

Development Management Committee
3 March 2022

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 3 March 2022 at 7.30 pm in the Council Chamber, Campus East, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors J.Boulton (Chairman)
B.Fitzsimon (Vice-Chairman)

S.Elam, C Juggins, N.Pace, J.Ranshaw, D.Richardson,
J.Skoczylas, P.Shah, T.Travell, R.Trigg, S.Tunstall and
J.Weston

ALSO PRESENT: Legal Advisor, Trowers (R. Walker)

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

57. MINUTES

The minutes of the meeting held on 20 January 2022 were approved as a correct record.

58. 6/2018/2768/OUTLINE - HATFIELD BUSINESS PARK, FROBISHER WAY, HATFIELD, AL10 9SL - OUTLINE APPLICATION FOR A LARGE-SCALE MIXED USE DEVELOPMENT INCLUDING 1,100 NEW HOMES AND SUPPORTING INFRASTRUCTURE INCLUDING A PRIMARY SCHOOL, LOCAL CENTRE AND OPEN SPACE WITH ALL MATTERS RESERVED

This item was withdrawn from the agenda.

59. 6/2021/0079/FULL - 8 HILL RISE, CUFFLEY, POTTERS BAR, EN6 4EE - ERECTION OF DWELLING. REVISIONS TO PLANNING PERMISSION 6/2018/0383/FULL (RETROSPECTIVE)

This item was withdrawn from the agenda.

60. 6/2021/3304/MAJ - OSBORNE HOUSE FARM HAWKSHEAD ROAD LITTLE HEATH POTTERS BAR EN6 1LX - ERECTION OF 34 DWELLINGS TO INCLUDE LANDSCAPING, ENGINEERING AND ASSOCIATED WORKS

Report of the Head of Planning on the erection of 34 dwellings of which 35% would be affordable (12 units). The scale of the buildings would be 2 storey and 2½ storey with all dwellings featuring low level eaves. The proposed density for the site was 36.6 dwellings per hectare comprising a mix of 1-bed and 2-bed maisonettes; 2-bed terrace houses; and 3, 4 and 5-bed detached and semi-detached houses. 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. It was proposed to utilise the existing site access from Hawkshead Road which would be improved as part of the proposals to include a segregated footway into the site and an improved pedestrian crossing. In addition, a separate pedestrian only access was proposed towards the south-western corner of the site onto the public footway. The proposals would retain and strengthen the existing landscape buffer along Hawkshead Road and new structural planting was proposed within the site and along the site boundaries.

The application was presented to the Development Management Committee because it represented a departure from the Local Plan and was recommended for approval.

Mr Jonathan Collins, spoke as the applicant, and emphasised that the development would be a logical, policy compliant, and sustainable infill of 34 dwellings. It would provide architecturally sympathetic homes, utilising Modern Methods of Construction. The homes would benefit from photo voltaic panels and air source heat pumps. The applicant had sought to allay objections through addressing parking provision, the utilisation of SUDs, and biodiversity enhancements, including a financial contribution for off-site mitigation.

Mr Simon Polledri, spoke on behalf of the Little Heath Action Group, in objection to the proposals. The greenfield site had not been allocated for development in the existing Local Plan, and approval of the application could set a precedent. The proposed site boundary would be irregular and incoherent. Community engagement had not taken place, and the development was not in keeping with the local area.

Members asked about parking provision, and the suitability of the proposed construction materials in the context of the local vernacular of building materials. Officers set out the parking assessment methodology and a total of 63 parking spaces were proposed. All of the 1-bed and 2-bed units would have access to one space and all of the larger properties would have access to two spaces. This would allow for nine unallocated spaces to be shared and utilised efficiently for residents and visitors. Turning to the construction materials, in the context of using metal seamed roofing and painted brickwork, Officers explained that those were not atypical materials in Hertfordshire and painted brick was particularly a

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feature of traditional local architecture. Maintenance would be consistent with what would be needed for any painted rendered domestic property.

Members noted the mixed size of the proposed units and sought clarification of whether the gross floor area of the units had been considered when calculating the percentage of affordable homes. Officers clarified that the Housing team had been consulted, and that the 35% (12 homes) was based on the total number of proposed dwellings, rather than gross floor area.

Members welcomed the ambition to provide sustainable and energy efficient new homes but queried how the 10% biodiversity net gain included in the 2021 Environment Act would be achieved. Officers explained the applicant had recognised that the biodiversity enhancements to be provided within the site could not meet the Government's expected minimum of 10% biodiversity net gain, and that a financial contribution was therefore proposed towards off-site mitigation. However, it was not straightforward to determine the value of the exiting grassland until surveys could be completed in the summer months. The figure initially calculated by Herts Ecology, and referred to in the committee report, was £27,360. This had since been revised up to £54,708. The higher figure would be secured through a S106 agreement, however, the drafting would allow for the contribution to be revised down based on the evidence from detailed surveys, to be secured by a pre-commencement condition, in consultation with Herts Ecology.

Members queried whether the proposed development demonstrated the 'very special circumstances' for development in the Green Belt. Officers explained that what constituted very special circumstances depended on the weight of each of the factors put forward and the degree of weight to be afforded to each was a matter for the decision taker, in this case, the Development Management Committee.

The Council did not have a five-year supply of deliverable housing sites, a position which the Emerging Local Plan sought to remedy through its site allocations. Officers explained that the Council had already identified the 'exceptional circumstances' for the site to be released from the Green Belt and had proposed that the site be allocated for housing in the emerging Local Plan. It had been assessed at the examination and the Inspector stated that the principle of development on the site had been found to be sound, which was then afforded significant positive weight in the planning balance. Officers emphasised the draft Local Plan policies relating to the site should carry significant weight as they have been thoroughly considered by the examination, and the plan, was a considerable way through the local plan process.

Substantial weight was afforded to the provision of market housing which would make a positive contribution to the supply of market housing in the Borough. Further substantial weight was afforded to the provision of 12 affordable homes, equivalent to 35% of the total proposed.

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Another important consideration in favour of the proposal was the delivery of low carbon homes and EV charging. Those factors were detailed at paragraph 10.125 of the Committee report and comprised houses that would achieve a 65% reduction against the standards required by the current Building Regulations, and maisonettes that would achieve a 90% reduction, when compared to Part L 2013 baseline. In addition, all units would have access to an EV charging point. Subject to suggested conditions to secure implementation, those factors were attributed significant weight in favour of the development.

Having regard to all the factors described in detail within the committee report, Officers were of the view that the benefits in favour of the proposal clearly outweighed the harm identified. Accordingly, it was the Officer's conclusion that the test in Paragraph 148 of the NPPF was met and the very special circumstances did exist to justify the grant of planning permission.

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

Following discussion, it was proposed and seconded by Councillors R. Trigg and J.P. Skoczylas and,

RESOLVED:
(9 in Favour, 4 Against)

That planning permission be granted subject to the conditions proposed in the report.

61. 6/2021/1440/FULL - 18 STATION ROAD CUFFLEY POTTERS BAR EN6 4HT - ERECTION OF A FIRST FLOOR REAR EXTENSION, LOFT CONVERSION WITH INSERTION OF REAR DORMER AND INSTALLATION OF 3 X FRONT SKYLIGHTS, GROUND FLOOR RESIDENTIAL ACCESS, TO CREATE 1 X ADDITIONAL RESIDENTIAL UNIT.

Report of the Head of Planning on the erection of a first-floor rear extension, loft conversion involving the insertion of a rear dormer and installation of three front facing skylights, and a new ground floor residential access to facilitate the creation of an additional residential unit. The proposed first floor rear extension would measure approximately 5.7m in height, 6.4m in width and 4m in depth, utilising a flat roof form. The proposed rear dormer would have a height of approximately 2.4m, width of 3.85m and depth of 2.55m.

The application was presented to the Development Management Committee because Northaw and Cuffley Parish Council submitted a Major Objection.

Mr Ali Ender Cemgil, spoke as the applicant, and clarified that his previous application may have led to a misunderstanding of the current application.

The Chair asked Officers to comment on the major objection received from Northaw and Cuffley Parish Council. Officers explained that the Parish Council

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had raised concerns that the proposal would remove the rear access to the retail unit used for servicing and as a result, would impact upon the viability of the unit for future retail use. The applicant had, however, subsequently submitted amended plans to demonstrate that the existing storeroom and access would be maintained for the retail unit. The separate access proposed for the residential units would mean that the existing retail use would be unaffected by the scheme.

Members asked about the provision of fire exits and parking. Officers responded that there was no change to the existing layout of the building, and that the development would be subject to seeking consent under the Building Regulations. Officers also clarified that the impact upon parking in the area by the additional unit would be low. Visitors of the new residents would be able to utilise free public car parking bays/disabled parking bays located in close proximity to the site and at the frontage on Station Road. Furthermore, the proposed plans demonstrated that there would be adequate internal cycle parking for both dwellings, which would encourage greater use of sustainable transport modes.

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

Following discussion, it was proposed and seconded by Councillors P. Shah and S. Tunstall and,

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

That planning permission be granted subject to the conditions proposed in the report.

62. 6/2021/2968/FULL - 22 HIGH DELLS HATFIELD AL10 9HU - ERECTION OF A 2 STOREY AND A SINGLE STOREY REAR/SIDE EXTENSION INCLUDING DEMOLITION OF PITCHED ROOF AND CREATION OF ADDITIONAL BEDROOM SPACE

Report of the Head of Planning on the erection of a two storey and a single storey rear and side extension. The proposal would create a larger kitchen/dining/living room, two additional bedrooms. The property benefits from private amenity space to the rear. The property was currently let on a single Assured Shorthold Tenancy (AST) agreement. If planning permission was granted, the applicant intended to rent the property to a group of 6 students on a single AST agreement.

The application was presented to the Development Management Committee because Hatfield Town Council submitted a Major Objection.

Town Councillor Margaret Eames-Petersen, spoke on behalf of Hatfield Town Council, and urged caution as the proposal may lead to the overdevelopment of the cul-de-sac. Parking and turning space was already insufficient and the next door property (No 24) was already an HMO. The need for university

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accommodation was lower due to the pandemic, and consequently, there may not be demand for a larger HMO.

The Chair asked for Officers to comment on whether there would be an impact on the neighbouring property at No.24. Officers clarified that the planned extension would not impact on that property and reminded Members that the use of the dwelling as an HMO was established prior to the Article 4 Direction coming into force. The application site was an existing small house in multiple occupation and would remain as such. The Legal Advisor concurred that the use of the property as an HMO was already established.

Members' discussion included whether there was a need for a larger HMO to accommodate students, when the existing student accommodation was not fully used. Officers responded that the ending of Covid legal restrictions would be likely to have a knock-on effect on the demand for student accommodation.

Members commented on the size of the bedrooms, and parking provision. Officers stated that the Council's SPD sets out the minimum space standards required depending on the number of occupiers to ensure that the occupants are not living within excessively cramped conditions and the HMO properties would not be overcrowded. The site benefitted from a dropped kerb and hardstanding to the front. The proposal had been amended to provide two on-site car parking spaces. In addition, there were around three unallocated on-street parking spaces in front of the property. It was considered that the proposal complies with the Council's access and car parking standards.

The Chair summarised the concerns raised throughout the discussion and in so doing, cautioned that that there appeared to be no planning reason for refusal that would be sustainable on appeal.

Following discussion, it was proposed and seconded by Councillors R. Trigg and J. Ranshaw and,

**RESOLVED:
(8 in favour, 5 against)**

That planning permission be granted subject to the conditions proposed in the report.

63. APPEAL DECISIONS

RESOLVED:

That appeal decisions during the period 8 January to 18 February 2022 be noted.

64. PLANNING UPDATE - FUTURE PLANNING APPLICATIONS

RESOLVED:

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

65. DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

RESOLVED:

Members noted the report, and the Chair expressed thanks on behalf of the Committee to the Planning team.

Meeting ended at 9.08 pm
BB & BT