

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

**DELEGATED APPLICATION**

**Application No:** 6/2021/2873/HOUSE  
**Location:** 71 Pine Grove Brookmans Park Hatfield AL9 7BL  
**Proposal:** Alterations to front boundary to create new masonry wall and railings with electric gates  
**Officer:** Ms Kirsty Shirley

**Recommendation:** Refused

6/2021/2873/HOUSE

<b>Context</b>	
<b>Site and Application description</b>	<p>Pine Grove is predominantly residential in character, with the Chancellors School located to the rear of the application site. The area features predominantly detached properties within spacious plots. The front gardens of dwellings in this area are either open or feature a low boundary front wall, with soft landscaping and a hard surface driveway.</p> <p>The application site is located to the west side of Pine Grove and is comprised of a large detached dwelling with a U shaped front driveway with soft landscaping to the front and side, and elongated rear garden. The application is for the erection of front boundary brick wall with railings and electric sliding gates.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>GB - Greenbelt - Distance: 12.45            PAR - PARISH (NORTH MYMMS) - Distance: 0            ROW - FOOTPATH (NORTH MYMMS 068) - Distance: 42.36            Wards - Brookmans Park &amp; Little Heath - Distance: 0</p>
<b>Relevant planning history</b>	<p>Application Number: E6/1969/1576/            Decision: Granted            Decision Date: 15 September 1969            Proposal: Extensions to house.</p> <p>Application Number: E6/1971/0342/            Decision: Granted            Decision Date: 26 February 1971            Proposal: Two storey extension to house.</p> <p>Application Number: S6/1975/0676/            Decision: Granted            Decision Date: 13 February 1976            Proposal: Ground floor side extension</p> <p>Application Number: S6/1978/0281/            Decision: Granted            Decision Date: 13 July 1978            Proposal: Ground floor side extension</p>

	<p>Application Number: S6/2010/1787/FP  Decision: Granted  Decision Date: 14 October 2010  Proposal: Erection of part ground floor and first floor rear extensions</p> <p>Application Number: S6/2011/0039/FP  Decision: Granted  Decision Date: 29 March 2011  Proposal: Erection of part ground floor, part first floor rear extension and alterations to the roof to include three dormer windows to the rear</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Neighbour notification letter		
<b>Summary of neighbour responses</b>	None received		
<b>Consultees and responses</b>	<p>North Mymms Parish Council – Object: <i>the proposal is out of keeping with neighbouring properties with no walls or gates of this nature in the vicinity.</i></p> <p>HCC Hertfordshire Transport Programmes &amp; Strategy – Comment: <i>Two new gates are proposed which are set back from the back edge of the carriageway by 3.8m This does not comply with Roads in Herts Section 4 – Design Standards and Advice Chapter 1 – Road Design Criteria, 1.9. The recommended distance must be 5.5m to allow vehicles to draw safely off the carriageway without impeding other road users.</i></p> <p>HCC Rights of Way – no response  The Ramblers' Association – no response</p>		
<b>Relevant Policies</b>			
<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 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: D8, R17			
<b>Main Issues</b>			
<b>Design (form, size, scale, siting) and Character (appearance within the streetscene)</b>	<p>Policies D1 and D2 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, maintaining and here possible enhancing the character of the existing area. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area.</p> <p>The SDG outlines, amongst other things, that new development should:</p> <ul style="list-style-type: none"> <li>- Respond to building forms and patterns of existing buildings in the detailed layout and design to reinforce a sense of place;</li> <li>- Use local materials and building methods/details to enhance local distinctiveness; and</li> </ul>		

- Ensure that the scale, height, massing, and space around the new development in relation to the adjoining buildings is considered
- Means of enclosure should have regard to the character of the area and surrounding forms of enclosure, including the type of boundary, the type of materials, species of hedging and height of existing boundaries.

The SDG is clear that means of enclosure that are comprised of large expanses of solid forms of enclosure that dominate the street scene, prevent natural surveillance and/or have an adverse environmental impact should be refused.

The revised National Planning Policy Framework (NPPF) has a stronger emphasis on good quality design than its predecessor. Paragraph 126 clearly advises that the creation of high quality, beautiful and sustainable 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 and add to the overall character of the area, 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 and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides..”*

This area of Pine Grove predominantly characterised by large detached dwellings with front gardens and parking areas that are set back from the road. Some properties have open frontages and others are enclosed. Soft landscaping and low level walls are commonplace within the street scene.

The proposed boundary treatment is for the erection of brick walls, brick pillars and metal railings. The brick walls would be approximately 0.8m in height, with brick pillars positioned every 3.8m. The brick pillars measure approximately 1.8m in height. Metal railings would be situated on top of brick walls between the brick pillars, and would measure approximately 1.65m in height. Two sliding gates would be inserted into the front boundary treatment, which would also be railings in the same style as the railings atop of the brick walls. The gates would measure approximately 1.65m in height. The gates would be set back from the road by approximately 3.8m. This boundary treatment would be located to the front of the site only.

The proposed front boundary treatment would be much higher when compared to other boundary features within the context of the application site. It is noted that taller boundary treatments exist between property boundary lines, however front boundary treatments within this area are predominantly low brick walls, soft landscaping or left open. Consequently, the height and scale of the proposed boundary treatment would be a prominent and uncharacteristic feature which would intrude into the street scene.

There are examples of similar development within the wider area, notably No. 61 and No. 47 Pine Grove. However, there is no planning record in relation to the boundary treatment at No.61 Pine Grove, and it is likely that these gates, walls, piers and railings pre-date the adopted Welwyn Hatfield District Plan 2005 and the NPPF, both of which seek to ensure at a minimum new developments maintain, and where possible, enhance or improve the

	<p>character of the existing area and stronger emphasis has been placed on high quality design within the revised NPPF. In regards to No. 47, this site lies outside of the immediate site context due to separation distance. Nevertheless, in the interest of consistent decision making, the front boundary treatment at No. 47 does not have planning permission and may be subject to enforcement proceedings in the future.</p> <p>Furthermore, each case is considered on its own merits. The existence of a small number of substantial built boundary treatments within the wider area does not demonstrate that this type of development is worthy of repetition, in fact, quite the opposite. Repetition of this form of development would cause more harm to the character and appearance of the streetscene here and would undermine the high quality design that currently predominates.</p> <p>Given the open nature of the existing site frontage, and the site frontages of the adjacent properties, the principle of a low brick wall or railings, with planting to soften their appearance, would not be considered out of keeping with the character of this road. It is acknowledged that under permitted development a 1 metre high wall, railing and gate could be erected. Furthermore, the principle of a low brick wall or railings, with planting to soften their appearance, would not be considered out of keeping with the character of this road.</p> <p>The current proposal would be prominent in Pine Grove and at odds with the character of the streetscene. The erection of a boundary treatment of this height and design would create an inappropriate and inharmonious feature eroding the sense of spaciousness and openness that is a characteristic of this area.</p> <p>It is therefore considered that the proposed front boundary treatment would appear overly prominent and would fail to incorporate the attractive features and characteristics of the surrounding streetscene. Accordingly, the proposed development represents a poor standard of design and is therefore contrary Policies to D1 and D2 of the Welwyn Hatfield District Plan 2005; the Supplementary Design Guidance 2005; and the National Planning Policy Framework 2021.</p>
<b>Impact on neighbours</b>	<p>No neighbour representations have been received. Due to the nature of the proposal, it is not considered that there would be an undue detrimental impact on neighbour amenity.</p>
<b>Access, car parking and highway considerations</b>	<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. Paragraph 111 of the NPPF outlines that development should be refused on highway grounds if there would be an unacceptable impact on highway safety.</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 Supplementary Parking Guidance standards, NPPF guidance, the relevant circumstances of the proposal, its site context and its wider surroundings.</p>

	<p>The application site benefits from a garage and a sizeable driveway suitable for parking four or more vehicles. The proposal would not amend the garage or the size of the driveway, and so the provision of car parking within the site is not a concern for this application.</p> <p>Hertfordshire Highways Authority were consulted for this application and in the interest of highway safety recommended that the proposed gates should be set back a minimum distance of 5.5m from the edge of the highway to enable vehicles to safely enter the application site without causing an obstruction to the highway.</p> <p>The submitted plans show the gates would be sliding and would be set back by approximately 4m from Pine Grove, and approximately 2.5m from the footpath between Pine Grove and the application site. The proposal would therefore not allow for sufficient space for a vehicle to wait for access to the application site clear of Pine Grove, which would have an adverse impact to the safety and operation of the highway network. This is particularly pertinent given the application site's proximity to Chancellors School, a secondary school and sixth form located to the rear of the application site. Obstructing the footpath could force people with sensory or mobility impairments, wheelchair users and those with prams or pushchairs into the road, putting them at risk of conflict with traffic if forced to travel in the road.</p> <p>The development would therefore have significant impact on the safety and operation of the adjoining highway network.</p>
<p><b>Landscaping Issues</b></p>	<p>District Plan Policy R17 seeks to protect existing trees whilst Policy D8 requires landscaping to form an integral part of the overall design, and in this respect the high quality design required by Policy D1 would again be relevant. Landscaping is important in order to protect and enhance the existing character of the area and to reduce the visual and environmental impacts of the development.</p> <p>The proposal does not include any details regarding soft landscaping. In the event of an approval, it is considered reasonable to impose conditions requesting the submission of a Landscape Plan that will provide information on boundary treatment, specific details on proposed species, sizes, densities and planting methods and details for all hard surfaces. This would have ensured that the development is of a high standard of design in terms of landscaping.</p>
<p><b>Conclusion</b></p>	
<p>The proposed development by virtue of its siting, height, and design, would result in an incongruous and unduly dominant addition to the street scene which would fail to respect the character and appearance of the spacious and open character of the area. As such, the proposal would be harmful to the visual amenity of the street scene and contrary to District Plan Policies D1 and D2; the Supplementary Design Guidance; and the National Planning Policy Framework.</p> <p>Furthermore, the proposal would have an adverse impact on the safety and operation of the adjoining highway network contrary with the relevant policies of the Welwyn Hatfield District Plan and the National Planning Policy Framework.</p>	

**Reasons for Refusal:**

1. The proposed development by virtue of its siting, height, and design, would result in an incongruous and unduly dominant addition to the street scene which would fail to respect the character and appearance of area. Accordingly, the proposed development represents a poor standard of design and is therefore contrary to District Plan Policies D1 and D2; the Supplementary Design Guidance; and the National Planning Policy Framework.
2. The proposal would have an adverse impact on the safety and operation of the adjoining highway network contrary with the relevant policies of the Welwyn Hatfield District Plan and the National Planning Policy Framework.

**REFUSED DRAWING NUMBERS**

3.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
E0	A	Existing and Proposed Block Plan	9 November 2021
E1	A	Existing Front Garden	9 November 2021
P4	A	Proposed Side Elevation	9 November 2021
E3	A	Existing Side Elevation	9 November 2021
P0	A	Site Location Plan	9 November 2021
E2	A	Existing Front Elevation	9 November 2021
P2	A	Proposed Front Elevation	9 November 2021
E4	A	Existing Side Elevation	9 November 2021
P3	A	Proposed Side Elevation	9 November 2021
P1	A	Proposed Front Garden Plan	22 November 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  
17 January 2022