

Cabinet Planning and Parking Panel
4 March 2021

WELWYN HATFIELD COUNCIL

* Reporting to Cabinet

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET PLANNING AND PARKING PANEL held on Thursday 4 March 2021 at 7.30 pm via a Zoom meeting.

PRESENT: Councillors S.Boulton (Chairman)
S.Kasumu (Vice-Chairman)

A. Chesterman, B. Fitzsimon, G. Hayes, T. Kingsbury,
J. Quinton, D. Richardson, A Rohale, P. Shah and
P. Zukowskyj

ALSO PRESENT: Tenants Panel Representative
Ardita McHugh

OFFICIALS PRESENT: Head of Planning (C Haigh)
Head of Environment (D. Reyner)
Planning Policy Implementation Manager (S. Tiley)
Environment, Parking & Bereavement Manager (K. Roberts)
Parking Services Team Leader (M. McCann)
Governance Services Officer (G. Paddan)

112. MINUTES

The Minutes of the meeting held on 14 January 2021 were approved as a correct record and signed by the Chairman, following the amendment having been agreed by the Panel:

Minute 111: Insertion of 'This will be taken back to Officers for further investigation'.

113. DECLARATION OF INTERESTS BY MEMBERS

Councillors S. Boulton and P. Zukowskyj declared a non-pecuniary interest in items on the agenda as appropriate by virtue of being Members of Hertfordshire County Council.

114. PUBLIC QUESTION TIME AND PETITIONS

The following question was received from Jackie Warren and the Chairman responded:

I work as a Practice Nurse at Lister House Surgery and together with my colleagues have worked tirelessly during the pandemic to provide essential

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services. In February 2020 we were asked to pay an annual charge of £50 to park in one of the Council owned car parks and now with the opening of the Common car park this has now risen to £200 per year which for many people working in Hatfield, on the minimum wage, will find it difficult to find. I do not expect the parking to be free but an increase of 300% is unfair and misjudged, especially in these difficult economic times.

Will the Council consider not applying these increased charges as it penalises those that can least afford it, like those of us that work within the NHS.

Response:

We fully appreciate the efforts of all our NHS staff. In the face of the Global Pandemic, the Government has introduced a coronavirus Covid-19 Parking Pass for NHS front line staff, health and social care workers and NHS volunteers. These passes are available through employers. We will continue to support this in line with Government guidance. Therefore, the price increase will not impact NHS parking pass holders.

The price for car park season tickets in Hatfield were agreed by Full Council on the 1st February 2021 as part of the wider budget setting process.

There has been no increase in the season ticket prices in this location since their introduction in 2013. This cost is subsidised by the Council and provides local workers and Town centre residents a cost-effective way of parking when compared to paying the daily rate in the car park.

For example, the daily rate of parking is set at £6.50 – whereas a Season Ticket equates to approximately 70p per day to park in the Town centre.

It is also cheaper than season tickets offered by other local authorities. For comparison, the lowest season ticket for a town centre car park found in nearby counties was in Biggleswade at £225 per year.

115. INTRODUCTION OF PARKING RESTRICTIONS, IN TOWN CENTRE CAR PARKS, HATFIELD

The Panel considered the report of the Chief Executive on the introduction of parking restriction, in Town Centre car parks, Hatfield. The report noted that the new multi-story car park (MSCP) is part of the Hatfield Renewal Partnership proposals - a partnership of key local authorities, landowners and educational institutions who came together to develop a shared vision and plan for the Town's long-term regeneration. The build costs of the multi-storey were part funded by a £4.8m contribution from the Local Enterprise Partnership, recognising the part it will play in wider regeneration. These wider plans would boost the local economy, helping the Council to attract a better mix of new shops and businesses by making the Town centre a busier, more vibrant place to spend time.

Once opened, the MSCP will be managed by Parking Services, in line with other car parks across the Borough. This report set out the proposed parking

restrictions for the new MSCP, Kennelwood Lane and Dog Kennel Lane Car Parks, including the outcome of the informal and statutory consultation.

Hatfield Town Centre is currently undergoing a wide regeneration programme. As part of the introduction of restrictions in the MSCP, to make parking easier to promote and ensure that there is a consistent approach, charges to restrictions are proposed to support parking provision for businesses, residents and visitors to the Town. Businesses have requested a more flexible long stay options.

As part of the consultation, notices had been placed around the Town and letter sent out to residents and traders, which was backed up by an email. The Parking Team carried out a consultation with the agreement of the Hatfield Town Centre Regeneration Board. The survey carried out with local businesses was to gauge their views on their perceived parking challenges in the Town Centre. Ward Councillors and the Police had been consulted and no objections had been received from them. 109 business contacts were contacted via email, and 57 separate business responses were received. This survey identified that 63% of responses said employees have a problem finding a parking space. 85% said their customers rely upon car parks. 17.5% said customers needed to park for more than 3 hours. When asked if there should be a minimum free period of parking 12% said 4 hours or more, with the rest saying 3 hours or less or no free period. With 95% stating they would want to see free parking in the evenings and on Sundays.

In terms of the objections received, there were 28 objections pertaining to the proposals throughout Hatfield Car Parks (Appendix A), of which 18 related solely to the price of the season tickets. The other objections also highlighted season ticket prices along with other concerns. There were 11 objections from two estate agent businesses located within Market Place.

The following points were raised and discussed:

- A comment was made by a Member that this was the first time he had seen the objections, as in the past they have only been told about the objection received.
- A Member felt that the car park was poorly planned from the beginning and raised the points highlighted within the report on how the car park's operational costs would be met. He mentioned that the Council did not know about the costs at the time. It was noted that at a planning permission stage there is no requirement for cost and charges of a car park to be advertised at the time. It was highlighted that some Members had been against the erection of the Multi Storey Car Park from the onset. Reference was made to item 21 within the objections table relating to prevention of traffic congestion in the Town Centre. He added that Hatfield Town Centre had always had free marking and stating that the Council is introducing free parking was improper. If the Council had not built upon the car parks in the Town Centre there would not be the issues that are being raised. Item/comment 24 was mentioned relating to Link Drive and its use.
- The Member also made reference to Lemsford Road and the number of vehicles which will be using that road and its impact. In his opinion there was

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nothing in the report that indicated that the situation/issues raised would be resolved.

- He made reference to the public question from J. Warren in respect of NHS workers who are the largest users of the car parks. Although NHS workers could receive free parking in the Town Centre through the use of COVID parking passes, he felt that this would not be indefinite. He proposed that NHS worker get a permit at the current fee of £50 and that it remains at £50 to support the NHS workers. He mentioned the price of hospital parking fee and its impact on NHS staff. The proposal was seconded to support the NHS workers with offering a £50 permit fee per annum. It was felt that three free hours was not sufficient for some elderly residents to shop and make the necessary visits into the Town Centre. It was mentioned that previously there was a 3-hour limit. Moving vehicles around to avoid paying car parking fees was not always an option for some residents. All day charge of £6.50 was seen as extortionate. These charges may further reduce trade in the Town Centre.
- A question was raised by a Member pertaining to the number of residents relying on the car parking spaces, especially those residing in flats the car park space may be their only parking option. The Officer explained that there are 228 spaces at present and there are plans for further regeneration of the Town Centre. The parking spaces are not assigned to residential users. With the expansion of the Town it was felt that car parking should be taken into account.
- A further question was raised in respect of pay and display service in car parks and whether there is an alternative method to pay for parking such as the use of ANPR. One of the issues raised was that sometimes the pay and display machines are out of order and this causes problems for users. The Officer explained that the Government will not allow the Council to use ANPR, as in some cases the ticket issued arrives several days later and this does not allow the vehicle owner to check signage. The parking tickets issued by wardens need to be displayed at the time of the offense. This allows the user to check the times/limits displayed on site. When the new parking machines are fully operational in May, there will be help available on site to show people how to use them and how it works.
- It was felt that car parks need to be managed to ensure that sufficient parking is available for shoppers and not have commuters parking for free all day therefore a charge helps.
- It is the cheapest car park in Hertfordshire. The car park has not been busy due to Coronavirus impact with many workers being furloughed or working from home.
- The fees and charges had been agreed at full Council in February 2021.
- Clarification was sought on the multi zone permit system, which allows care providers parking within resident parking permit zones. The Member's understanding was that care providers had a permit which allows them to park within multiple zones within the Borough. He suggested that all care providers; including NHS staff be incorporated within this scheme, which would be a simpler way to provide parking within residential permit parking zones. It would save them having to buy a £50 permit, as they would be

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eligible to park in residential parking zones as care providers. It would be rewarding them for their services. Some NHS worker may not be aware that they are eligible for such permits. The Officer explained that NHS workers can have free parking across the Council's car parks if they have been given a COVID parking pass by their employer. The £20 health care provider permits is different to this as it allows any health care provider to purchase these permits and park in residents parking zones when they are making home visits. It was noted that there had been incidents whereby these permits have been misused. Unfortunately, the health providers can only use these permits to visit their patients in their homes and do not allow them to park and then go to work at their practice, for example.

- It was also raised that Councillors should qualify for similar parking facilities/permits as care workers, as they need to meet their constituents. It was agreed that this would be investigated by Officers.

A discussion ensued on whether it would be possible to include the proposal of £50 parking permit fee for NHS staff, as a recommendation from this Panel to Cabinet. It was noted that fees and charges had been confirmed via Cabinet and full Council and that it would not be possible to introduce such a fee at this point but could be considered at a later date. Members were advised that it would not be possible to rescind the Council's decision on fees and charges for six months. A brief discussion took place on whether the Panel could make such recommendations at this point. It was agreed that the Panel votes on the recommendations as tabled and that Cabinet could consider the proposal of introducing a £50 fee for NHS workers at a later date through the Council's process. The Member asked if there was a time frame for a paper to be considered in terms of the introduction of the proposed fee, as the pandemic would be over and NHS staff would be forced to pay the increased parking fee. It was agreed that a paper would be presented to Cabinet at the earliest opportunity for consideration of the proposal.

RESOLVED:

(6 for, 2 against and 3 abstentions)

1. That the Panel considers the case for the creation of the "The Borough of Welwyn Hatfield (Various Car Parks, Hatfield) Off-Street Parking Places) Order 2021" (the Order) and recommends that Cabinet agrees to proceed with the creation of the Order as advertised.
2. In making the above recommendation, the Panel considers the objections received as well as the issues raised in paragraph 15 of this report, relating to Equality and Diversity considerations.

116. NATIONAL PLANNING POLICY FRAMEWORK - DESIGN CODE CONSULTATION

Report of the Corporate Director (Public Protection, Planning and Governance) on the National Planning Policy Framework – Design Code consultation. The report noted that the Government is consulting on changes to the National

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Planning Policy Framework (NPPF), as well as on proposals for a National Model Design Code and Guidance Note for Design Codes. The deadline for responding to the consultation is 27 March 2021.

The report noted that the Building Better, Building Beautiful Commission was established in 2019 and it was responsible for developing practical measures to help ensure new housing developments meet the needs and expectation of communities, making them more likely to be welcomed rather than resisted.

The main changes to the NPPF include greater reference to issues such as sustainable patterns of development, beautiful places, design quality, masterplans, design codes, tree-lined streets, climate change, pedestrian and cycle routes, secure cycle parking and area-based character assessments – main four changes: a) all local planning authorities to prepare design guides or codes b) codes to be prepared for area wide or sit specific scale and to carry weight in decision making, c) contribute to the character and quality of urban environments, and d) developments that are not well designed should be refused.

The preparation of a design code as a supplementary planning document will require a draft version to be prepared by Officers, agreed by CPPP and Cabinet, public consultation, analysis of responses, updates to the code and a final version to be agreed by CPPP and Cabinet.

Members welcomed the proposals and made the following points:

- Clarification was sought on how far from our design code does a planning application needs to be before it falls out of line of the planning system, as in the past Members have seen developments come up at Development Management Committee (DMC), which have been noted as being ugly but Councillors have not dismissed the application due to it being overturned at an appeal. The Panel was advised that when a design code is being prepared for an area the authority should engage the community and it needs to be agreed with the local community. Members would need to suggest type of design that would be favored by the community. It can be a continuation of what is already there or a new design, taking into account the countryside together with what may be needed in the future in terms of the climate change agenda. It was mentioned in the consultation that if it does not meet the standard of the design code the development can be refused. It will be for Officers and DMC to determine how far from the design code is unacceptable, it is likely that it will be tested through examples overtime.
- It was noted that the Planning Inspectorate would be judging those applications against the agreed design codes if applications are appealed.
- There will be times in the future whereby members will be considering applications at DMC purely on design matters. Design will be an enhanced component in decision making in the future.
- Discussion ensued on the number of design codes that may be required, as there are number of different areas with their own characteristics and designs. It was put forward that the Council could have one design code with

a number of chapters relating to different areas for example, Hatfield, Garden City and villages.

- Or the Council will have to engage with the community to prepare multiple design codes for existing areas and with developers on board for larger projects.
- One of implications that was highlighted was resource, as there will be additional Officer time required to prepare design codes and concern was expressed in terms of additional workload being included within the current workload of Planning Officers. As Officers will be engaging extensively with the community, parish councils, developers and Ward Councillors to process the information and come to an agreement.
- We should encourage areas to retain their character. It was raised that there may be some difficulties in putting the principles into practice. Suggestions were made in respect of creating different design codes for blocks of flats and houses.
- It was suggested that the Estate Management Scheme could be converted into a design guide/code.
- Consideration was given to time required and the outcome of the consultation. Concern was expressed in terms of design codes taking time to be implemented and within that timeframe there could be an influx of planning applications from developers being processed perceptively that they would not meet the new standards. It was felt that time and resource was important and sensible to highlight these issues.
- A Member suggested that as we have in place Landscape Character Areas and that it would be an interesting exercise to define urban character areas, as a starting point.
- It was felt that the practicalities of implementing the recommendations of the design code and the wide-ranging community engagement and consultation proposals all have significant resourcing implications for local authorities.
- Head of Planning advised that in order to help alleviate the resource issue the Council would request new burden funding from the Government. It was noted that such funding if is often introduced where resource is needed to implement change.

RESOLVED:

1. That Members comment on proposed changes to the NPPF regarding design codes and Article 4 Directions.
2. That the Head of Planning be authorised to respond to the consultation, in agreement with the Corporate Director and Executive Member for Planning.

117. HERTFORDSHIRE WASTE LOCAL PLAN - DRAFT CONSULTATION

Report of the Corporate Director (Public Protection, Planning and Governance) on the Hertfordshire Waste Local Plan – draft consultation. Hertfordshire County Council (HCC) was consulting on its Waste Local Plan. The deadline for responding being 19 March 2021. The timetable then assumes proposed

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submission consultation in Summer 2022, submission in Summer 2023 and adoption by Spring 2024.

The Council's previous response to the initial consultation in March 2018 was included within the report. At that time the Council had mentioned that there were not enough reference to Green Belt and human health associated with waste sites.

The document highlighted that there is a need to increase the waste capacity due to significant levels of housing growth. With the anticipated growth the report noted that self-sufficiency required sufficient sites to be identified to close the gap. The Council supports the ten strategic objectives to: (1) apply the waste hierarchy, (2) promote modern and efficient facilities, (3) promote well-suited waste facilities, (4) increase recycling, (5) waste facilities close to origin, (6) low emission modes of transport, (7) cooperation with partners, (8) waste as economic activity, (9) self-sufficiency and (10) tackle climate change.

It was noted that the Plan considers that land off Birchall Lane at Cole Green as a strategic site for the management of construction, demolition and excavation waste, which is included within the Local Plan. The Plan also identifies the household waste recycling centre at Birchall of the A414 as a waste site. The Plan required waste development proposals to demonstrate that they will integrate measures to deal with climate change, including location, renewable energy emissions and ecosystems.

The following points were raised and discussed:

- The Head of Planning advised that in general the Council was supportive of the Plan and that it was for the County to ensure that they prove that they will be able to yield the necessary capacity in the next 15 years, when they submit the Plan to the Inspector.
- The Plan expects waste development proposals to be located close to the primary route network and use sustainable transport as a priority but not to over whelm the routes.
- The Plan no longer refers to OAN figures.
- Members considered the proposed draft response included within the report. A Member expressed concern in terms of having a situation whereby the County's waste is deposited within the Borough, as this Borough is central within the County. Having a single incinerator in Welwyn Hatfield would have an adverse effect on public health. He mentioned the issues that arose with the New Barnfield site in the past. It was felt that the Council's response should reflect this concern and that waste sites be located advantageously around the County and not be centralised in Welwyn Hatfield Borough.

RESOLVED:

That Members offer comments and grant delegated authority to the Head of Planning to prepare and submit a response, subject to a final agreement by the Executive Member for Planning.

118. HOUSING DELIVERY TEST ACTION PLAN

Members considered the report of the Corporate Director (Public Protection, Planning and Governance) on the Housing Delivery Test Action Plan. The Government published its latest housing delivery test results on 19 January 2021. It confirmed that Welwyn Hatfield had built 1,450 homes in the period 2017/18-2019/20 against a target of 2,284. This equated to 63%. This means that the Council has to prepare an Action Plan to assess the causes of under-delivery and identify actions to increase delivery in future years.

As the Council did not meet its target of delivery there are three consequences:

- a) The Council will need to prepare an action plan to assess the causes of under-delivery.
- b) The Council needs to add a 20% buffer to its five year housing land supply.
- c) The Council needs to apply the presumption in favour of sustainable development when determining planning applications.

The Housing Delivery test is an annual measure of housing delivery which compares the total net homes delivered against the number of homes required. As the Council does not have a recently adopted Local Plan the number of homes required in Welwyn Hatfield has been taken from the Government's local housing need figures.

The Action Plan does allow the Council to look at how it is performing in terms of delivery, corporate applications to itself and seek to improve the planning system.

The following points were noted:

- Council's balance on dealing with planning applications has improved overall.
- Impact of Section 106 and the timescales for the build following the application permission may need to be reviewed and investigate options of improvement to meet targets.
- The target set by Government is high and it is difficult to meet the number under the current circumstances, until the Local Plan is adopted.
- Members were advised on the consideration of applications in urban areas versus use of green belt land.
- It was noted that there are sufficient permissions granted for builds but these have not been taken up and thus contributing to the under-delivery. Head of Planning explained that the Council has allowed higher densities in sustainable locations such as the Wheat Quarter in Welwyn Garden City, which has permission for 1,454 homes in blocks. There are permissions granted for delivery for at least 2,000 homes, which have not yet been built. It was felt that releasing some of the burdens/conditions put in place may help to deliver numbers but there could be consequences on build quality, etc. Also the community has agreed for certain facilities/designs that need to

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be met. There will be regular meetings with larger developer to help improve the situation.

- It was confirmed that they are building and work was continuing on the Wheat Quarter site.

RESOLVED:
(Unanimously)

That Cabinet Planning and Parking Panel recommends the Housing Delivery Test Action Plan to Cabinet for publication.

Meeting ended at 8.35 pm
GP