

Development Management Committee
15 February 2023

WELWYN HATFIELD BOROUGH COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Wednesday 15 February 2023 at 7.30pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors J. Boulton (Chair)
R. Trigg (Vice-Chair)
J. Broach, J. Cragg, C. Juggins, N. Pace, D. Panter,
J. Ranshaw, D. Richardson, P. Shah, S. Tunstall, and
S. Bonfante.

ALSO Legal Advisor, Trowers (J. Backhaus)
PRESENT:

OFFICIALS Assistant Director – Planning (C. Carter)
PRESENT: Development Management Services Manager (G. Gnanamoorthy)
Career Grade Development Management Officer (K. Shirley)
Senior Democratic Services Officer (C. Francis)

55. SUBSTITUTIONS

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

Cllr S. Bonfante for Cllr J.P Skoczylas.

56. APOLOGIES

Apologies of absence were received from Councillors J.P Skoczylas and J. Weston, as well as Councillor M. Holloway who was due to substitute for Councillor Weston.

57. MINUTES

The minutes of the meeting held on 12 January 2023 were approved as a correct record.

58. 6/2022/2387/HOUSE - LAND AT GREEN CLOSE BROOKMANS PARK AL9 7ST - ERECTION OF DETACHED 3 X TWO-BEDROOM FLATS AND 1 X DETACHED TWO BEDROOM TOWN HOUSE FOLLOWING THE DEMOLITION OF EXISTING GARAGES

Report of the Assistant Director (Planning) on the erection of a detached building comprising of three two-bedroom flats and one detached townhouse following demolition of the existing garages.

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The application is presented to the Development Management Committee (DMC) because North Mymms Parish Council have submitted a major objection.

Members were advised that since the publication of the report, the recommended condition regarding renewable energy has not been included. Should Members be minded to approve application, the wording on the officers presentation will constitute that condition.

The application site is previously developed land located in the village of Brookmans Park to the north of Green Close. Green Close is as an area of fairly high density featuring a variety of housing types constructed in the past 10 years. The application site is an irregular shape and is comprised of a partly demolished garage block and a narrow parcel of land situated between a block of carports and No.10 Green Close. The northern boundary of the site backs onto the rear gardens of a number of properties in Peplins Way, to the west of the site is a three-storey block of flats and beyond this the East Coast Mainline Railway.

In total, five neighbour objections have been received. Welwyn Hatfield Council Parking Services have commented that they are satisfied with the parking of the Townhouse, but they object to the shortfall of parking for the flats. Further representations were received from the council's Client Services Team, Public Health and Protection Team and the Local Flooding Authority, no response was received from Hertfordshire Ecology.

The application site benefits from extant permission for the erection of 3 two-bedroom flats following demolition of existing garages. This permission was approved in January 2021, it is important to note that each flat is allocated one car parking space and a total of three. The proposed flats would be similar to that which has already been approved within application 6/2020/1801/FULL.

Under the proposal, the flats would be repositioned towards the western boundary with a single storey element removed, which allows for the addition of the townhouse to the scheme. The proposed house would be three storeys, similar to numbers 1 to 16 Green Close and has been designed to reflect the surrounding properties.

The proposed flats would meet the nationally described space standards. The floor plans for the townhouse show a study which is slightly under the floor area required for a bedroom, as advised by the National Described Space Standards. However, given its size and shape, it's likely the study will be used as a bedroom and therefore the townhouse has been assessed as a three-bedroom dwelling.

The townhouse would provide a good standard of accommodation overall. It has a rear garden that is functional in size and shape to provide adequate outdoor space. Each flat would be afforded private amenity space to the rear of the building, and although the space would be modest, it would meet the minimum expectations of a garden. In terms of impact on neighbouring properties, and the occupiers located in Peplins Way, the positioning and scale of the development

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would not result in the neighbours experiencing any undue loss of privacy or light, nor the development appearing unduly dominant towards these neighbours. Regarding the impact of the development to neighbouring occupiers in Green Close, the proposed house would be similar in scale to neighbouring dwellings, and its positioning would not result in the townhouse appearing overbearing or unduly dominant. The separation, distance and angles of fenestration would not result in undue overlooking between the existing flats that are located to the west of the site. The proposed townhouse would have limited fenestration within the flank elevations, which would serve non habitable spaces. These windows could therefore be secured by condition to be obscure glazed, should Members be minded to approve application.

Two windows are inserted into the first-floor flank elevation of No.10. Floor plans show the windows each serve a bedroom within No. 10. It is acknowledged that the positioning of the townhouse would reduce the amount of direct sunlight these windows receive. However, the separation distance between the townhouse and No. 10 would still allow sufficient daylight to reach these windows, and each bedroom benefits from a further window inserted into either the rear or front elevation.

The application site is located in Zone 4, where the guidance suggests that a two-bedroom dwelling should provide 1.5 car parking spaces and three-bedroom dwellings should provide 2.25 spaces per dwelling. A total of seven car parking spaces would therefore meet the guideline parking standards contained with the SPG for the proposed development. However, the application would provide six car parking spaces, three spaces for the townhouse and one space each for the flats, it would therefore result in a minor shortfall of one car parking space overall. The site resides in a reasonably accessible location within walking or cycling distance of various services and facilities including bus and rail services.

Green Close is an area of high-density development, so there's little opportunity for additional on street parking as much of the area sees driveways, garages, parking courts and a tight highway geometry. Furthermore, signage explains that a private company is operating in the area and enforcing parking conditions that vehicles must be parked in correct marked bays and clearly display a permit in the windscreen of the vehicle. On-street parking is unlikely to be displaced to the surrounding streets as parking is generally controlled by double yellow lines, waiting restrictions or resident parking permits, with the nearest free parking space approximately 415m from the site on Bluebridge Road. Future occupiers would not be eligible to apply or have parking permits for the neighbouring streets, giving no opportunity for on-street parking within a convenient distance. It is considered that this would act as a disincentive for future occupants of the flats to own more than one car.

The report explains that a verbal update will be provided to members regarding detail in relation to the proximity of the site to the refuse collection points. The council's Client Services Team have recently acknowledged that the refuse vehicle can access the proposed buildings, notably the proposed flats, however, the recent enlargement has therefore not afforded sufficient time to establish a

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bin collection point before this meeting. Such details can be secured by condition should Members be minded to approve this application.

In summary, officers recommend the application is approved by the committee subject to the suggested conditions in section 11 of the report, and the condition relating to renewable energy as highlighted at the start of the officer's presentation.

Members discussed the application and a summary of the main points raised are shown below:

The proposal for parking is circa 15%, or one parking space, below the council's housing standards. Members asked what weight should be given to this shortfall. Officers advised it is only a minor shortfall of one parking space. There are surrounding parking restrictions which would mitigate the impact of the parking shortfall from this development being displaced, and this is a sustainable location in very close proximity to the train station and bus stops. Officers noted that the council has already approved a scheme for a similar number of flats, so we would need to have a justification to why this time there is a different view if not approved.

The townhouse doesn't meet nationally described space standards although officers advised this is only by half a metre. The flats do meet the requirements.

Officers clarified that the location of bins for the flats would be down the side of the development which would be separate to the bin storage at the front of the townhouse.

Members asked what weight should be given to the emerging Local Plan. Officers advised that this is not particularly relevant in this instance, as this is previously developed land. The principle of development is considered acceptable, and this would add a modest amount to the councils housing stock.

Members were concerned about building on possible contaminated land. Officers said that no reports have indicated contaminated land, but it can be secured by condition. This will ensure that investigation works are carried out and that works are remedied, if necessary, before any building works commence. It is common practice to use these types of conditions. The previous application was granted with the same condition. An investigative report will need to be submitted to the council for review.

Following discussion, it was proposed by Councillor R. Trigg and seconded by Councillor P. Shah to approve the application.

RESOLVED:

(8 in favour, 3 against, 1 abstentions)

That planning permission be approved subject to the suggested conditions in section 11 of the report and the additional condition noted below:

No above ground development in any phase of the development shall

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take place until an energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement must include details of how the proposed development would be designed and constructed to achieve at least a 30% reduction in carbon emissions (dwelling emission rates) when compared to Part L Building Regulations baselines, in addition to any renewable energy sources to be installed or other measures to secure the sustainability credentials of the development. The development shall be carried out in accordance with the approved details and thereafter retained.

REASON: To ensure that the development contributes towards sustainable development and energy efficiency in accordance with Policy R3 of the Welwyn Hatfield District Plan 2005; Policies SP1, SP10 and SADM13 of the Draft Local Plan; and the National Planning Policy Framework.

59. APPEAL DECISIONS

Report of the Assistant Director (Planning) detailing recent appeal decisions for the period 31 December 2022 to 3 February 2023.

RESOLVED:

Members noted the content of the report.

60. PLANNING UPDATE - FUTURE APPLICATIONS

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

Officers noted that final DMC of the municipal year is 9 March. The first meeting of the new municipal year will be held on 15 June due to the Purdah and Elections. Members though there were normally meetings held in April. Officers said they would confirm.

Post meeting note: As it is extremely rare for DMC to discuss a planning application that is deemed to be non-controversial, the Returning Officer would advise against holding any DMC meetings during the pre-election period. The committee timetables for 22/23 and 23/24, as approved by Full Council, do not have any DMC meetings taking place during April.

RESOLVED:

Members noted the content of the report.

Meeting ended at 7.59pm
CF