of neighbour responses	No neighbour representations received.		
Consultees and responses	<p>Essendon Parish Council – Strongly object. The front boundary will be removed to facilitate parking, turning the area into an unsightly car park. While this may be convenient for the owners, it will be a private benefit gained at the expense of the public realm and the amenity of the village. It will blight the village and cause harm to the character or appearance of the Conservation Area. Despite the reduction in length of the proposed dropped kerb, this does not address the original objection.</p> <p>Hertfordshire Transport Programmes & Strategy – Initially recommended that permission be refused because the proposed dropped kerb extension was too long. However, following amendments to the scheme which involved the reduction in the width of the proposed dropped kerb extension, the grant of permission is not restricted, subject to some informatives.</p> <p>Conservation Advisor – Whilst there is no objection to the extension of the dropped kerb itself, there is an objection to the loss of the hedge and the dwarf rendered wall along the front boundary. Whilst the scheme has been revised to amend the length of the proposed dropped kerb, the front boundary hedge is still proposed to be removed.</p> <p>Joint Committee of the National Amenity Societies – No response received.</p> <p>Hertfordshire County Council - Historic Environment Advisor - No response received.</p>		
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 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: R17, R29, D8 <u>Draft Local Plan Proposed Submission August 2016:</u> SP1- Delivering Sustainable Development SP9- Place Making and High Quality Design SADM11- Amenity and Layout SADM12- Parking, Servicing and Refuse SADM15- Heritage			
Main Issues			
Design (form, size, scale, siting) and Character (appearance)	The development is located within the Essendon Conservation Area. It should be noted that Section 72 of the Listed Buildings and Conservations Areas Act (1990) states that 'special attention shall be paid to the desirability of preserving or enhancing the character or the appearance of that area'. Section		

<p>within the streetscene)</p>	<p>16 of the NPPF 'Conserving and enhancing the historic environment' is broadly consistent with Policy SADM15 'Heritage' of the Emerging Local Plan.</p> <p>The National Planning Policy Framework 2021 (NPPF 2021) has a strong emphasis on good quality design than its predecessor. Paragraph 126 clearly advises that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development. Paragraph 130 of the NPPF further advises that decisions should ensure developments will function well, be visually attractive, sympathetic to local character and establish a strong sense of place. Paragraph 134 is clear that "development that is not well designed should be refused, especially where it fails to reflect local design policies."</p> <p>Policy GBSP2 of the Welwyn Hatfield District Plan 2005 states that development within the specified settlements will be limited to that which is compatible with the maintenance and enhancement of their character. Policy D1 requires the standard of design in all new development to be of a high quality and Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. The above objectives are broadly consistent with Policies SP1 and SP9 of the Council's Emerging Local Plan 2016. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan.</p> <p>Whilst it is acknowledged that amendments were made within the course of the application, these were only in relation to the reduction in the width of the dropped kerb. It is considered that the loss of the hedge and boundary wall would result in some 'less than substantial' harm to the significance of the Conservation Area and the proposal would not pose any public benefits to outweigh the harm identified.</p> <p>As a consequence of the above, it is considered that the proposed development would not preserve or enhance the character and appearance of the surrounding street scene or the Conservation Area, as per Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Accordingly, it is considered that the proposed development represents a poor standard of design and is therefore contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Policies SP9 and SADM15 of the Welwyn Hatfield Draft Local Plan 2016, the Welwyn Hatfield Supplementary Design Guidance 2005 and the National Planning Policy Framework 2021.</p>
<p>Impact on neighbours</p>	<p>The impact of the proposed development on the residential amenity of neighbouring dwellings is considered in terms of the impact on neighbouring properties access to day/sun/sky light, privacy, overbearing and overshadowing. Policy D1 of the District Plan seeks to provide a good standard of design in all new development. The Council's SPD on design supplements Policy D1 outlining that residential applications for extensions and alterations should not cause loss of light or be unduly dominant from adjoining properties, as a result of either the depth of the projection, the height or proximity of the extension.</p> <p>Given the nature of the proposed development, it is considered that there would be no adverse harm upon the amenity of neighbouring occupiers and is considered acceptable and is in accordance with Policy D1 of the Welwyn Hatfield District Plan, Policy SADM11 of the Welwyn Hatfield Draft Local Plan</p>

	2016, the Welwyn Hatfield Supplementary Design Guidance 2005 and the National Planning Policy Framework 2021.
Access, car parking and highway considerations	<p>With the amendments made within the application seeing a reduction in the width of the proposed dropped kerb, the previous objection by the Highway Authority has been overcome and they now do not wish to restrict the grant of permission. Informatives have been advised to be included upon any grant of permission.</p> <p>With regards to parking, the proposed development will increase the provision of off-street parking for the application site. However, this does not mitigate the harmful impact the proposal has upon the character and appearance of the Conservation Area.</p>
Conclusion	
For the reasons set out above, the proposed development does not accord with the relevant policies, thus is not acceptable in terms of the impact upon the character and appearance of the Essendon Conservation Area. It is therefore recommended that planning permission is refused.	

Reasons for Refusal:

1. The proposed development would not preserve or enhance the character and appearance of the surrounding street scene or the Conservation Area, as per Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It would result in some 'less than substantial' harm to the significance of the Conservation Area and the proposal would not pose any public benefits to outweigh the harm identified. Accordingly, the proposed development represents a poor standard of design and is therefore contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Policies SP9 and SADM15 of the Welwyn Hatfield Draft Local Plan 2016, the Welwyn Hatfield Supplementary Design Guidance 2005 and the National Planning Policy Framework 2021.

REFUSED DRAWING NUMBERS

3.

Plan Number	Revision Number	Details	Received Date
LP		Site Location Plan	4 November 2021
BP		Vehicle Crossover plan	4 November 2021
BP	A	Proposed dropped kerb.pdf	17 December 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 Mark Peacock
24 January 2022