

Development Management Committee
22 June 2017

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 22 June 2017 at 7.30pm 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, J.Beckerman, D.Bennett, A.Chesterman,
B.Fitzsimon, C.Gillett (substituting for I.Dean), G.Hayes
(substituting for P Shah), M.Larkins, T.Lyons,
T.Mitchinson, F.Thomson, J.Weston, P.Zukowskyj

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

OFFICIALS PRESENT: Head of Planning (C.Haigh)
Development Management Service Manager (L.Hughes)
Principal Development Management Officer (M.Robinson)
Solicitor for Development Management Committee (N.Katevu)
Governance Services Officer (M.Lowe)
Governance Services Officer (G.Paddan)

17. SUBSTITUTIONS

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

Councillor G.Hayes for Councillor P.Shah.
Councillor C.Gillet for Councillor I.Dean.

18. APOLOGIES

Apologies for absence were received from Councillors I.Dean and P.Shah.

19. MINUTES

The Minutes of the meeting held on 25 May 2017 were approved as a correct record and signed by the Chairman.

20. DECLARATIONS OF INTEREST BY MEMBERS

Councillor and P. Zukowskyj declared a non-pecuniary interest in items on the agenda as appropriate by virtue of being a member of Hertfordshire County Council.

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Councillor S. Boulton declared a non-pecuniary interest in items on the agenda as appropriate by virtue of being a Member of Hertfordshire County Council; a Member of North Mymms Parish Council and was related to Councillor Mrs J.Boulton of North Mymms Parish Council who was registered to speak against application garages and workshop at Green Close, Brookmans Park, Hatfield, AL9 7ST - 6/2017/0048/FULL - erection of a two storey dwelling and associated landscaping following the demolition of existing garages/workshop (retrospective).

21. 9-11 CHURCH STREET WELWYN AL6 9LN - 6/2017/0548/FULL - CHANGE OF USE OF FROM GROUND FLOOR (A2) PROFESSIONAL SERVICES/FIRST FLOOR FLAT (C3) TO FORM A SINGLE RESIDENTIAL 3-BEDROOM DWELLING (C3) INCLUDING INTERNAL AND EXTERNAL ALTERATIONS

The report of the Executive Director (Public Protection, Planning and Governance) setting out the application seeking planning permission for the change of use of the ground floor (A2) professional services/first floor flat (C3) to form a single residential 3-bedroom dwelling (C3) including internal and external alterations.

Officers advised that a late representation from the Hertfordshire Highways had been received and circulated.

Mr M.Bishop (Applicant) spoke in support of the application.

Mr Ian Skidmore (Objector) spoke against the application.

Councillor T.Kingsbury spoke against the application.

During the discussion which ensued, the following material points were raised by Members.

- The proposed change of use to form a single residential dwelling would impact on the vitality and viability of the village centre.
- The balance between commercial and residential use in the village centre would be significantly harmed.
- There was a lack of amenity space around the property.
- The proposed parking would be contrary to the Council's adopted Parking Standards.
- The proposed change of use into a three bedroom residence would adversely impact on the parking problems currently experienced in the village centre.
- The requirements of residential and visitors parking would be very different.
- The ownership of the piece of land between the 9-11 Church Street and Holly Hall Court should be ascertained to ensure that this land was not adopted into the curtilage of the property under consideration.

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Some Members expressed the following views.

- There would be less demand for parking due to the reduction of footfall in the village centre and customers requiring a parking space.
- There was confidence in the Officer's report regarding the impact on the vitality and viability of the village centre as this had been taken into account and was considered to be negligible.

The Chairman advised the Committee that under permitted development rights the current owners were entitled to make a change of use application.

It was then moved by Councillor J.Beckerman and seconded by Councillor N.Pace that planning permission be agreed.

RESOLVED:
(12 voting for, 3 against)

That planning permission be approved for application 6/2017/0548/FULL subject to the conditions set out in the report.

22. GARAGES AND WORKSHOP AT GREEN CLOSE, BROOKMANS PARK, HATFIELD, AL9 7ST - 6/2017/0048/FULL - ERECTION OF A TWO STOREY DWELLING AND ASSOCIATED LANDSCAPING FOLLOWING THE DEMOLITION OF EXISTING GARAGES/WORKSHOP (RETROSPECTIVE)

The report of the Executive Director (Public Protection, Planning and Governance) setting out the application which sought permission for the erection of a two storey dwelling and associated landscaping following the demolition of existing garages/workshop (retrospective).

Officers advised that a late representation had been circulated to Members which reported that the drawing number for the proposed plans and elevations was incorrect. It should be drawing number: 15 Revision E, dated: 17 May 2017. Also, under para 4.1, the application proposal was 'Formation of two storey dwellinghouse with garage and associated landscaping following demolition of existing garages, workshop and greenhouse'.

Mr David Morgan (Agent) spoke in support of the application.

Ms Rowswell (Objector) spoke against the application.

North Mymms Parish Councillor Mrs J.Boulton spoke against the application.

During the discussion which ensued, the following material points were raised by Members.

- The proposed application would result in an overdevelopment of the site.

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- The size of the garden was considered to be out of character with the surrounding properties.
- The proposed development would be inappropriate due to size and scale of the plot.

It was then moved by Councillor J.Beckerman and seconded by Councillor A.Chesterman that planning permission be agreed.

RESOLVED:
(8 voting for and 7 against)

That planning permission be approved for application 6/2017/0048/FULL subject to the conditions set out in the report.

23. 1 LONGCROFT LANE WELWYN GARDEN CITY AL8 6EB - 6/2017/0725/HOUSE - ERECTION OF FIRST FLOOR SIDE EXTENSION

The report of the Executive Director (Public Protection, Planning and Governance) setting out the application which sought planning permission for the erection of a first floor side extension above part of the flat roofed garage. The proposed extension would be set back from the front elevation by approximately 1.6 metres and set in from the side boundary by approximately 2.4 metres. The roof would continue the ridge height of the existing dwelling.

The proposed extension would be finished in soft red facing brickwork laid in Flemish bond and reclaimed red clay pan tiles to match the existing dwelling. The proposed fenestration detailing would match the existing dwelling.

Officers, with regard to late representation made the following statement.

'Members would have received a copy of a letter from the applicants supporting their proposal for the extension.

Planning permission was recently granted for a single storey flat roofed extension incorporating a basement on the side of this end of terrace house. The extension has not yet been built.

This application proposes to construct a first floor extension above part of the approved extension to create a further bedroom with external dimensions measuring 3m wide by 3.7m deep.

The extension is designed to match the appearance of the dwelling in terms of materials, window style and size.

The extension generally accords with the Council's guidance with regards to the design of extensions except that where there is a strong characteristic of wider spacing between homes (particularly at first floor level) and where there are open views across single storey built form as is the case in a number of Welwyn

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Garden City streets then proposals that even partly fill the first floor space with extensions need to be examined very carefully.

In this case the house is the first in Longcroft Lane and has a wider than usual distance to the side boundary with Church Road. Adjacent to the boundary there is also a car park and so in visual terms there is a considerable and spacious gap adjacent to the house and so on balance it is felt that the very particular circumstances of this plot would make this relatively modest proposal acceptable without setting a precedent that could be easily repeated elsewhere in the street.

The recommendation therefore remains to permit subject to the conditions set out in the report.'

Site Description

The application site was located on a corner plot at the northern end of Longcroft Lane on the edge of the Town Centre. Longcroft Lane was residential in character and featured properties of similar style, appearance and architectural detailing.

The site comprised of a two storey end of terrace property constructed of traditional red brick with a clay pantile roof. It was set back from the highway with grass and hardstanding to the front.

Reason for Committee Consideration

This application is presented to the Development Management Committee because Councillor Cowan has objected to the application on the grounds that coupled with previous extensions this "would result in overdevelopment and would set a precedent of allowing 2 storey side extensions when this has not yet happened along this long series of formal neo-Georgian homes in a prominent position".

Site Designation

The site lies within the conservation area within Welwyn Garden City as designated in the Welwyn Hatfield District Plan 2005.

Councillor Malcolm Cowan, Ward Member spoke against the application.

The Chairman informed the Committee that prior to the meeting Councillor H.Bromley had raised concerns regarding the comments that she had submitted made in connection to this application. Councillor H.Bromley stated that these comments had not been circulated and that the full planning history of the site had not been contained in the report of Officers.

Members expressed concern that the report of Officers had not included details of the agreed application for the basement development.

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It was proposed by Councillor F.Thompson that consideration of application be deferred. This proposal was not seconded and therefore was lost.

The Chairman advised that the details for planning application for the basement extension had been published on the Council's website. The basement extension would have no visual impact on the street scene. The objections received were on the elevation.

Members raised the following concerns regarding the proposed development.

- The changes would be detrimental to the symmetry of the terrace houses.
- There would be significant overdevelopment of the site should the current proposal be granted in addition to the previous planning permissions.
- The visual aspect of the street would be significantly affected by the proposed double storey side extension.
- The property was set within the Estate Management Scheme (EMS). Members had a duty to protect the street scene. However when planning permission had been granted the EMS carried no weight.
- There would be a loss of visual space.
- There would be a clear break in policy. The one representation received in support of the applications had been from a neighbour, who also wanted to extend their own property.

The Head of Planning, in response to a further question as to whether the EMS was directly relevant to the decision, explained that the EMS was a separate process and the Committee's role was to consider Planning Policy and to apply it consistently. A further opportunity to dismiss the appeal would be provided at the Estate Management Appeals Panel, if the application were refused. The proposed development would be tested against the Council's own policy.

Officers advised that the proposed development would be hidden by the existing garages, one of which belonged to the house. The remaining garage was under the Council's ownership. The proposed first floor extension would be above the approved ground floor and basement extension.

Officers, responding to questions from Members, confirmed that the proposed development would be considered under the Estate Management Scheme, which could refuse the proposed application.

Members expressed the view that they were not confident that the Estate Management Scheme would be able to overturn an application once planning permission had been granted.

It was proposed by Councillor F.Thompson and seconded by Councillor R.Basch that planning permission be refused for the following reasons:-

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- The impact of the proposed development would be detrimental to the character and appearance of the Welwyn Garden City Conservation Area.
- Despite the proposed extension being located behind the current garages the overall effect would not complement the existing dwelling and the row of terrace properties.
- The proposals was contrary to National Planning Policy Framework (NPPF) and the Listed Buildings and Conservation Areas Act (1990) as set out in the report of Officers.

RESOLVED:

(11 voted for and 4 against)

That notwithstanding the Officer's recommendation for approval the application 6/2017/0725/HOUSE was overturned and refused for the following reasons:-

The proposed development does not complement or reflect the design and character of the existing dwelling and area. It would not, overall, be subordinate in scale nor respect, preserve and maintain the character and appearance of the Welwyn Garden City conservation area. As such the development is contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and National Planning Policy Framework 2012.

REFUSED DRAWING NUMBERS

Plan Number	Revision Number	Details	Received Date
100/2/PL001		Existing & Proposed Elevations & Block Plan	10 April 2017
100/2/PL003		Existing Floor Plans	10 April 2017
100/2/PL002		Proposed Floor Plans	10 April 2017
		Location Plan	10 April 2017

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).

24. APPEAL DECISIONS

The report of the Executive Director (Public Protection, Planning and Governance) detailed recent appeal decisions for the period 4 May to 2 June 2017.

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RESOLVED:

That the appeal decisions during the period set out in the report of the Executive Director (Public Protection, Planning and Governance) be noted.

25. FUTURE PLANNING APPLICATIONS FOR COMMITTEE AND PERFORMANCE

The report of the Executive Director (Public Protection, Planning and Governance) 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 which might be considered by the Committee be noted.

Meeting ended at 8.45pm
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