

WELWYN HATFIELD COUNCIL
PLANNING CONTROL COMMITTEE – 25 OCTOBER 2007
REPORT OF THE CHIEF PLANNING AND ENVIRONMENTAL HEALTH OFFICER

S6/2007/0925/MA

RESIDENTIAL DEVELOPMENT OF 40 UNITS; COMPRISING OF FLATS, DWELLING
HOUSES AND HIGHER NEEDS SUPPORT UNIT, INCLUDING ACCESS AND
LANDSCAPING, FOLLOWING DEMOLITION OF EXISTING BUILDINGS – HAZEL
GROVE PRIMARY SCHOOL, HAZEL GROVE, HATFIELD

APPLICANT: Places for Peoples Homes Ltd

Hatfield

1 Site Description

- 1.1 The site is located in the southern part of Hatfield, approximately 1.5km to the south-west of the town centre. It lies on the south-western side of Hazel Grove and to the south-east of Lane End and comprises 0.695 hectares in area. This part of the site comprises the former primary school buildings with further to the south-west and outside of the application area, the former playing fields to the primary school.
- 1.2 The area is characterised with residential dwellings in a mixture of semi-detached and terraced built in the 1950's to 1960's of medium density. The design of these are principally gable ended with one half of Hazel Grove typically facing brickwork whilst the other side is typically part render (ground floor) and part brick work (first floor). The boundaries to the site comprise the main highway of Hazel Grove to the north-east, Lane End to the north-west and rear gardens and flank elevations of dwellings to the south-east. All of these boundaries are fairly well screened with soft landscaping comprising hedges and trees.
- 1.3 Within the site, the school buildings, to be demolished are single storey in nature surrounded with hard and soft playing areas. There are also a number of trees within this area comprising both more mature and younger varieties of Silver Birch, Lime, Ash, Poplar, Horse Chestnut and Cherry. Land levels slope gently from the north-west towards the south-east.

2 The Proposal

- 2.1 The proposal seeks full planning permission for a total of 40 units including the Higher Needs Support Unit, in the form of:
- Higher Needs Support Unit (HNSU) comprising 6 no. 1 bedroom flats and 1 no. 1 bedroom staff accommodation. Supporting documentation with the application indicates that the HNSU "...is intended to promote independence, community inclusion and the rights of people with learning disabilities to live as others in the community and expand their choices in housing and support."

- 14 no. 3 bedroom terraced dwellings for private sale
 - 3 no. 2 bedroom and 1 no. 3 bedroom terraced houses for affordable tenure
 - Part two/part three storey block of flats comprising 12 no. 1 bedroom and 3 no. 2 bedroom flats. Within this block would be 2 no. 2 bedroom and 3 no. 1 bedroom flats for affordable tenure.
- 2.2 The proposal also involves the closing-up of the existing access from Hazel Grove and a new access provided slightly to the north-east and pedestrian access for users of the HNSU only on to Lane End. Parking would be provided within the site and comprises a total of 59 spaces, including disabled provision, as well as secure cycle storage areas.

3 Planning History

- 3.1 S6/2004/1371/CD Outline application for children's home and related works
Withdrawn
- 3.2 S6/2005/0061/OP Outline application for residential development of 0.68 hectare site, with means of access details, involving demolition of existing school buildings – Application 1
Resolution to grant (S106 never completed)
- 3.3 S6/2005/0062/OP Outline application for residential development of 0.49 hectare site, with means of access details, involving demolition of existing school buildings – Application 2
Resolution to grant (S106 never completed)

4 Planning Policy

4.1 National Planning Guidance

Planning Policy Statement 3: Housing
 Planning Policy 14: Development on Unstable Land
 Planning Policy Statement 25: Development and Flood Risk

4.2 Hertfordshire Structure Plan Review 1991 – 2011

Policy 1 – Sustainable Development
 Policy 6 – Settlement Pattern and Urban Concentration
 Policy 10 – Affordable Housing
 Policy 25 – Car Parking
 Policy 29 – Traffic and Safety Implications of Development Proposals
 Policy 46 – Open Space in Towns
 Policy 51 – Watling Chase Community Forest
 Policy 54 – Energy Generation
 Policy 55 – Waste Management

4.3 Hertfordshire County Council Waste Local Plan 1999

Policy 3 – Waste minimisation and New Developments
 Policy 7 – Re-use of Waste Arising from New Developments
 Policy 8 – Use of Recycled Materials in New Developments
 Policy 11 – Major Developments and Waste Recycling

4.4 Welwyn Hatfield District Plan 2005

SD1 Sustainable Development
GBSP2 - Towns and specified settlements
R3 - Energy Efficiency
R5 - Waste Management
M4 – Developer Contributions
M14 - Parking standards for new developments
D1 - Quality of design
D2 - Character and context
D3 – Continuity and Enclosure
D5 - Design for movement
D6 – Legibility
D7 - Safety by Design
D8 - Landscaping
D9 - Access and Design for people with disabilities
H2 – Location of Windfall Residential Development
H6 – Densities
H7 – Affordable Housing
H8 – Dwelling Types and Tenure
H9 – Special Needs Housing
H10 – Accessible Housing
R1 – Maximising the Use of Previously Developed Land
R7 – Protection of Ground and Surface Water
R17 – Trees, Woodland and Hedgerows
R20 – Light Pollution
CLT7 – Community Use of Educational Facilities
CLT9 – Use of Redundant Education Facilities
CLT13 – Loss of Community Facilities
OS1 – Urban Open Land
RA11 – Watling Chase Community Forest
IM2 – Planning Obligations

4.5 Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

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

5 Representations Received

5.1 The application was advertised by means of neighbour notification letters and site and press notice. Two letters of objection and one letter of support have been received raising the following points:

- The Hazel Grove site is an inappropriate venue for potentially dangerous inhabitants since it is residential
- Residents requiring higher needs support would not be well-served living in South Hatfield
- Increase in traffic and increased car parking
- Affordable housing should be provided for young professionals who cannot afford to live in London
- Have concerns regarding another group who require extra [financial] support

- Quite a sympathetic development

5.2 Welwyn Hatfield Access Group request that this application is considered subject to the standards and criteria outlined in the current District Plan (Policy D3d, Policy D5) and that planning approval is conditional on compliance with the detailed access requirements.

6 Town Council Comments

6.1 No comments have been received from Hatfield Town Council.

7 Consultations Received

7.1 **Thames Water** do not have any objection with regard to sewerage infrastructure.

7.2 **Environment Agency.** Site falls outside the indicative floodplain and the 'Standard Response' is therefore applicable. This requires surface water run-off to be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).

7.3 **Environmental Health** request the contaminated land condition is attached.

7.4 **Community and Environment** advise that the entrance area to the various blocks will need to be extra wide as Hazel Grove itself is a narrow road and sufficient area for manoeuvring a full size refuse freighter will be required, to service each of the blocks.

7.5 **Hertfordshire County Council Highways**, in respect to the amended plans, do not wish to restrict the grant of planning permission subject to a number of conditions.

7.6 **County Development Unit** seek to promote the sustainable management of waste in the county. This includes using recycled materials, re-use of unavoidable waste and conditions within "Implementation of Hertfordshire Waste Local Plan Policies - A Guide to Districts, (Draft) June 1999" are recommended.

7.7 **Landscaping** advise that the trees shown for removal have little impact on the visual amenity of the site and the loss could be made up with suitable new planting. Retention of the existing trees is important and conditions are therefore recommended for their protection. In principle, there is no objection to the proposal.

8 Discussion

8.1 This application is presented to the Planning Control Committee due to being called in by Councillor Paul Smith.

8.2 The main issues to be considered in determination of this application are:

1. Principle of residential development on the site
2. Impact on the character and appearance of the site and surrounding area
3. Impact on the amenity of adjoining residents
4. Density
5. Affordable housing provision
6. Highways and parking matters
7. Landscaping, Urban Open Land and Watling Chase Community Forest

8. Other material planning considerations

Background

- 8.3 A resolution to grant outline planning permission for residential development of the site, subject to a s106 agreement, was made in August 2005 under delegated powers. Neither of the two applications, S6/2005/0061/OP or S6/2005/0062/OP, had a completed s106 agreement and planning permission was therefore never issued. The principle of residential use of the site has been established with these applications however, as part of the background of this proposal this is detailed below.
- 8.4 Hertfordshire County Council (HCC) approved a proposal at their cabinet meeting of 15th March 2004, to close Hazel Grove Primary School and to open a new 2 form entry primary school at Five Oaks Primary and Nursery School site, known as de Havilland Primary School (opened September 2004). This decision was ratified by the School Organisations Committee. Hazel Grove Primary School has now formally closed at the end of the academic year 206/2007.
- 8.5 HCC Adult Care Services (ACS) identified, during 2004, the need for a new purpose-built, higher needs supported unit for people with challenging behaviour coming through ACS's service provisions. The concept for this facility is based upon people living in individual flats, in a small secure unit, within the community. The units would be comparable to general housing units and specialist care support provided on a one to one staff: resident ratio on a 24 hour basis.

Principle of Residential Development

- 8.6 The principle of residential development of the site was established within the considerations of the two outline applications in 2005. It is considered appropriate to re-iterate these considerations for Members information.
- 8.7 Policies CLT7, CLT9 and CLT13 identify the criteria under which the use of, redevelopment of and loss of redundant educational establishments will be considered. These criteria were considered within the two outline applications of 2005 and it was concluded that there was no conflict with these three policies.
- 8.8 To summarise these considerations, the cost of maintenance works to the school to make them 'fit for purpose' and the size, layout and specialised nature of primary schools make them unsuitable for re-use for anything but a primary school. The absence of any local need for community, leisure or recreation facilities was also considered during the outline applications. This concluded that Hazel Grove Primary School was not used out-of-hours by outside bodies, that the new de Havilland School had not received any request for out-of-hours use and that through the County Council's consultations no need had been demonstrated. During this time however, two requirements within the area were identified, firstly for a children's home and secondly for a 6-bed home for adults with learning disabilities.
- 8.9 Furthermore, the opening of de Havilland School and the monies provided (indicated as £2.1 million package of developments) for improvements through the amalgamation itself resulted in a significant community benefit for the locality.
- 8.10 The site is surrounded with residential dwellings and there would therefore not be any conflict with surrounding land uses. The proposals comply with policy H2 as

the site comprises a previously developed site, a situation of significant over supply of dwellings has not been reached; the site is accessible to modes of transport other than the car being close to both Bishops Rise and Roehyde Way which are on bus routes; the local infrastructure will be able to absorb such a development; and there are not significant physical constraints to the development of such land.

- 8.11 There is a mixture of dwelling types includes flats and dwellinghouses with 1, 2 and 3 bedrooms. This ensures that the proposal complies with policy H8 which identifies a shortfall of flats and one and two bedroom properties in the district.
- 8.12 The Higher Needs Support Unit has been proposed due to HCC identifying a need for such a facility. People with learning disabilities identified for such housing would receive one-to-one care and the Government White Paper 'Valuing People: a New Strategy for Learning Disability for the 21st Century' recognises the importance of housing and support for people with learning disabilities. Hertfordshire Housing and Support Strategy through partnership with Housing Associations and Local Councils aim to develop housing and support services which enable people with learning disabilities with all levels of support needs to have as great a choice as possible over where and how they live. The HNSU would therefore comply with policy H9.

Impact on the character and appearance of the site and surrounding area

- 8.13 Policies D1 and D2 require the standard of design in all new development to be of a high quality and to respect and relate to the character and context of the area in which it is located. The dwellings and HNSU are all two storey in height in keeping with the dwellings in the surrounding environment. The block of flats has been designed to relate to the slope of land whereby a two storey element faces onto Hazel Grove with three storey elements into the site, the upper level of which might be seen from longer views from Hazel Grove and beyond. The individual elements of the scheme are discussed in detail below.

Flats

- 8.14 The units have been designed to reflect the character of the surrounding area but also to add a more contemporary element in relation to articulation with different materials, colour palette and differing roof heights. This theme is carried throughout the development with the other elements.
- 8.15 The flats would be located with the central block within 1.7 metres of the footpath. The building and footpath would be separated with soft landscaping in the form of a hedge adjacent to the footpath and grass behind this. Access from Hazel Grove into this part of the development would be provided via two ramped access paths to both wings of the development, which are set 6.8 metres from the public footpath. Juliette style balconies would face onto Hazel Grove and this together with the varied fenestration and choice of materials would provide interest and character to the street scene.
- 8.16 The height of this development would in parts be taller than the surrounding dwellings, by approximately one storey. However, due to the detailing, changes in height from one element to another and shallow roof height, there is relief in the building such that it would not appear over dominant within the street scene. Existing trees (lime, ash, poplar and silver birch), which are shown to be retained would also help break longer views to the site and thus provide relief.

- 8.17 The rear of the block maintains this theme, although the design has less varied roof lines with height decreasing from the north-west to the south east. It still maintains the central element with the two wings set back and provides, like the rest of the development, clearly defined entrances.

Terraced Dwellings

- 8.18 Four blocks of terraces are proposed comprising three blocks of five units and one of four. These are located towards the boundaries of the site with the gardens facing the external boundaries. These, like the flats, have varied materials, colour palette, treatment and staggered appearance. They are of a comparable height to the adjoining residential dwellings and thus would in keeping with the wider character of the locality and the changes in land levels.

Higher Needs Support Unit

- 8.19 This is located in the north-eastern corner of the site with new pedestrian access provided for users of the HNSU to Lane End. The design is similar to the other developments proposed, in terms of materials and colour. The block is two storey in height with four 'pavilion' style elements with mono pitched roofs, providing the main accommodation, linked together with common and staff areas.
- 8.20 The detailing in the various elements of the building adds interest and reflect the character of the remaining development and surrounding areas. The separation to the boundary with Lane End would be at its closest point approximately 4 metres away, extending to almost 8 metres which ensures that the development would not be overbearing on users of Lane End.

Car Parking and Associated Areas

- 8.21 By virtue of the density of the site, discussed later, there is a fairly large amount of hard surfaced area within the site providing parking for the development. Although the layout of parking in such a fashion results in a loss of softness through landscaping, it is considered that with the imposition of suitable conditions that landscaping can be provided that will provide relief to the urban form. Drawing number PL-102 (Proposed Site Plan (At Ground Floor Level)) indicates that soft landscaping can be provided without compromising on parking or the quality of the urban environment.
- 8.22 The layout provides safe access for pedestrians and cyclists away from vehicular manoeuvres and thus the proposal complies with the aims of policy D5.
- 8.23 Overall, the proposal is considered reflects and enhances the character and appearance of the site as well as the wider area and therefore complies with policy D2. The design of the units with choice of materials, detailing, scale and massing etc also ensures that the development complies with policy D1 and would be of a high quality.
- 8.24 The design is easy to understand with a 'courtyard style' central area and different views and vistas from both outside and inside the site. The materials, as previously discussed, assist in the legibility of the area and aids distinctiveness at ground floor level as required by policy D6.

Private Amenity Space

- 8.25 Each of the terraced dwellings has its own private garden with between 50-80 square metres of space. The lower amount applies to the 2 bedroom dwellings. This is considered to be adequate amenity space for the dwellings. Access is provided to each of the rear gardens via footpaths to the rear allowing easy access for occupiers of those dwellings.
- 8.26 In relation to the flats, private amenity space is not provided for these units. However, the site does provide amenity space and, as discussed later under landscaping section, there is opportunity for occupiers to benefit from green space within the wider area.
- 8.27 The HNSU has a private garden to the rear and side of the block and this is considered of an adequate size, around 250 square metres, to provide space and recreation for the occupiers living within those areas.

Impact on the amenity of adjoining residents

- 8.28 The site currently has a number of single storey buildings and therefore the appraisal needs to compare the difference between these buildings and what is proposed and also the amenity of future occupiers of the units.
- 8.29 The residents of Hazel Grove opposite the development will be impacted upon most greatly by this development. The approximate distance between the flats and the existing dwellings is approximately 18 metres (at its closest point). It is considered that this distance together with the siting of the flats which are located away from the frontages of these dwellings facing predominantly towards a small block of detached garages and a footpath, providing access to Robins Way, would ensure that amenity and privacy currently enjoyed is maintained.
- 8.30 The remaining units principally have their rear gardens facing onto either side or rear gardens of adjoining residential units or open land to the south west. This, with existing landscaping, typically 3 metre high hedges to dwellings to the south-east of the site, as well as the distances between, ensures that privacy is maintained and that there would not be a problem with overshadowing. The development therefore complies with policy D1.

Density

- 8.31 Policy H6 states that residential developments of 5 or more dwellings will be required to be built at densities of 30 to 50 houses per hectare provided that the development would not have an adverse impact on the character of the surrounding area and can satisfy design policies of the plan.
- 8.32 The previous sections have reviewed the impact on the character of the area and it has been demonstrated that the development would not have an adverse impact. The density of the development is just slightly in excess of policy density guidelines at approximately 57 dwellings per hectare, however this needs to be assessed against the character of the area as well as against Planning Policy Statement 3: Housing which indicates that a minimum density of 30 dwellings per hectare should be provided (justification would be needed for a lower density than this) and that the character of the area should define the density to be provided. In other words, there is no upper limit.

- 8.33 On this basis, it is therefore considered that the density proposed is acceptable for reasons previously given and would comply with PPS3.

Affordable Housing Provision

- 8.34 Policy H7 specifies that sites of 1 hectare or more or 25 units or more, that as a minimum 30% affordable housing should be provided on the site. Of the 40 units, 9 units are proposed as affordable tenure. Additionally, the HNSU is also provided as part of the affordable housing provision. This therefore would achieve a 40% provision and would thus comply with the aims of this policy.
- 8.35 The affordable units, other than the HNSU, would be provided within 'block E' which is located on the north western boundary of the site (4 units) and randomly within the block of flats (5 units).

Highways and Parking Matters

- 8.36 The proposal shows the closure of the existing access and the opening of a new further to the north east, pedestrian access to Lane End for the sole use of occupiers of the HNSU and the provision of 59 parking spaces which includes 6 disabled parking spaces. Hertfordshire County Council (HCC) as Highway Authority state that they consider the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and provides a layout suitable for adoption as public highway while maintaining access to HCC land and allowing for any future development.
- 8.37 To appraise the parking requirement for this zone 4 site, it is necessary to break down the units into the number of bedrooms:
- 19 no. 1 bedroom at 1.25 spaces per dwelling;
 - 6 no. 2 bedroom at 1.5 spaces per dwelling; and
 - 15 no. 3 bedroom at 2.25 spaces per dwelling;

This equates to a maximum requirement of 66.5 spaces and whilst the provision is slightly below standards, the parking requirements are the **maximum** required and the proposal has been assessed by HCC Highways who, with their professional expertise, do not consider that the development would have an unreasonable impact upon adjoining highways. It should also be noted that public transport (bus services) as discussed earlier are also within close walking distance and the aim of policy is to encourage more sustainable modes of transport (walking, cycling and public transport) with new developments, whilst also providing off-street parking provision. It is considered therefore that there are modes of transport other than the motor car available and therefore the proposal complies with policy M14.

- 8.38 With regards to cycle parking, guidance indicates that 1 long term space per unit if no garage or shed is provided. The flats and HNSU both show enclosed secure areas for cycle parking and the affordable units providing sheds in the rear gardens. The private dwellinghouses do not show secure cycle parking, however it is not considered unreasonable to anticipate that future occupiers would be likely to provide their own sheds which could accommodate cycles.
- 8.39 The development proposed will increase the number of residents living within the area and therefore will have impact upon transport infrastructure. It is therefore

appropriate to request a contribution towards improving sustainable transport measures.

Landscaping, Urban Open Land and Watling Chase Community Forest

Landscaping

- 8.40 Landscape Section has assessed the site with regards to the existing trees on the site and those proposed for removal as a result of the development. There are currently a number of fairly mature trees on the north and north-eastern boundary of the site with Hazel Grove as well as a number located on the other boundaries.
- 8.41 Six trees are proposed for removal (Acacia, Whitebeams (x2), Lime, Purple Leaf Plum and Acer). The removal of these, Landscape Section indicate, would have little impact on the visual amenity of the site and when taken into account with those trees remaining and the possibility of new planting, the landscape character of the area would be maintained in compliance with policy D8.
- 8.42 Two trees, a Silver Birch and Horse Chestnut are shown in the rear gardens of units P9 and P12/P13 which are all terraced dwellings. The impact on both the living standards of occupiers within these dwellings and the impact upon the trees have both been considered. The Horse Chestnut appears to be a relatively small specimen with a medium sized canopy and the silver birch a more mature tree with larger canopy. Landscaping have not indicated any concerns regarding the trees and their long term health in relation to the possibility of future tree works or suggested that a Tree Preservation Order should be put in place. This therefore means that should owners wish, in the future, to undertake any works they can do so without the authority of Welwyn Hatfield Borough Council.
- 8.43 Although new planting is shown on the site, details of species and size have not been indicated and this could be controlled by a suitably worded condition. Additionally, to ensure that the health of the existing trees are maintained, conditions in relation to Root Protection Area, Tree Protection Plan and means of protection during development during construction should ensure this is achieved. The proposal therefore complies with policies R17 and D8.

Urban Open Land

- 8.44 To the south-east of the site and beyond is urban open land, part of this area was formerly the schools playing fields. Urban open land is important within built up areas performing a key function towards recreation, ecology, landscape and the amenity that they provide. The development does not encroach upon this area and it is possible to access this land via existing footpaths in the vicinity. This would ensure that there is access for future occupiers of this site to the wider open land as well as ongoing access to existing residents within the locality. The proposal therefore complies with the requirements of policy OS1.

Watling Chase Community Forest

- 8.45 This site forms the boundary of Watling Chase Community Forest. The goal of the designation is to achieve the aims of the Forest Plan in terms of planting, leisure and landscape improvement. The proposal does not impact upon the existing urban open land, as previously discussed, and with a suitable condition tree planting can be achieved that can contribute to the character of the local

area and compliment the Hazel Grove Ancient Woodland. The proposal therefore accords with policy RA11 of the Welwyn Hatfield District Plan 2005 and 51 of the Hertfordshire Structure Plan Review 1991-2011.

Other material planning considerations

Sustainable Development

- 8.46 The applicants have completed the Sustainability Checklist detailed within the Supplementary Design Guidance. This includes details such as using previously developed land as already discussed but also includes matters such as energy efficiency, minimisation of pollution and re-use of materials.
- 8.47 The focus of the scheme relates to the affordable units where Level 3 of the Code of Sustainable Homes needs to be met in relation to energy efficiency, water minimisation etc. The report indicates that for these units ground source heat pumps are being considered for the affordable houses and solar panels for hot water heating for the affordable houses and flats and water efficient fixtures and fittings and provision of some water butts. Additionally, where possible passive solar gain has been an aim with dwellings making the best use of the path of the sun and siting so that there is minimal overshadowing.
- 8.48 Provision of these technologies would improve the environmental sustainability of the site and it is therefore considered appropriate to suggest a condition to achieve these aims where appropriate.
- 8.49 It is intended, in principle to minimise, reuse and recycle waste during construction and in accordance with local plan policy and Hertfordshire Structure Waste Plan, it is again suggested a condition is attached to achieve this aim. The applicants state that it is intended to use the 'Green Guide for Sustainable Homes' for the relevant affordable units, to assess the suitability of given construction methods and materials. This is a requirement through the Housing Corporation Standards and it is therefore considered appropriate to leave such details to be agreed by the relevant parties.
- 8.50 With the provision of such technologies and means of working, together with other measures that may be achieved through condition, it is considered that the proposal contributes towards sustainable development in accordance with local and national policies.

Contaminated Land, Flood Risk and Development on Unstable Land

- 8.51 Environmental Health has requested that the standard condition for a contaminated land survey is attached to any planning permission and this is therefore suggested at the end of the report.
- 8.52 The Environment Agency advise the land falls within the scope of the Environment Agency's Flood Risk Standing Advice whereby surface water run-off should be controlled as near to its source as possible through sustainable drainage (SUDS). A condition is therefore suggested requiring submission of details to achieve SUDS.
- 8.53 The risk assessment for this development, using the tool by Hyder, indicates a moderate risk. The application is therefore recommended, in accordance with PPG14, to include a condition for a geotechnical site investigation.

Developer Contributions

- 8.54 Additionally Hertfordshire County Council have requested contributions towards libraries (£204 per dwelling x 33 - £6732), youth and childcare (£410 per dwelling x 21 - £8610) and fire hydrant provision via the standard wording within the planning obligation. Children, Schools and Families have advised that there is no requirement towards education facilities in this instance. The HNSU have been excluded from the library contributions and the 12 one bed units from youth and childcare contributions.
- 8.55 HCC Highways have also requested, in accordance with standards, a financial contribution of £24,750 towards sustainable transport measures including passenger transport infrastructure improvements. Policy M4 indicates that where development necessitates alteration to existing or the provision of new transport infrastructure or services, permission will only be granted where those works are environmentally acceptable and where contributions are agreed to be met by the developer.
- 8.56 Open space provision is not proposed with this development on the site, however the developer has stated that he is willing to contribute towards existing play areas in the vicinity, for information, those closest are Coppice Close and Newstead. Contributions are only applicable to the 2 and 3 bedroom properties due to the increased likelihood of occupiers of these dwellings having children and a sum based upon £550 for each of the 2 bedroom dwellings and £700 for each of the 3 bedroom dwellings has been sought for provision, installation and maintenance of play equipment. The total sum is therefore £13,800.
- 8.57 These contributions all appear to be reasonable and justified and comply with the aims of policies IM2 and M4 and it is therefore recommended that these are included as part of a s106 agreement.

Safety by Design

- 8.58 The preamble to policy D7 states well-designed development can reduce the opportunity for crime and therefore the fear of crime. Natural surveillance over the public realm and distinction between fronts and backs of buildings should all be considered. The development achieves this with measures such as surveillance over the central 'courtyard' area and secure access to the rear gardens. The aims would therefore be achieved.
- 8.59 Additionally, by virtue of the proposed design there is clear distinction between public and private space and therefore the development accords with policy D3.

9 Conclusion

- 9.1 It is considered that the proposed development would not result in the loss of a community or educational facility to the detriment of the surrounding area. The proposals have been designed to reflect and enhance the character and context of the area. Parking provision and highway access are both considered would not result in detriment to highway safety and the proposals can contribute towards the landscape within the area. The proposal is therefore considered complies with national, regional and local plan policies.

10 Recommendation

10.1 It is recommended that planning permission be granted in respect of application reference no. S6/20070925/MA subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the matters set out below and the following conditions:-

- to secure the financial contribution of £24,750 towards sustainable highway matters.
- to secure the provision of 40% of the units as affordable housing
- to secure the provision of library contribution of £6732 and youth and childcare of £8610 and fire hydrant provision
- to secure the provision of contributions towards existing play areas for the purchase, installation and maintenance of existing equipment of £13,800

- 10.2
1. C.2.1 - Time limit
 2. C.5.1 – Samples of materials to be submitted and agreed
 3. C.4.1 – Scheme of landscaping to be submitted and agreed
(include: b, e, f, g, j)
 4. C.4.2 – Implementation of landscape planting
 5. C.4.5 – Retention and protection of trees and shrubs for the duration of the development
 6. Details of any external lighting to be erected within the site shall be submitted to the Local Planning Authority for its prior written approval and shall be erected in accordance with those approved plans.

REASON

To avoid any potential for light pollution, in the interests of visual amenity in accordance with policies R20 and D1 of the Welwyn Hatfield District Plan 2005.

7. Before any development commences, details of existing and proposed ground levels, finished floor levels of the dwellings, pathways and parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and completed thereafter in accordance with the approved details.

REASON

In the interests of the character of the area and amenity of occupiers in accordance with policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

8. Prior to the commencement of the development hereby permitted details of foul and surface water drainage shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall thereafter be carried out, completed and retained in accordance with the approved

details prior to the occupation of the development unless otherwise agreed in writing with the Local Planning Authority

REASON

To ensure the satisfactory drainage of the site in accordance with policy R8 of the Welwyn Hatfield District Plan 2005.

9. Details of bin stores shall be submitted to and approved in writing by the Local Planning Authority and shall be provided prior to first occupation of the units that they will serve and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority

REASON

To ensure the design is in keeping with the character of the area and to prevent the maximum refuse carrying distance being exceeded in accordance with policy D1 of the Welwyn Hatfield District Plan 2005.

10. C.6.1 – Excluding Class A of permitted development within the curtilage of a dwellinghouse without further permission
(Only applicable to Block B)
11. C.6.2 – Excluding Class B of permitted development within the curtilage of a dwellinghouse without further permission
(Only applicable to Block B)
12. C.6.4 - Excluding Class B of permitted development within the curtilage of a dwellinghouse without further permission
13. Before first occupation of the approved development, the proposed new access onto Hazel Grove as shown in principle on drawing PL-102 Rev P3 shall be completed and constructed and the existing vehicle crossovers closed and the footway reinstated to the current specification of Hertfordshire County Council as Highway Authority and Local Planning Authority satisfaction.

REASON

To ensure that the access is constructed to the specification of the Highway Authority as required by the Local Planning Authority and to comply with Policy 29 of the Hertfordshire Structure Plan Review 1991-2011.

14. Concurrent with the construction of the access, visibility splays of 2.4m x 43m shall be provided and permanently maintained in each direction along Hazel Grove within which there shall be no obstruction to visibility between 600mm and 2 metres above carriageway level.

REASON

To provide adequate visibility for drivers entering or leaving the site in the interests of highway safety in accordance with Policy 29 of the Hertfordshire Structure Plan Review 1991-2011.

15. Development shall not begin until the detailed plans and sections of the proposed road serving the residential development have been approved by the Local Planning Authority and the Highway Authority and no building

shall be occupied until the section of road which provides access thereto has been constructed (apart from final surfacing) in accordance with the approved details.

REASON

To ensure that the proposed roadworks are constructed to an adequate standard in accordance with Policy 29 of the Hertfordshire Structure Plan Review 1991-2011.

16. Concurrent with the construction of the pedestrian access onto Lane End, visibility splays of 1.2m x 16m shall be provided and permanently maintained in each direction along Lane End within which there shall be no obstruction to visibility between 600mm and 2 metres above carriageway level.

REASON

To provide adequate visibility for drivers entering or leaving the site in the interests of highway safety in accordance with Policy 29 of the Hertfordshire Structure Plan Review 1991-2011.

17. C.8.12 – No occupation until spaces laid out
18. C.8.18 – Visibility Splay
19. The access road serving the site shall be a maximum of 5.5 metres wide and the kerb radii shall be 6 metres that shall include a pram crossing complete with a tactile feature.

REASON

So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians and disabled people in accordance with Policy 29 of the Hertfordshire Structure Plan Review 1991-2011.

20. All areas for parking and storage and delivery of materials associated with the construction of this development shall be provided within the site on land which is not public highway and the use of such areas must not interfere with the use of the public highway.

REASON

In the interest of highway safety and free and safe flow of traffic in accordance with Policy 29 of the Hertfordshire Structure Plan Review 1991-2011.

20. C.8.5 – Wheel Washing Equipment
21. C.8.20 – Cycle Parking Provision
22. C.7.13 – Bin Stores/Recycling
23. Prior to the commencement of the development hereby permitted, details shall be submitted to the Local Planning Authority for approval in writing showing how surface water run-off will be controlled through a sustainable

drainage system. Such approved details shall then be implemented by the developer.

REASON

In the interests of the water environment in accordance with policy R7 of the Welwyn Hatfield District Plan 2005 and Planning Policy Statement 25: Development and Flood Risk

24. C.7.14 – Contaminated Land Survey
25. C.7.15 – Energy Efficient Construction
(Amend “The building shall be constructed...” to “The affordable dwellinghouses shall be constructed....”)
26. Prior to the commencement of the development hereby permitted, details of the sheds for the affordable units shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the sheds shall be built in accordance with these approved details.

REASON

In the interests of the amenity of adjoining occupiers and the character of the area in accordance with policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

26. Before the development hereby permitted is commenced details shall be submitted to and approved by the local planning authority in writing to demonstrate that, where possible, products listed in the Recycled Products Guide or an equivalent accredited green products guide, or building products which have been recovered for re-use or other products with a recycled content will be used.

REASON

To ensure that the development is carried out in accordance with the principles of sustainable waste management in accordance with policy 8 of the Hertfordshire County Council Waste Local Plan 1999.

27. Before the development hereby permitted is commenced, details shall be submitted to and approved in writing by the local planning authority of the measures to be taken in the design, construction, operation and decommissioning of the development to: minimise the amount of waste generated; to re-use or recycle suitable waste materials generated; to minimise the pollution potential of unavoidable waste, including appropriate remediation measures for any contaminated land; to treat and dispose of the remaining waste in an environmentally acceptable manner; and to utilise secondary aggregates and construction and other materials with a recycled content. The measures shall be implemented in accordance with the approved details.

REASON

To accord with the waste planning policies of the area in accordance with policy 7 of the Hertfordshire County Council Waste Local Plan 1999.

28. C.12.2 - WHRA Moderate

10.3 INFORMATIVES

1. All work undertaken on the highway are to be constructed to the current Highway Authority specification, to an appropriate standard and by a contractor who is authorised to work in the public highway. All works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority in accordance with Hertfordshire County Council publication "Roads in Hertfordshire – A Guide for New Developments." Before proceeding with the proposed development, the applicant should contact the Mid West Hertfordshire Area Office (01727 816025) to obtain their permission and requirements.
2. The applicant is advised that if it is the intention to request Hertfordshire County Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then the applicant should contact the Mid West Hertfordshire Area Office to discuss the technical and legal requirements. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
3. I6 – Street Numbering
4. The planning authority has determined the application on the basis of the information available to it but this does not warrant or indicate that the application site is safe or stable or suitable for the development proposed, or that any nearby land is structurally stable. The responsibility for safe and suitable development rests upon the developer and/or land owner and they should take expert advice from properly qualified experts to ensure that the historic chalk mining activities in the area will not adversely affect the development."

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

The proposal has been considered against National Plan Policy PPS3, PPS25 and development plan policies (i.e. Hertfordshire Structure Plan Review 1991 - 2011 1, 6, 10, 25, 29, 46, 51, 54 and 55; Hertfordshire County Council Waste Local Plan 1999 3, 7, 8 and 11 & Welwyn Hatfield District Plan 2005 SD1, GBSP2, R3, R5, M4, M14, D1, D2, D3, D5, D6, D7, D8, D9, H2, H6, H7, H8, H9, H10, R1, R17, R20, CLT7, CLT9, CLT13, OS1, RA11 and IM2), 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).

Chris Conway, Chief Planning and Environmental Health Officer

Date 10 September 2007

Background papers to be listed (if applicable)

S6/2005/0061/OP

S6/2005/0062/OP

