

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

DELEGATED APPLICATION

Application No: 6/2021/3280/FULL
Location: 2D Plough Hill Cuffley Potters Bar EN6 4DR
Proposal: Installation of vehicular crossover to front
Officer: Ms Elizabeth Mugova

Recommendation: Granted

6/2021/3280/FULL

Context	
Site and Application description	<p>The application site comprises a two-storey semi-detached dwelling located within an established residential area in the village of Cuffley.</p> <p>Planning permission is sought for the formation of a dropped kerb to allow construction of a front driveway.</p>
Constraints (as defined within WHDP 2005)	<p>PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0 Wards - Northaw & Cuffley - Distance: 0 A4D - ARTICLE 4 DIRECTION - Distance: 0 HEN - No known habitats present (medium priority for habitat creation) - Distance: 0 HEN - No known habitats present (high priority for habitat creation) - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0</p>
Relevant planning history	<p>Application Number: 6/2021/3181/HOUSE Decision: Awaiting decision Decision Date: Proposal: Landscaping works to the rear garden including raising the level of the garden and erection of retaining wall and fence above</p> <p>Application Number: E6/1963/1115/ Decision: Granted Decision Date: 24 July 1963 Proposal: 4 Houses and Garages</p> <p>Application Number: 6/2020/0799/HOUSE Decision: Refused Decision Date: 29 June 2020 Proposal: Erection of two storey side extension, part single/part two storey rear extension and front porch</p> <p>Application Number: 6/2020/1895/HOUSE Decision: Granted Decision Date: 06 November 2020 Proposal: Erection of part single/part two storey side and rear extension and single storey front extension</p>

	<p>Application Number: 6/2021/0099/HOUSE Decision: Granted Decision Date: 11 March 2021 Proposal: Erection of part single/part two storey side and rear extension, single storey front extension and alterations to openings</p> <p>Application Number: 6/2021/3135/COND Decision: Granted Decision Date: 15 November 2021 Proposal: Submission of details pursuant to condition 1 (material samples) on planning application 6/2021/0099/HOUSE</p>		
Consultations			
Neighbour representations	Support: 0	Object: 4	Other: 0
Publicity	<p>Site Notice Display Date: 19 January 2022 Site Notice Expiry Date: 9 February 2022</p> <p>Neighbour letters</p>		
Summary of neighbour responses	<p><u>2 Plough Hill - Comment</u> Our concerns for the proposed works i.e. to build an elevated parking area, is the impact from any excess water to our property (if not now sometime in the future). Therefore, we would like guarantees that: -</p> <ul style="list-style-type: none"> • The materials to be used for the hard standing would be porous • Any excess water, as a result from the change to the current design, would not be diverted towards our property • The proposed soakaway is adequately built and to the correct building control standards • Where the level of our garden is now higher (following the building of their side extension) a supporting structure is built to prevent any "landslide" (along with the tree on our property near the boundary) towards 2D, which would be exacerbated by natural rainfall, water running off from the proposed drive & any soak away - now or in the future (see photos) • NB - There is a mistaken on the "Development Management form" Q9 indicates that there is only 1 existing parking space available, this should read 2 <p><u>2C Plough Hill - Objection</u></p> <ul style="list-style-type: none"> • Biggest concern is the relocation of the bus stop. I strongly oppose to the bus stop being relocated to the front of my house due to the devaluation of my property as well as a lack of privacy. I think this will be too near to the corner of the road and will be near to the entrance of the church. • I would also like to know how high the drive is going to be as there are no exacted measurements for this On the plans. <p><u>5 Plough Hill - Objection</u></p> <ul style="list-style-type: none"> • Sight Lines/too close to Station Road Junction. • There is a blind spot at the junction of King James Avenue where there is a dip in the road. When exiting the new driveway at 2D there is a risk of a collision. Vehicles travelling south down Plough Hill tend to speed 		

	<p>even though there is the Station Road Junction. I have seen several accidents over the years, in fact one last week.</p> <ul style="list-style-type: none"> • The cross over is not taking into consideration the fact that there is a right of way which does not form part of the owner's property. This right of way runs from north to south in front of the houses 2D and 2C. It will therefore set a precedent if this is approved. I am assuming that if the owner wants the land there will be a charge. • We already note that the application 6/2021/0099/House has already gone off plan with the porch being larger than requested and a different roof applied. <ul style="list-style-type: none"> • <u>Revised comments from No. 5</u> - We originally made an objection to the said application, part of our objection was the size of the porch that had been built. We were invited on to the property to measure the size of the porch. The measurements of the brick work are within the specification of a drawing seen within application 6/2020/1895/HOUSE. The only differences being that the roof design has changed (as required by Welhat planning) and the frontage has changed to door only instead of door and window. We have not seen any diagrams showing these changes but we are happy to accept the porch <p>We are still objecting to the plans for the front garden conversion to off street parking.</p> <p><u>7 Plough Hill -Objection</u></p> <ul style="list-style-type: none"> • Whether done intentionally or not, the concrete posts/fencing at the front of the property have been damaged during the building works, thus - unintentionally or by design - serving to make way for the off street parking now being applied for. • Also there is a piece of land that gives right of way for people to access to the adjoining neighbour. Which will also mean off street parking will cross this land. The land should not be taken away for off street parking. • In addition, the porch is bigger than the original plan that was agreed. • It does strike me that the property owner is seeking to exceed the permission he has been granted. <ul style="list-style-type: none"> • <u>Revised comments from No. 7</u> - Regarding my objection to the porch being bigger than the plans, it has been measured today and the measurements are indeed correct. However, due to the roof shape being different to the drawings available to me (not slanted as shown on the drawing) this has made the porch look much bigger than the drawings I have available to me. Do you have any later drawings showing a pitched roof and not a slanted roof as agreed on the drawings showing these changes but we are happy to accept the porch
<p>Consultees and responses</p>	<p>Northaw & Cuffley Parish Council – Objection</p> <ul style="list-style-type: none"> • The Parish Council would like to highlight that an established right of way would be removed or restricted if application went ahead. • Furthermore it is considered a dangerous position for a crossover as it is proposed to be too near to the junction and sight lines would be compromised. • The Parish Council also note and raise the concerns with regards water run off affecting neighbouring properties

	Hertfordshire Transport Programmes & Strategy – No objection, recommended informatives
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	
Main Issues	
Design (form, size, scale, siting) and Character (appearance within the streetscene)	<p>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. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan.</p> <p>The proposal would create a front driveway including a dropped kerb. Concerns have been raised regarding water run-off from the driveway to neighbouring properties. The proposed driveway would consist of impermeable material and a soakaway to the north side. In addition, soft landscaping on both sides of the driveway is proposed. It is therefore considered that the proposed soakaway and soft landscaping would collect water and allow it to soak into the ground, thereby preventing water from discharging onto the neighbouring properties.</p> <p>While the new driveway would be visible from the streetscene, it is not considered that this would cause considerable visual harm to the locality. There are properties in the vicinity that have front driveways. It is therefore concluded that the additional front driveway would not appear harmful to the character and appearance of the area.</p>
Access, car parking and highway considerations	<p>The property currently benefits from a double garage at the rear of the property. The proposed driveway would create space for up to three cars. It is therefore considered that there would be adequate parking provision as a result of the new vehicular access.</p> <p>The Highway Authority have been consulted on the proposed new access and have removed their objection following confirmation from the Highways Improvement team that the relocation of the bus stop would be acceptable.</p> <p>It is considered that the proposal is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity.</p>
Any other considerations	<p>Comments from neighbours</p> <p><u>Right of way</u> Objections have been raised regarding the loss of the right of way as a result of the proposal. The applicant has confirmed that the right of way in question is a path shared with No 2c for bin access. However, No 2c now have their own access which can be used for putting bins in and out of their property.</p> <p><u>Previous permissions</u></p>

	<p>Comments regarding previous permissions on this site have not been addressed in this report. Any suspected breach of planning permission should be reported to the Enforcement Team.</p> <p><u>Relocation of bus stop</u> The objection raised regarding devaluation of property due to the relocation of the bus stop is not a material planning consideration and has not been discussed in this report. However, it is important to note that the Highways Authority have no objection to the relocation of the bus stop to an adjacent lamp column to facilitate the driveway. The lamp column is away from the corner and the entrance of the church which is an acceptable location.</p> <p><u>Road Accidents</u> The Highways Authority have confirmed that there have been no recorded accidents associated with the site in a rolling 5-year period.</p> <p><u>Damage to concrete posts</u> Comments regarding damage to concrete posts/fencing are not a material planning consideration.</p>
Conclusion	
It is considered that the proposed development would be in accordance with the Welwyn Hatfield District Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.	

DRAWING NUMBERS

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
EN6 4DR-1st_001_A03		Proposed Plan	24 November 2021
EN6 4DR_1st_006		Block Plan	24 November 2021
TQRQM3121 2143730922		Location Plan	24 November 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. 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

2. 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 which may affect the land.
3. Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/drop-ped-kerbs/dropped-kerbs.aspx> or by

telephoning 0300 1234047.

4. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
5. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
6. Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Further information is available by telephoning 0300 1234047.

Determined By:

Mr Derek Lawrence
16 February 2022