

Development Management Committee
24 October 2024

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 24 October 2024 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors J.Skoczylas (Chairman)
P.Shah (Vice-Chairman)

H.Goldwater, D.Panter, C.Watson, A.Chesterman,
B.Fitzsimon, K.Gardner, T.Skottowe, I.Walsh,
T.Kingsbury and J.Cragg

ALSO PRESENT: J.Backhaus, Trowers & Hamlins LLP

OFFICIALS PRESENT: R.Misir, Senior Democratic Services Officer
C Carter, Assistant Director (Planning)
G.Gnanamoorthy, Development Management Services Manager
B.Compton, Democratic Services Officer

178. APOLOGIES & SUBSTITUTIONS

Apologies for absence were received from Cllr Trigg for whom Cllr Kingsbury attended as a substitute, and from Cllr Short for whom Cllr Cragg attended as a substitute.

179. MINUTES

The minutes of the meeting held on 12 September 2024 were approved as a correct record.

180. NOTIFICATION OF URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 9 AND ANY ITEMS WITHDRAWN FROM THE AGENDA

No notifications for urgent business were received.

181. DECLARATIONS OF INTEREST BY MEMBERS

Cllr Kingsbury declared he was a member of Hertfordshire County Council.

182. 6/2023/2539/FULL SYLVIA ADAMS HOUSE 24 THE COMMON HATFIELD AL10 0ND

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The Development Management Services Manager introduced the application which sought planning permission for the creation of two additional 1 bed units at third floor level to infill the section to the rear within the footprint of the building approved under the prior approval application (6/2020/3226/PN32), creating 12 x 1-bedroom flats in total. Minor alterations were also proposed to the lay out of the floorplans and to the fenestration of the building. The application was before the Committee as it had been called in by Cllr Thorpe on the grounds that 1) the additional height to the development would outstrip that of the surrounding area and 2) the development would increase pressure on limited parking in the area.

Moses Ekole, applicant's agent, addressed the Committee as follows:

I'm here to represent my client in terms of trying to amplify some issues that could work in the benefit of approval of this application. Thank you very much for that presentation. I'm just going to add on some things, small on the principle of development, because I know a lot has already been spoken there.

As we all know, housing is a big issue in the country, and also land to deliver that housing is an issue. And like any other local authority, this local authority is also struggling to provide a five -year supply of land to deliver housing targets.

I note from the local plan policy SP1 that the council has a housing target of 15 ,200 to deliver over the planned period of 2016 to 2036. At the moment, the proposal is for one bed, two units. But overall, it will be 12 units. This will feed into meeting that target, which should be seen as where the members here have a benefit.

To add on this, the site is already in residential development and the principal there has already been established by previous permission and broadly is in a sustainable location, amenities, all within the proximity. So we're being almost in the town centre to the north northern part of that town centre there is a presumption in favour of development being directed by the local authority with any such sustainable locations. I request that we look into that as you are, considering this application.

The other issue is in terms of design and the impact of the development. Yes. The case officer has already spoken a lot about this but actually, when you follow up just adding on to that that's a footpath there, I have visited that site. The approved developments. The prior approval only created a disjointed the rare part of that building and this particular scheme will harmonize the rare part of that building which will appear in a symmetrical arrangement with the adjoining property number 22.

A member asked why the add on now when perhaps there must be some reason why they didn't do it in the original design. The Development Management Services Manager responded as follows: the original approval was under prior approval rather than planning. There are certain limitations and restrictions in

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terms of how the built form can manifest in terms of heights depending on different criteria that it has to meet.

The Vice Chair commented that he was in support of the proposal noting the small infill into existing development; the site qualifies for the infill development in the town centre so had a sustainable location and there was plenty of public transport and transit nearby.

A member asked for confirmation regarding the residents in Stockbridge, how much impact will it have on them as they seemed to have south facing gardens. The Development Management Services Manager responded that Stockbridge Road has south facing gardens and the distance from the houses to where this development is, is quite substantial so there was likely to be very minimal adverse harm to those properties on Stockbridge Road.

A member spoke with respect to concerns that a parking standard is not being met so theoretically parking available on the street did not translate to available parking on the street or realistic parking in a public car park. Two one -bedroom flats could generate up to four further vehicles and to not provide any additional parking on site would exacerbate whatever parking issues there are in this location. The member could not support the officer recommendation for this reason and did not believe any exception under any circumstances should be made as it could set a precedent elsewhere in the borough for not meeting the parking standard.

The Development Management Services Manager responded that officers were not saying it did not meet the parking standards, which were maximums rather than targets and condition four was not related to parking standards but to a request from Highways looking for details of EV layouts. The Committee was being asked to assess the proposal for two flats and no additional parking, and as such the condition requiring a layout for EV charge points was not appropriate. The parking standard was a maximum not a target, and officers looked at the sustainability of the location in terms of whether it was appropriate or not given the fact that there was not much on street parking anyway; there were double yellow lines and bays where people could park for limited periods of time. In addition, there is a public car park opposite the site. The view of officers was that there was no demonstrable Highway safety impact from this development.

A member said they were not too concerned with regard to condition four as there were electric parking bays in the multi -storey that were always empty across the road. The proposal was in a very sustainable location and two extra flats would not make a significant difference.

Resolved:

(For 10, against 2, abstain 0)

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That planning permission be granted, subject to the conditions set out in the report.

183. 6/2024/0608/FULL 13 TOLMERS ROAD CUFFLEY POTTERS BAR EN6 4JF

The Development Management Services Manager introduced the application which sought planning permission to demolish the existing dwelling and erect a larger two storey dwelling with an integral garage in the same location. The application was before the Committee as it had been called in by Cllr Michaelides on the grounds that 1) it constituted substantial overdevelopment, 2) it did not comply with a number of Neighbourhood Plan policies, 3) the development was at a higher elevation compared to neighbouring properties and 4) the rear balcony represented significant intrusion.

There were no registered speakers for this item.

A member made a point of order that during the presentation it was stated that there was an objection from Northaw and Cuffley Parish Council. It was unclear whether it meant The Parish Council had received an objection or were making an objection and asked for clarity. The Development Management Services Manager clarified that they had made a major objection.

A member asked more about the impact as there is a neighbourhood plan in place now which is a material item in terms of the decision. The Development Management Services Manager confirmed that the neighbourhood plan is now a material planning consideration and any application in that area will be assessed against those policies. Policy D1 was cited in the objection as one that the proposal did not comply with. This policy relates to residential design and amenity for a closed list of development types; this application is for a replacement dwelling, which isn't one of those covered by policy D1 and so the proposal cannot be assessed against that policy.

A member agreed with colleagues' observations and the wording of his call -in about the overbearing and overdevelopment of the nature of this proposal, particularly the rear of the property, along with the width, which did not seem right for the plot. It was clear that many people had changed the properties in this road and the member supported the Parish Council's objections.

The Development Management Services Manager responded by stating that, although it was getting wider, something to be considered as officers in terms of a fallback position under permitted development, is what could be built. They could build side extensions that are half the width of the full house, and these could fill in that gap without needing any planning permission. Given that there is no policy in place that restricts ground floor structures being built to the boundary, this itself, was not a reason to refuse the application. It was noted that the neighbouring property has also extended up to the boundary.

The Vice Chair spoke in support of the proposal especially as it was similar to the neighbouring property. He asked a question regarding the rear balcony

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which he considered to be a significant intrusion and asked for clarity. The Development Management Services Manager responded by confirming that there was a balcony originally proposed but as a result of discussions with the applicant it was removed because officers agreed that it would have been invasive on the privacy of the neighbouring property.

Resolved:
(For 10, against 1, abstain 1)

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

184. APPEAL DECISIONS 30 AUGUST 2024 - 11 OCTOBER 2024

The Development Management Services Manager introduced the report.

The Committee noted the report.

185. FUTURE PLANNING APPLICATIONS

The Development Management Services Manager introduced the report.

The Committee noted the report.

Meeting ended at 8.10 pm