

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2009/2661/FP
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NOTATION:

The site lies within the Green Belt and Landscape Character Area as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The site is located on the eastern side of Coopers Lane, to the southwest of the main village of Northaw. The site lies to the south of the main vehicular entrance point, with its western boundary abutting Coopers Lane, its eastern boundary is adjacent to a walled former kitchen garden and the southern boundary abuts open land. There are a number of mature Oak and Horse Chestnut trees within the site. A number of these are the subject of a Tree Preservation Order (TPO 263 confirmed on 16 December 2002).

The site was formerly part of the Northaw House Country Estate. The principal building, Northaw House, is Grade II listed and has been used as an office since the early 1970's, primarily occupied by the Architects' Co-Partnership. Prior to the office use the site has indication of use as an institution or hospital. Northaw House is situated in a parkland setting, directly to the east of the subject proposal with associated ancillary buildings (gardeners cottage, stables and apple store) walled kitchen garden and associated land. .

DESCRIPTION OF PROPOSAL:

The proposal seeks full planning permission for the provision of a below ground garage to the front of the dwellinghouse and sited at the 'end' of the driveway. The dwellinghouse is almost completed with final finishing details being provided, as well as the final landscaping and associated works, as approved under condition.

PLANNING HISTORY:

S6/2003/0547/FP Replacement dwelling - Withdrawn

S6/2003/1130/FP - Erection of a replacement dwelling of a floor space greater than that approved under reference S6/1999/1099/FP on 28 January 2004 - Refused

S6/2004/113/FP - Replacement dwelling (approximately the same floor space as that permitted under reference S6/1999/1099/FP but of a different design)- Granted

S6/2005/0202/FP - Replacement dwelling

An appeal against the Council's failure to determine the application was lodged (reference APP/C1950/A/05/1183420) – Appeal Allowed

S6/2006/211/FP Replacement detached dwelling and car port – Refused

S6/2006/1596/FP - Replacement dwelling incorporating the installation of four semi dormer windows to front and rear elevations – Granted

S6/2009/0220/LU - Certificate of lawfulness for a proposed replacement dwelling – pending consideration

S6/2009/0222/FP - Replacement three bedroom dwelling incorporating the installation of 4 semi-dormer windows to front and rear elevations, minor variation to planning approval s6/2006/1596/fp, including east wing extension, revised fenestration, alterations to front portico and omission of the garage block - Approved

S6/2008/1498/PA - Changes to an existing building- alterations to windows (front and rear), side kitchen, omission of proposed conservatory and first floor accommodation.

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy

PPS1: Delivering sustainable development

PPG2: Green Belts

PPG13: Transport

East of England Plan 2008

SS1: Achieving Sustainable Development

T14: Parking

ENV2: Landscape Conservation

ENV7: Quality in the Built Environment

Hertfordshire Structure Plan Review 1991 – 2011

None

Welwyn Hatfield District Plan 2005

SD1: Sustainable Development

GBSP1: Definition of Green Belt

R3: Energy Efficiency

R17: Trees, Woodland & Hedgerows

M14: Parking standards for new developments

D1: Quality of design

D2: Character and context

D8: Landscaping

RA4: Replacement Dwellings in the Green Belt

RA10: Landscape Regions and Character Areas

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking

Standards, January 2004

CONSULTATIONS

Hertfordshire (Planning and Transportation) do not wish to restrict the grant of permission

Environment Agency – no objection

Landscaping – No objection subject to conditions

TOWN/PARISH COUNCIL COMMENTS

Northaw and Cuffley Parish Council -comment: this building was erected differently to original plans and was later given permission on appeal after construction. The PC feels that this is more development and should not be permitted.

REPRESENTATIONS

One. Period expired 26th January 2010. The application was advertised by neighbour notification letters and site notice.

Potters Bar Society Country Group – object - additional development on a site in the Green Belt and Northaw Common Parkland Landscape Character Area, which has already been very extensively developed.

DISCUSSION:

The main issues are:

- 1. Impact on the Green Belt**
- 2. Impact on the Character of the Area**
- 3. Impact on landscaping and trees**
- 4. Other Material Planning Considerations**

1. The dwelling has previously been approved under planning application S6/2009/0222/FP (refer to full report and discussion) and the final works are currently being implemented. Very special circumstances were advanced as part of that application due to the dwelling being considered inappropriate development (reference para. 3.2 of PPG2) due to the increased size of the building compared to the original dwelling that was on the site.

This application proposed a car lift, which is to be sited below ground. The applicant as part of the pre-application information previously submitted enclosed a copy of an appeal decision for a development within the Green Belt which included a car lift beneath a parking area.

The decision letter, in respect to the underground garage "...found that the garage would be a relatively modest addition [197m³] and would not add a significant amount to the development. .. Furthermore the garage would not, being underground, have any effect on the openness of the Green Belt or the purposes for including land within it..."

The proposed garage would have a volume of approximately 69m³ (including the maintenance shaft). This volume, as it would be completely sited below ground, for non habitable purposes is agreed would not have any effect on the openness of the Green Belt. The limited times when the car port would be used and thus the internal structure seen outside of the ground is such that this would be acceptable. For this reason, the additional volume associated with the car lift is also considered acceptable and in compliance with policy RA4 and PPG2.

2. Due to the car lift being located below ground, it is considered that there would be no discernible impact upon the character of the area. The proposed materials for the 'roof' (ground level) is shown to be that previously approved by condition under S6/2009/0222/FP. The details are therefore acceptable and the proposal complies with relevant policies.

3. The proposed car lift would be sited adjacent to trees that are protected by a preservation order. Landscaping have reviewed the proposals and acknowledge that the application includes a full Arboricultural Implication Study with Tree Protection Strategy for which there are no amendments required. If the works are carried out as outlined in this document there can be no arboricultural objection.

Landscaping were unable to find any specification as to how any liquids within the unit are to be drained or disposed of. The instillation of this unit will have an effect on water movement in the soil. Tree roots will grow to take advantage of any water supply. A possible leak or drainage of oil, salt water or other toxin liquid into the roots environment could be disastrous to the trees. A condition is therefore recommended to address this issue, to ensure the long term health of the trees to the boundary and, in particular, those protected by a preservation order.

4. A sustainability checklist has been completed as part of the proposal in accordance with policy SD1. This has been completed on a 'tick sheet' basis and therefore has limited value. Notwithstanding this, it is considered that there is limited measures that could be implemented as part of the car port and thus the measures are acceptable.

CONCLUSION:

The proposal accords with national, regional and local plan policy. The proposal would not have a detrimental impact upon the openness of the Green Belt or character of the area and is therefore recommended for approval.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2. 1 – 3 year time limit

2.C.13.1: Development in accordance with approved plans/details

NGS/010 & NGS/013 & CP039A & Arboricultural Implication Study and Tree Protection Strategy received and dated 10th December 2009

3. Details shall be submitted to the Local Planning Authority, prior to the commencement of the development hereby permitted, detailing how all surface water drainage and any hydraulic liquid from the car lift and maintenance shaft shall be only discharge via a sealed drainage system to an appropriate oil interceptor/separator prior to discharge. The outlet from the oil separator shall be provided with a cut-off valve to prevent flow in the event of discharge being significantly polluted. The approved details shall subsequently be implemented during construction and retained thereafter.

REASON: To reduce the risk of the trees being exposed to hazardous liquids, to ensure their long-term health in accordance with policy D8 and R17 of the Welwyn Hatfield District Plan.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

Reason for Grant of FP/LB/CA/DT/ (Approvals only):

The proposal has been considered against Planning Policy Statement/Guidance PPS1, PPG2 and PPG13, East of England Plan 2008 SS1, T14, ENV2 and ENV7 and development plan policies SD1, GBSP1, R3, R17, M14, D1, D2, D8, RA4 and RA10 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan (see Officer's report which can be inspected at these offices).

INFORMATIVES:

None

Signature of author..... Date.....