

Development Management Committee  
25 July 2024

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 25 July 2024 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors J.Skoczylas (Chairman)

H.Goldwater, D.Panter, R.Trigg, C.Watson,  
A.Chesterman, B.Fitzsimon, P.Shah, M.Short, I.Walsh  
and J.Quinton

ALSO PRESENT: J.Backhaus, Trowers & Hamlins LLP

OFFICIALS PRESENT: C.Carter, Assistant Director (Planning)  
G.Gnanamoorthy, Development Management Services Manager  
R.Lee, Career Grade DM Officer  
Ransome, Development Management Officer  
C.Cade, Governance Services Manager

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159. APOLOGIES & SUBSTITUTIONS

Apologies for absence were received from Councillor Skottowe for whom Councillor Quinton attended as a substitute.

160. MINUTES

The minutes of the meeting held on 27<sup>th</sup> June 2024 were approved as a correct record.

161. NOTIFICATION OF URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 10 AND ANY ITEMS WITHDRAWN FROM THE AGENDA

There were no notifications of urgent business.

162. DECLARATIONS OF INTEREST BY MEMBERS

Councillor Trigg declared a non-pecuniary interest in agenda Item 6 and would leave the room for the discussion and vote.

163. 6/2024/0105/MAJ - LAND NORTH OF MEADWAY CUFFLEY

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The Committee received a report on the erection of 73 residential units, to include access, landscaping, private and communal amenity space, vehicle parking, cycle, refuse and recycling storage, public open space and other associated supporting infrastructure. Details of the site were set out in the agenda.

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

Sean Marten, agent for the application, addressed the Committee as follows:  
*"I am here today to assure you of our commitment to deliver a quality development in your authority and confirm that we fully intend to implement this permission as soon as you grant the necessary consents.*

*Stonebond is a family, run business that had been developing home since 1975. We are proud to have created aspirational homes that go beyond the standard level of quality that you will see on many housing schemes. We treat each site differently and do not believe in a one size fits all approach. The application before you is a culmination of four years of collaborative work through the Local Plan and Planning application process.*

*Prior to this Committee I circulated to the Members a summary of our proposals which I hope you have found useful. The summary identifies the wider benefits of the scheme and compliance with the relevant local and national planning policies.*

*We are aware that the Parish Council have raised concerns of elements of the scheme and we have sought to respond to these positively during the planning process.*

*We understand there has been concern around highways impact and we have worked collaboratively with the relevant statutory experts to ensure that these concerns have been appropriately mitigated. There have been no objections from any of the consultees for technical reasons that would justify a refusal.*

*The scheme has the full support of relevant stakeholders, including Welwyn Hatfield's Housing Team who provide support for the mixture of homes which include starter and family market housing and a combination of social rent, affordable rent and shared ownership. It is clear from the Committee report that over £1.6 million would be contributed to make significant improvements locally. These improvements cannot happen without the approval of this application.*

*Our intention for all our scheme is to permit future residents to adopt a healthy and sustainable lifestyle. This scheme is no different and has been designed to actively facilitate and encourage it. The scheme embodies features that support these, which include all homes are energy efficient homes, and not to utilise gas boilers, planting of 160 new trees, the creation of biodiversity net gain in excess of the 10% policy requirement and the creation of two and a half acres of landscaped open space.*

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*Our proposals have been designed to create a landscape led development which is shown on the screen, with modern architecture and our team has worked closely with your officers and the consultees to refine the layout and the appearance of the scheme to something we can all be proud of.*

*Your officers confirmed in the report, we have produced a scheme that is policy compliant and has the full support of the statutory consultees, I therefore respectfully ask you accept officers' recommendation, and we can start delivering much-needed new homes”*

Jaqueline Olseen spoke against the application and addressed the Committee as follows:

*“The first point I want to make is that there are no nimbies living in the Meadway. When the first proposal was made for 30 units, nobody raised any objections, had we done so, had we been more protectionist and tried to protect our green belt and seen more of a threat we might not have been in the position we are today.*

*People from the Meadway were diligent attendees at a local Local Plan meetings and gradually the figure was increased from 30 to 60. Although I have not been able to find a resident who can remember being consulted on that as a Meadway resident.*

*We went all the way through the Local Plan and it was only ratified in late 2023 on a maximum units of 60, and that is what the Meadway would like the Council to make the maximum for the number of units.*

*Ashley Ransom’s report is superb and very comprehensive, but to now swap over to talking about site capacity at 10.10 [of the report] we've always gone on the Local Plan where you had a grid at 23.3 [of the report], which showed the contribution that Cuffley should make to the increased number of houses. Cuffley has met and exceeded it seeing as there is now the 12 units on the Cuffley Motors site, and also a recent edition of 44 more units in Norhaw. So Cuffley is meeting its target and more, so with the 12 units at the other end of the Meadway that makes 72 as opposed to the 69 units in the existing Meadway and 60 should be a fair maximum and there should be no more than that. That is my first point.*

*The second point is on design where these houses as not as nice as they are the graphic we haven't had is what those houses would look like. The Meadway is almost half a mile long, it's 1930s houses of 1.5 storeys, in the main, and the Council is being asked to put this new development at the end of a 1930s cul-de-sac is that which is already longer than most cul-de-sac you'll find. So, if you're saying the national, the MPPF values good design, I don't think that that does meet the ethos.*

*I was going to say that by Stonebond’s own admission, the first six months are going to be hell and it's going to be a 3 year build. I would suggest that the that CEMP should be as draconian as possible and there should be a complete*

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*embargo on increasing the site hours and any damage should be put forward put right straight away, not three years”*

A statement was read out on behalf of Northaw and Cuffley Parish Council as follows

*“Thank you for the opportunity to address you today regarding the proposed development on land north of The Meadway in Cuffley, referenced as 6/2024/0105/MAJ. Our community has voiced strong opposition to this scheme, and after seeking expert planning advice, we present our detailed objections.*

*First, the junction of Meadway and Station Road. The applicant’s assessment is narrowly focused on vehicle movements and junction capacity, neglecting key aspects. It has failed to consider pedestrian and cyclist movements, which contradicts Hertfordshire County Council policy requirements. Safety issues are also overlooked; traffic speeding towards Goffs Oak and poor sightlines make this a dangerous junction for both cars and cyclists. Furthermore, the assessment does not account for resident amenity, only capacity. To address these issues, it is suggested that the applicant should be required to fund a mini roundabout at this junction to improve safety and manage traffic flow more effectively.*

*Second, the noise from the railway has been inadequately assessed by the applicant. They have not considered the significant volume of freight traffic passing through during night hours, causing serious ground vibration and noise. Additionally, when the Welwyn loop is unavailable, the Hertford loop through Cuffley handles all rail traffic, including high-speed InterCity and freight trains, operating 24/7. Properties near the rail line will suffer unacceptable noise and vibration impacts, which have not been properly factored into the applicant’s assessment. Existing homes already experience these issues, and new homes closer to the rail line will be even more severely affected.*

*Third, the management of construction traffic on The Meadway is a major concern. This road is not wide, and on-street parking further narrows it, requiring cars to give way frequently. The proposed development will generate substantial heavy vehicle movements, yet no consideration has been given to managing this traffic. Without proper management, chaos will ensue as two HGVs cannot pass each other, especially with parked cars. There is also a real risk of damage to parked cars from HGVs navigating the congested road. A regime must be established to balance residents’ need for on-street parking with the management of construction traffic. This may involve traffic marshals and an offsite vehicle holding area to prevent conflicts and ensure safety.*

*Lastly, the proposal does not comply with the Neighbourhood Plan Design Code. The development falls short of the high-quality design standards outlined in both the Local Plan and Neighbourhood Plan. The designs are plain, uninspiring, and out of character with local development, resulting in a poor-quality development. Significant design improvements are necessary to avoid a “cookie-cutter” approach and ensure the new buildings have architectural merit and are in keeping with the local aesthetic.*

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*In conclusion, this development proposal is deficient in critical areas: traffic and safety at the Meadway/Station Road junction, noise and vibration from the railway, management of construction traffic, and compliance with the Neighbourhood Plan Design Code. We urge you to consider these points and reject the application in its current form. Thank you.”*

A statement was read on behalf of Rt Hon Sir Oliver Dowden KCB CBE MP as follows

*“A number of residents have been in touch to express their concerns with the proposed development on land north of the Medway, Cuffley. The proposal, which plans to erect up to 73 dwellings, will have a detrimental effect on the area.*

*It will blight our countryside, create a highway safety risk and is unsuitable for our local area.*

*As I am sure many of you agree, we must protect our green open spaces that make our area so special, and I remain firm that we should not be building on this type of land. Since I was elected in 2015, I have made protecting our local countryside one of my major priorities. Having grown up enjoying the green spaces in the area, I continue to find great pleasure in our beautiful surroundings and I know as well as anyone how important it is to secure long-term protections for them.*

*I know many residents are concerned about the safety and suitability for access for all modes of travel form and to the development. I know the risk of safety on the highway would be exacerbated if the development went ahead.*

*I know residents are also concerned about the compliance with the Neighbourhood Plan Design Code. They have informed me that the proposals do not comply with the design code and may lead to a poor-quality development that is not fitting with the local area.*

*I apologies that I am unable to join you at the appeal today due to prior commitments, but I would like to assure residents I will continue to fight against this application.”*

During the discussion, the following points were raised:

- Concerns were raised regarding the access to the site.
- Traffic and Parking in the Meadway is already an issue due to facilities in the area. It was clarified that the Highway Authority had scrutinised the application and had stated that there would be no severe adverse impact from the proposal. A member asked how the traffic in the area would be reviewed. Officers confirmed that the Highways Authority would be responsible for highway safety as the highway authority.
- Concerns were raised about the impact of large vehicles and noise during construction.

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- Officers clarified that the report set out the proposed money allocated to highway safety and pavement improvements in the area.
- The number of dwellings had increased since the Local Plan allocation which has a figure of 60 dwellings. The applicant was proposing 73. The capacity within the Local Plan was indicative and an applicant could propose a different number of dwellings, higher or lower, depending on the detailed design of the scheme. The design work for each site happens outside the Local Plan process which was highlighted as one of the reasons dwelling numbers could change
- A member felt the application was out of character for the area, and that there would be three storey buildings which would be different to the bungalows in the area. The Neighbourhood Plan provides a range of materials used in Northaw & Cuffley and the design of the proposal was in line with these.
- Concern was raised about the height of the proposed flats. Officer clarified that there would be a transition within the streetscene with the existing bungalows transitioning to the three storey flats with two storey dwellings in between. An Urban Designer had worked with the Council on the proposal and confirmed the height transition to be acceptable.
- Officers confirmed County Council were not adopting roads at present and new roads would be private and managed by a management company.
- It was queried what would happen if the number of dwellings was to be reduced and how this would impact the number of social and affordable housing. It was clarified that in the Cuffley area 35% of dwellings were required to be affordable on schemes of 10 or more dwellings.
- A noise assessment for the site had taken place and that identified that noise during the night was worse than the day time, and a number of measures had been proposed such as no windows on those sides of the building, sound installation and pre-occupation testing.
- Officers were content with the distribution of housing tenure, and that the materials for construction would ensure that the development would be tenure blind.
- A member was disappointed that the development did not contain solar panels. There are no policy requirements for solar panels to be included on new developments and so this could not be insisted upon.
- Officers confirmed that the application was not on the green belt but borders it.
- It was asked whether the garages were included in the parking provision proposed and what width they would be. It was confirmed the garages were included in the overall parking figures, and would be an appropriate size for a modern car.
- Permitted Development rights were dealt with in the conditions of the application and some rights had been removed for certain properties.
- Concerns were raised regarding school provision in the borough. County Council are the education authority and would review catchment areas for schools in the county and reviews school capacity.
- Concerns were raised about the social housing being next to the train track where residents would have limited options regarding where they live. Officers clarified that the likely detrimental impact of living next to a railway is noise pollution but mitigation measures and conditions are in place to ensure this impact is an acceptable one. It was also confirmed that some market dwellings are alongside the railway also.
- It was asked whether there was disabled and visitor parking allocation on the site. It was clarified that there were two disabled spaces to comply with the disabled dwellings provided. There were a total of 15 visitor spaces provided.

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Officers clarified that the Council is able to monitor what is being delivered against the Local Plan through the Annual Monitoring Report which highlights what is being delivered against the need.

RESOLVED

(For 7, Against 3, Abstain 1)

The Development Management Committee granted planning permission subject to the recommendations set out in the report.

164. 6/2023/2449/FULL - HANDSIDE POST OFFICE MARSDEN ROAD

The Committee received a report seeking permission for the change of use of an existing commercial unit from Class E to sui generis, including the installation of an extraction flute to the rear of the building and internal reconfiguration to accommodate the new takeaway business.

It was noted that the proposals had been amended during the course of the application to include the details of the proposed plant location and removal of the alterations initially proposed to the shopfront.

The application was presented to the Development Management Committee because Councillor Moore and Thompson had called in the application for the following reasons:

1. It had attracted unusually high level of public interest.
2. The application raised sensitive planning issues in the Conservation Area and vicinity close to two schools.
3. the impact on neighbour amenity from the proposed takeaway use and its opening hours.

Jonathan Angell spoke against the application as follows

"I'm one of 20 residents have objected to the application, the majority living within about 200 metres [of the application]. It is not difficult to see why local residents are concerned. In reality, Marsden Road parade is much smaller than other neighborhood centres and the shops are very close on all sides to residential properties. I can't emphasise that I think that it's a bit disingenuous to say that they are 10 and 18 metres away. There are gardens that are much closer to that. Several residential properties overlook, or about the shops and the extract fans will vent essentially into the garden. I think if it was 189 Handside Lane to the rear of the shops.

So various concerns are being raised in the 20 objections, including the smell from the extract fans, litter which will inevitably be deposited all over the place by people eating their fish and chips and also by people who are walking back to school or home so the bins in the area I don't really address that problem. There is general disruption from having a shop unit open until 10 or 10.30pm in a predominantly residential area, and again I would just emphasise that quite a few properties about the property or they overlooking it. There's inevitable noise and anti-social behaviour but just to focus on the parking and highways issues.

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I understand that you now are aware of the objection has been received from the at the parking officer and they highlight various significant concerns about increased parking demand in and around the location, and it seems really surprising that these concerns weren't mentioned explicitly in the planning report.

The shops on a busy junction between Handside Lane and Marsden Road, and since there are parking restrictions in the area, residents and their visitors often park outside the shops, so the number of available spaces, despite what that photo suggests, is generally very limited and people visiting the shops often double park or they park on the verges in breach of planning restrictions.

As the parking service made clear, a fish and chip shop would exacerbate considerably the existing parking problems and it would also create much greater risk for pedestrians and cyclists, including elderly residents, and I would just mention that there are lots of elderly residents in the area including or residents of local housing association properties in in Marsden Road and I'm told that they are very concerned about this proposal.

Finally, clearly this unit does need to be brought back into use, but what's disappointing is that, as far as I can tell, there has never been any attempt to market the unit to find a more appropriate use, despite the requirement in the Local Plan to market actively for 12 months before a change of use will be considered. With the right marketing and a bit of an initiative, I'm sure that a better use and a more appropriate use can be found for this unit."

Councillor Moore addressed the Committee as follows

"I called in this application due to the significant amount of public interest in the proposal for a takeaway at this location.

I, along with my ward colleagues, are very supportive of more independent local businesses starting up in the area and it would be great to see the empty unit put back into use. However, due to the location of the unit on this a residential street, it's important it is a suitable type of business for the area. I have a number of concerns with the that this application, my first concern is parking. Parking is already a significant issue in the area. Marsden Road and the surrounding roads have parking restrictions in place and there are a limited number of parking bays outside the shop. The current convenience store located next to the proposed site attracts a number of customers and parking is in high demand.

It is not unreasonable to assume that the proposed business will partner with delivery companies such as Deliveroo and Uber Eats and I'm not confident they would be able to park safely.

Marsden roads are narrow road and the number of parked cars make it difficult to navigate already as residents have reported to us. They have experienced shoppers parking over their driveways to pop into the shop or struggle to find parking. Earlier this year, the local Councillors held a residents' meeting on parking, but the impact from inconsiderate parking from parents as local schools and Stanborough Park was discussed. A takeaway business would add



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pressure. It is important to note that these concerns were also raised by the Borough poignancy and nervous wants the application.

Also the impact on the local environment, I am also concerned, along with another of residents, on the impact of increased litter in the vicinity and popular walking routes such as the route Stamper Park, I did speak to the Environmental Services team about the provision of additional bins at the site and I was told this would be reviewed but there's no way of managing letter or placing bins outside of the shopping area with increased litter, particularly food waste.

The likelihood of additional pests such as rats is enhance the units back onto residential gardens, so any additional activity from pests would directly impact residents'. Concerns have been raised regarding the noise and ventilation from the equipment within the shop have. I do note that the planning application has added I note on this matter. There will be monitoring if the application is approved that the condition is enforced to protect the local residents.

My final concern is the impact of operating hours the local convenience store closes at 8 p.m. A business operating later than this time is out of keeping with the area, and the additional noise from customers and vehicles would disturb the neighborhood. Therefore also being a likely to increase in anti-social behaviour. In my view, the impact of all these aspects is such that on budget I do not think the application as presented should be approved”

During the discussion, the following points were raised:

- A member felt that parking would not be an issue as many food delivery services use bikes and mopeds.
- The extraction flute would be mounted to the existing flat roof at the rear of the application.
- Officers clarified that there were no allocated parking for the previous facility and the shop already in place. The bays outside the units would serve the neighbourhood centre.
- It was clarified that there were a range of uses which the unit could currently be without needing planning permission such as a café or creche.
- Officers clarified that the application had conditions regarding the opening hours of the unit.
- A condition had been proposed for a waste management strategy and bins were already located in close proximity of the site. It was noted that the Planning process could not control human behaviour.

RESOLVED

(5 For, 4 Against, 1 Abstain)

The Development Management Committee granted planning permission subject to the recommendations set out in the report.

165. APPEAL DECISIONS 18.06.2024 - 15.07.2024

The report contained three dismissed decision and contained a cost award for an application of 73 Bridge Road East. The costs agreed were for a sum of

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£48,213.82. The original cost application was for a higher sum but officers had worked hard to scrutinise and reduce the costs incurred.

The Committee noted the appeal decisions report for the period 18<sup>th</sup> June 2024 to 15<sup>th</sup> July 2024.

166. FUTURE PLANNING APPLICATIONS

The Committee noted the future planning applications report.

167. PERFORMANCE REPORT, JANUARY - JUNE 2024

It was noted that applications had remain steady and targets for decisions on applications were on target. There had been a reduction on planning enforcement.

The Committee noted the development management performance report.

Meeting ended at 9.40 pm