

Development Management Committee
10 November 2016

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday, 10th November, 2016 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE

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

R.Basch, D.Bennett, M.Birleson, A.Chesterman, I.Dean,
C.Gillet, M.Larkins, S.Markiewicz, H.Morgan, P.Shah,
F.Thomson, J.Weston, P.Zukowskyj

ALSO PRESENT: M.Perkins (Deputy Leader and Executive Member,
Planning, Housing and Community)

OFFICIALS Head of Planning (C.Haigh)
PRESENT: Principal Development Management Officer (A.Mangham)
Principal Development Management Officer (M.Robinson)
Governance Services Officer (M.Lowe)
Governance Services Officer (G.Paddan)

89. MINUTES:

The Minutes of the meeting held on 13 October 2016 were approved as a correct record and signed by the Chairman.

90. DECLARATIONS OF INTEREST BY MEMBERS:

Councillor P.Zukowskyj declared non-pecuniary interests in items on the Agenda as appropriate by virtue of being a Member of Hertfordshire County Council.

Councillor H.Morgan declared a non-pecuniary interest in items on the Agenda as appropriate by virtue of being Member of Hatfield Town Council.

Councillor S.Boulton declared a non-pecuniary interest in item 9 of the Agenda - Nirvana, White Lodge Farm, Bulls Lane, Hatfield, AL9 7AZ - 6/2016/1667/FULL (Minute 94 refers) as appropriate by virtue of being a member of North Mymms Parish Council.

91. 85 HARDINGS, WELWYN GARDEN CITY, AL7 2HA - 6/2016/1468/OUTLINE - OUTLINE PLANNING PERMISSION FOR THE ERECTION OF 1 DWELLINGHOUSE, DRIVEWAY AND ACCESS WITH APPROVAL SOUGHT FOR ACCESS AND LAYOUT WITH ALL OTHER MATTERS RESERVED:

Report of the Executive Director setting out the application for outline planning permission for the erection of one dwelling house, driveway and access with approval sought for access and layout with all other matters reserved.

Development Management Committee
10 November 2016

Mr A. Howard, (Objector), representing the local community spoke against the application.

Members expressed concerns regarding the effect the development would have on Hardings, a sheltered accommodation facility, during the construction period. These included access for the emergency services and care providers and the amount of construction traffic. Additional concerns were raised regarding the impact on privacy; overlooking and loss of light for the occupants of the bungalows in Hardings.

Further concerns were also expressed by Members that the application was for outline planning permission and were of the view that detailed plans of the proposed house should be seen prior to approval of the application for outline planning permission.

It was moved by Councillor S.Markiewicz, seconded by Councillor N.Pace that the proposal for outline planning permission be agreed.

This proposal was lost (6 voting for, 7 against, 2 abstentions).

Following further advise from Officers and discussion by Members it was then moved by Councillor F.Thompson, seconded by Councillor M.Larkins and

RESOLVED:

That notwithstanding the Officer recommendation that planning permission be approved subject to conditions, the application be refused for the following reasons:-

The proposed siting of the dwelling on the side garden of the property at 85 Hardings is considered to be out of character with the prevailing layout of buildings and gaps between buildings that are a characteristic of the street, and would result in the loss of a first floor gap which contributes towards the spacious open character of this part of the street contrary to policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and National Planning Policy Framework 2012.

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.

REFUSED DRAWING NUMBERS

AT599-01 received 20th July 2016 & AT599-02 received 17th October 2016.

Development Management Committee
10 November 2016

92. 8A HARPSFIELD BROADWAY, HATFIELD, HERTFORDSHIRE, AL10 9TF - S6/2016/1031/FULL - PROPOSED CHANGE OF USE TO FIRST AND SECOND FLOOR FROM USE CLASS C3 (DWELLING HOUSE) TO USE CLASS C4 (HMO):

The report of the Executive Director setting out the application which sought full planning permission for change of use from Class C3 (a two bedroom maisonette) to Class C4 (a House in Multiple Occupation). The HMO would contain three bedsit rooms with en-suite showers (floor areas of approximately 24sqm, 20sqm and 15sqm) and a communal kitchen (9.3sqm).

Members were of the view that due to the nature of the property, a HMO, that the developer be asked to consider the provision of a fourth parking space on the paved area within the rear yard.

It was moved by Councillor N.Pace seconded by Councillor S.Markiewicz and

RESOLVED:
(14 voting for, 1 against)

That planning permission be approved for application S6/2016/1031, subject to the conditions set out in the report plus an additional informative.

1. The development/works shall not be started and completed other than in accordance with the approved plans and details: 8HB/P01 & 8HB/P02 received 24 May 2016 & Location Plan & Block Plan received 17 June 2016 & 8HB/P03 received 10 October 2016.

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

2. Prior to the first occupation of the site for the use hereby permitted the areas designated on the site layout plan on DRWG 8HB/P03 for car parking, cycle storage and bin storage shall be provided on the site. These areas shall be maintained as such thereafter.

REASON: To ensure the provision of adequate parking and bin storage facilities within the site in accordance with Criterion HMO5 of the Houses in Multiple Occupation Supplementary Planning Document 2012 and to protect the amenity of the occupiers an adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

3. Prior to first occupation of the site for the use hereby permitted the two cabins associated with the use of the retail unit at ground floor shall be removed from the site.

Development Management Committee
10 November 2016

REASON: To ensure the provision of adequate parking and bin storage facilities within the site in accordance with Criterion HMO5 of the Houses in Multiple Occupation Supplementary Planning Document 2012 and to protect the amenity of the occupiers and adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

4. The application site shall not be occupied as a House in Multiple Occupation by more than three individuals.

REASON: To prevent intensification of the use and to protect the residential amenity of the occupiers and character of the surrounding area in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and Criterion HMO5 of the Houses in Multiple Occupation Supplementary Planning Document 2012.

5. No development shall commence until details of the scheme for the provision of secure storage for three bicycles on site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been fully implemented. The approved scheme shall be retained thereafter.

REASON: In order to ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with Policies M6 and M8 of the Welwyn Hatfield District Plan 2005 and criterion HMO3 of the Houses in Multiple Occupation Supplementary Planning Document 2012.

6. Prior to the commencement of the development the applicant shall submit, for approval in writing by the Local Planning Authority, details relating to a scheme to protect the proposed development from traffic noise along the A1001. The scheme shall be implemented before any part of the accommodation hereby approved is occupied. The scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms meet the standards in BS 8233:2014 and the ventilation standards within Approved Document F of the Building Regulations. The mechanical ventilation system shall provide a ventilation rate of at least the purge rate within Approved Document F (4 air changes per hour) when required to maintain thermal comfort.

REASON: To protect the occupants of the new development from noise disturbance in accordance with Policies D1 and R19 of the Welwyn Hatfield District Plan 2005 and Criterion HMO5 of the Houses in Multiple Occupation Supplementary Planning Document 2012.

Additional informative:

Development Management Committee
10 November 2016

Notwithstanding the submitted plans, the developer is recommended to consider the provision of a fourth parking space on the paved area within the rear yard.

93. HOME FARM, 6 WHITEHILL, AYOT ST PETER, WELWYN, AL6 9AF - 6/2016/1559/HOUSE - ERECTION OF TWO STOREY DETACHED ANNEXE FOLLOWING DEMOLITION OF EXISTING GARAGE:

The report of the Executive Director setting out the application for the erection of a two storey barn following the demolition of the garage. The new barn would occupy the same footprint of the garage to be demolished. The barn would have a steep pitched roof with gable ends to either side.

Mr Mark Tant (Applicant) spoke in support of the application.

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

RESOLVED:
(unanimous)

That planning permission be approved for application 6/2016/1559/HOUSE, as set out in the report subject to the following conditions:

1. The development/works shall not be started and completed other than in accordance with the approved plans and details:

2016-21-PL-001 & PL002 & PL003 & PL004 & 1:1250 Site Location Plan received and dated 04 August 2016 & PL101 Rev A & PL102 Rev A & PL103 Rev A & PL104 Rev A received 11 October 2016.

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

3. The extension/building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the

Development Management Committee
10 November 2016

dwelling known as Home Farm, Whitehill, shown on the submitted application plans.

REASON: in order to clarify the terms of this permission and to avoid the creation of an unjustified independent unit of residential occupation outside of any established settlement in an area of generally open countryside contrary to the aims of the NPPF and Policy GBSP2 of the Welwyn Hatfield District Plan 2005.

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 Council's website or inspected at these offices).

94. NIRVANA, WHITE LODGE FARM, BULLS LANE, HATFIELD, AL9 7AZ - 6/2016/1667/FULL - ERECTION OF SINGLE STOREY FRONT EXTENSION:

The report of the Executive Director sought full planning permission for a single storey front extension measuring 5.8m (forward projection) x 5.2m (width) to form a living room, the height and roof pitch to match the existing. The external materials would comprise a matching horizontal black stained feather edge timber boarding under a plain tile roof. The position of this extension is at a mid-point on the front elevation, the land currently part of the applicant's private garden area.

Dr Anita Herderiro (Applicant) spoke in favour of the application.

North Mymms Parish Councillor T.Ginsberg spoke against the application.

It was moved by Councillor D.Bennett, seconded by Councillor H.Morgan and

RESOLVED:

That planning permission be approved for application S6/2016/1667/HOUSE subject to the following conditions:

1. The development/works shall not be started and completed other than in accordance with the approved plans and details: 1 & SAE01914-MAR & SAF01914 received 15 August 2016 & 2 (Rev 3) & Block Plan received 26 October 2016 & '1077389-15-03 (Rev A) Site Location Plan' received 27 October 2016.

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

Development Management Committee
10 November 2016

2. The brickwork, roof tile, bond, mortar, detailing, guttering, soffits and other external decorations of the approved extension/alterations must match the existing dwelling/building in relation to colour and texture.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

95. APPEAL DECISIONS:

The report of the Executive Director detailed recent appeal decisions.

RESOLVED:

That the appeal decisions during the period set out in the report of the Executive Director be noted.

96. PLANNING UPDATE - FUTURE PLANNING APPLICATIONS:

The report of the Executive Director provided Members with a summary of planning applications that might be presented to Committee over the next one or two months. If the call-in or application was withdrawn, the item would not be presented.

RESOLVED:

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

97. PERFORMANCE REPORT - FIRST QUARTER 2016/2017:

The report of the Executive Director informed the Committee of the performance of the Development Management Service over the first quarter of 2016/17.

The Committee acknowledged the difficulties currently being experienced by the Development Management Service and thanked Officers for their endeavours.

RESOLVED:

That the report on the performance of the Development Management Services over the first quarter 2016/17 be noted.

98. EXCLUSION OF PRESS AND PUBLIC:

RESOLVED:

That under Section 100(A) (2) and (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for item

Development Management Committee
10 November 2016

15 (Minute 99 refers) on the grounds that it involved the likely disclosure of confidential or exempt information as defined in Section 100(A) (3) and paragraph 6 (statutory notice or order) of Part 1 of Schedule 12A of the said Act (as amended).

In resolving to exclude the public in respect of the exempt information, it was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

99. ENFORCEMENT CASES MONITORING REPORT:

The exempt report of the Executive Director provided the Committee with an update of ongoing planning enforcement cases.

RESOLVED:

That the report which provided an update of the ongoing planning enforcement cases be noted.

Meeting ended 9.10pm
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