

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

**DELEGATED APPLICATION**

**Application No:** 6/2024/0613/FULL  
**Location:** 31A Howardsgate Welwyn Garden City Hertfordshire AL8 6AP  
**Proposal:** Erection of an additional storey at second floor to accommodate 3 residential units including alterations to internal access, new acoustic enclosure and bin and bicycle storage to rear.  
**Officer:** Mrs Sarah Madyausiku  
**Recommendation:** Refused

6/2024/0613/FULL

| <b>Context</b>                          |  |
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| <b>Site and Application description</b> | <p>The application site is a two-storey building within the Core retail zone and the primary retail frontage of Welwyn Garden City (WGC) town centre.</p> <p>This application seeks planning permission for the erection of an additional storey at second floor in order to accommodate 3 residential units. This would include alterations to internal access, and a new acoustic enclosure and bin and bicycle storage to rear.</p> <p>The second floor would accommodate 3 residential units consisting of:</p> <ul style="list-style-type: none"> <li>-Flat 04 1 Bedroom, 2 person flat</li> <li>-Flat 05 1 Bedroom studio flat</li> <li>-Flat 06 1 Bedroom, 2 personal flat</li> </ul> <p>The site is within a Conservation Area and within a Primary Retail Frontage within Welwyn Garden City Town Centre.</p> <p>It should be noted that there is vacant office accommodation at first floor level. Visual inspections of the site from the outside show that conversion works are underway to convert the vacant offices on the first floor to residential accommodation. This has been granted planning permission under ref: 6/2022/2632/FULL.</p> |
| <b>Constraints</b>                      | <p>CA - Conservation Area: WGC1; - Distance: 0</p> <p>SAG - 0 - Distance: 0</p> <p>CN - 6/2023/0436/CN - 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>CP - Cycle Path (Cycle Facility / Route) - Distance: 7.53</p>  |

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|                                       | <p>MIX - Mixed Use Frontages - 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> <p>HPGU - Welwyn Garden City - Distance: 0</p>   |           |          |
| <b>Relevant planning history</b>      | <p>Application Number: 6/2022/2632/FULL<br/>Decision: Granted<br/>Decision Date: 03 February 2023<br/>Proposal: Conversion of vacant office space to first floor of building to create 3 no flats new acoustic encloser to rear and elevational alterations.</p> <p>Application Number: 6/2023/0712/FULL<br/>Decision: Withdrawn<br/>Decision Date: 15 June 2023<br/>Proposal: Erection of an additional storey at second floor to accommodate 3 residential units including alterations to internal access, new acoustic encloser and bin and bicycle storage to rear.</p> <p>Application Number: 6/2023/1560/PA<br/>Decision: Refused<br/>Decision Date: 12 October 2023<br/>Proposal: Pre- application advice to provide 3 no. one bedroom flats within new mansard roof construction over existing units including alterations to internal access, new acoustic encloser and bin and bicycle storage to rear.</p> <p>Application Number: 6/2023/2271/FULL<br/>Decision: Withdrawn<br/>Decision Date: 29 November 2023<br/>Proposal: Replacement and reconfiguration of windows</p> |           |          |
| <b>Consultations</b>                  |  |           |          |
| <b>Neighbour representations</b>      | Support: 0   | Object: 0 | Other: 2 |
| <b>Publicity</b>                      | <p>Site Notice Display Date: 24 April 2024</p> <p>Site Notice Expiry Date: 16 May 2024</p> <p>Press Advert Display Date: 1 May 2024</p> <p>Press Advert Expiry Date: 23 May 2024</p>   |           |          |
| <b>Summary of neighbour responses</b> | <p>Comments from:</p> <p>50 Church Road Welwyn Garden City AL8 6QJ<br/>-concerns over bin storage and bike storage area in the small area behind the development.<br/>-no consideration to the requirements of proposed offices on the first floor</p> <p>7 Pentley Close Welwyn Garden City AL8 7SH<br/>"The street trees in Wigmores North are larger than shown on the application drawings. The future residents of the proposed dwellings overlooking Wigmores North will have little or no natural light in spring, summer and autumn. What will be the fate of the street trees"</p>  |           |          |
| <b>Consultees and</b>                 | Objection:   |           |          |

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| <b>responses</b>   | <p>-Place Services - Conservation Officer<br/>         -WHBC - Public Health and Protection<br/>         -WHBC - Client Services - These 3 flats in addition to the 3 flats under planning reference 2022/2632/FULL would have to have shared refuse receptacles as there is insufficient space in the refuse area for 6 individual bins.</p> <p>No objection from:<br/>         -Hertfordshire County Council - Hertfordshire Transport Programmes &amp; -- Strategy<br/>         -The Gardens Trust - Conservation Team</p> |
| <b>Relevant Policies and Guidance</b>  |   |
| <p><b>National Planning Policy Framework</b></p> <p><b>The Welwyn Hatfield Borough Council Local Plan 2016-2036:</b></p> <ul style="list-style-type: none"> <li>• SP1 Delivering Sustainable Development</li> <li>• SP2 Targets for Growth</li> <li>• SP3 Settlement Strategy and Green Belt Boundaries</li> <li>• SADM1 Windfall Development</li> <li>• SP4 Transport and Travel</li> <li>• SADM2 Highway Network and Safety</li> <li>• SADM3 Sustainable Travel for All</li> <li>• SP9 Place-making and High-Quality Design</li> <li>• SADM11 Amenity and Layout</li> <li>• SADM12 Parking, Servicing and Refuse</li> <li>• SP10 Sustainable Design and Construction</li> <li>• SP11 Protection and Enhancement of Critical Environmental Assets</li> <li>• SADM13 Sustainability Requirements</li> <li>• SADM14 Flood Risk and Surface Water Management</li> <li>• SADM15 Heritage</li> <li>• SP15 The Historic Environment of Welwyn Garden City</li> <li>• SP16 Welwyn Garden City Town Centre Strategy</li> <li>• SADM16 Ecology and Landscape</li> <li>• SADM18 Environmental Pollution</li> </ul> <p><b>Planning Guidance:</b></p> <ul style="list-style-type: none"> <li>• Supplementary Design Guidance 2005</li> <li>• Supplementary Planning Guidance Parking Standards 2004</li> <li>• Interim Policy for Car Parking Standards and Garage Sizes 2014</li> <li>• Planning Practice Guidance</li> <li>• National Design Guide</li> </ul> <p><b>Others:</b></p> <ul style="list-style-type: none"> <li>• Manual for Streets</li> <li>• Welwyn Garden City Conservation Area Appraisal 2007</li> </ul> |   |
| <b>Main Issues</b>   |   |
| <b>Principle of Development</b>  | <p>The application includes the formation of 3 residential units within a new mansard roof. The existing retail uses at ground floor below would remain unaltered. The 3 flats would be accessed via an existing front entrance located on Howardsgate. The submitted plans show office accommodation at first floor level. A new access route to the proposed second floor would be created in part of this office space.</p>  |

Policy SP1 of the Council's Local Plan 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 transport networks which are well served by jobs, services and facilities; protects areas of highest environmental value; and avoids areas of high flood risk. Moreover, the Council will take a positive approach when considering development proposals that reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework, as well as the principles set out within Policy SP1.

The site has not been allocated in the Local Plan for additional housing supply and as such would come forward as a windfall residential site. Policy SADM1 would therefore apply. This policy states that all applications for windfall residential development on unallocated site will be granted provided:

- i. The site is previously developed, or is a small infill site within a town or excluded village. In the Green Belt, Policy SADM 34 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.

The application site is within Welwyn Garden City Town Centre, currently comprising a two storey building with retail on the ground floor and vacant offices on the first floor. It is previously developed.

With regards to criteria ii of Policy SADM1, the application site is situated in the Town Centre and is within walking distance of services and facilities such as Welwyn Garden City Railway Station, bus stops, the Town Centre shops and local primary schools such as Templewood, Applecroft and Peartree. As such, future occupiers would be able to access the majority of their day-to day service requirements by transport modes other than the car and would therefore not have to be solely reliant on a private car.

There is no evidence to suggest that the existing infrastructure nearby would not be able to absorb the development. There would be a benefit (albeit very limited) on services and facilities in the area as the future occupants of the new dwellings have the potential to support and provide demand for nearby services and facilities. The proposal is therefore considered to meet criteria iii of Policy SADM1.

Finally, the proposal is not considered to undermine the delivery of allocated sites or the overall strategy of the Plan, nor is it considered to result in disproportionate growth.

For the reasons above, there is no in principle objection to this site being used for residential purposes in land use terms, subject to meeting other relevant planning policies which are discussed below.

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| <p><b>Design (form, size, scale, siting) and Character (appearance within the streetscene)</b></p> | <p>The site is located within the 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.</p> <p>Paragraph 203 of the NPPF states that in determining applications, local planning authorities should take account of:</p> <ul style="list-style-type: none"> <li>a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;</li> <li>b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and</li> <li>c) the desirability of new development making a positive contribution to local character and distinctiveness</li> </ul> <p>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.</p> <p>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.</p> <p>Section 208 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.</p> <p>Policy SADM15 is consistent with the NPPF but adds that successive small-scale changes that lead to a cumulative loss or harm to the significance of the asset or historic environment should be avoided.</p> <p>Policy SP15 aims to protect Welwyn Garden City’s historical significance and unique heritage as a garden city. Its 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.</p> <p>Paragraph 131 of the NPPF clearly advises that the creation of high-quality 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. Paragraph 135 of the NPPF further advises that decisions should ensure developments will function well, be visually attractive, sympathetic to local character and establish a strong sense of place. Paragraph 139 is clear that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides.”</p> <p>The above objectives are broadly consistent with Policies SP1 and SP9 of the</p> |
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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.

Paragraph 26.11 of the Local Plan states that the Council also has in place Supplementary Planning Guidance on parking standards (2004) and Supplementary Design Guidance (2005), both introduced in conjunction with the Welwyn Hatfield District Plan (2005). Both of these documents require review in due course in order to bring them up to date with current best practice on design and sustainable development but will continue to be used to inform decisions on planning applications until such review takes place.

In terms of the character of the area, paragraph 2.4 of the SDG outlines, 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

The proposal is for the erection of an additional storey at second floor to accommodate 3 residential units including alterations to internal access, new acoustic enclosure and bin and bicycle storage to rear. This application follows a withdrawn application for a largely similar scheme (ref: 6/2023/0712/FULL). Subsequently, pre-application advice was sought for three one-bedroom flats within new mansard roof construction over existing shop. It was advised that the formation of a second-floor mansard was not acceptable, and the agent was advised not to pursue the mansard addition.

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 building is located in the Welwyn Garden City Conservation Area. The building dates to c.1935 making it one of the earliest buildings laid out in the town centre of the Garden City. It is neo-Georgian in style and form which is typical of the Garden City vernacular; its two-storey height with a hipped roof behind a parapet contribute to its architectural interest. The appraisal notes that Number 31A Howardsgate is a key unlisted building. The building makes a positive contribution to the conservation area by virtue of its scale, form, appearance, rarity and derivation.

The first advice letter (dated: 26/05/2023) noted an aerial image from 1935 in the Britain from Above archive which shows the building at the corner of Howardsgate and Wigmores North under construction.

As evidenced through the historic photographs, the front of the building as well its scale and form has remained relatively unaltered apart from the modern

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|                                   | <p>shop signage. The property can still be understood and appreciated in its original form and scale. The two-storey scale and hipped roof with parapet make it a unique and notable building within the streetscene. This positively contributes to the special interest of the property and the character and appearance of the Conservation Area.</p> <p>Although a mansard roof would be similar to the neighbouring properties, the proposal would fundamentally alter the original scale, form and appearance of the 31A Howardsgate which has remained relatively unaltered. The proposal would result in the loss of the attributes that contribute to the property's architectural interest, undermine the original design intention, and detract from the reasons why it has been identified as a key unlisted building. The proposal would diminish the positive contribution the property makes to the character and appearance of the Conservation Area.</p> <p>The initial submission (ref: 6/2023/0712/FULL) proposed for one of the central dormers to be white, it is now proposed for all of the dormers to match. However, this would not be sufficient to address concerns raised within previous advice, including that given regarding the proposed additional storey which still remains relevant.</p> <p>At the rear, in the ground floor level courtyard, bicycle parking, bin storage and an air conditioning system would be installed. These are not opposed in principle given their location.</p> <p>Overall, the proposed development, by virtue of its siting, height, mass and scale would be excessive and would not respect the host building. It would appear as an unduly prominent addition to the building, resulting in harm to the character and appearance of the existing building and the surrounding Conservation Area.</p> <p>The proposed development would result in less than substantial harm to the Conservation Area. Consequently, Paragraph 202 of the NPPF requires this harm to be weighed against the public benefits of the proposal. Whilst the proposal would result in 3 additional dwellings which would assist in addressing the Council's shortfall in housing, when weighed against the great weight afforded by the NPPF to the conservation of heritage assets, it is not considered that the identified benefits of the development would outweigh the harm caused to the significance of the Conservation Area.</p> <p>The proposal fails to preserve or enhance the character or appearance of the Conservation Area. In this respect, the proposal is contrary to Policies SP15, SP15 and SADM11 of the Local Plan. The development also fails to comply with the conservation requirements of the NPPF and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.</p> |
| <p><b>Residential Amenity</b></p> | <p>Paragraph 130 of the NPPF seeks to secure a high standard of amenity for all existing and future users of land and buildings. Policy SADM11 provides the local policy framework for assessing the impact of development on the residential amenity and living conditions of neighbouring properties and aims to ensure adequate amenity for future occupiers of the proposed development. This is expanded upon in the Council's SDG which outlines that development should be designed and built to ensure that there is a satisfactory level of sunlight and daylight, that adequate amenity space is provided and that overlooking is minimised.</p>   |

The neighbour representations that have been received are acknowledged.

Impact on neighbours

It is considered that the size, scale, siting and design of the proposed development would have minimal impact on the residential amenity of the surrounding neighbouring properties and is considered acceptable. The proposal is therefore in accordance with Policy SADM11 of the Welwyn Hatfield Borough Local Plan, the Welwyn Hatfield Supplementary Design Guidance and the National Planning Policy Framework.

Living conditions for 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 NDSS requires one bedroom two person dwellings of a single storey to have a minimum Gross Internal Area (GIA) of 50sqm. For a studio dwelling (classed as a 1 bedroom dwelling for the purposes of the NDSS), a minimum Gross Internal Area (GIA) of 39sqm (where a bathroom is proposed) is required.

The three new dwellings meet national space standards and provide a good standard of amenity for future occupiers in terms of outlook, light and natural ventilation. A reasonable degree of privacy to living spaces is maintained with overlooking limited to an acceptable degree.

In terms of private amenity space, Policy SADM11 of the District Plan and the Supplementary Design Guidance requires all residential development to incorporate private amenity space for the use of residents. The Council does not apply rigid standard sizes for gardens, but the layout and design of the garden in relation to the built environment should ensure that the garden is functional and useable in terms of its orientation, width, depth and shape, with the garden large enough to be useable and meet the needs of the occupiers of the home.

No amenity space is proposed. However, there is public green space directly adjacent to the site along Howardsgate. This is considered broadly acceptable in this instance.

Policy SADM18 of the Local Plan sets out to ensure that pollution will not have an unacceptable impact on human health, general amenity, critical environment assets or the wider natural environment. Proposals will be refused if it is likely to be affected by unacceptable noise or vibration from other land uses. Conditions are supported to mitigate impact to an adequate level of protection. This approach is broadly consistent with the NPPF.

The site is within a busy town centre environment. Therefore, any potential for noise disturbance to future residents needs to be addressed.

A noise impact assessment has been submitted. It is noted that this statement is not case specific because it relates to a proposal to convert the vacant offices on the first floor to residential accommodation. This has been granted



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|  | <p>planning permission under ref: 6/2022/2632/FULL. The submitted noise impact assessment has not been updated to reflect the proposal for flats on a new second floor level, as proposed.</p> <p>Moreover, whilst a noise impact assessment was submitted within the previous application under reference 6/2022/2632/FULL and was found to be acceptable by the Councils Environmental Health team (subject to conditions), the proposal within this application is vastly different from the previously approved scheme, both in terms of its design and also the number of unit/occupants. Therefore, it is considered that a new noise impact assessment is required to support the current application. Insufficient information has therefore been submitted to enable the Council to fully consider the amenity of future occupants of the units that would be created as a result of the proposal.</p>   |
| <p><b>Access, car parking and highway considerations</b></p> | <p>Paragraph 111 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development; the type, mix and use of the development; the 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>Policy SADM12 of the Local Plan in regard to parking is informed by the standards that are set out within the Council's parking standards. The Parking Standards SPG use maximum standards that are not consistent with the Framework and are therefore afforded less weight. In light of this, 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 SADM2 also states that development proposals will be permitted provided there would be no negative impacts on highway safety, they are designed to allow safe and suitable means of access and site operation and they provide satisfactory and suitable levels of parking.</p> <p>No additional parking is proposed within this application and the proposal therefore represents a shortfall of three parking spaces for the 3 units proposed.</p> <p>The Highway Authority have been consulted and do not object. Whilst no allocated car parking is included as part of the proposals, this is not significant when taking into consideration the small size of the proposed units and the town centre location with the potential to use sustainable travel options including the nearby railway station and bus station. In addition, the surrounding area is either pay and display parking spaces or protected by yellow lines giving limited opportunity for on-street parking. The proposal is acceptable on this basis.</p> <p>Visual inspections of the site from the outside show that some conversion works are underway to convert the vacant offices on the first floor to residential accommodation. This has been granted planning permission under ref: 6/2022/2632/FULL. It is noted that as part of this application, 3 residential units</p> |

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|                            | <p>would be provided. The plans submitted with this application showed 3 bicycle spaces and the provision for bin storage.</p> <p>As part of this application, the proposed floor plan indicates that three bicycle parking spaces would be provided in the same location as those under application ref; 6/2022/2632/FULL.</p> <p>These 3 bicycles spaces would be located to the rear of the site and would have to be accessed by walking out of the front of the building and around to the rear. However, considering the town centre location in easy access to services and transport links these 3 spaces under this application are adequate for residents, based on the Council’s parking standards. Further details of bicycle storage could be required by condition if the proposal were otherwise acceptable.</p> <p>Client Services have been consulted and accept the bin provision on site. However, they note that the rear courtyard location for the bins might be subject to fly tipping. For these reasons, they would not recommend recycling provision and there are recycling bins provided nearby. Further details of bicycle storage could be required by condition if the proposal were otherwise acceptable.</p> <p>Overall, the proposal does not affect pedestrian or vehicular access to the site and would not result in a material impact on local highway conditions. The proposal is considered to comply with local and national policies in this regard.</p>   |
| <p><b>Biodiversity</b></p> | <p>Paragraph 180 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and delivering net gains in biodiversity where possible. Paragraph 186 of the NPPF goes on to list principles that Local Authorities should apply when determining a planning application. It is stated within Paragraph 186(d) of the NPPF that <i>“opportunities to incorporate biodiversity improvements in and around developments should be encouraged”</i>.</p> <p>Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact (‘net gain’) on biodiversity, compared to what was there before development.</p> <p>The site is the second floor of a building where there is currently no onsite priority habitat. It meets the de minimis exemption for this reason and in light of this, BNG provision is not required in this case.</p> <p>Turning to Policy SADM16 of the Local Plan. Whilst the policy requirement for BNG doesn’t apply to smaller sites until April 2024, Policy SADM16 does however seek to conserve the biodiversity of the Borough and seek opportunities for enhancement to ensure no net loss of biodiversity. The Policy sets out that proposals will be expected to maintain, protect, conserve and enhance biodiversity, the structure and function of ecological networks and the ecological status of water bodies.</p> <p>One representation received comments on the impact on street trees. The Councils Ecology Officer confirms that the trees along Howardsgate and Wigmores North are managed by the Council and any proposals to impact these trees would be assessed by them. The layout of the flats at proposed second floor level would allow sufficient light levels to these units. The</p> |

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|   | proposal is acceptable on this basis.  |
| <b>Planning Balance</b>   | <p>Policy SP1 sets out principles which seek to bring about sustainable development in the Borough. Factors which are key to this proposal include: planning positively for growth in a way which increases the supply of housing and helps to reduce social and health inequalities whilst recognising environmental and infrastructure constraints. That new development should contribute to the creation of mixed and sustainable communities which, among other things, are well planned, environmentally sensitive, and built to high design standards reflecting local character. That the location of new development should deliver a sustainable pattern of development which minimises the need to travel.</p> <p>The NPPF is clear that achieving sustainable development means that the planning system has three overarching objectives (economic, environmental, and social), which are interdependent and need to be pursued in mutually supportive ways. 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. Moreover, a breach of a particular development plan policy does not necessarily equate to a failure to accord with the development plan as a whole.</p> <p>The proposed development would deliver three additional one-bedroom dwellings (one studio flat) in a Borough where a shortfall in housing has been identified. Moderate weight is attached to this. Short term economic benefits would also arise from the construction of the development, albeit limited. Moreover, the proposal would be within walking distance to shops and services which brings about limited benefits.</p> <p>Weighing against the proposal is the design of the development. The proposal does not adequately recognise the environmental constraints of the site. It does not reflect the local character and appearance of the building in the Conservation Area, and in this regard, it is not environmentally sensitive. Overall, the proposal is not well-planned and is not of a high standard of development. On these issues, there is conflict with Policies SP1, SP9, SP15 and SADM15. Other factors weighing against the proposal include the potential impact to the amenity of future occupants due to a lack of noise mitigation measures, contrary to Policies SP9 and SADM11 of the Local Plan.</p> <p>In view of the above, it is considered that the benefits of the proposal do not outweigh the significant and demonstrable harm which has been identified. As such, the proposed development is contrary to the Development Plan and the National Planning Policy Framework.</p> |
| <b>Conclusion</b>   |  |
| The application is contrary to the development plan. There are no material considerations which outweigh the conflict with the development plan. Accordingly, for the reasons given above, it is recommended that planning permission is refused. |  |

**Reasons for Refusal:**

1. The proposal would fail to protect or enhance the character and appearance of the Welwyn Garden City Conservation Area and would harm the character and

appearance of the host property, which is a non-designated heritage asset. The proposal undermines the original design, form and proportions of the building and detracts from its architectural interest and the positive contribution it makes to the Conservation Area. This harm is judged not to be outweighed by any substantial public benefits and is therefore considered to conflict with Policies SP1, SP9, SP15 and SADM15 of The Welwyn Hatfield Borough Council Local Plan, The Supplementary Design Guidance 2005, The Welwyn Garden City Conservation Area Appraisal (2007) and the National Planning Policy Framework.

2. Insufficient information has been submitted to enable the Council to fully assess the impacts of noise upon the amenity of future occupants of the units that would be created as a result of the proposal. In the absence of this information, the proposal is contrary to Policies SADM11 and SADM18 of the Welwyn Hatfield Borough Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.

### REFUSED DRAWING NUMBERS

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| <b>Plan Number</b> | <b>Revision Number</b> | <b>Details</b>                                       | <b>Received Date</b> |
|--------------------|------------------------|--|----------------------|
| 02                 | A                      | Location Plan  | 2 April 2024         |
| 03                 | A                      | Existing South and West Elevations                   | 2 April 2024         |
| 04                 | A                      | Existing East and North Elevations and Sections      | 2 April 2024         |
| 05                 | B                      | Existing Site Plan                                   | 2 April 2024         |
| 10                 | A                      | Existing Ground Floor Plan                           | 2 April 2024         |
| 11                 | A                      | Existing First Floor Plan                            | 2 April 2024         |
| 40                 |                        | Proposed Ground Floor Plan                           | 2 April 2024         |
| 41                 |                        | Proposed First Floor Plan unchanged from Existing    | 2 April 2024         |
| 42                 |                        | Proposed Second Floor Plan                           | 2 April 2024         |
| 43                 |                        | Existing and Proposed Roof Plan                      | 2 April 2024         |
| 3644 / 44          |                        | Proposed Visual                                      | 2 April 2024         |
| 45                 | A                      | Proposed South and West Elevations                   | 2 April 2024         |
| 46                 |                        | Proposed North and East Elevations                   | 2 April 2024         |
| 3644 / 48          |                        | Visual Looking up Wigmores North towards Howardsgate | 2 April 2024         |

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).

**Determined By:**

Ms Emily Stainer  
13 June 2024