

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

DELEGATED APPLICATION

Application No: 6/2024/0607/FULL
Location: Land at The Warren 8 Carbone Hill Northaw Potters Bar EN6 4PL
Proposal: Erection of a dwelling house with detached double garage following the demolition of existing garage
Officer: Mr Raymond Lee

Recommendation: Granted

6/2024/0607/FULL

Context	
Site and Application description	<p>The application site currently forms part of a garden, garage and driveway to The Warren (No. 8) which is located within a ribbon of sizeable, detached dwellings to the southeast of Carbone Hill. The application site slopes down from the road frontage and features hedging and low timber fencing to the front of the site. The application site is entirely within the Metropolitan Green Belt and the surrounding area is semi-rural and sylvan in character.</p> <p>The application seeks planning permission for the subdivision of the plot and erection of a dwelling house with detached double garage following the demolition of the existing garage. Access to the site would be by means of creating a new vehicular crossover with dropped kerb adjacent to the driveway of The Warren. Within the new site, a new permeable driveway will be formed for car parking and manoeuvring to allow access to and from the site in forward gear.</p> <p>It is noted that planning permission was recently granted in 2023 under application ref: 6/2023/0677/FULL for the erection of a new dwelling on the opposite side of the host building at No. 8 Carbone Hill to the west.</p>
Constraints	<p>NPA - Northaw and Cuffley Neighbourhood Plan Area - Distance: 0 SAG - 0 - Distance: 0 GB - Green Belt - Distance: 0 LCA - Landscape Character Area (Northaw Great Wood) - Distance: 0 LCA - Landscape Character Area (Northaw Common Parkland) - Distance: 0 SSSI - SITE OF SPECIAL SCIENTIFIC INTEREST (Northaw Great Wood - SSSI4) - Distance: 64.77 PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0 SSSI - SITE OF SPECIAL SCIENTIFIC INTEREST (Northaw Great Wood - SSSI4) - Distance: 64.77 Wards - Northaw & Cuffley - Distance: 0 WILD - Home Wood (Cuffley) - Distance: 0 HEN - No known habitats present (high priority for habitat creation) - Distance: 0 HEN - Existing S41 NERC Act habitat - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0</p>

<p>Relevant planning history</p>	<p>Application Number: E6/1955/0459/ Decision: Granted Decision Date: 19 May 1955 Proposal: Additional vehicular access</p> <p>Application Number: E6/1973/0791/ Decision: Refused Decision Date: 30 April 1973 Proposal: Two storey chalet extension to outbuilding to form old persons annex.</p> <p>Application Number: E6/1973/2285/ Decision: Refused Decision Date: 30 July 1973 Proposal: 6 detached houses with double garages and access road.</p> <p>Application Number: E6/1973/3715/ Decision: Refused Decision Date: 07 September 1973 Proposal: Two storey side extension</p> <p>Application Number: E6/1973/5564/ Decision: Granted Decision Date: 12 February 1974 Proposal: Two storey side extension.</p> <p>Application Number: S6/1992/0144/FP Decision: Granted Decision Date: 21 April 1992 Proposal: Extensions and alterations to existing dwelling; alterations to vehicular access</p> <p>Application Number: S6/1993/0226/FP Decision: Granted Decision Date: 10 May 1993 Proposal: Alterations to elevations and new front porch (re-submission)</p> <p>Application Number: S6/1993/0132/FP Decision: Refused Decision Date: 13 May 1993 Proposal: Erection of detached triple garage</p> <p>Application Number: S6/2013/2225/FP Decision: Refused Decision Date: 20 December 2013 Proposal: Extensions and alterations to existing dwelling to include front and rear two storey extensions, and first floor balcony</p> <p>Application Number: S6/2014/1982/FP Decision: Granted Decision Date: 03 November 2014 Proposal: Erection of single storey rear extension and new porch following demolition of existing sun room</p>
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	<p>Application Number: S6/2014/2447/LUP Decision: Granted Decision Date: 10 December 2014 Proposal: Certificate of lawfulness for the proposed erection of a single storey side and two storey rear extension</p> <p>Application Number: S6/2015/0331/FP Decision: Granted Decision Date: 15 April 2015 Proposal: Erection of single storey front extension</p> <p>Application Number: 6/2017/0430/LAWE Decision: Refused Decision Date: 17 May 2017 Proposal: Certificate of lawfulness for existing outbuilding to be ancillary to the existing dwelling</p> <p>Application Number: 6/2018/2084/HOUSE Decision: Granted Decision Date: 05 October 2018 Proposal: Retrospective erection of garden store</p> <p>Application Number: 6/2018/3158/HOUSE Decision: Granted Decision Date: 18 February 2019 Proposal: Erection of boundary fence, laurel hedge, brick piers and double gates following the removal of existing fence and entrance gates</p> <p>Application Number: 6/2019/0629/HOUSE Decision: Refused Decision Date: 10 May 2019 Proposal: Erection of boundary fence, hedge, brick piers and gates following the removal of existing fence and entrance gates</p> <p>Application Number: 6/2023/0677/FULL Decision: Granted Decision Date: 23 June 2023 Proposal: Erection of a dwellinghouse</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	<p>Site Notice Display Date: 24 April 2024 Site Notice Expiry Date: 16 May 2024 Neighbour consultation letters.</p>		
Summary of neighbour responses	None received.		
Consultees and responses	<p>Natural England – Objection Herts & Middlesex Bat Group – No response</p>		

	<p>Herts & Middlesex Wildlife Trust – No response</p> <p>Northaw & Cuffley Parish Council – No response</p> <p>HCC - Hertfordshire Transport Programmes & Strategy – No objection</p> <p>Hertfordshire Ecology – No objection</p> <p>WHBC - Public Health and Protection – No objection</p>
Relevant Policies and Guidance	
National Planning Policy Framework	
<p>The Welwyn Hatfield Borough Council Local Plan 2016-2036:</p> <ul style="list-style-type: none"> • SP1 Delivering Sustainable Development • SP3 Settlement Strategy and Green Belt Boundaries • SADM1 Windfall Development • SP4 Transport and Travel • SADM2 Highway Network and Safety • SADM3 Sustainable Travel for All • SP9 Place-making and High-Quality Design • SADM11 Amenity and Layout • SADM12 Parking, Servicing and Refuse • SP10 Sustainable Design and Construction • SADM13 Sustainability Requirements • SADM14 Flood Risk and Surface Water Management • SADM16 Ecology and Landscape • SADM34 Development in the Green Belt <p>Northaw and Cuffley Neighbourhood Plan 2022-2036:</p> <ul style="list-style-type: none"> • D1 Residential Design and Amenity • D2 Local Character • T2 Walking and Cycling <p>Planning Guidance:</p> <ul style="list-style-type: none"> • Supplementary Design Guidance 2005 • Supplementary Planning Guidance Parking Standards 2004 • Interim Policy for Car Parking Standards and Garage Sizes 2014 • Planning Practice Guidance • National Design Guide <p>Others:</p> <ul style="list-style-type: none"> • Hertfordshire Waste Development Framework 2012 • Hertfordshire’s Local Transport Plan (2018 – 2031) 2018 • Manual for Streets 	
Main Issues	
Principle of development	<p>Local Plan Policies SP1 and SP3 outline the spatial strategy for the distribution of housing development within the Borough, with development largely focussed on the towns of Welwyn Garden City and Hatfield.</p> <p>Policy SP1 states that development will be permitted where it can be demonstrated that the principles of sustainable development are satisfied. Of particular note is that the location of new development should be delivered in a sustainable pattern of development which prioritises previously developed land; minimises the need to travel by directing growth to those areas with good</p>

transport networks which are well served by jobs, services and facilities; protects areas of highest environmental value; and avoids areas of high flood risk.

The site has not been allocated for additional housing supply and therefore comes forwards as a windfall residential site where Local Plan Policy SADM1 applies. This policy states that all applications for windfall residential development will be granted provided the following criteria is met:

- i. The site is previously developed or is a small infill site within a town or excluded village. In the Green Belt, Policy SADM34 will apply;
- ii. The development will be accessible to a range of services and facilities by transport modes other than the car;
- iii. There will be sufficient infrastructure capacity, either existing or proposed, to support the proposed level of development;
- iv. Proposals would not undermine the delivery of allocated sites or the overall strategy of the plan; and
- v. Proposals would not result in disproportionate growth taking into account the position of a settlement within the settlement hierarchy.

In terms of criteria i) of SADM1, the site is a small infill site within a Green Belt village where Policy SADM34 will apply (discussed below).

As previously identified, the application site is located outside of but close to the edge of the specified settlement of Cuffley. A variety of facilities, shops and services are available in Cuffley, notably on Station Road, which is approximately 1.3 miles from the application site. The Cuffley railway station is located approximately 1.5 miles from the site and the closest bus stop is located approximately 0.5 miles from the site on The Ridgeway. Whilst there are some pedestrian walkways between the site and Cuffley, street lighting is infrequent and the journeys would involve some roads (including Carbone Hill itself) without a footpath. It is considered these routes are less likely to be used by pedestrians. This would be particularly the case for those with limited mobility, parents with young children or at night, or in inclement weather. It is however acknowledged that cycling could be an option for some residents. Paragraph 109 of the NPPF acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account. Given the distances involved and the limited bus services from these stops, it is still considered highly likely that future occupiers would be primarily reliant on the use of a car to access day to day facilities and services. Despite this, journeys to reach services from the site would be fairly short, which would help minimise the environmental impact of travel by private vehicle. The number of journeys is also likely to be limited given the small scale of the proposal, and there is no evidence that there would be unacceptable harm to highway safety or convenience. These factors would moderate the adverse effects of the proposal. It is also recognised that the NPPF comments that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Despite this, the likely degree of reliance on private vehicles would be contrary to the NPPF insofar as it highlights accessible services to meet needs as a key aspect of sustainable development; and advocates identifying and pursuing

	<p>opportunities to promote walking, cycling and public transport, actively managing patterns of growth to support this objective. The development would therefore not be in a suitable location having regard to the accessibility of services and facilities. Consequently, the proposals would conflict with criteria ii) of SADM1.</p> <p>The application site is located within an existing residential area and due to the size of the proposal, there is no evidence that existing infrastructure does not have the capacity to absorb the development. The proposed development also has the potential to support and provide demand (albeit limited) for nearby services and facilities. The proposal is therefore considered to meet criteria iii) of Policy SADM1.</p> <p>The proposal would not undermine the delivery of allocated sites or the overall strategy of the Local Plan; and due to the number of proposed dwellings it would not result in disproportionate growth, taking into account the position of a settlement within the settlement hierarchy, in accordance with criteria iv) and v) of Policy SADM1.</p> <p>Overall, there is considered to be a degree of conflict with Local and National Policies, which is consistent with the conclusions of the previous application at the site. These issues are given further consideration later in this report.</p>
<p>Green Belt</p>	<p>The application seeks to subdivide the existing plot to create an additional detached dwelling. The site is located within the Metropolitan Green Belt as defined by Local Plan Policy SP3. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The National Planning Policy Framework (NPPF), states, in Paragraph 152 that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 then states that substantial weight should be given to any harm in the Green Belt and that “very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.</p> <p><i>Appropriateness</i></p> <p>The construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a number of exceptions as set out in Paragraph 154 of the NPPF. In this case, the applicant has set out that the development can be considered against the exception set out in paragraph 154 e) of the NPPF (limited infilling in villages).</p> <p>In terms of exception e) of Paragraph 154, limited infilling is not defined in the NPPF. However, infilling can be considered as the filling of a defined and limited gap between buildings in an otherwise built up frontage. Case law has also established that it is a matter of planning judgement for the decision maker. Policy SADM34 of the Local Plan states that limited infill development in villages will be permitted provided that:</p> <ul style="list-style-type: none"> i. It is within a continuous built up frontage; ii. It does not extend the existing built up area into the open countryside; iii. It would result in the loss of a view or vista which makes a significant contribution to the character of the settlement; and

	<p>iv. It is small scale and would not result in the provision of more than 4 dwellings.</p> <p>The policy indicates that all of the relevant criteria must be complied with in order for a development to be classed as acceptable.</p> <p>It is noted that the application site has been identified by officers in the previous approval at the site (6/2023/0677/FULL) as falling within a Green Belt village for planning policy purposes due to its physical and functional connection to Cuffley which is identified as a Large Green Belt Village in the Local Plan.</p> <p>In terms of whether the development can be considered an ‘infill development’, in the case of the application site, the proposal would result in the provision of one dwelling sited in a gap between the existing residential properties at Nos. 14 and 8 Carbone Hill, both of which front the highway on the southern part of Carbone Hill and form part of a group of dwellings. There is also a consistent row of other dwellings to the north that are in close proximity of the site. Therefore, similar to the previous approval (ref: 6/2023/0677/FULL) the development could be considered to be situated within a continuous built-up frontage and would not extend the built-up area, in compliance with criteria (i) and (ii) of Policy SADM34. Furthermore, the proposal would continue to be wholly situated within the established boundaries of the existing residential plot and be set away from the front and rear of the site behind landscape buffers. Therefore the positioning of the proposed dwellings would not result in the loss of important views or vistas that contribution significantly to the character of the settlement, therefore complying with criteria (iii). Finally, whilst the amount of built form being proposed is not insubstantial, one additional dwelling is being proposed in the current application which can be accommodated at the application site without appearing cramped due to the large size of the plot. The development is therefore considered to be small scale and would not create more than 4 dwellings, as defined by (iv) of Policy SADM34.</p> <p>Taking account of the above, the proposal would be limited infilling in a village and would therefore be appropriate development in the Green Belt in accordance with Paragraph 154 of the NPPF and SADM34 of the Local Plan. As it is considered to be appropriate development in the Green Belt, an assessment of Green Belt openness and the purposes of including land within it is not required. This position is supported by caselaw.</p>
<p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</p>	<p>Paragraph 131 of the National Planning Policy Framework (NPPF) 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.</p> <p>Local Plan Policy SP1 states the need to deliver sustainable development whilst ensuring development is built to high design standards reflecting local character. Policy SP9 emphasises this need to deliver a high-quality design that fosters a positive sense of place, responding to the character and context of the surrounding area. Correspondingly, Policy SADM11 states that all proposals will be required to create and protect a good standard of amenity for buildings and external open space.</p> <p>In terms of the character of the area, paragraph 2.4 of the SDG outlines,</p>

amongst other things, that new development should:

- Respond to building forms and patterns of existing buildings in the detailed layout and design to reinforce a sense of place;
- Use local materials and building methods/details to enhance local distinctiveness; and
- Ensure that the scale, height, massing, and space around the new development in relation to the adjoining buildings is considered

Policy D1 of the Northaw and Cuffley Neighbourhood Plan regards residential design and amenity with Policy D2 referring to the local character. Appendix 2 provides further guidance in support of policies D1 and D2, with extracts from previous local character assessments that should be used to inform all development proposals. Of particular note, Appendix 2 sets out that “the use of a repeating type of dwelling along the entirety of the street should be avoided (to create variety and interest in the streetscape).”

It is acknowledged that the site is located within a well-established ribbon of development, which is characterised by large residential properties set within substantial plots of land.

In this case, the proposal seeks to subdivide the site to create a new detached dwelling. The submitted plan indicates that the dwelling would measure, at its largest points, approximately 20.5m in width, 15m in depth, 9.85m to the ridgeline. The proposed detached double garage will measure 6.6m in width, 6.6m in depth and 5.2m in overall height. The proposed dwelling would be considerable in size and scale however it would retain a setback of around 18.5m from the highway edge which would be broadly in line with the front building line of the row of properties along the southern side of Carbone Hill (including the existing donor building). In addition, the height of the new two storey dwelling would be keeping with the height of its neighbouring properties. There would also be a sufficient amount of amenity space remaining for both the application site and the host dwelling along with generous gaps retained to the shared boundaries of the adjoining neighbours. Moreover, given that the majority of the existing mature boundary landscaping to the front will be retained and the proposal continues to propose additional planting, this would assist in partially screening the development from the street. As such the scale of the proposed dwelling would be consistent with the other dwellings within the surrounding area. In terms of the proposed double garage, this would appear as a modest and subservient structure and would not appear out of place within the plot. Consequently, the size and layout of the proposed dwelling in this specific location would not appear cramped or overdeveloped within their respective plots nor appear unduly prominent from the street scene to warrant a refusal of the application.

In terms of the detailed design of the development, it is acknowledged that there is variety of materials and architectural detailing within the street scene as such there would be same flexibility in the design and appearance of the proposals. The proposed dwelling would feature a crown roof form and prominent gable end projections to the front and rear along with the use light render, red brickwork and clay tiles in the construction of the building which would give a semi-rural and traditional appearance that would not be out of keeping with the other properties found in the area. The proposed new dwelling would therefore be sympathetic to the visual amenity of the area and have a neutral impact upon views across the landscape character area.

	<p>Subject to the submission of sample materials which can be secure via planning condition, no concerns are raised to the design and appearance of the development.</p> <p>Policy D1 (j) of the NCPC Neighbourhood Plan states security fences and gates will not be supported with paragraph 3.13 explaining that such features can be designed in a manner that undermines the character and appearance of Cuffley. In this case, the proposed site plan indicates the location of the proposed front boundary treatment. Further details of the front boundary treatment can be secured by condition to ensure that such features would not undermine the character and appearance of the area.</p> <p>Overall, it is considered that the proposal is in accordance with Policies SP1, SP9 and SADM16 of the Welwyn Hatfield Borough Local Plan, Supplementary Design Guidance, Northaw and Cuffley Neighbourhood Plan and the National Planning Policy Framework.</p>
<p>Impact on neighbours</p>	<p>The NPPF is clear that planning should be a means of finding ways to enhance and improve the places in which people live their lives. This means that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policies SP9, SADM11 and SADM18 of the Local Plan seek to ensure that no new development would adversely affect the existing area either in terms of any built form or in terms of the operation of any uses from noise and vibration pollution.</p> <p><i>Neighbour amenity</i></p> <p>In this case, no neighbour representations have been received. The property most likely to be affected by the proposed development is the neighbour that directly adjoins to the east of the site at No. 14 Carbone Hill. The other adjoining neighbours would be sufficiently separated from the proposed development to avoid any detrimental harm arising from loss of light, outlook and privacy.</p> <p>With respect to the impact upon No. 14, it is considered that the size, scale, siting and design of the development would not adversely affect their amenity in terms of light and outlook. The proposed dwelling would be sited broadly to the centre of the plot which would leave sufficient gaps from the common boundaries. Although there would be first floor windows being position on the flank elevations, these will be approximately 9m from the shared boundary with No. 14 and around 16.5m from their dwelling. At this distance, it is not considered that there would be any detrimental overlooking, particularly given the intervening mature trees and vegetation at the common boundary. As such the amenity of the occupiers of No. 14 would be maintained to a satisfactory level.</p> <p>The proposal would also involve the sub-division and delineation of the existing plot therefore the impact upon the amenity for the occupiers of the donor building also needs to be assessed. In this case, the proposed dwelling would be set back behind the front building line of No. 8 (The Warren) and there will be a separation distance of approximately 13.5m between the dwellings. Furthermore, vegetation is proposed which would assist in softening the views of the development. The proposal would therefore not result in any detrimental loss of light and outlook. In addition, due to the separation distance</p>

involved and the proposed vegetation at the common boundary, views of the development would be partially obscured. Further details of suitable soft and hard boundary treatments can be secured through planning condition in the event of an approval to ensure the privacy of the neighbours is maintained.

For these reasons, the proposal is considered acceptable in terms of impact upon neighbour amenity and is therefore in accordance with Policy SADM11 of the Welwyn Hatfield Borough Local Plan, the Welwyn Hatfield Supplementary Design Guidance, the Northaw and Cuffley Neighbourhood Plan and the National Planning Policy Framework.

Noise and disturbance

In terms of noise impacts, the proposal is for a single new dwelling therefore it would not be significantly different in terms of noise and disturbance from the activities of the future occupants over that of the previous approval or the existing situation. The Council's Public Health and Protection Team have raised no concerns but has recommended a construction noise condition. Whilst it is generally accepted that most forms of development will result in some noise, particularly during the construction phase. However, this is usually for a relatively short period of time which does not cause an unacceptable or long-term impact on the living conditions of neighbouring occupiers. In this case it is proposed that details in relation to construction activities (including the timings) would need to be submitted as part of the proposed construction management condition. Due to the relatively small scale of the development, together with the temporary nature of the noise impact, it is not considered to be appropriate or reasonable to restrict the hours of construction beyond that control through Environmental Health Legislation by imposing a separate planning condition and information can instead be added as an informative if permission is granted.

Living Conditions of Future Occupiers

Policy SADM11 of the Local Plan, requires as a minimum, for all proposals for C3 dwellings to meet the Nationally Described Space Standard (NDSS), unless it can be robustly demonstrated that this would not be feasible or viable. The Standards outline the minimum requirements for floor space and storage for new dwellings. The Northaw and Cuffley Parish Neighbourhood Plan Appendix 2 advises dwellings should have generously proportioned front and rear gardens.

The floorspace is shown to exceed the size requirements as stipulated in the Nationally Described Technical Housing Standards document for the size of dwellings proposed. The bedroom sizes would also exceed the standards in the national documents. Furthermore, the development would provide suitable views/outlook and natural light for the future occupiers from the front, side and rear facing windows/openings. The private amenity space proposed would also be adequate for this size of property whilst retaining considerably sized garden spaces for the host dwelling (The Warren). Overall, the internal and external space for the proposed dwelling would result in satisfactory living accommodation for the future occupants.

Having regard to the above, it is considered that the proposed development would provide acceptable living conditions for future occupiers and maintain, to an acceptable standard, the living conditions of the neighbouring occupiers in

	<p>accordance with Policy SADM11, the SDG, Northaw and Cuffley Neighbourhood Plan and the NPPF.</p>
<p>Access, car parking and highway considerations</p>	<p>In terms of parking, Paragraph 111 of the NPPF states that if setting local parking standards, policies should take into account the accessibility of the development, the type, mix and use of the development, 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 Parking Standards Supplementary Planning Guidance (SPG) use maximum standards and are not consistent with the NPPF and are therefore afforded less weight. In light of the above, the Council have produced an interim Policy for Car Parking Standards that states that parking provision will be assessed on a case-by-case basis and the existing maximum parking standards within the SPG should be taken as guidance only. This means that higher or lower car parking standards than those set out in the SPG can be proposed and determined on a case-by-case basis taking into account the relevant circumstances of the proposal, its size context and its wider surroundings.</p> <p>Policy 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.</p> <p>Policy SADM12 of the Local Plan states that the type and quantum of vehicle and cycle parking provided within development proposals will be informed by the standards set out in the Council's parking standards taking account of:</p> <ul style="list-style-type: none"> a) The site's location and accessibility to public transport, services and facilities; b) The nature and degree of parking demand likely to be associated with the development and opportunities for shared parking; and c) The need to promote more sustainable forms of travel within the borough. <p>In this case, the proposal seeks to erect a new 5-bed dwelling at the site. The Council's car parking standards (now treated as guidelines) requires a dwelling with four or more bedrooms to have on-site provision for three cars. The proposed driveway and double garage would be sufficient to accommodate this level of provision.</p> <p>With respect to bicycle parking, this should be proposed at a level of 1 cycle per dwelling. Policy T2 of the NCPC Neighbourhood Plan also states secure cycle parking should be provided with new residential developments. The submitted plans does not show the provision of secure bicycle parking. However the proposed double garage would provide a safe location to store bicycles, and access to the side and rear of the site would also allow for bicycle storage elsewhere within the site. As such no concern are raised in this regard.</p> <p>In terms of highway safety, the County Highways Officer has been consulted</p>

	<p>on the application and in their comments no objections have been raised with regards to the proposed access arrangements or visibility splays to the proposed new dwelling.</p> <p>With respect to the proposed driveway, Policy D1 (f) the NCPC Neighbourhood Plan states vehicular areas should be surfaced with permeable paving. Further details could be secured by a Landscaping condition in the event of an approval.</p> <p>Furthermore, similar to the previous application at the site, a Construction Management Plan would be required prior to the commencement of development to ensure there would be adequate parking available onsite during the construction phase given that Carbone Hill is not a suitable highway for contractor parking.</p> <p>As a consequence of the above, there is no objection to the proposal on highway safety grounds.</p>
<p>Landscaping Issues</p>	<p>Policy SADM16 of the Local Plan sets out that proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition. Furthermore, Policy SP9 notes that proposals should make space for nature, to enable the movement of wildlife through the development, and protect and improve the connectivity of habitats at the wider landscape scale. Policy SP10 additionally states that new and existing habitat and landscaping should be incorporated into the layout and design of proposals. Landscaping can protect and enhance the visual character of the area and reduce the visual and environmental impacts of developments.</p> <p>The submitted tree report by GHA Trees dated 25 March 2024 states that the proposal requires the removal of a section of G6 (mixed scrub of holly, laurel, hazel, sweet chestnut, hornbeam and yew) and all of G25 purple leaf plum, fig, cypress and mixed shrubs). The Landscapes Department advises that all the above are classed as C category trees (low quality) and are therefore not considered a constraint for development for this instance. The loss of these trees could therefore be mitigated through a robust landscape scheme with tree planting. Furthermore, it was advised that the Arboricultural information submitted with this application is in accordance with BS:5837:2012 and the tree protection methods are considered sufficient to protect the retained trees through the development. It was recommended that the development fully adheres to the tree protection measures outlined in the submitted Arboricultural information - This can be secured by condition in the event of an approval.</p> <p>Although a new access point will be created by the proposals, the proposals seek to retain the majority of the front boundary trees and hedges. Subject to further landscaping details being secured via condition, the predominant open landscaped character of the street scene would be maintained to a suitable level.</p>
<p>Any other considerations</p>	<p><i>Landscape Character Area</i></p> <p>The application site is located within Landscape Character Areas Northaw Great Wood and Northaw Common Parkland. The objectives in these areas are safeguard, manage, conserve and strengthen. In this instance, due to the</p>

scale of the development within an existing residential plot amongst other dwellings on both sides of the road, there would be no adverse impacts on the Landscape Character Area.

Ecology

Policy SADM16 of the Local Plan states that proposals will be expected to maintain, protect, conserve and enhance biodiversity. This approach is consistent with the NPPF. The Policy also states that all developments that are not otherwise exempt will be required to deliver a measurable biodiversity net gain of at least 10%. Paragraph 12.54 of the Local Plan sets out that the BNG policy requirement for 10% will apply to Small Sites (1 to 9 dwellings) starting from April 2024. However, the mandatory 10% BNG requirement for small sites only applies to applications received from the 2nd of April 2024 due to the transitional arrangements in place. Therefore it is not applicable to this application. Despite this, Policy SADM16 requires proposals to maintain, protect, conserve and enhance biodiversity.

It is noted that the application site is situated amongst Northaw Great Wood SSSI, and other areas of woodland, one of which is Home Wood (Cuffley) LWS. This significantly increases the likelihood that bats will be in the area and looking for roosting opportunities.

Hertfordshire Ecology were consulted and no objections was raised to the scheme in terms of impact upon wildlife and protected species. It was stated that the building proposed for demolition was deemed to have negligible suitability for bats and this view is not disputed. Whilst the area is highly important for bats, due to the lack of potential roosting features and overall condition of the building to be removed, no concerns are raised with regards to impact upon bats.

Herts Ecology requested that, due to the highly sensitive area of the site, ecological enhancement in the form of at least two bat boxes integrated within the fabric of the new building is provided. Subject to appropriately worded conditions to for further details, there is not considered to be any conflict with the aforementioned policies and the development will demonstrate biodiversity net gains.

Northaw Great Wood SSSI

It is noted that Natural England has raised concerns to the potential impact to Northaw Great Wood SSSI from dust and particulate matter during the construction stages of the scheme, and it was requested that further information on the dust management within a Construction Environment Management Plan (CEMP) be submitted prior to the grant of planning permission due to the sensitivity of the SSSI to air quality changes.

However, similar to the previous 2023 approval, the application site would be located approximately 52m from the Northaw Great Wood SSSI. The advice note from Natural England states that there should be buffer zone of at least 15m between development and the SSSI. As such, in this instance, the distance from the SSSI would ensure the impact of the development is adequately buffered. Furthermore, no objections were raised by the council's ecological advisors on the matter. It is therefore not considered justifiable to withhold planning permission on this basis. It is however considered

	<p>reasonable and appropriate to impose a condition requiring the submission of a Construction Environment Management Plan (CEMP) prior to the commencement of works in the event of an approval to ensure measures are in place during construction to minimise the impact upon the SSSI.</p> <p><i>Refuse and Recycling</i></p> <p>Policy SADM12 states that appropriate provision of service areas and refuse storage and collection areas should be made according to the nature of the development.</p> <p>In this case, the property could be incorporated on the existing ARRC scheme and there would be sufficient space within the curtilage of the new dwelling for the storage of refuse and recycling bins which may be conveyed to the front of the curtilage on collection day. No concerns are therefore raised in this regard.</p> <p><i>Sustainable design and construction</i></p> <p>The NPPF is clear that sustainable development is integral in determining planning applications. Policy SP10 of the Local Plan requires proposals to adopt sustainable design and construction principles through the design of buildings, materials and waste, water sensitive design, energy and climate change and landscape and biodiversity.</p> <p>In terms of energy and climate change, this includes the layout and design of the site and building to reflect the energy hierarchy to maximise opportunities to reduce carbon emissions; the use of renewable and low carbon energy infrastructure is used; and proposals are responsive to how the climate will change over their lifetime and minimise their contribution to the urban heat island effect.</p> <p>Further to this, Policy SADM13 of the Local Plan states all newly constructed dwellings will be required to achieve an estimated water consumption of no more than 110 litres/person/day, with water reuse and recycling and rainwater harvesting incorporated wherever feasible to reduce demand on mains water supply. It is also recommended that new dwellings deliver some of their energy requirements from decentralised and renewable or low-carbon sources.</p> <p>No details have been submitted to demonstrate compliance with above policies. It is therefore appropriate to impose a condition requiring an energy statement to be submitted to and approved in writing by the Local Planning Authority. The statement must set out how the development will maximise energy conservation, incorporate measures to generate renewable energy and measures for long term water efficiency.</p>
Planning Balance	<p>Policy SP1 of the Local Plan requires that proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they accord with the objectives and policies of the Development Plan. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF outlines, in its introduction, three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. Of particular relevance to this application is an economic role, among others, to ensure land is available in the right places to support growth; a social role to support strong, vibrant and healthy communities by providing</p>

the supply of housing required to meet the needs of present and future generations; as well as an environmental role which includes protecting and enhancing the environment.

The NPPF does not require development to jointly and simultaneously achieve planning gain in each of the three considerations. It is sufficient for all three to be considered and for a balance between benefit and adverse effects to be achieved across those three areas.

Paragraph 11 of the NPPF outlines that decisions should apply a presumption in favour of sustainable development, and, for decision-taking, this means (paragraph 11c) approving development proposals that accord with an up-to-date development plan without delay.

Taken together, paragraph 11(d) and footnote 8 of the NPPF set out the circumstances in which housing delivery should be considered as a material consideration when dealing with applications.

The Welwyn Hatfield Local Plan was adopted in October 2023 and is less than five years old. The adopted plan identified at least a five-year supply of specific, deliverable sites at the time that its examination concluded. Therefore, in accordance with paragraph 79 of the NPPF, the Council is not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes.

However, the latest Government published Housing Delivery Test data (December 2023) which related to the period running from 1st April 2019 to 31st March 2022 showed that Welwyn Hatfield delivered 57% of homes against its target, falling below the 75% threshold. Therefore, in accordance with footnote 8, the 'tilted balance' set out in paragraph 11(d) of the NPPF is in effect in this instance. Therefore, planning permission should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".

In terms of the adverse impacts arising from the scheme, the site has been identified as being in an unsustainable location as there is no direct footpath between the application site and the shops and services within Cuffley, which would limit the accessibility to facilities and services by pedestrians. It is accepted that cycling could be an option for some, however the location of the site would result in a degree of reliance on private vehicles, contrary to Policy SP1 and the NPPF. However extant planning permission exists at the wider site which also results in the creation of a new dwelling in this location. Therefore the principle of residential development at this site was found to be acceptable. Accordingly, only limited weight is attributed to this harm.

As for the benefits of the proposal, the proposal would provide a social benefit through the delivery of an additional dwelling in the Borough where a shortfall in housing has been identified. There would also be an economic benefit during the construction and landscaping phase by creating employment opportunities on site and indirectly supporting business through the supply chain. However, the economic benefits in terms of construction would be short-term and therefore limited. Local business would derive some long term economic benefit from the future occupiers spending on goods and services

	<p>but this would also be limited in scale. These considerations together have modest weight in favour of the proposal.</p> <p>Having regard to all the above, a realistic approach is necessary where sites are in rural areas and where residents are generally more likely to be reliant upon private transport to travel to work, shops or services. The provision of an additional dwelling in an area where there is a lack of identified housing supply and the further limited economic and social benefits associated with the development, are considered to outweigh the harms that have been identified. It is therefore considered that the adverse impacts identified would not significantly and demonstrably outweigh the benefits, when assessed against the policies in this NPPF taken as a whole.</p>
<p>Conclusion</p>	
<p>Overall, subject to the suggested conditions, the proposed development would be in accordance with the relevant policies of the Welwyn Hatfield Borough Council Local Plan; Northaw and Cuffley Neighbourhood Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.</p>	

Conditions:

1. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The development shall only be carried out in accordance with the approved Construction Management Plan. The Construction Management Plan shall include details of:

- a) Construction vehicle numbers, type, routing;
- b) Access arrangements to the site;
- c) Traffic management requirements
- d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e) Siting and details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public highway;
- g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h) Provision of sufficient on-site parking prior to commencement of construction activities;
- i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j) Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements; and
- k) Phasing Plan.

REASON: To protect highway safety and the amenity of other users of the public highway and rights of way; to protect the living conditions of neighbouring properties, in accordance with Hertfordshire's Local Transport Plan; the Welwyn Hatfield Borough Council Local Plan; and the National Planning Policy Framework

2. No development shall take place until a Construction Environment Management Plan detailing measures to control dust deposition, pollution/spillage, noise, vibration or lighting pollution during construction to avoid potential indirect impacts on adjacent trees and associated habitats during construction shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the construction of the development shall only be carried out in accordance with the approved plan.

REASON: To protect protected species from construction in accordance with Policy SADM16 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

3. No development above ground level in any phase of the development shall take place until full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

The landscaping details to be submitted shall include:

- (a) hard surfacing, other hard landscape features and materials
- (b) means of enclosure and boundary treatments, including any brick piers, gates and/or railings
- (c) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing

REASON: The landscaping of this site is required in the interest of protecting the openness of the Green Belt, maintaining the character and amenity of the area, to provide ecological, environmental and biodiversity benefits, and to mitigate the impacts of climate change in accordance with the Welwyn Hatfield Borough Council Local Plan; the Northaw and Cuffley Neighbourhood Plan; and the National Planning Policy Framework.

4. No development above ground level in any phase of the development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

5. No development above ground level shall take place until full details of energy-efficient construction materials and processes, including measures for long term energy and water efficient use of the building, have been submitted to and approved in writing by the Local Planning Authority. These measures must promote the use of renewable resources and involve sustainable drainage, heating and power systems. The development shall not be carried out other than in accordance with the approved details.

REASON: To ensure that the development contributes towards sustainable development and energy efficiency in the interest of mitigating the impacts of climate change in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

6. No development above ground level shall take place until full details of a scheme for the installation of integrated bat boxes has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development must not be carried out other than in accordance with the approved scheme.

REASON: To make appropriate provision for natural habitat within the approved development in accordance with Policy SADM16 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

7. The development hereby approved shall be carried out in strict accordance with the submitted Arboricultural Method Statement and the Tree Protection Plan by GHA Trees Arboricultural Consultancy.

REASON: To protect the existing trees in the interest of visual amenity in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

8. The development must not be carried out other than in accordance with the approved landscaping details and all landscaping must be carried out in the first planting and seeding seasons following the occupation of any part of the development, or the completion of the development, or in agreed phases, whichever is the sooner. Any plants which within a period of five years from planting 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: To ensure implementation of the approved landscaping details in the interest of maintaining the character and amenity of the area, to provide ecological, environmental and biodiversity benefits, and to mitigate the impacts of climate change in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

9. Prior to the first occupation of the development hereby permitted, the proposed on-site car parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter and made available for that specific use.

REASON: To ensure the permanent availability of the parking and manoeuvring area, in the interests of highway safety in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

DRAWING NUMBERS

10. 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
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21-J3888-400	Existing Garage Plans and Elevations	2 April 2024
21-J3888-201	Proposed Garage Elevations	2 April 2024
21-J3888-200	Proposed Elevations	2 April 2024
21-J3888-100	Proposed Floor Plans	2 April 2024
21-J3888-010	Proposed Site Plan	2 April 2024
21-J3888-001	Location Plan	2 April 2024
	Arboricultural Impact Assessment	3 April 2024
	Tree Protection Plan	3 April 2024
E	Tree Survey Constraints Plan	3 April 2024

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. 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 or legal interest (easements or wayleaves) which may affect the land.
2. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
3. 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.
4. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their

original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.

5. 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

6. Storage of materials: 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-developerinformation/business-licences/business-licences.aspx> or by telephoning 0300 1234047

7. Obstruction of highway: 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-developerinformation/business-licences/business-licences.aspx>

licences.aspx or by telephoning 0300 1234047.

8. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
9. 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/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
10. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:
8.00am and 6.00pm on Mondays to Fridays
8.00am and 1.00pm Saturdays
and at no time on Sundays and Bank Holidays
The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
11.
 1. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of :

8.00am and 6.00pm on Mondays to Fridays
8.00am and 1.00pm Saturdays
and at no time on Sundays and Bank Holidays
 2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
 3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions.
 4. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.

5. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.

6. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.

7. Any pile driving shall be carried out by a recognised noise reducing system.

8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material.

9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.

10. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any subcontractors.

11. Any emergency deviation from these conditions shall be notified to the Council without delay.

12. Dust control

1. All efforts shall be made to reduce dust generation to a minimum.

2. Stock piles of materials for use on the site or disposal that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.

Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles

Determined By:

Mr Ganesh Gnanamoorthy
26 June 2024