

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

DELEGATED APPLICATION

Application No: 6/2022/2321/HOUSE
Location: 106 Eddington Crescent Welwyn Garden City AL7 4SQ
Proposal: Retention of open pergola, covered area, driveway timber gates
Officer: Ms Ashley Ransome

Recommendation: Granted

6/2022/2321/HOUSE

Context			
Site and Application description	<p>The application site comprises a two-storey semi-detached property located to the south/eastern side of Eddington Crescent.</p> <p>The applicant seeks retrospective planning permission for the erection of an open pergola, covered area and driveway timber gates.</p>		
Constraints (as defined within WHDP 2005)	<p>Wards - Hollybush - Distance: 0 HPGU - Hatfield Woodhall - Distance: 0</p>		
Relevant planning history			
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	<p>Site Notice Display Date: 12 October 2022 Site Notice Expiry Date: 2 November 2022 Neighbour Letters</p>		
Summary of neighbour responses	No neighbour representations received.		
Consultees and responses	The Gardens Trust - On the basis of the information in this application, we do not wish to comment.		
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			
<p><u>Draft Local Plan Proposed Submission August 2016:</u> SP1- Delivering Sustainable Development SP9- Place Making and High Quality Design SADM11- Amenity and Layout SADM12- Parking, Servicing and Refuse</p>			

Main Issues
Is the development within a conservation area?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Would the significance of the designated heritage asset be preserved or enhanced?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Comment (if applicable):
Would the development reflect the character of the area?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment (if applicable): District Plan Policies D1 and D2 aim to ensure a high quality of design and to ensure that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. Policy GBSP2 requires proposals to be compatible with the maintenance and enhancement of the character of the 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. The application seeks retrospective permission for the erection of wooden gates to the front of the driveway which reach a height of approximately 2 metres. These replace the existing metal gates which measured approximately 1.2 metres in height. The boundary fence has also moved to the eastern side of the driveway to incorporate the existing driveway and garage into the garden. Permission is required for this since permitted development rights have been removed on this site through the granting of permission on application reference C6/1988/0482/OP. Whilst it is acknowledged that the gates that are now in place at the site are taller than what previously existed, and together with the repositioning of the fence, there is a greater sense of enclosure of the site, it is however considered that this element of the development is acceptable. This is because the gates are no higher than the existing boundary wall to the north of the site, and there are examples within the surrounding street scene of enclosures. Turning to the proposed open roof pergola and covered area, this also requires planning permission due to the removal of permitted development rights. Whilst this has been erected along the boundary with the adjoining neighbour at No.104, due to the open nature of the proposal it is considered to be of an acceptable size, scale and design. It is therefore considered that the development would not detrimentally detract from the application dwelling or wider area, and is in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.
Would the development reflect the character of the dwelling?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Comment (if applicable): See above.
Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Comment (if applicable): It is considered that the development that has been erected at the site does not have a significant impact on the residential amenity of the surrounding neighbouring properties. This is due to the appropriate height of the gates, fence and pergola/covered area. The development is considered acceptable in terms of its impact upon neighbour amenity and is in accordance with Policy D1 of the Welwyn Hatfield District Plan, Policy SADM11 of the Welwyn

Hatfield Draft Local Plan 2016, the Welwyn Hatfield Supplementary Design Guidance 2005 and the National Planning Policy Framework 2021.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

The parking arrangements at the site remain as existing which includes a driveway and garage, with no additional bedrooms created.

Conclusion

The development is considered to be in accordance with the aims and objectives of the policies set out within the Welwyn Hatfield District Plan 2005, the Emerging Local Plan 2016, the adopted Supplementary Design Guidance and the National Planning Policy Framework 2021. It is therefore recommended that planning permission is granted.

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
5619-OS1		Site Location Plan	5 October 2022
5619-OS2		Block Plan	5 October 2022
5619-P01		Proposed Plans and Elevations	5 October 2022
5619-E01		Existing Plans and Elevations	5 October 2022

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

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. 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

Determined By:

Mr Derek Lawrence
29 November 2022