

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2019/1014/HOUSE
Location: 1 Perrywood, Walden Road Welwyn Garden City AL8 7PZ
Proposal: Erection of mesh panels following the removal of existing chain link fencing
Officer: Mr Tom Gabriel

Recommendation: Granted

6/2019/1014/HOUSE

Context	
Site and Application description	<p>The application site comprises a wooded plot of land adjacent to a block of apartments at the junction of Digswell Road and Walden Road.</p> <p>The application is for the erection of wire mesh panels following the removal of the existing chain link fencing which is in a poor state of repair with rotting posts and has been trodden down in places. The replacement fence is required to prevent people cutting through the wooded area from Digswell Road to Oaklands College.</p> <p>The proposed fence would be lightweight metal mesh panels between metal posts. The fence would be either open topped – with small projecting vertical wires – or close topped – with a smooth finish, as detailed in the Supporting Statement submitted with the application. The agent has indicated a preference to the open topped fence, for reasons of added security.</p> <p>The existing fence to be replaced measures 75m in total length along Digswell Road and Walden Road. It is part 1m high (that part fronting Walden Road), and part 1.8m high.</p> <p>The new fence would be 1.8m high in its entirety.</p> <p>Notwithstanding the address of the application on the submitted application forms, it has been considered appropriate to change the address to ‘Land adjacent to 1- 7 Perrywood, Walden Road, Welwyn Garden City, as this better reflects the precise application site and the location of the fence. This alteration does not prejudice any of the neighbouring properties, none of whom made any representations about the application.</p>
Constraints (as defined within WHDP 2005)	<p>CA - Conservation Area: WGC1; - Distance: 0</p> <p>EM - Estate Management - Distance: 0</p> <p>Wards - Sherrards - Distance: 0</p>
Relevant planning history	<p>Application Number: 6/2018/1142/EM Decision: Withdrawn Decision Date: 09 January 2019</p> <p>Proposal: Erection of 1.8m galvanised Green V-mesh boundary fence to the north and west of woodland.</p>
Consultations	

Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Press Advert Display Date: 15 May 2019 Press Advert Expiry Date: 30 May 2019 Site Notice Display Date: 16 May 2019 Site Notice Expiry Date: 7 June 2019		
Summary of neighbour responses	None received.		
Consultees and responses	Welwyn Hatfield Council – Tree Officer - The main concern regarding the trees is the excavation for the fence posts. I would recommend that a condition be attached requiring that any excavation be undertaken with hand tools only.		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input type="checkbox"/> M14 <input checked="" type="checkbox"/> R17 <input checked="" type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes Others SP9 SADM11 SADM15 SADM16			
Main Issues			
Design (form, size, scale, siting) and Character (appearance within the streetscene)	<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>Section 185 of the NPPF states plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:</p> <ol style="list-style-type: none"> a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation; b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; c) the desirability of new development making a positive contribution to local character and distinctiveness; and d) opportunities to draw on the contribution made by the historic environment to the character of a place. <p>Section 196 of the NPPF state 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>The wooded area alongside which the replacement fence is to be sited is well established and is a very pleasant part of the street scene along both Digswell Road and Walden Road and makes an important contribution to the Conservation Area. The existing wire mesh fence (part one metre/ part 1.8m high) is well integrated within the street scene with trees and vegetation growing around and over it and in places, outside it. The existing fence is, as a</p>		

	<p>result, an unobtrusive element of the street scene.</p> <p>The proposed fence would entail the removal and disturbance of a certain number of bushes and vegetation on the boundary of the site, which would require a little trimming to allow the development to proceed. However, within the context of the overall verdant, sylvan character of the site, this would not cause harm.</p> <p>The visual impact of the fence would however be greater. Notwithstanding this, painting the fence a suitable green would ensure that it would not be intrusive in the street scene. This may be conditioned. Furthermore, as the trees and vegetation in the wooded area surrounded by the fencing grow more, they would likely provide a greater screening effect as they grow through and around the new fencing.</p> <p>An open topped fence (with small projecting vertical wires) is the preferred proposal in order to act as a further security feature. This is considered to be acceptable in terms of the impact upon the character and appearance of the property, the street scene and the Conservation Area. The fence may be conditioned as such. The proposed fence would preserve the character and appearance of the Welwyn Garden City Conservation Area.</p> <p>As the development would have a neutral impact upon the character and appearance of the Conservation Area, it is not necessary to consider whether there are any public benefits to the proposal.</p> <p>Accordingly, the proposed development complies with the Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance 2005, Policies SP9, SADM11 and SADM15 of the Welwyn Hatfield Local Plan 2016, the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.</p>
Impact on neighbours	None.
Access, car parking and highway considerations	None. The fence would be set well back from the road and would not impinge upon visibility splays or highway safety.
Landscaping Issues	<p>The main concern regarding the trees is the excavation for the fence posts. A condition requiring that any excavation be undertaken with hand tools only is recommended such that the works do not harm the root systems of the trees.</p> <p>The agent for the application has confirmed that other than a little trimming of some small branches of some bushes that are growing through the existing fence, no trees or bushes are to be removed as part of the application.</p>
Any other considerations	None.
Conclusion	
<p>The proposed replacement fence would, subject to it being a suitable colour, have an acceptable impact upon the character or the property and the street scene. The character and appearance of the Welwyn Garden City Conservation Area would be preserved by the proposed development.</p> <p>Neither highway safety nor neighbour amenity would be adversely impacted upon by the proposal.</p> <p>The application is therefore recommended for approval.</p>	

Conditions:

1. No development shall commence until details of the colour of the fence have been submitted to and approved in writing by the Local Planning Authority. The fence shall be of the open topped variety with vertical projecting wires, as detailed in the Supporting Statement submitted with the application. Subsequently, the development shall not be carried out other than in accordance with the approved details.

REASON: To ensure that the proposed development has an acceptable impact upon the street scene in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

DRAWING NUMBERS

2. 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
101		Floor Plan	26 April 2019
102		Existing Elevations	26 April 2019
103		Proposed Elevations	26 April 2019
105		Block Plan	26 April 2019
104		Location Plan	7 May 2019

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 which may affect the land.

Determined By:

Mr Michael Robinson
13 August 2019