

**WELWYN HATFIELD BOROUGH COUNCIL
ASSISTANT DIRECTOR (PLANNING)**

DELEGATED APPLICATION

Application No: 6/2022/2731/FULL
Location: 15 Church Street Hatfield AL9 5AR
Proposal: Excavation of existing embankment and construction of a retaining wall, removal of a multi stemmed Ash Tree and trimming of a multi stemmed dogwood tree
Officer: Ms Elizabeth Mugova

Recommendation: Granted

6/2022/2731/FULL

Context	
Site and Application description	<p>The application site is located at the junction of Church Street and Church Lane. The site is located within an Area of Archaeological Significance, the Old Hatfield Conservation Area and in close proximity to the Grade II listed 5 Church Street (list entry number: 1296392), Grade II listed St Etheldreda's Church Hall (list entry number: 1101042) and the Grade I listed Hatfield House Registered Park and Garden (RPG) (list entry number: 1000343).</p> <p>Planning permission is sought for the excavation of existing embankment and construction of a retaining wall, removal of a multi stemmed Ash Tree and trimming of a multi stemmed dogwood tree.</p>
Constraints (as defined within WHDP 2005)	<p>CA - Conservation Area: HATF; - Distance: 0 LBC - LISTED BUILDING Formerly Countess Anne's School, built for 2nd - Distance: 10.19 LBC - LISTED BUILDING Rustic style cottage. Mid C19. Random red brick - Distance: 0 LBC - LISTED BUILDING Interwoven group of 3 houses dating probably - Distance: 9.38 LBC - LISTED BUILDING Semi-detached pair of houses. Early C19. Yellow - Distance: 24.38 LBC - LISTED BUILDING House, (Formerly The Travellers' Rest PH). Later - Distance: 41.58 LBC - LISTED BUILDING Tomb. 1703. Portland stone. 2 fielded panels - Distance: 35.29 AAS - Area of Archaeological Significance Area of Archaeological Significance : AAS17 - Distance: 0 SAG - 0 - Distance: 0 GB - Greenbelt - Distance: 0 LCA - Landscape Character Area (Hatfield Park) - Distance: 0 PAR - PARISH (HATFIELD) - Distance: 0 Wards - Hatfield East - Distance: 0 A4HD - Article 4 HMO Direction - Distance: 0 HEN - No known habitat present (high priority for habitat creation) - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0 HHAA - Hatfield Heritage Assessment Area(Hatfield Estate) - Distance: 0 HHAA - Hatfield Heritage Assessment Area(Old Hatfield Historic Core CA) - Distance: 0</p>

Relevant planning history	<p>Application Number: E6/1948/0447/ Decision: Granted Decision Date: 18 November 1948 Proposal: Change of use from residence to a home for the blind.</p> <p>Application Number: S6/2005/1017/FP Decision: Granted Decision Date: 06 October 2005 Proposal: Erection of conservatory</p> <p>Application Number: S6/2010/0265/MA Decision: Granted Decision Date: 04 May 2010 Proposal: Extension to existing care home to provide an additional 22 bedrooms for dementia care</p> <p>Application Number: S6/2015/0956/FP Decision: Granted Date: 07 May 2015 Proposal: Installation of flat roof with 2no rooflights over existing conservatory following the removal of existing roof</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	<p>Site Notice Display Date: 18 January 2023 Site Notice Expiry Date: 8 February 2023</p> <p>Press Advert Display Date: 18 January 2023 Press Advert Expiry Date: 8 February 2023</p> <p>Neighbour letters</p>		
Summary of neighbour responses	No representations received		
Consultees and responses	<p>Hatfield Town Council – Comment</p> <ul style="list-style-type: none"> • Ensure that conservation issues are taken into account and the impact during development and post development <p>Place Services – No objection</p> <p>HCC Historic Environment - No objection</p> <p>WHBC Landscapes Department – No objection subject to an informative</p>		
Relevant Policies			
<p><input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input checked="" type="checkbox"/> D8 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes</p> <p>Others R17 Trees, Woodland and Hedgerows D8 Landscaping</p>			

The Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) Incorporating The Proposed Main Modifications (January 2023) (Draft Local Plan)

SP1 Delivering Sustainable Development
SP9 Place Making and High Quality Design
SADM15 Heritage
SADM16 Ecology and Landscape

Main Issues

Heritage

The property is located within the Old Hatfield Conservation Area and is in close proximity to the Grade II listed 5 Church Street, Grade II listed St Etheldreda's Church Hall and the Grade I listed Hatfield House RPG.

Planning permission is sought for the extension of an existing red brick retaining wall to the east of the building towards the southern property boundary abutting the RPG boundary, as well as carrying out some works to trees.

The proposed wall would match the appearance of the existing wall. Subject to a planning condition regarding matching materials, it is considered that the proposal would not cause harm to the significance of any of the above-mentioned heritage assets and complies with the National Planning Policy Framework; Policy SADM15 of the Draft Local Plan, and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Landscaping Issues

Policy R17 and D8 of the District Plan requires the planting, protection and retention of existing trees by use of planning conditions where applicable.

The application is accompanied by an Arboricultural Report and a Tree Wall Report by Arbor Cultural Ltd. There are four trees in close proximity to the proposed works, according to Block Plan: Work Locations Drawing No. 2214-P01. All the trees will be retained except for an ash tree (T308). The Council's Landscapes team have been consulted and present no objection to the removal of the ash tree given that the condition of the ash tree is poor. However, in the interest of visual amenity, it is considered reasonable and necessary to require details of a suitable replacement tree to be submitted to and approved in writing by the Local Planning Authority.

According to the Tree Wall Report, the ash tree is under joint ownership with St Etheldreda's Church Hall because it sits on the boundary. An informative is suggested to advise the applicant that they should seek permission from the neighbour prior to undertake the works.

Conclusion

Subject to the planning conditions outlined above, it is considered that the proposed development would be in accordance with local and national policies.

Conditions:

1. No development shall commence until details of a suitable replacement tree have been submitted to and approved in writing by the Local Planning Authority. Subsequently, the approved landscaping works must be carried out in the first planting season following the occupation of the development, or the completion of the development, whichever is the sooner. Any plants which within a period of five years from planting the completion of the development die, are removed, or

become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species. All landscape works must be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: A replacement tree is required in the interest of maintaining the character and amenity of the area and minimising the impact of development in terms of ecology, biodiversity and climate change in accordance with the Welwyn Hatfield District Plan 2005; the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

2. The brickwork, bond, mortar and detailing of the approved wall extension must match the existing wall in relation to colour and texture.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

DRAWING NUMBERS

3. 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
2214-P01		Block Plan: Work Locations	1 December 2022
6787-01	A	Retaining Wall Layout & Details	1 December 2022
		Site Location Plan	30 December 2022

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. Is it believed that the ash tree (T308), which is to be removed is in joint ownership with St Etheldreda's Church Hall. The applicant is advised to contact the owners of the Church Hall prior to any works are carried out on the tree and get their agreement.
2. The applicant is advised to take account the provisions of The Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to a shared boundary.

Determined By:

Mr Mark Peacock
22 May 2023