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Fox Meadow
Firs Wood Close
Northaw Park
Herts, EN6 4BY

9 January 2014

Re: Erection of detached dwelling on land to the east of Firs Wood Close, Northaw

Thank you for your pre-application enquiry received on 13 December 2013, in relation to the above. This submission is for pre-application advice to establish whether the Council is likely to be supportive of your proposal.

The first consideration when looking at any planning application is the planning policy framework. With regards to your proposal I would draw your attention to the following:

National Policy

National Planning Policy Framework (NPPF) – March 2012.
(available online at the Communities and Local Government website)

Welwyn Hatfield District Plan 2005

(available online at the Council's website on the Planning pages)

Policy SD1: Sustainable Development
Policy GBSP1: Definition of Green Belt
Policy GBSP2: Towns and Specified Settlements
Policy R3: Energy Efficiency
Policy D1: Quality of Design
Policy D2: Character and Context
Policy D8: Landscaping
Policy M14: Parking Standards for New Development

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

Relevant Planning History:

None relevant

The Proposal

You have asked for pre-application advice in respect of erecting a new dwelling on land to the east of Firs Wood Close. In determining a planning application the main considerations would be as follows:

1. Whether the proposal is appropriate development within the Metropolitan Green Belt and whether the proposal would have an impact on the character and openness of the Green Belt (Section 9 of the NPPF 2012)
2. Impact on the character and appearance of the surrounding area (Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Section 7 of the NPPF 2012)
3. Impact on the residential amenity of nearby and neighbouring properties (Policy D1 of the Welwyn Hatfield District Plan 2005)
4. Parking provision (Policy M14 of the Welwyn Hatfield District Plan 2005)

I will now comment on these issues as follows:

1. Whether the proposal is appropriate development within the Metropolitan Green Belt and whether the proposal would have an impact on the character and openness of the Green Belt

The application site lies within the Metropolitan Green Belt, as designated in the Welwyn Hatfield District Plan 2005. The Government attaches great importance to Green Belts. 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) notes that, in the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

The NPPF clearly states that the construction of new buildings should be regarded as inappropriate in the Green Belt. As such, planning permission would not be granted for the erection of a new dwelling at the application site unless very special circumstances could be demonstrated. It is worth noting 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. On this basis, it is my personal opinion that it is very unlikely that planning permission would be granted for a new dwelling at the application site.

Notwithstanding the above, if you choose to submit a formal planning application, the impact on the character and openness of the Green Belt would also be considered in the determination of the application. The openness of the Green Belt is considered to be one of its most important attributes and it needs to be safeguarded in accordance with the NPPF. The site is rural in nature as it comprises an overgrown field and developing woodland. The erection of a new dwelling, regardless of its size, would be highly likely to detract from the rural and verdant character of the area, and the openness of the Green Belt would also be adversely affected by the presence of a new building. The proposal therefore further fails to comply with Green Belt planning policy.

2. Impact on the character and appearance of the surrounding area

As noted, the principle of development is unacceptable and it is therefore very unlikely that planning permission would be granted to erect a new dwelling at the application site. However, if you choose to submit a formal planning application, the impact on the character and appearance of the wider area would also be considered.

The Government attaches great importance to the design of the built environment. The NPPF notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments add to the overall quality of the area; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. They should also be visually attractive as a result of good architecture and appropriate landscaping.

Policy D1 of the Welwyn Hatfield District Plan 2005 requires the standard of design in all new development to be of a high quality and Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan.

As discussed above, it is considered that the erection of a new dwelling within such a rural location would detract from the character and appearance of the wider area. The proposal would therefore fail to comply with Policies D1 and D2 of the adopted Welwyn Hatfield District Plan 2005 insofar as these seek to ensure that development is designed to a high quality and respects local character and context.

3. Impact on the residential amenity of nearby and neighbouring properties

Given the relatively isolated position of the application site, it is not considered that the residential amenity of any nearby properties would be adversely affected by the proposal.

4. Parking provision

Given the size and location of the application site, it is unlikely that parking provision or highway safety would be an issue. Nevertheless, this would not outweigh the concerns already outlined.

5. Other material considerations

Protected Species

The presence of protected species is a material consideration, in accordance with PPS9 (Biodiversity and Geological Conservation), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. We ask most applicants to complete a Biodiversity Checklist which should be submitted with your application.

Protected species such as great crested newts, otters, dormice and bats benefit from the strictest legal protection. These species are known as European Protected Species ('EPS') and the protection afforded to them derives from the EU Habitats Directive, in addition to the above legislation. Water voles, badgers, reptiles, all wild birds, invertebrates and certain rare plants are protected to a lesser extent under UK domestic law (NERC Act and Wildlife and Countryside Act 1981).

Where there is a likelihood of protected species being present on a site, we will require a phase 1 ecological survey to be undertaken to establish if there are any protected species present or not. If species are found, further surveys may be required. This will depend upon whether the species would be affected as a result of the development. Further information on the considerations may be found on the Council's website. Please refer to the useful information below.

Sustainability

We ask most applicants to complete a Sustainability Checklist which should be submitted with your application. We would encourage you to review the environmental and climate change impacts of the development before you finalise your proposals. Future advice and guidance on the areas to consider can be found on the Building Futures Website and at www.welhat.gov.uk/index.aspx?articleid=873

My opinion on the acceptability of the proposal

It is my personal opinion that planning permission **would not be granted** for the erection of a new dwelling at the application site. This is because the application site lies within the Metropolitan Green Belt where there is a strong presumption against inappropriate development, such as the erection of new buildings. I would therefore advise you against submitting a formal planning application.

Submitting an application

Notwithstanding the above, if you wish to submit a planning application for the works I would suggest that you check on the Council's website for the information we require to register your application, as outlined in our guidance and validation checklist. On the website you will also find the sustainability checklist and biodiversity checklist.

You can apply for planning permission online through the Government's Planning Portal website. Alternatively, planning application forms can also be found on our website. The cost of an application for a new dwelling is currently £385.

Please be aware that the advice contained in this letter represents my personal professional opinion and is given without prejudice to the decision of the Local Planning Authority in respect of this enquiry or any future application which may be submitted. You will appreciate that a formal decision can only be made in response to a planning application, whereby consultations would be undertaken which may raise further issues. The decision on the application would then rest with the Local Planning Authority as a whole and there is the possibility that the final outcome could be different from the first opinion given in this letter.

Yours sincerely



Kate Phillips
Planning Officer

Useful Information:

Planning application validation checklist - <http://www.welhat.gov.uk/index.aspx?articleid=834>

Building Futures website - <http://www.hertslink.org/buildingfutures/>

Statement of Community Involvement - <http://www.welhat.gov.uk/index.aspx?articleid=459>

Planning obligations guidance – toolkit for Hertfordshire. Hertfordshire County Council's requirements (January 2008) -

<http://www.hertsdirect.org/infobase/docs/pdfstore/planobsjan8.pdf>