

Development Management Committee  
9 December 2021

## WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 9 December 2021 at 7.30 pm in the Council Chamber, Campus East, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors J. Boulton (Chair)  
A. Hellyer, C. Juggins, G. Michaelides, H. Quenet, D. Richardson, P. Shah, P. Smith, S. Tunstall, R. Trigg, J. Weston and P. Zukowskyj

ALSO PRESENT: Legal Advisor, Trowers (R. Walker)  
HCC Highways (M. Armstrong)

OFFICIALS PRESENT: Head of Planning (C. Dale)  
Principal Development Management Officer (M. Peacock)  
Principal Major Development Officer (D. Elmore)  
Senior Development Management Officer (R. Lee)  
Principal Governance Officer (J. Anthony)  
Democratic Services Assistant (B. Taylor)

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### 41. SUBSTITUTIONS

The following substitution of Committee Members had been made in accordance with Council Procedure Rules:

Councillor G. Michaelides for Councillor N. Pace  
Councillor A. Hellyer for Councillor B. Fitzsimon  
Councillor P. Smith for Councillor T. Travell  
Councillor P. Zukowskyj for Councillor S. Elam  
Councillor H. Quenet for Councillor J. Ranshaw

### 42. APOLOGIES

Apologies of absence was received from Councillors N. Pace, B. Fitzsimon, T. Travell, S. Elam and J. Ranshaw.

### 43. MINUTES

RESOLVED:  
**(Unanimous in Favour)**

The minutes of the meeting held on 21<sup>st</sup> October 2021 were approved as a correct record.

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RESOLVED:

**(4 in favour, 5 abstentions, 3 against)**

The minutes of the meetings held on 9<sup>th</sup> September 2021 were approved as a correct record.

44. DECLARATIONS OF INTEREST BY MEMBERS

Councillor P. Zukowskyj declared non-pecuniary interests in items on the Agenda as appropriate by virtue of being a Member of Hertfordshire County Council.

45. 6/2021/0456/MAJ - 71 STATION ROAD, CUFFLEY, POTTERS BAR, EN6 4HZ - EMOLITION OF EXISTING CAR SHOWROOM AND ERECTION OF THREE STOREY BLOCK OF FLATS COMPRISING OF 9NO 2 BEDROOM FLATS AND 3NO 1 BED BEDROOM FLATS, WITH ASSOCIATED ACCESS, PARKING, AMENITY SPACE AND LANDSCAPING

Report of the Head of Planning on the erection of a part three storey/part four storey flat roof building containing 12 flats (nine 1-beds and three 2-beds) and associated works. Pedestrian and vehicular access to the building would be taken from The Meadway at two separate points and the existing access from Station Road would be closed off. A 12-space surface level car park would be provided on-site as well as a secure cycle and refuse/recycling store adjacent to the vehicular access.

Councillor Bob Stubbs, spoke on behalf of Northaw and Cuffley Parish Council, stating that the Parish Council did not object to residential development at this site or the flat roof design. The key objections had been the design, including the height and the carpark. The proposed 4 storeys led to a roof garden and the design was unsympathetic, and out of context and character to the surrounding buildings that vary in styles but maintained a traditional look. The Parish council felt that parking on the proposed development was insufficient to the area as it would not accommodate households with two cars or provide parking for visitors or deliveries to the site.

Members discussed concerns raised by local residents about the potential for the land to be contaminated, as a previous function of the site was believed to be a fuel station. Members stated that fuel leakages could be dangerous and building works on the site could cause greater contamination to aquifers. The recommended 'unexpected finds' condition was not considered sufficient. Officers stated that the Council's Public Health & Protection Officers had been consulted in this regard and the Council's database on contaminated land did not show signs of potential contamination at the site. However, having regard to the comments received and for the avoidance of doubt, it was agreed that the condition could be varied to require testing or at least a desktop study prior to commencement.

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Members asked whether piling construction would be used and whether the Environment Agency had been informed. Officers stated that piled foundations would likely be used and noted that whilst the Environmental Agency gave no response when consulted on the application, the use of piling was not known when they had been written to. Member asked for a condition to be added which would allow further consultation to take place on the piling construction approach to protect the aquifer. The Legal advisor agreed that this could be done via a condition.

Members discussed the height of the building. Officers stated that building is 3 to 4 storeys with the tallest section being the stairwell. The design also had a flat roof and would be stepped to reduce the visual impact of the development.

Members raised parking policy and standards for new developments, and in particular whether there was any disabled parking proposed for the new development. Officers stated the site was deemed to be sustainable as the bus and train stations were nearby, alongside other parking facilities. The residential streets surrounding the site also benefited from parking restrictions and there was a lack of parking stress on residential streets.

Members asked whether the development had included electric vehicle (EV) charging facilities and whether more EV charge points will be added to the roads. Officers confirmed that each parking space would be fitted with EV charging capabilities.

Members discussed the design of the development, with mixed views expressed on the aesthetics. Officers stated the development was not overbearing and far away from the neighbouring bungalow, and that there would be suitable landscaping. Members noted that there was a mix of design style in the immediate area.

The Chair gave an overview of the main points raised throughout the discussion and concerns raised could be secured by condition.

Following discussion, it was proposed and seconded by Councillors R. Trigg and A. Hellyer to accept the Officers recommendation to grant planning permission with conditions proposed in the report and identified by Members

**RESOLVED:**  
**(Unanimous in Favour)**

Subject to conditions set out in the officer report and

- a) Contaminated land testing prior to commencement of development;
- b) Piling methodology prior to commencement of development to ensure protection of aquifers.

46. 6/2021/2207/MAJ - CAMPUS WEST THE CAMPUS WELWYN AL8 6BX - EXPANSION AND ADAPTATION OF EXISTING CAR PARK, INCLUDING

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CONSTRUCTION OF SINGLE SUSPENDED LEVEL PARKING DECK,  
REORGANISATION OF ROAD AND PAVEMENT ARRANGEMENT,  
INTRODUCTION OF ADDITIONAL CYCLE PARKING, JUNCTION  
IMPROVEMENTS AND ASSOCIATED LANDSCAPING IMPROVEMENTS

Report of the Head of Planning on the expansion and adaptation of the existing surface car park, including construction of a new single suspended level parking deck, to accommodate 490 parking bays in total. The proposed expansion would result in an increase of 156 car parking spaces. The proposed open aspect car parking deck would have an area of 4342sqm and would accommodate 191 parking spaces. The upper deck would be accessed via a ramp which had a total width of approximately 9.7m, located roughly in the centre of the building. Vehicular access to the car park is from The Campus at a left in / left out priority junction. There would be three pedestrian accesses via the proposed staircases to the upper deck. The upper deck would measure approximately 75m in length, 63m in width and would be around 5.5m in height to the top of the barriers and 7.5m to the top of the proposed staircases. The deck would be constructed from a steel frame structure with steel cladding, aluminium cladding fins and open mesh barriers forming an enclosure to the structure at first floor level. This would be lit by new lighting columns split across the deck. The proposals would also require a minor reconfiguration of the existing surface parking layout to accommodate the upper deck, resulting in a reduction of parking spaces at the ground floor from 344 to 299. It was important to note that whilst this is a standalone application, it is linked to a wider development in the area, as this is intended to consolidate parking from elsewhere to enable other sites in the town centre to be redeveloped (notably The Campus East Car Park). As such, this proposed additional parking is a replacement rather than additional parking for the town as a whole.

Dai Hannaford, spoke as the agent, stated that Welwyn Garden City had potential to enhance its facilities in the town and the additional deck at Campus West would facilitate changes to the town. The contractor had been responsible for high quality car park designs which included the new multi storey car park in Hatfield. The design of the carpark on a brownfield site arose through consultations, all of whom agreed with the design. It was stated that protecting trees was always essential and more landscaping would be added to the site. The development would help local residents coming to the town, would have EV charging and cycle storage. This development would pave the way for future residential developments in other parts of the town.

Karen Winbow, spoke as an objector, stated that the development did not comply with a range of policies, would be built in a conservation area and cause harm to heritage assets. The lighting would exacerbate the development, and she felt the design was ugly and basic. It was stated that there was a reduced need for parking due to behavioural changes since the start of the covid19 pandemic and the public's view had been ignored. Proposals for were suggested of adding screening or a wall to the north of the development to limit light and noise impacts on residents.

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Councillor Sunny Thusu, spoke as District County Councillor, stated there was no objection to the plans, but there were some concerns around the trimming of the trees. The development would have greater visibility to residents during the winter and there was nothing in the proposals to encourage and insist on evergreen trees. It was stated that greater foliage would also protect against lighting. Questions were asked about why the car deck would need to be lit throughout the night and suggestions were made to consider switching the lights off rather than dimming. It was stated that the car park could be closed at night to stop any anti-social behaviour.

Councillor Frank Marsh, spoke as Ward Member, stated that they would like to see the car park attractive and blended in. Disappointment was expressed over the design in a conservation area. It was felt that the lighting on the upper deck would be too much and there was a lack of trees to protect against light pollution. It was expressed that there was insufficient cladding to the north to limit noise and light to nearby residents. Additionally, the development would be too close to woodside house, and the carpark did not need to be open 24 hours a day, 7 days a week.

Councillor Flavia Wachuku, spoke as Ward Member, raised issues brought forward by residents. It was feared the impact of the lighting would be too great and there were suggestions that the lighting could be modified if it was too bright, with lights on the lower level dimmed to limit lighting impacts. There was a lack of deciduous trees such as evergreen or broadleaf to limit residential views to the site and these trees would retain the current aesthetic. There were concerns over cladding to the north and west as the proposal did not have enough to limit impacts to residents. Concerns were raised over the opening hours and potential anti-social behaviour, which might be mitigated through greater use of CCTV cameras.

Members sought clarification on the current car park lighting and opening hours. Officers stated the lighting on site was 24 hours, 7 days a week at present and the proposal would have the column lighting dimmed at night and include shield scheme to limit light impacts. Furthermore, Officers confirmed that the Environmental Health Officer stated that there would be no material increase of light pollution from the development. Members asked whether the new lighting columns were the same as the current ones and asked whether the lighting regime could be less obtrusive. Officers stated that the height of the columns would be the same, so the spread of light is no greater and potentially lower due to the shield scheme.

Members stated that if the car park closed at night, then people may get trapped in, and it was worth noting that lots of people use the car park, and not just those visiting Campus West for the Cinema.

Members queried how much of an issue anti-social behaviour was on the site and expressed that there was an opportunity to use technology and resources such as a proximity sensor lighting at night. Members noted that there was a need to have sufficient lighting for the protection of residents.

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Members asked if a condition could be added to require greater landscaping and specifically include deciduous flora. Officers stated that this could be done by changing the wording to include evergreen and broadleaf, whilst confirming that the current proposal would see the vast majority of trees on the site retained.

Members sought clarification on the net biodiversity gain and the Tim Moyer survey findings. Members felt that due to the proposal being from the council it would set a precedent to have a pond or bug hotel to improve the biodiversity. Officers stated there would be an increase of biodiversity and a condition was there for mitigation measures. The Tim Moyer survey found there would be no harm to wildlife and Herts Ecology raised no concerns. Officer assured members that the condition was there to improve and create biodiversity.

Members considered the visual impact and design in a conservation area, and in particular did the proposal meet current policies. Officers stated that Historic England and the Conservation Officer did not raise any concerns to the proposal on design grounds but did raise concerns over the scale of the building and the proposed lighting. Overall, they deemed the impact of the proposal to have a low level of less than substantial harm which should be weighed against the public benefits of the scheme. Members queried the adherence to the WGC2120 policy. Officers stated that the policy had not been formally adopted yet and therefore limited weight could be placed on it. Members considered SP16 with regards to the vitality of land use. Officers deemed the proposal acceptable in this area. Members discussed potential non-compliance with policies D1, R19 and SD1, Officers stated that the reason for compliance was set out in the officer report. Members considered whether carparks were in keeping with the principles of a garden city, before noting that the town was already served by several carparks, including those with more than one deck.

Members asked about the parking spaces to the north of the site, closest to the greenway. Officers stated that the current spaces on surface level would be retained, and the new building would be set into the site away from the greenway.

Members stated that the increase in car parking spaces was less than a third and there may be less need for parking spaces due to people working from home due to covid19. Members also noted the relative size of the investment for a limited increase in parking spaces. Officers stated that the overall strategy of the town centre parking would be to assume the loss of parking facilities at Campus East. There would therefore be an overall reduction in parking spaces which is in accordance with policies to promote sustainable travel to the town.

Members discussed EV charging within the development. Some concerns were raised about the initial number proposed and Members expressed support for at least 10% of spaces being EV charged as a condition. It was stated that HCC policy was not to have EV charge points on the road therefore it would be reliant on carparks to provide the 10% would be desirable by HCC. Officers stated that

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the number of EV charge points above the proposed were reliant on local grid availability. Member stated that any EV charge points were of benefit.

Members expressed support for the design of the carpark and stated that better parking facilities will attract people to the town.

The Chair gave an overview of the main points raised throughout the discussion and concerns raised could be secured by condition.

Following discussion, it was proposed and seconded by Councillors A. Hellyer and S. Tunstall to accept the application and

**RESOLVED:**  
**(11 in favour, 1 abstention, 1 against)**

Subject to conditions set out in the officer report and,

- a) A change in the landscaping condition to include broadleaf and Evergreen planting

47. 6/2015/1342/PP - LAND TO THE NORTH EAST OF KING GEORGE V PLAYING FIELDS, NORTHAW ROAD EAST, CUFFLEY, HERTFORDSHIRE, EN6 4RD - OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 121 DWELLINGS, ASSOCIATED INFRASTRUCTURE AND A CHANGE OF USE FROM AGRICULTURAL LAND TO AN EXTENSION OF THE KING GEORGE V PLAYING FIELD. ALL MATTERS RESERVED EXCEPT FOR NEW VEHICULAR ACCESS TO SERVE THE SITE, THE PROVISION OF SURFACE WATER DISCHARGE POINTS AND THE LEVELS OF DEVELOPMENT PLATFORMS

Report of the Head of Planning on the erection of up to 121 dwellings, of which 35% would be affordable (42 units). The proposed density for the site is 25 approximately dwellings per hectare. The majority of the buildings across the site will be 2 to 2.5 storeys, with heights restricted to 2 storeys along the northern site boundary, which is adjacent to existing residential buildings and also the highest part of the site. The development proposed a range of house types, sizes, and tenures in order to provide a wide choice of homes, able to accommodate a variety of household types and thereby creating a mixed and inclusive community. The final mix of houses to be provided would form part of a subsequent Reserved Matters application. Vehicle access into the development would be taken from Northaw Road East as a simple T-junction. The illustrative layout includes pedestrian friendly links across the site providing connectivity between the existing residential development in the north and the public footpaths and playing fields to the south. Landscaping and areas of open space are proposed throughout the site, including the provision of amenity space in the south-eastern corner of the site and at the centre of the development. Existing vegetation surrounding the site would be retained and enhanced, where appropriate. Details of the open space and landscape proposals would form part of subsequent Reserved Matters applications. The application also includes the change of use of land to the south-west of KGV Playing Fields (Site B) from

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agricultural land to an extension of the playing fields. This land is to be transferred to the Parish Council to enable them to enhance the existing sports facilities at KGV. The application is accompanied by Parameter Plans detailing green infrastructure, land use, proposed levels and building heights which are submitted for approval as part of this application.

The site is located in an area which is designated as Green Belt under Policy GBSP1. The NPPF makes it clear that the Government attaches great importance to the Green Belt and the protection of its essential characteristics. The NPPF advises that construction of new buildings is inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF defines one of the essential characteristics of the Green Belt to be its openness. There is no formal definition of openness but, in the context of the Green Belt, it is generally held to refer to an absence of development. The scheme would incur harm as inappropriate development and would impose various levels of harm through loss of openness and through encroachment. To that extent the proposal would conflict with Policy GBSP1 of the District Plan. The applicant accepts that the proposal is inappropriate development and have set out their case for very special circumstances within the Planning Statement which accompanied this application. What constitutes very special circumstances will depend on the weight of each of the factors put forward and the degree of weight to be afforded to each is a matter for the decision taker, in this case the Development Management Committee.

Hollie Stacey, spoke as the agent, stating that they have worked with the council and other stakeholders over Local Plan since 2016. The original application was approved in 2015 to support the Council's Local Plan. The site had also been allocated in Northaw and Cuffley Neighbourhood Plan. The development would not result in harm or function of the greenbelt. The site would add an extension to Cuffley with a park and an 13% net gain in biodiversity. The development would be part of the Councils 5year land supply and it would incorporate various house styles with some being affordable. There has been a large section 106 contribution gained and this would have benefits to the area.

Councillor Bob Stubbs, spoke on behalf of Northaw and Cuffley Parish Council, stated that the Parish Council was generally opposed to greenbelt development. However, this site had boundaries which would stop development creep. The site would be incorporated into the village and did not cause a loss of visual aspects. The site was acceptable and, their opinion, was the best site for development given that some development was needed. The development was deemed to be in keeping with the character and density found in the area. The Parish Council noted that it was good to be involved in the development stages.

Members stated that in principle they would not want to see the loss of greenbelt in the borough. However, Members noted that the site had been found to be sound by the local plan inspector



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Members expressed a desire for the development to adhere to the code for sustainable homes and wanted to see the houses benefit from high energy efficiency ratings and low carbon technologies. Members noted that it was important to consider how such developments could be future proofed.

Members asked about access to the Hertfordshire Way. Officers confirmed that access to the Hertfordshire Way would be unaffected by the development and in fact improvements to the Hertfordshire Way path formed part of the proposed development.

Members felt the 35% of affordable housing was good alongside the section 106 contributions.

Members noted the need to treat all greenbelt applications in the same manner as this application had been considered. Members asked weight afforded to the allocation of the site for residential development in the draft Local Plan. Officers stated that their assessment had given significant weight to this factor but also noted that there were numerous other factors which weighed in favour of the development including very substantial weight attributed to the delivery of market housing and affordable housing. When all the factors set out in the report, are considered collectively, Officers are of the view that the benefits in favour of the proposal clearly outweigh the harm identified

Members asked why there was a disparity between local policy and the application. Officers referred to paragraph 11.9 of the report which states the schedule of proposed Modifications (Examination Document EX235) identifies a small increase in capacity on the allocation from 108 to 121 to reflect more up to date relevant information on the site's potential capacity. The 121 dwellings would not change even with the reserved matters, and if the applicant wished to amend this they would have to submit another full or outline application.

The Chair gave an overview of the main points raised throughout the discussion and concerns raised.

Following discussion, it was proposed and seconded by Councillors P. Zukowskyj and A. Hellyer to accept the application and

**RESOLVED:**  
**(unanimous in favour)**

Subject to the conditions set out in the officer report and,

- a) An update to condition 3 to include a number of additional/ approved drawings which show details of access and highways improvements.

48. 6/2021/1048/HOUSE - 4 HAWKSHEAD LANE NORTH MYMMS HATFIELD AL9 7TB - ERECTION OF A PART SINGLE, PART TWO STOREY SIDE EXTENSION, BASEMENT, ENLARGEMENT OF ROOF, ERECTION OF THREE REAR DORMERS, INSERTION OF SIDE ROOFLIGHTS AND ALTERATIONS TO OPENINGS

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Report of the Head of Planning on a two-storey side extension measuring approximately 4.17m in width at the front and 2.15m in width at the rear, and a single storey side extension measuring approximately 2.5m in width. The existing two storey front projection would be increased in width by approximately 2.6m. The proposal would also incorporate a lower ground floor level basement with a home cinema, gym and sitting room. The basement level would additionally host a plant room for an external swimming pool. The roof space would be converted to habitable accommodation via the addition of dormer windows and rooflights.

Faye Wright, spoke as the agent, stating the homes owners have lived there since 2008 and were an integral in their local community. The extensions proposed were sensible and better than the permitted development design currently in place. The previous designs which had been approved looked clumsy and the new proposal was visually better and had less of an impact.

Councillor Jacqui Boulton, spoke on behalf of North Mymms Parish Council, stating that the development was inappropriate as the development was near a site of special scientific interest. The development would result in a loss of openness and would be visibly intrusive on the Green Belt. The site was next to a woodland and quarry. There has been no inclusion of planting to protect the greenbelt and if granted could lead the way for further development on the greenbelt.

Members sought clarification on what would happen to the permitted development rights if planning was granted. Officers stated that the permitted development rights would be relinquished and be void should this proposal be granted. There would also be no new permitted development attached to the proposal if granted. The applicant would have to seek further planning permission should they wish to make any additional extensions to the proposal.

Members considered whether the development would infringe on the greenbelt visually. Officers stated that the permitted development right would have a greater impact visually than the proposal. Members stated that the proposal was for a uniform build rather than an odd shape and therefore the impact on the openness is minimal.

Members expressed concern that whilst the proposal would be less impactful than the permitted development fall-back, granting permission to the proposal could set a precedent in the area for permitted development. Officers stated that permitted development were the fallback position and that each application would be treated on its own merit.

Members asked about the impact on the sites of special scientific interest. Officers stated that no consideration had been given to the sites and Herts Ecology and the Wildlife Trust were not consulted. The legal advisor stated that the statutory consultees would have to raise an issue and there were an array of potential impacts. However, given the proposal it would seem that the only

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impact on sites of special scientific interest would be from the construction process, which would exist should the permitted development rights be exercised.

Members asked about the landscaping and the increased glazing. Officer stated that the permitted development would have a greater impact on the Green Belt and therefore landscaping not necessary to make the development acceptable and that the glazing would have a negligible impact.

The Chair gave an overview of the main points raised throughout the discussion and concerns raised.

Following discussion, it was proposed and seconded by Councillors P. Shah and P. Smith to accept the application and

**RESOLVED:  
(12 in Favour, 1 abstention)**

Subject to the conditions set out in the officer report.

49. APPEAL DECISIONS

Report of the Head of Planning detailing recent appeal decisions for the period 9 October to 25 November 2021.

RESOLVED:

That appeal decisions during the period 9 October to 25 November be noted.

50. PLANNING UPDATE - FUTURE PLANNING APPLICATIONS

Report of the Head of Planning providing the Committee with a summary of planning applications that may be presented to DMC in future.

RESOVLED:

That future planning applications which might be considered by the Committee be noted.

Meeting ended at 10.39 pm