

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

DELEGATED APPLICATION

Application No: 6/2023/2029/FULL
Location: Charter House NHS England Parkway Welwyn Garden City AL8 6JL
Proposal: Installation of 81 replacement windows to rear of Charter House
Officer: Mrs Sarah Madyausiku

Recommendation: Granted

6/2023/2029/FULL

Context	
Site and Application description	<p>The application site is a commercial premise, currently occupied by the NHS support services office, the site is located on the eastern side of Parkway within the Welwyn Town Centre and Conservation Area.</p> <p>The application proposes the replacement of 81 existing aluminium framed windows with double glazed, white, uPVC windows to part of the rear elevations on a late 20th century section of the site.</p>
Constraints	<p>CA - Conservation Area: WGC1; - Distance: 0</p> <p>SAG - 0 - Distance: 0</p> <p>PRC - Primary Retail Core (Primary Retail Core) - Distance: 0</p> <p>Town - Welwyn Garden City Town Centre - Distance: 0</p> <p>Wards - Handside - Distance: 0</p> <p>HEN - No known habitats present (medium priority for habitat creation) - Distance: 0</p> <p>SAGB - Sand and Gravel Belt - Distance: 0</p>
Relevant planning history	<p>Application Number: 6/2021/0574/FULL Decision: Granted Decision Date: 04 June 2021 Proposal: Installation of 43 no. replacement windows- Implemented</p> <p>Application Number: 6/2021/2109/COND Decision: Refused Decision Date: 25 August 2021 Proposal: Submission of details pursuant to condition 1 (proposed elevations & design details), on planning permission 6/2021/0574/FULL</p> <p>Application Number: 6/2022/0430/COND Decision: Granted Decision Date: 05 April 2022 Proposal: Submission of details pursuant of condition 1 (fenestration) on planning permission from description of proposal 6/2021/0574/FULL</p>

Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 23 November 2023 Site Notice Expiry Date: 14 December 2023 Press Advert Display Date: 29 November 2023 Press Advert Expiry Date: 20 December 2023		
Summary of responses	The Gardens Trust made no comments.		
Relevant Policies and Guidance			
National Planning Policy Framework The Welwyn Hatfield Borough Council Local Plan 2016-2036: <ul style="list-style-type: none"> • SP1 Delivering Sustainable Development • SP3 Settlement Strategy and Green Belt Boundaries • SADM2 Highway Network and Safety • SADM4 Development in Designated Centres • SADM5 Development outside Designated Centres • SP9 Place-making and High-Quality Design • SADM11 Amenity and Layout • SADM12 Parking, Servicing and Refuse • SADM13 Sustainability Requirements • SADM15 Heritage • SP15 The Historic Environment of Welwyn Garden City • SP16 Welwyn Garden City Town Centre Strategy Planning Guidance: <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 Others: <ul style="list-style-type: none"> • Hertfordshire Waste Development Framework 2012 • Hertfordshire's Local Transport Plan (2018 – 2031) 2018 • Manual for Streets 			
Main Issues			
Is the development within a conservation area?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Would the significance of the designated heritage asset be preserved or enhanced?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
Comment (if applicable): The site is located within Welwyn Garden City Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Authorities to have regard to the desirability of preserving or enhancing the character and appearance of the Conservation Area. Paragraph 203 of the NPPF states that in determining applications, local planning authorities should take account of:			

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness

Paragraph 205 of the NPPF outlines that, when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight' should be given to the asset's conservation.

Paragraph 207 states that where a proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial, Paragraph 208 states that this should be weighed against the public benefits of the proposal.

Paragraph 208 of the NPPF notes that Local Planning Authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.

Policy SADM15 is consistent with the NPPF and Policy SP15 aims to protect Welwyn Garden City's historical significance and unique heritage as a garden city. It states that proposals for new development should protect, conserve and where appropriate enhance its heritage assets. All development proposals, through their design and detailing, will be required to demonstrate that they have responded to the key characteristics of a Garden City.

The above objectives are broadly consistent with Policies SP1 and SP9 of the Council's Local Plan. Policy SP9 states that proposals will be required to have been informed by an analysis of the site's character and context so that they relate well to their surroundings and local distinctiveness, including the wider townscape and landscape, and enhance the sense of place. SP9 goes on to state that development proposals will need to respect neighbouring buildings and the surrounding context in terms of height, mass and scale and also be of a high-quality architectural design that creates coherent and attractive forms and elevations and uses high quality materials.

The character and appearance of much of Welwyn Garden City has a quality that consists of carefully designed layouts with formal patterns where the design of architecture is in groups and individual buildings. The application site consists of a building located between Parkway and Wigmore North. It is known as Charter House and is a part-3, part-4 storey brick office building constructed in the 20th Century. Its main entrance, which is located on Parkway, retains a strong frontage which echoes the essential principles of The Garden City design. To the rear is a modern extension and an area of hardstanding and an undercroft vehicular parking and service area. This application relates solely to this rear, more modern section of the building. It can be viewed from a publicly accessible pedestrian alleyway that links Parkway to Wigmore North. This modern part of the building on the site makes a neutral contribution to the character and appearance of the Conservation Area.

This modern building has windows located over 3 floors (with the open undercroft at ground floor providing a car parking/servicing area). The Planning Statement submitted with the application sets out that the existing windows are in poor condition. The existing windows are on the north and south side elevations, and side returns and are white aluminium framed. They open on their horizontal access. They would be replaced by 81 new, double glazed, white UPVC windows with half-light openings.

The current windows are not traditional sash opening and as a consequence they make no contribution to the building or area. Their replacement with double glazed, white UPVC units is not opposed because the design of the new windows would be similar to existing. The application form states that the replacement windows would match the existing, but the colour is not specified. A condition can be imposed to ensure that they are white in colour, which would reflect the colour of other windows in this part of the Conservation Area.

Accordingly, the proposal would preserve the character and appearance of the Conservation Area. In this respect, the proposal complies with Policies SP9, SP15 and SADM15 of the Local Plan. The development also complies with the conservation requirements of the NPPF and Section 72 of the Planning (Listed Building and Conservation Areas) Act 190.

Would the development reflect the character of the area?

Yes No

Comment (if applicable): As above

Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)

Yes No N/A

Comment (if applicable):

The NPPF and Local Plan Policy SADM11 provide the national and local policy framework for assessing the impact of development on the residential amenity and living conditions of neighbouring properties and aim to ensure adequate amenity for future occupiers of the proposed development. No neighbour representations have been received.

The replacement windows would be in the same position as existing windows and no additional windows are proposed. The level of outlook would be the same and for this reason there would be no additional overlooking or loss of privacy. There would be no impact on light or outlook.

Overall, the living conditions of the adjoining occupiers would be maintained to an acceptable level in accordance with Policy SADM11 of the Local Plan and the NPPF.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

Conclusion

Subject to the suggested conditions, the proposed development would be in accordance with the relevant national and local planning policies.

Conditions:

1. The development must not be carried out other than in accordance with the details of external materials specified on the submitted application form. Details of any alternative materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority prior to above ground development. 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 maintaining the character and visual amenity of the area, in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

2. The external window frames, glazing bars, sills, and other external decorations associated with the fenestration hereby approved shall not be any colour other than white.

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

DRAWING NUMBERS

3. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
1000057- IWD-XX-XX- DR-A-1000	A	Location And Block Plan	3 November 2023
1000057- IWD-XX-XX- DR-A-2002	B	Proposed Elevations	18 January 2024
1000057- IWD-XX-XX- DR-A-2001	B	Existing Elevations	18 January 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

Determined By:

Ms Emily Stainer
2 February 2024