

Development Management Committee
26 May 2016

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday, 26th May, 2016 at 7.30 pm in the Cypress Room, Salvation House, 2 Sterling Court, Mundells, Welwyn Garden City, Herts, AL7 1FT

PRESENT: Councillors S Boulton (Chairman)
N Pace (Vice-Chairman)

R Basch, M Birleson, A Chesterman, J Cragg, I Dean,
M Larkins, S Markiewicz, P Shah, M Spinks,
F Thomson, J Weston and P Zukowskyj

ALSO PRESENT: Councillors M Perkins, Executive Member, Planning Housing and Community

OFFICIALS PRESENT: Development Management Service Manager (L Hughes)
Principal Major Development Officer (C Carter)
Governance Services Officer (R Burbidge)
Governance Services Officer (M Lowe)

1. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN:

It was noted that Councillors S. Boulton and Pace were elected Chairman and Vice Chairman respectively for the Municipal Year 2016/2017.

2. SUBSTITUTIONS

The following substitutions of Committee Members had been made in accordance with Council Procedure Rules 19-22.

Councillor J Cragg for D Bennett
Councillor M Spinks for C Gillett

3. APOLOGIES

Apologies for absence were received from Councillors D. Bennett, C. Gillett and H. Morgan.

4. MINUTES

The Minutes of the meeting held on 28 April 2016 were approved as a correct record and signed by the Chairman.

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5. DECLARATIONS OF INTEREST BY MEMBERS

Councillor P Zukowskyj declared an interest in Agenda item 9 – 51 Great North Road, Hatfield, AL9 5EN by virtue of his position as a County Councillor.

6. LAND TO THE REAR AND ADJACENT TO 17 KINGSMEAD, CUFFLEY, POTTERS BAR, EN6 4AN - 6/2016/0291/FULL - ERECTION OF 1 NO. DETACHED SINGLE STOREY DWELLING-HOUSE

Report of the Director (Governance) explaining that full planning permission was sought for the construction of a detached, four bedroom, one and a half storey dwelling house. The unit would have a maximum height of approximately 6.6m, a maximum eaves height of approximately 3.5m, a maximum width of approximately 14.2m and a depth of approximately 14.9m. The unit would be constructed of facing buff brickwork (Hammersmith London Stock) under a natural grey slate roof.

Late representation in the form of photographs submitted by objectors had been circulated.

M. Williams (Agent) spoke in support of the application.

V. Chipperfield (Objector) spoke against the application.

Councillor B. Sarson (Northaw and Cuffley Ward) spoke against the application.

During discussion concerns were raised regarding the overdevelopment of the site and the size and scale of the proposed building, which it was considered would impact adversely on neighbouring dwellings.

It was proposed by Councillor S. Markiewicz, seconded by Councillor I. Dean that the recommendation in the report be amended and the application be refused.

On being put to the vote it was:-

RESOLVED:

(10 voting for; 2 voting against and 2 abstentions)

That planning permission for application 6/2016/0291/FULL be overturned and refused for the following reason:-

The proposed development fails to maintain or enhance the visual amenity of the area, the new development in which it would be situated and the amenity of neighbouring dwellings. It would represent over development of the site and result in the loss of the spacious nature of the locality and in the loss of landscaping required to enhance, and secured as part of, earlier planning permissions for the development under construction and situated to the north of the application site. The

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development therefore fails to comply with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guidance 2005 (Statement of Council Policy) and National Planning Policy Framework.

POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Councils website or inspected at these offices).

7. BROOK FARM, CUFFLEY, POTTERS BAR, EN6 4EX - CHANGE OF USE OF LAND FOR HOLDING UP TO AND INCLUDING 15 WEDDING RECEPTIONS DURING THE MONTHS FROM 1 MARCH TO 30 SEPTEMBER EACH YEAR, WITH CAMPING FOR A MAXIMUM OF 50 WEDDING GUESTS TO TAKE PLACE ON THE SAME DATE THAT A WEDDING RECEPTION TAKES PLACE

Report of the Director (Governance) setting out the proposal for the consideration of full planning permission for the change of use of land for holding up to and including 15 wedding receptions during the months from 1 March to 30 September each year, with camping for a maximum of 20 wedding guests to take place on the same date that a wedding reception takes place.

Members received a paper containing proposed amendments to the conditions and late representation had been circulated.

L Widdowson (Applicant) spoke in support of the application.

It was proposed by Councillor N. Pace, seconded by Councillor A. Chesterman and

RESOLVED:
(13 voting for and 1 against)

That planning permission for 6/2015/2388/FULL approved subject to the condition set out in the report as amended below:

3. This permission allows guests of wedding events permitted on the adjoining land (within the Borough of Broxbourne) to use the site as shown on drawing number 26334/002 rev D and shown in green annotated 'Ancillary Camping Area' for camping only in association with the wedding events and no other use, and only between 1 March and 30 September and at no other time.

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REASON: To ensure the development is carried out as permitted and to limit the impact in the Green Belt in accordance with the principals of the National Planning Policy Framework.

4. Remove condition 4
5. The camping shall be for a maximum of 50 wedding guests and occur only on the night of a wedding event and up to 1200 hours on the day following the wedding event and at no other time.

REASON: To ensure the development is carried out as permitted and to limit the impact in the Green Belt in accordance with the principals of the National Planning Policy Framework.

7. Noise resulting from the use of any plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured according to BS4142:2014, at a point one metre external to the nearest noise sensitive building.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy R19 & D1 of the Welwyn Hatfield District Plan 2005.

8. The development hereby permitted for camping shall cease and structures, equipment and materials brought on to the land for the purpose of such uses shall be removed immediately following failure to meet any one of the requirements set out in (i) to (iv) below:-
 - (i) Within one month of the date of this decision, details of all temporary lighting, including design, level of luminance and position shall be submitted to the Local Planning Authority for approval in writing.
 - (ii) Within three months of the date of this decision the above lighting details shall have been approved by the Local Planning Authority, or if the Local Planning Authority refuses to approve the schemes, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made, by the Secretary of State.
 - (iii) If an appeal is made pursuant to (ii) above, that appeal shall have been finally determined and the submitted details shall have been approved by the Secretary of State.
 - (iv) The lighting shall be installed at each subsequent wedding event in accordance with the approved details.

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REASON: To protect the amenities of the occupiers of neighbouring properties and the locality and to limit the impact in the Green Belt in accordance with the principals of the National Planning Policy Framework.

Additional Informative

For the avoidance of doubt, the conditions attached to this permission only relate to land within Welwyn Hatfield Borough Council.

8. 51 GREAT NORTH ROAD, HATFIELD, AL9 5EN - 6/2015/2359/MAJ - CREATION OF 15 APARTMENTS, ALTERATIONS TO THE WINDOWS AND ADDITION OF DORMER WINDOWS, NEW BACK ENTRANCE TO THE BUILDING AND ANCILLARY DEVELOPMENT

Report of the Director (Governance) explaining that the proposal would provide accommodation for a total of 15 dwellings. These would comprise 8 one bedroom apartments and 7 two bedroom apartments.

Members received a paper containing proposed amendments to the conditions.

T. Waller (Agent) spoke in support of the application.

It was proposed by Councillor S. Markiewicz, seconded by Councillor N. Pace and

RESOLVED:
(Unanimous)

That planning permission for application 6/2015/2359/MAJ be approved subject to the amendment to the s106 agreement for the provision of £2400 – Play Facilities (subject to indexation from Q1 2012).

(Note: Councillor P. Zukowskyj declared an interest in this item – Minute 5 refers).

9. THE HOLDINGS, COLE GREEN LANE, WELWYN GARDEN CITY, AL7 - 6/2015/2416/MAJ - PROPOSED TWO STOREY OFFICE (B1A) USE AND GENERAL INDUSTRIAL (B2) USE AND STORAGE AND DISTRIBUTION (B8) USE ON FORMER EQUESTRIAN LAND AS PERMITTED AND COMMENCED UNDER PLANNING PERMISSION N6/1993/0244/OP

The report of the Director (Governance) explaining that full planning permission was sought for a two-storey, mixed B Class use including B1a (Office), B2 (General Industry) and B8 (Storage and Distribution). Members were advised of an amendment to the pre-occupation condition.

D. Caruso (on behalf of the Applicant) spoke in support of the application.

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It was proposed by Councillor N. Pace, seconded by Councillor S. Markiewicz and

RESOLVED:
(13 voting for and 1 against)

That planning permission for application 6/2015/2416/MAJ be approved subject to the amendment to Condition 4.

4. The development hereby permitted shall not be occupied until the following works have been completed in Cole Green Lane:

(a) provision of ghosted right hand turn lane,

(b) speed limit transition (40mph to 50mph) relocated in accordance with a plan that has been submitted to and approved in writing by the Local Planning Authority inclusion of a central island within the approach to the right hand turn lane) and the associated Traffic Regulation Order sealed,

(c) footway/cycleway improvements to Cole Green Lane (southside), and

(d) Kassel kerbing to bus stops at Great Ganett/Little Ganett and Black Fan Road provided to the satisfaction of the Local Planning Authority.

REASON: To ensure that the access is appropriate to the development and in the interests of safety and ensuring that the development is sustainable and accessible by all modes of travel and to ensure the development complies with paragraphs 32 and 35 of the National Planning Policy Framework 2012, enabling access to the site for all people by modes other than the private motor car.

10. APPEAL DECISIONS

Report of the Director (Governance) detailing recent appeal decisions.

RESOLVED:

That the Committee noted the decisions.

11. PLANNING UPDATE - FUTURE PLANNING APPLICATIONS

Report of the Director (Governance) providing Members with a summary of application that might be presented to the Committee over the next one or two months. If a call-in or application was withdrawn, the item would not be presented.

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RESOLVED:

That future planning applications be noted.

Meeting ended at 9.00 pm