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WELWYN HATFIELD

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Please ask for:
Marie Lowe

8 August 2017

Dear Councillor

You are requested to attend a meeting of the WELWYN HATFIELD BOROUGH COUNCIL DEVELOPMENT MANAGEMENT COMMITTEE to be held on Thursday 17 August 2017 at 7.30pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE

Yours faithfully

Executive Director
Public Protection, Planning and Governance

A G E N D A
PART 1

1. SUBSTITUTIONS

To note any substitution of Members made in accordance with Council Procedure Rules 19-22.

2. APOLOGIES

3. MINUTES

To confirm as a correct record the Minutes of the meeting held on 19 July 2017 (previously circulated).

4. NOTIFICATION OF URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 12 AND ANY ITEMS WITHDRAWN FROM THE AGENDA

5. DECLARATIONS OF INTEREST BY MEMBERS

To note declarations of Members' disclosable pecuniary interests, non-disclosable pecuniary interests and non-pecuniary interests in respect of items on the Agenda.

6. MERCURY HOUSE, 1 BROADWATER ROAD, WELWYN GARDEN CITY, AL7 3BQ - 6/2016/2624/FULL - CHANGE OF USE FROM B1(A) OFFICE TO C3 RESIDENTIAL, CONSTRUCTION OF ROOF AND SIDE EXTENSIONS, CREATION OF 43 RESIDENTIAL APARTMENTS AND CYCLE STORAGE COMPOUND (Pages 5 - 30)

   Report of the Executive Director (Public Protection, Planning and Governance).

7. 23 PARK STREET, HATFIELD, AL9 5AT - 6/2016/2339/FULL - CHANGE OF USE FROM RESTAURANT (A3) TO RESIDENTIAL (C3) AND THE ERECTION OF SINGLE STOREY AND FIRST FLOOR REAR EXTENSION AND SUBDIVISION INTO FOUR FLATS (2 X 1 BEDROOM FLATS AND 2 X 2 BEDROOM FLATS) (Pages 31 - 48)

   Report of the Executive Director (Public Protection, Planning and Governance).

8. LAND AT LITTLE MEAD, HATFIELD - 6/2017/0546/FULL - ERECTION OF 4 X 3 BEDROOM HOUSES AND 3 X 2 BEDROOM HOUSES WITH ASSOCIATED PARKING FACILITIES AND LANDSCAPING FOLLOWING DEMOLITION OF 16 GARAGES AND 2 FLATS (Pages 49 - 70)

   Report of the Executive Director (Public Protection, Planning and Governance).

9. 32 PARKWAY WELWYN GARDEN CITY AL8 6HQ - 6/2017/1435/FULL - DEMOLITION OF REAR OUTBUILDING (Pages 71 - 76)

   Report of the Executive Director (Public Protection, Planning and Governance).

10. APPEAL DECISIONS (Pages 77 - 80)

    Report of the Executive Director (Public Protection, Planning and Governance).

11. PLANNING UPDATE - FUTURE PLANNING APPLICATIONS (Pages 81 - 90)

    Report of the Executive Director (Public Protection, Planning and Governance).

12. SUCH OTHER BUSINESS AS, IN THE OPINION OF THE CHAIRMAN, IS OF SUFFICIENT URGENCY TO WARRANT IMMEDIATE CONSIDERATION

13. EXCLUSION OF PRESS AND PUBLIC

    The Committee is asked to resolve:

    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 14 on the grounds that it involves the likely disclosure of confidential or exempt information as defined in Section 100(A)(3) and Paragraphs 2 (Information likely to reveal the identity of an individual), and 6 (Statutory notice or order) of Part 1 of Schedule 12A of the said Act (as amended).

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

PART II

14. ANY OTHER BUSINESS OF AN EXEMPT NATURE AT THE DISCRETION OF THE CHAIRMAN

Circulation: Councillors

S.Boulton (Chairman)
N.Pace (Vice-Chairman)
R.Basch
J.Beckerman
D.Bennett
A.Chesterman
I.Dean
B.Fitzsimon
M.Larkins
T.Lyons
T.Mitchinson
P.Shah
F.Thomson
J.Weston
P.Zukowskyj

M.Perkins (Executive Member for Planning, Housing and Community)

Executive Board
Press and Public (except Part II Items)

If you require any further information about this Agenda please contact Marie Lowe on 01707 357443 democracy@welhat.gov.uk

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Part I
Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 17 AUGUST 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

6/2016/2624/FULL

MERCURY HOUSE, 1 BROADWATER ROAD, WELWYN GARDEN CITY, AL7 3BQ

CHANGE OF USE FROM B1(A) OFFICE TO C3 RESIDENTIAL, CONSTRUCTION OF ROOF AND SIDE EXTENSIONS, CREATION OF 43 RESIDENTIAL APARTMENTS AND CYCLE STORAGE COMPOUND

APPLICANT: Mr M. Quinn

AGENT: Mr T. Waller

(Peartree)

1 Introduction

1.1 Members will recall this application was reported to Development Management Committee on 19th July 2017. At that meeting Members resolved to approve the application subject to relevant amendments which were reported to members, the inclusion of an additional condition and a signed S106 agreement.

1.2 Members will be aware that an additional condition was requested by the committee, requiring the applicant to submit details to demonstrate that the materials used in the proposed development were fire retardant. However following discussions with the legal department, it is considered that such a condition would not meet the tests as stated within the National Planning Policy Framework (NPPF) and therefore could not be enforced by the planning service. The NPPF sets out at paragraph 206 that *"planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects".*

1.3 Whilst the motivations surrounding fire safety are acknowledged and understood, it is considered that this falls within the remit of building control and would be dealt with as a requirement of the Building Regulations. Therefore the suggested condition is not considered to be relevant to planning, in the terms of the NPPF and is not enforceable as the basis for considering such a condition would be the Building Regulations. Therefore it is recommended that this matter should not be conditioned as part of the planning application.

1.4 The remainder of this report has been amended in line with the updates and amendments that were reported and approved at the last committee. This includes the paragraph within the 'Highway and Parking matters' section and amendments to conditions 9 and 10.

1.5 The application is therefore recommended for approval subject to a S106 Agreement and the same conditions as previously stated, with the inclusion of those changes to conditions 9 and 10.

2 Site Description

2.1 The application site is located on the corner of the cross roads with Bridge Road East and Broadwater Road and comprises a three storey office building and its associated car park. This site is located within an employment area. However it should be noted that this particular area is changing by virtue of the introduction of residential developments close to the application site, which include the recent permission for the re-development of the Shredded Wheat Factory opposite.

2.2 The application site currently benefits from a large car parking area to the side and front boundaries, with limited soft landscaping along its boundaries.

3 The Proposal

3.1 The proposal would provide a total of 43 flats, 41 of which would be one bedroom flats and 2 would be two bedroom flats.

3.2 The proposed 43 dwellings comprises an increase of 12 dwellings from the development approved under the recent prior approval application (ref. 6/2016/2160/PN11). The proposal would result in the construction of an additional storey, a three storey side extension fronting Bridge Road East with balcony detail serving the additional storey and a roof top terrace.

3.3 Members should note that these changes were not possible under the application for prior approval, as the process does not allow for works which would constitute development as these require separate planning permission. The prior approval established that the building can be converted to residential, this application is seeking to justify a greater number of flats and a denser form of residential development.

4 Reason for Committee Consideration

4.1 This application is presented to the Development Management Committee by virtue of the proposed development being a departure from the Development Plan.

5 Relevant Planning History

5.1 6/2016/2160/PN11 – Prior approval for a proposed change of use from Office (Class B1(a)) to Residential (Class C3 – Granted 5th December 2016

5.2 6/2016/1324/PN11 - Prior approval for the proposed change of use of from office (class B1) to residential (class C3) to provide 31 dwellings – Refused 9th September 2016

6 Planning Policy

6.1 National Planning Policy Framework 2012

6.2 Welwyn Hatfield District Plan 2005

6.3 Council's Draft Local Plan Policies, SADM10

6.4 Supplementary Design Guidance, February 2005 (SDG)

6.5 Supplementary Planning Guidance, Parking Standards, January 2004 (SPG)

6.6 Interim Policy for Car Parking Standards and Garage Sizes, August 2014

7 Site Designation

7.1 The site is located within the Welwyn Garden City employment area within the settlement of Welwyn Garden City as defined in the Welwyn Hatfield District Plan 2005.

8 Representations Received

8.1 The application has been advertised by neighbour notification, site notice and press notice. Two responses have been received as follows:

- *'As planning permission already exists for change of use to residential then it does make sense to maximise the capability and utilisation of the site. This comment is on the basis that all other planning and safety requirements are met , especially in relation to the developments proximity relating to the outer zone of the Gas Holders in Tewin Road ; it looks as though the site boundary plan has been amended from the initial application so that the site falls outside the zones'*

- *'What a hideous place to live right on top of a very busy, currently traffic-lit junction. Poor choice of location for such a change I feel.'*

9 Consultations Received

9.1 **Hertfordshire County Council Transport Programmes and Strategy (HCCTPS**) - No objections.

9.2 **Hertfordshire County Council Lead Local Flood Authority** – No objections.

9.3 **Hertfordshire County Council Development Services** – No objections subject to securing contributions through a S106 agreement.

9.4 **Herts Fire & Rescue –** The provision for access does not appear to be adequate to comply with Approved Document B section 16.3.

9.5 **Hertfordshire Constabulary** – Unable to support application due to lack of detail around the type of security features to the block and its entrance features. These would fall within Building Regulations Part Q.

9.6 **Hertfordshire Ecology** – No objection subject to an informative

9.7 **Thames Water –** No objection.

9.8 **WHBC Environmental Health –** recommend planning application is permitted but subject to conditions

9.9 **WHBC Conservation Officer -** the proposals would not preserve or enhance the setting of the listed building and would not be of sufficient design standard for this important corner site where the opportunity should be taken to improve and create a decent external environment for the occupants of the building. The proposals would not conform to the NPPF 2012

9.10 **Environment Agency –** No comments have been received.

9.11 **East & North Herts Clinical Commissioning Group -** No comments have been received.

9.12 **Hertfordshire County Council Historic Environment** – No comments received.

9.13 **WHBC Landscaping –** No objection subject to a condition requiring a detailed landscape plan to include species, sizes, densities and aftercare. This should include planting along the boundaries.

9.14 **WHBC Parking Services** – No comments received

9.15 **WHBC Client Services** - The plans refer to space being allocated for 1100l recycling bins, however we do not provide recycling to flats using 1100l bins, so this would need to be reconsidered. Space would need to be allocated for 4 x 1100l bins for the disposal of refuse on a weekly basis and then 4 x mini recycling banks for the disposal of recycling on a fortnightly basis. Each set of mini recycling banks comprise of two 360l wheeled bins which fit into a frame and are for the recycling of paper and glass/cans. It should also be anticipated that this scheme may be extended to include other materials in the future, so additional space should be available. With regard to the location of the bin stores to the rear of the building this is not an ideal location for accessibility, therefore relocating the bin storage to a point closer to the stopping point of the vehicle should be considered.

9.16 **Health & Safety Executive** – Consult the HSE Planning Advice Web App for advice on the application.

10 Analysis

10.1 The main planning issues to be considered in the determination of this application are:

1. Whether the site is required to meet future employment requirements and business and community needs
2. Whether the principle of residential development is acceptable (Policies EMP1, EMP2, H2 and NPPF Sections 1, 3, 4, 7 and 8)
   i. Hazardous Zone
3. Density, layout and design and whether the proposal would sufficiently maintain or enhance the character and appearance of the application site and surrounding area (D1, D2, R1, R19 and NPPF)
   i. Impact on the setting of a listed building
4. Impact on living conditions of adjoining/adjacent occupiers (D1)
5. Highway and Parking Matters (NPPF, M14)
6. Other Material Planning Considerations
   i. Landscaping (D8)
   ii. Flooding and Drainage
   iii. Noise, Contaminated Land and Fire & Rescue (R2)
   iv. Refuse and Recycling Storage (D1, IM2 & M4)
   v. Planning Obligations & Legal Agreement (IM2, H7, M4 & Planning Obligations SPD)

1. Whether the site is required to meet future employment requirements and business and community needs

10.2 The application site is located in a designated employment area EA1 – Welwyn Garden City Industrial Area. Saved Policy EMP2: Acceptable Uses In Employment Areas states that, in designated employment areas, proposals for uses other than Classes B1, B2 and B8 should generally be resisted and will only be permitted where it can be clearly demonstrated that the existing land or premises are no longer required to meet future employment requirements and business and community needs. All such proposals will also be required to satisfy criteria (i) to (v) of Policy EMP2 and other relevant policies relating to the proposed use.

10.3 The emphasis of the strategy and objectives in the Employment chapter of the District Plan is on husbanding reserves of employment land to ensure that there continues to be enough land and floorspace in the district, in the right locations and of the right quality, to provide jobs for local people, maintain a diversity of employment uses and accommodate the requirements of local businesses and firms seeking to locate in the area.

10.4 Policy SADM10 of the Council's Draft Local Plan was prepared to accord with guidance in the National Planning Policy Framework and has the same approach to the loss of employment land to other uses, seeking to protect the supply of land for industrial, office and warehousing uses. This approach reflects the strong emphasis on sustainable economic development in the National Planning Policy Framework (NPPF).

Paragraphs 18 to 27 of the NPPF set out the Government's overarching ambitions for building a strong, competitive economy.

10.5 Notwithstanding the Council's strong desire to see adequate land remaining for employment uses, in 2016 an application for prior approval for a change of use from B1(a) office use to residential use affecting this site and creating 2 x two bedroom flats and 29 x one bedroom flats (6/2016/2160/PN11) was lodged. Consequently it was agreed that the building could be converted to residential use as permitted development without the Council's prior approval.

10.6 On the basis of the recently approved prior approval application, it is considered that the employment use of the building has effectively ceased. Moreover, it is considered that the fall-back position is a material consideration in this instance which carries significant weight. It should however be noted that the red edge on the current application differs slightly from the Prior Approval submission as that application excluded an area of car parking due to it lying within a hazardous zone. However it should be noted that this hazardous zone has been revoked and no longer exists. Accordingly, should a new prior approval application be submitted including the whole site it is likely to be granted.

2. Whether the principle of residential development is acceptable

10.7 By virtue of the site having received prior approval for the conversion of the existing building to residential use, the principle of the land and building being in a residential use has been established. Reference should be given to the National Planning Policy Framework (NPPF) which encourages the provision of more housing and states that applications should be considered in the context of the presumption in favour of sustainable development. Local Planning Authorities should encourage the effective use of land by re-using land that has been previously developed provided that it is not of high environmental value.

10.8 Saved Policy H2 relates specifically to applications for windfall housing development and states that all proposals of this type will be assessed for potential suitability against the following criteria:

(i) The availability of previously-developed sites and/or buildings;

(ii) The location and accessibility of the site to services and facilities by transport modes other than the car;

(iii) The capacity of existing and potential infrastructure to absorb further development;

(iv) The ability to build new communities to support infrastructure and provide demand for services and facilities;

(v) The physical and environmental constraints on development of land.

10.9 The application site is located within the main town of Welwyn Garden City. It is situated in a particularly sustainable location; being within walking distance of the town centre and the train station and being served by various bus services along Broadwater Road. The proposed development would utilise the existing accesses onto Broadwater Road and Bridge Road East, main thoroughfares within the town, providing good access to the surrounding area. Furthermore, there are no known physical or environmental constraints at this site that cannot be dealt with by the imposition of relevant conditions.

10.10 Whilst the site is located in a designated employment area, Broadwater Road itself is changing with more residential sites being witnessed. Most recently planning permission for the re-development of the Shredded Wheat factory for residential development, which is located directly opposite this site has been approved subject to a Section 106 agreement. The introduction of a development of 43 residential dwellings at the host site would not be inconsistent with the evolving and changing character of the area.

i. Hazardous Zone

10.11 It should be noted that part of the application site (car park) was located within a hazardous zone, however this has now been revoked as per the decision made by the Secretary of State dated 23rd March 2017. As such no part of the application site lies within a hazardous zone and therefore no consideration relating to this issue is necessary. Furthermore the consultation response received from the Health and Safety Executive no longer applies and as such has not been taken into consideration in the determination of this planning application.

10.12 It is found that the proposal would not be contrary to policies H2, SD1 and R1 and is considered to represent sustainable development in accordance with the NPPF. Taking all of the above into account, there is no objection in principle to the residential development of this site and the presumption in favour of the residential development should apply.

3. Density, layout and design and whether the proposal would sufficiently maintain or enhance the character and appearance of the application site and surrounding area

10.13 The Government attaches great importance to the design of the built environment. The National Planning Policy Framework (NPPF) notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments add to the overall quality of the area; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

10.14 Furthermore, saved District Plan Policy D1 requires the standard of design in all new development to be of a high quality and saved Policy D2 requires all new development to respect and relate to the character and context of

the area in which it is proposed. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area.

10.15 The character and form of built development in this area is mixed, it is noted that more conventional housing can be found further along Broadwater Road, whilst the area in which the host site is located is predominantly commercial premises, with a pub located opposite, a DIY centre and offices to the south and vacant offices to the east (Accord House) which has recently received a prior approval for office to residential conversion. It should also be noted that a recent planning application was determined at Accord House (6/2017/0903/FULL) for external alterations to the office building, although it is likely the building will be converted to residential once these alterations have taken place. A further notable recent planning permission relates to the Shredded Wheat factory located opposite the site which has a resolution to grant planning permission for a mixture of uses and includes up to 850 dwellings subject to a S106.

10.16 The proposed development would, to an extent, maintain the design and appearance of the existing building, by virtue of the distinctive glazed mono-pitched element being maintained, albeit with some alterations of materials.

10.17 The building would be extended by virtue of one storey (resulting in a four storey building) and a side extension (fronting onto Bridge Road East), the building would feature balconies together with a roof top communal patio area. The proposed extensions and alterations are not considered to be out of character with the area, with the existing building which is already distinctive in terms of its appearance and design, with a mono pitched corner tower element and large amounts of glazing. The materials proposed are not considered to be detrimental to the character of the area and would make the building appear more residential in character. Whilst the area is currently industrial/commercial in character it is considered that the area is changing and is becoming residential in character.

10.18 Landscaping is a key feature of any development, due to the site's prominent location on the crossroads with Broadwater Road and Bridge Road East. Indeed the introduction of landscaping along the frontage of the site would help to soften the bulk and mass of the proposal and to match those developments on the opposite side of the road and to ensure that the proposal is in keeping with the ethos of the garden city. The planting of further vegetation and other planting within the site is encouraged by officers. This again, would help to soften the appearance of the development and to also create a pleasing sense of place and a built environment which is pleasant to live in. The Council's landscape officer has not raised an objection to the scheme but has requested that a condition is imposed on any grant of permission for a full landscaping scheme to be submitted.

10.19 The car parking area would provide 43 spaces, which would be to the front of the site in the same area as the existing parking spaces. These spaces

are already clearly visible within the public realm, however it is considered that additional landscaping can be proposed along this frontage to help screen and enhance this prominent site on the corner with Broadwater Road and Bridge Road East.

10.20 Taking account of the above, it is considered that the proposed development would be in accordance with Policies D1, D2, D4, D7 and D8 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance Statement of Council Policy 2005 and relevant parts of the National Planning Policy Framework 2012.

i. Impact on the setting of a Listed Building

10.21 Due to the proximity of the site to listed buildings in the locality, principally the former Shredded Wheat factory located opposite the site and the nearby Roche building, although this is located approximately 403m from the site. It is necessary to consider the impact of the proposal on the setting of listed buildings.

10.22 Paragraph 132 of the Framework outlines that, when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight' should be given to the asset's conservation and the more important the asset the greater weight it should be given. Paragraph 133 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset Local Planning Authorities should refuse consent unless it can be demonstrated that the ham is necessary to achieve substantial public benefits that outweigh the harm.

10.23 Where the harm is less than substantial Para 134 states that this should be weighed against the public benefits of the proposal. The NPPF therefore does allow for a degree of harm to a heritage asset but only to achieve significant public benefits.

10.24 The proposed extensions and alterations proposed as part of this application would be within the setting of the Listed Building. Setting is defined in the NPPF as "the surroundings in which a heritage asset is experienced". The NPPF advises that a setting's extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset and may affect the ability to appreciate that significance. The importance of the setting depends upon the contribution it makes to the significance of the heritage asset or the appreciation of the heritage asset.

10.25 Historic England Good Practice Note 3 (2015) provides advice on how to assess proposed developments that affect the setting of Listed Buildings. This guidance advises that not all settings have the capacity to change without harm to the significance of a heritage asset. It can depend upon the location and requires consideration on a case-by-case basis. It advises that the assessment of a setting is a matter of qualitative and expert judgement and involves identifying the heritage significance and setting together with the effect of development upon them.

10.26 The Council's conservation officer has been consulted on the application and is objecting to the application as *'it is not considered that the proposals would preserve or enhance the setting of the listed building and would not be of a sufficient design standard for this important corner site where the opportunity should be taken to improve and create a decent external environment for the occupants of the building. As such the proposals would not conform with the NPPF 2012.'*

10.27 As previously mentioned within this report, planning consent has been resolved to grant permission subject to a S106 agreement at the Shredded Wheat Factory site immediately opposite and for the demolition of the buildings on site other than the original 1920s listed factory buildings of the grain silos, production hall, grain store and boiler house. This permission also allows for the construction of a major mixed use development including up to 850 new dwellings, a hotel, offices, pub, crèche, and a gym / dance / exercise studio. This would be a very significant new development, which would position new build 5-8 storey development opposite the application site altering the appearance of this part of Broadwater Road and Bridge Road.

10.28 In terms of the setting of the listed buildings, paragraph 128 of the NPPF states that "in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting". The applicant has done this in the form of a heritage statement submitted within a revised Design and Access Statement.

10.29 The key point made by the applicant is that the resolution to grant permission at the Shredded Wheat Factory for a significant development would set to transform the site and the listed buildings' setting significantly.

10.30 It terms of the impact on the setting of the Listed Building, the extensions and alterations proposed to the host building, as part of this application are not considered to have an adverse impact on the heritage asset in that views of the listed building would not be reduced nor would they be impacted by the addition of a further storey nor an extension to the front elevation facing onto Bridge Road East. It is acknowledged that the alterations in its appearance and the use of different materials reflect a change in function of the land from industrial/commercial to residential, but these in isolation do not justify a reason for refusal on heritage grounds.

10.31 In this instance the proposed development reflects change over time and it is not considered that the resultant building following any grant of permission would have a harmful impact on the setting of a listed building over the existing building and its more modern character and as such would not lead to the substantial harm of a designated heritage asset.

4. Impact on the living conditions of adjoining/adjacent occupiers

10.32 The impact on the living conditions of existing and future occupiers of Policies D1 and the Supplementary Design Guidance 2005 (SDG) aim to preserve neighbouring amenity. The SDG sets out the Council's guidelines

with regard to residential development for the protection of neighbouring residential amenity and living conditions in terms of overbearing impact, day and sun light, privacy/overlooking and noise.

10.33 The development site is located adjacent to a large office building to the south and another office building to the east. It should be noted that prior approval was recently granted for the conversion of the office building to the east of the host site into 17 residential flats (6/2017/0525/PN11). Whilst the Shredded Wheat factory opposite the site is currently vacant, as stated above it has permission to be re-developed, which consists of up to 850 residential units.

10.34 The proposed development would result in an increase in the amount of built form at the site, by virtue of the extensions proposed. As a result there would be an increase in the amount of fenestration seen to the elevations and additional balcony detailing and a roof top terrace. Accord House, a two storey building, located east of the application site is currently a vacant office building with permission to convert it to residential flats. Due to the proximity of the buildings and the proposed extension to there is potential for direct overlooking into the windows of these properties.

10.35 Concerns regarding overlooking have been addressed by virtue of the closest side facing windows being obscure glazed and the closest balconies having a 1.8m high obscure glazed balustrade and a privacy screen seen to the side of the balcony serving flats 2 (Ground Level), 13 & 14 (First Floor) and flats 24 & 25 (Second Floor Level). It is considered that the use of obscure glazing would prevent any direct overlooking into the windows of the current offices or the residential units, should this permission be implemented. As such a condition would be imposed on any grant of consent requiring these windows to be obscure glazed in perpetuity.

10.36 With regards to the other fenestration seen at the site, this would predominantly overlook the highway and the parking areas associated with Accord House and Albany Place (an office complex) and therefore no objections are raised in this regard.

10.37 Overall it is considered that the proposal would have no significant impact on the occupiers of adjoining/adjacent properties and as such it accords with Policy D1 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance Statement of Council Policy 2005.

5. Highway and parking matters

10.38 The HCC Highway Officer has not raised any objections to the proposed development and notes that the proposed change of use of the land to residential and the provision of 43 dwellings would likely result in a significant reduction in the number of journeys to and from the site when compared to the original office use. The site is located in a sustainable location with good access to public transport and good footpath.

10.39 The site would provide 2 x 2 bedroom flats and 41 x 1 bedroom flats. Each of the flats would be provided with one off street parking space. As the site is located within Parking Zone 2, the maximum requirement for this development would be 33 parking spaces. The proposal seeks to provide 43 parking spaces, which includes one disabled parking bay. Therefore the proposal would meet the Council's maximum standards. In this instance there would be an overprovision of parking and the proposal would enable each dwelling to have access to one parking space and as such the proposal would comply with the SPG. Furthermore the host site is located a short walk from the centre of Welwyn Garden City where the train station and bus station are located. Additionally bus stops can be seen close to the application site and as such the site is considered to be in a sustainable location.

10.40 The internal access road would provide sufficient, safe access and turning areas for parking spaces accessed directly from it, each parking space is of a sufficient width to provide adequate parking, access and turning space.

10.41 In the event of permission being granted, conditions would be included requiring that the access, turning areas and parking spaces be laid out and provided in accordance with the submitted Layout Plan, prior to any occupation. In addition, a construction management plan is required to minimise disruption to the surrounding highway network, due to the sites location on a main junction within Welwyn Garden City. No contributions have been sought from HCC Highways.

10.42 A cycle store is proposed to the front of the site, this would enable 44 bikes to be storey (double stacked), within a secure enclosure. As such there is sufficient cycle storage available for residents in accordance with the Council's Parking Standards.

6. Other Material Planning Considerations

i. Landscaping

10.43 The site is currently occupied by a hard-surfaced car park, with some vegetation located along its boundaries, however it is considered to be of low ecological value.

10.44 During the course of the application revised comments from Hertfordshire Ecology were received. It was concluded that due to the building being fairly modern with well-sealed brickwork it would appear to be sub-optimal for bats to use for roosting. As such a precautionary approach is recommended and therefore an informative should be added to any grant of permission.

10.45 The Council's Landscaping and Ecology Officer has indicated that there is no objection to the proposed development. Whilst it is acknowledged that there is some landscaping to the front boundaries with Bridge Road East and Broadwater Road, should planning permission be granted it would be

necessary for a condition to be imposed requiring additional soft landscaping to be provided and details of this to be provided.

ii. Flooding and Drainage

10.46 The Lead Local Flood Authority were consulted on the application and do not wish to raise an objection on flood risk grounds. It is noted that the extension of the building will not increase the impermeable area, as works will be on an area of existing car parking. The proposal is to use the existing drainage arrangements that have been investigated by PRC Structural Engineering Services Ltd.

10.47 As the surface water assessment supported by MicroDrainage analysis, shows that flooding may occur only within the car park for the 1 in 100 year +40% rainfall event, it was also stated within previous comments related to this site there is no flood Incident recorded in the vicinity. Therefore no objections are raised subject to conditions.

10.48 It is however necessary for conditions to be imposed on any grant of planning permission. This condition requires a surface water drainage scheme to be submitted for the site.

iii. Noise, Contaminated Land and Fire & Rescue

10.49 The Council's Environmental Health Officer has raised a concern over the proposed development, in particular the noise from Broadwater Road and its impact on the internal noise environment, as this needs to meet the criteria within BS8233:2014. An acoustic report has been provided proving that the glazing is sufficient to meet the required noise levels.

10.50 Opening windows (most likely for purge ventilation during the summer months) will however negate the acoustic insulation provided by the windows leading to noise levels higher than those within BS8233:2014. As such a suitable mechanical ventilation system will need to be incorporated into the building to ensure that the ventilation available to the occupants meet those as stipulated within Approved Document F of the Building Regulations, including the purge ventilation levels. The acoustic report mentions an existing system which will need to be modified to meet the full requirements of Approved Document F. It is recommended that a condition to this effect is placed on the application.

10.51 It has been noted that there is a potential for contamination on the site due to previous uses. However there are to be no outdoor amenity space other than on the roof and as such, it has been recommended that an unexpected finds condition is placed on the application.

10.52 It is noted that Herts Fire & Rescue have commented that the access does not appear to be adequate to comply with Approved Document B Section 16.3. However on clarification, Herts Fire & Rescue are not raising an objection to the scheme they are simply making the developer aware of issues that may arise during the construction phase, and which could be raised at the building control stage. Therefore whilst not a planning

consideration affecting the determination of this application it is considered reasonable for an informative to be placed on any planning consent.

iv. Refuse and Recycling Storage

10.53 An area for the refuse and recycling would be seen to the east of the building along the boundary with Accord House. WHBC Client Services have requested 4 x 1100 litre shared containers are provided at the site and would be emptied weekly. Additionally whilst 1100 litre recycling bins have been shown these are not provided for flats. Comments from Client Services have stated that 4 x mini-recycling centres would be requires, each set has measurements of 1.2m in width and 84cm. It is concluded that suitable space would be provided for these bins. It has also been suggested that the bin store should be located closer to the point at which the refuse vehicle would stop, however this is not considered to be possible without the reduction in car parking. Furthermore it is noted that a freighter can enter the site from Broadwater Road and exist the site onto Bridge Road East in a forward gear.

v. Planning Obligations & Legal Agreement

10.54 The Council has not adopted a Community Infrastructure Levy and the requirement is therefore that any planning obligations must meet the following requirements:

Necessary to make the development acceptable in planning;

Directly related to the development;

Fairly and reasonably related in scale and kind to the development.

10.55 Regulation 123 introduces further limitations and these relate to the use of planning obligations for the purpose of infrastructure. Where a local authority has a published list for infrastructure projects, the authority may not seek contributions through a legal agreement through section 106 of the Town and Country Planning Act 1990 (S106). In this case, the authority does not have a published list and therefore it is appropriate to seek contributions through a S106 legal agreement. This would be in accordance with policies M4 and IM2 of the Welwyn Hatfield District Plan 2005

Affordable Housing

10.56 The application seeks consent for 43 residential units as a result of external alterations and extensions to the existing building. As such and in accordance with the Council's Planning Obligations Supplementary Planning Document, the Council can seek affordable housing on residential sites of 25 units or more. In accordance with Policy H7 a 30% proportion of affordable housing would be sought.

10.57 However as already addressed within the report, this site has permission via Prior Approval for the conversion of the office building to 31 residential

units. The Prior Approval process does not allow the Council to seek any affordable housing and therefore the site has a fall-back position of 31 approved units with no affordable housing provision.

10.58 As part of the submission the applicant has stated that the proposal also seeks an increase in the number of units by 12 and has applied for Vacant Building Credit (VBC). National policy provides an incentive for brownfield development on sites containing vacant buildings. The VBC applies where the building has not been abandoned but local authorities can consider,

- Whether the building has been made vacant for the sole purposes of re-development
- Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.

10.59 Guidance in relation to VBC states that affordable housing contributions may be required for any increase in floorspace. Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan.

10.60 In this instance the Design & Access statement submitted as part of the application states that no affordable housing is to be provided. However no viability evidence has been provided to demonstrate why this is not possible. In this particular case it is considered that affordable housing should be pursued but only on the floor space that is created by virtue of the extensions proposed. Through negotiations the applicant has agreed to provide 30% affordable housing, which has been applied to the increase in units (12) over the Prior Approval permission. As such the applicant has agreed to provide 4, 1 bedroom, shared ownership units. The Council's housing team have confirmed that this proportion would be acceptable.

10.61 As the occupiers of the new residential development would have an impact upon local services, the following contributions have been requested.

WHBC Client Services (Waste & Recycling) - £3,800

WHBC Green Spaces - £3675.86

WHBC Play Facilities - £9641.60

HCC Early Years - £2036.00 (Nursery Education and Childcare Service at the re-provided Peartree School)

HCC Library Services - £3259.00 (Library Service towards the reconfiguration of Welwyn Garden City Library (1st floor) to enable the development of a Creatorspace)

HCC Youth Service - £141.00 (Youth Service towards funding a mobile provision (in WGC) and associated equipment.

Total £22,553.46 (plus indexation)

10.62 The Council considers it reasonable and necessary to seek an additional contribution of £1,127.67 (5% of total contributions), to ensure the continued and effective monitoring of these contributions.

10.63 Although the applicant has agreed in principle to these contributions, no legal agreement is in place at this time. However the S106 agreement is with solicitors and it is anticipated that should permission be granted it is subject to the completion of an acceptable S106 agreement.

11 Conclusion

11.1 The proposed development has been considered in terms of its impact on the design and character of the property, character and context of the area, amenity of adjoining/adjacent occupiers and highway and parking matters. Special regard has been given to the desirability of preserving the character and setting the nearby listed buildings. For the reasons outlined above, it is considered that subject to conditions the proposal complies with relevant national and local planning policies.

11.2 The proposed residential development of 43 dwellings would result in a reduction in traffic movements on the road network and has been designed to reflect the existing character and style of the existing building and is not considered to be out of character within the immediate vicinity nor to the proposed residential development seen opposite the site on Broadwater Road. The scale and design of the buildings are considered acceptable in this location.

11.3 The redevelopment presents opportunities for landscape and habitat improvements and subject to conditions, is acceptable with regard to impacts on highway safety and issues of environmental health.

12 Recommendation

Recommendation A

12.1 It is recommended that planning permission is granted subject to the following conditions; to the applicant entering the necessary S106 Agreement to secure the following obligations; and to the applicant agreeing any necessary extensions to the Statutory determination period to allow the completion of the S106 Obligation.

- WHBC Client Services (Waste & Recycling) - £3,800
- WHBC Green Spaces - £3675.86
- WHBC Play Facilities - £9641.60
- HCC Nursery Education - £1610.00
- HCC Childcare Service - £426.00

- HCC Library Services - £3259.00
- HCC Youth Service - £141.00

12.2 And the following conditions:

PRIOR TO COMMENCMENT

1. 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.

2. No development shall take place until full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

   The landscaping details to be submitted shall include:

   (a) original levels and proposed finished levels [earthworks to be carried out]

   (b) means of enclosure and boundary treatments

   (c) hard surfacing, other hard landscape features and materials

   (d) existing trees, hedges or other soft features to be retained and a method statement showing tree protection measures to be implemented for the duration of the construction

   (e) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing

   (g) management and maintenance details of the communal areas

   REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

3. No development shall take place until a surface water drainage scheme for the site, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate

the surface water discharge rate generated up to and including the critical storm will not exceed the existing rate following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- Extents, depths and volumes of surface water for events greater than 1 in 100 year
- +climate change event shown overlaid to the proposed layout.
- Full details of any required mitigation/management measures of any identified source of flooding

REASON: To reduce the risk of flooding to the proposed development and future occupants. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development has been submitted to and approved in writing by the Local Planning Authority.

4. The construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

   (a) Construction vehicle numbers, type, routing;

   (b) Traffic management requirements;

   (c) Construction and storage compounds (including areas designated for car parking);

   (d) Siting and details of wheel washing facilities;

   (e) Provision of sufficient on-site parking prior to commencement of construction activities;

   REASON: In order to protect highway safety and the amenity of other users of the public highway.

5. No development other than that required to be carried out as part of an approved scheme of remediation shall commence until conditions A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The contents of the scheme and the written report are subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination

(ii) an assessment of the potential risks to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
- adjoining land
- groundwaters and surface waters
- ecological systems
- archaeological sites and ancient monuments

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than

that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

(e) Long Term Monitoring and Maintenance

Where indicated in the approved remediation scheme, a monitoring and maintenance scheme to include, monitoring the long-term effectiveness of the proposed remediation over the agreed period of years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and others offsite in accordance with Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

6. No development shall take place until details of the bin store have been submitted to and agreed in writing by the Local Planning Authority. Once agreed they shall be constructed in accordance with these details

before first occupation of the flats and shall be retained in that form thereafter.

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.

7. No development shall take place until details of the cycle store have been submitted to and agreed in writing by the Local Planning Authority. Once agreed they shall be constructed in accordance with these details before first occupation of the flats and shall be retained in that form thereafter.

   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.

8. Prior to the commencement of the development hereby permitted a scheme shall be submitted to and agreed in writing by the Local Planning Authority demonstrating that the indoor ambient noise levels in living rooms and bedrooms meet the standards in BS 8233:2014. Any associated mechanical ventilation will need to meet the requirements of Approved Document F including a provision of a purge ventilation rate set out within the document. Once agreed the development shall be constructed in accordance with these details before first occupation of the flats and shall be retained in that form thereafter.

   REASON: To ensure compliance with a scheme to protect the living conditions and amenity of the residents from noise disturbance in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005.

PRIOR TO OCCUPATION

9. The side facing windows seen to the flat 2 at ground floor level and flat 13 at first floor level of the proposed building shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.8 metres above floor level, and shall be retained in that form thereafter.

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

10. The side facing balcony balustrades serving flats 14 and 25 and the privacy screens seen to flats 24 and 13 shall be glazed with obscured glass and shall be a minimum of 1.8m in height from finished floor level, and shall be retained in that form thereafter.

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

11. Prior to the first occupation of the development hereby permitted the proposed access /on-site car and cycle parking / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

    REASON: To ensure the permanent availability of the parking/manoeuvring area, in the interests of highway safety in accordance with the National Planning Policy Framework and Policies M14 and D1 of the Welwyn Hatfield District Plan 2005.

12. All agreed landscaping comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014.

    REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

13. Details of any external lighting proposed in connection with the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall not be carried out other than in accordance with the approved details.

    REASON: In the interests of the visual amenities of the area in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

14. 1. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:

    8.00am and 6.00pm on Mondays to Fridays
    8.00am and 1.00pm Saturdays
    and at no time on Sundays and Bank Holidays

    2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times

    3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions

    4. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed

whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.

5. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.

6. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.

7. All pile driving shall be carried out by a recognised noise reducing system.

8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material

9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.

10. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub-contractors.

11. Any emergency deviation from these conditions shall be notified to the Council without delay

12. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.

13. Permissible noise levels are not specified at this stage.

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

Plan Number	**Revision Number**	**Details**	**Received Date**
A_0504	E	Existing Floor Plans	12 December 2016
A_0514	B	Existing Elevations	12 December 2016
A_8101	G	Proposed Ground & First Floor Plans	6 June 2017
A_8102	G	Proposed Second & Third Floor Plans	6 June 2017
A_8103	C	Proposed Fourth Floor & Roof Plan	8 February 2017
A_8300	B	Proposed Sections	8 February 2017
A_8200	E	Proposed Elevations	6 June 2017
A_2000	E	Existing Site Plan	12 December 2016
A_8100	D	Proposed Site Plan	29 June 2017
A_0001	B	Location Plan	12 December 2016

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

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).

INFORMATIVES

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.

2. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.

3. The development will involve the numbering of properties and naming new streets. The applicant MUST contact Welwyn Hatfield Borough Council, Transportation (Lorraine Davis 01707 357546 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.

4. It is advised that Herts Fire & Rescue have highlighted that the scheme may not comply with BS9999:2008. Therefore in order to comply with Building Control regulations the developer may be required to meet the requirements through alternative means.

5. It is advised that the development of 43 dwellings, hereby approved, shall be constructed to meet the Police preferred minimum security standard of Secure By Design. For further information, please contact Hertfordshire Constabulary Tel: 01707 355225 or information can be found at www.herts.police.uk.

6. If bats or evidence for them is discovered during the course of any works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900.

7. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must

not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

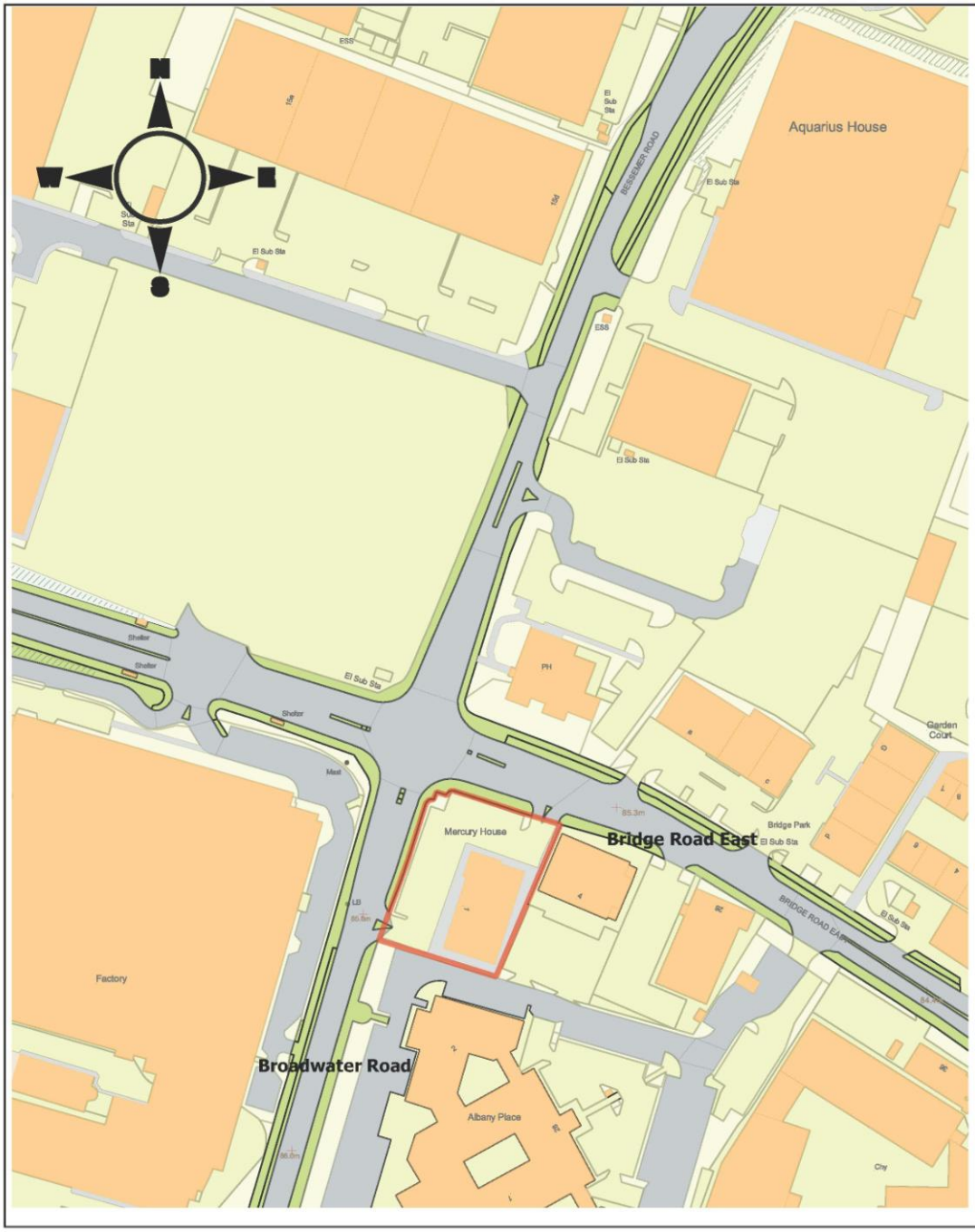
OR

Recommendation B

In the event that the applicant fails to agree any necessary extensions to the Statutory determination period, that powers are delegated to the Head of Planning to refuse planning permission on the basis of absence of the completed S106 Obligation for the following reason:

1. The applicant has failed to satisfy the sustainability aims of the plan and to secure the proper planning of the area by failing to ensure that the development proposed would provide a sustainable form of development in mitigating the impact on local infrastructure and services which directly relate to the proposal and which is necessary for the grant of planning permission. The applicant has failed to provide a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). The Local Planning Authority considers that it would be inappropriate to secure the required financial and non-financial contributions by any method other than a legal agreement and the proposal is therefore contrary to Policy M2 and M4 of the Welwyn Hatfield District Plan 2005.

Rachael Collard (Development Management)
Date: 3rd July 2017
Expiry date: 21st July 2017



WELWYN HATFIELD Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE	Title: Mercury House 1 Broadwater Road WGC		Scale: DNS Date: 2016
	Project: DMC Meeting	Drawing Number: 6/2016/2624/FULL	Drawn: Baras Mast-Ingle
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Part I
Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 17 AUGUST 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

6/2016/2339/FULL

23 PARK STREET, HATFIELD, AL9 5AT

CHANGE OF USE FROM RESTAURANT (A3) TO RESIDENTIAL (C3) AND THE ERECTION OF SINGLE STOREY AND FIRST FLOOR REAR EXTENSION AND SUBDIVISION INTO FOUR FLATS (2 x 1 BEDROOM FLATS AND 2 X 2 BEDROOM FLATS)

APPLICANT: Mrs M Harvey

AGENT: Mr M Skehill

(Hatfield East)

1 Introduction

1.1 Members will recall this application was reported to Development Management Committee on 27th April 2017. The application was deferred to enable Officers to explore the potential to make the ground floor of the development "car free" as a means of overcoming the shortfall of two on-site car parking spaces.

1.2 Officers have investigated the means available to Local Planning Authorities (LPA's) to achieve car free development. Case law illustrates that LPA's are not able to prevent through S106 Obligations, residents from owning cars or applying for Residents/Business Parking Permits for Controlled Parking Zones. However, LPA's are able to exclude a property from the Traffic Regulation Order (TRO) that lists the properties eligible for a Residents/Business Parking Permits in any Zone. This method is found, in other Local Authority areas outside of London, to be an effective means of deterring residents from owning and parking a car within the vicinity of a site while the Council retains control over the situation. This method has proved useful in historic townscapes where on-site parking is not available.

1.3 At present No 23 Park Street is within the list of properties eligible for Parking Permits. Removing the two ground floor flat units would require an amendment to the TRO. The effect would be as above to exclude residents from being granted a Residents' Parking Permit for the Old Hatfield Resident Parking Zone, which would exclude them from parking there during its hours of operation.

1.4 The applicant has confirmed willingness to make a contribution towards the administrative cost of amending the TRO and this can be secured through a S106 Agreement.

1.5 Accordingly, the two ground floor flats would not have car parking but this is not considered to cause highway safety issues.

1.6 The report has been amended in Section 5 (i) Highways and Parking (paragraphs 11.27 to 11.37) and the Planning Obligations Section and is recommended for approval subject to a S106 Agreement and the same conditions as previously.

2 Site Description

2.1 The application site comprises an end-of-terrace, two-storey property on the west side of Park Street in the Old Hatfield Conservation Area.

2.2 The building has been vacant for approximately a year and was previously used as a restaurant at ground floor since 1977 (S6/1977/0627/FP) and a three bedroom flat at first floor. The building faces east onto Park Street and the south side elevation abuts the pedestrian alley between Park Street and the public car park accessed from Arm and Sword Lane.

2.3 The main door to the building is on the angled corner frontage. The ground floor has a wooden shop front, the first floor is painted render and the windows are wooden framed sashes. The front part has a gable end to the side alley and a roof ridge 8m high. The building extends back with a rear addition finished in red brick. The roof over the rear addition is also ridged (6.6m) and covered in plain tiles. A further extension has been constructed at the rear to provide a kitchen for the restaurant at ground floor and a habitable room for the flat at first floor. The walls are finished in render and the roof over this section is ridged, covered in slates and does not join into the roof of the main building.

2.4 The rear yard of the site is accessed from the footpath and provides access via an external stair to the first floor flat. On the far side of the footpath is the Horse and Groom Public House. To the north side, the building adjoins a two storey residential block (Archway House). To the rear of the property is a small electricity station and a single storey garage that has a commercial use and opens onto the public car park to the rear.

3 The Proposal

3.1 Full planning permission is sought for the following:

- Change of use of the ground floor from restaurant to 2 residential units: 1 x 1 bedroom flat and 1 x 2 bedroom flat;

- Subdivision of the first floor into 2 residential units: 1 x 1 bedroom flat and 1 x 2 bedroom flat;

- 1.8m deep rear extension at first floor to enclose the area used as an external landing (approximately 8.5sqm). The walls would be red brick to match existing on the south elevation (facing the alley), render with horizontal timber cladding to the gable to replicate the existing rear elevation;

- Extension to deepen the rear/side extension by 1.5m. Floor-space increase (6sqm each at ground and first floors). The other elevations would be rendered to match the existing rear extension. Increase in ridge height from 5.8m to 6.4m, link into the rear main roof and be retiled to match the main roof. Increase in eaves height 0.8m;

- Replacement of side window with a door at ground floor and installation of windows in the rear elevation. Alterations to size of windows in first floor side elevation;

- Remaining rear yard area (approximately 34sqm) to provide communal amenity area, cycle parking and bin stores.

4 Reason for Committee Consideration

4.1 This application is presented to the Development Management Committee because Councillor Broach has called it in for the following reasons:

> "*The proposal has insufficient parking provision and there are too many units being cramped into too small a space. It marks a drastic change in an historic part of our Borough in what has been a retail unit for as long as most people can remember.*
>
> *There are also often reports in the national media of complaints being levied against existing licensed premises when new build properties are built in close proximity. I would like consideration to be given to the fact that this proposal neighbours the Horse and Groom pub, which has been part of Old Hatfield for centuries, and that protection is given this premises from complaints from neighbours (were this proposal to go through) – subject, of course, to the Horse and Groom being run in accordance with its licence conditions*."

4.2 Hatfield Town Council has also objected to the proposal.

5 Relevant Planning History

5.1 6/2016/0855/PA – Pre-application advice for the change of use from restaurant (A3) to residential (C3) and the erection of single storey and first floor rear extension. Responded 30.6.2016. Proposal acceptable in principle but raised issues of design and appearance in Conservation Area, use of matching materials, retention of historic features and amenity of future residents (open amenity area, bin stores and cycle parking) and parking impacts in area of parking congestion. Advised to consider "car free" development.

5.2 S6/1990/0624/FP – Removal and relocation of existing extraction flue. Granted 31.8.1990.

5.3 S6/1989/1024/FP – Erection of extraction flue and removal of existing extraction flue. Granted 12.1.1990.

5.4 S6/1979/0904/FP – Change of use of first floor from residential to restaurant and ancillary purposes. Granted 21.2.1980. Not implemented.

5.5 S6/1977/0627/FP – Ground floor extension and external staircase to form first floor, self-contained flat and change of use from ground floor café and shop to form extended café. Granted. Implemented.

6 Relevant Planning Policy

6.1 National Planning Policy Framework

6.2 Welwyn Hatfield District Plan 2005

6.3 Supplementary Design Guidance, February 2005 (Statement of Council Policy)

6.4 Supplementary Planning Guidance, Parking Standards, January 2004

6.5 Interim Policy for Car Parking Standards and Garage Sizes, August 2014

7 Site Designation

7.1 The site lies within Old Hatfield Conservation Area within Hatfield Town as designated in the Welwyn Hatfield District Plan 2005.

8 Representations Received

8.1 The application was advertised by means of neighbour notification letters, press and site notice. The table below details the number of parties who have responded to the application, together with the statutory timescales.

Neighbour Notifications			
Statutory advertising period	Initial advertising	Re-advertising	
	Press Advert Expiry Date 7 December 2016	Press Advert Expiry Date 5 April 2017	
	Neighbour Expiry Date 8 December 2016	Neighbour Expiry Date -	
	Site Notice Expiry Date 14 December 2016	Site Notice Expiry Date 3 April 2017	
Neighbour Responses	Support: 0	Object: 5	Other: 0
	Petitions: 0	Signatures: 0	

8.2 Five objections were received; from four neighbouring occupiers and the Old Hatfield Residents Association. These comments may be summarised as:

- Development should be in accordance with the pre-application advice regarding car parking issues;
- Infrastructure such as parking and public transport are overstretched in this area;
- The car parking survey submitted with the application was not in line with the Lambeth recommendations with regard to timing, identification of long term parking provisions, other demand generating uses and developments in the pipeline;
- Support the option of “car free” development;
- Object to proposed change of use of longstanding commercial use in conservation area;
- Loss of restaurant, lack of others in area against policy TCR24;
- Devalue property values.

N.B. Property values are not a material consideration and cannot be given weight in determining planning applications

9 Consultations Received

9.1 The following have responded advising that they have no objections to the proposal:

9.2 **Welwyn Hatfield Borough Council Client Services** – no objection recommend three shared bins which can be provided. Recycling bins not recommended for shared facilities.

9.3 **Hertfordshire County Council Transport Programmes and Strategy (HCCTPS**) - no objection subject to satisfactory parking arrangements for contractors during construction. Requested a condition requiring a Construction Management Plan.

9.4 **Hertfordshire County Council Archaeology** (**HCCA)** – no response

9.5 **Council for British Archaeology** – no response

9.6 **Welwyn Hatfield Borough Council Parking Services** – Initial response that Controlled Parking Zone operates on Park Street during the day. The car park behind the site is available for residents to park in. Further comments that revision to the TRO would be possible the process would involve consultations and there would be an administrative fee.

10 Town / Parish Council Representations

10.1 The Hatfield Town Council has objected on the following grounds:

> "*Object to loss of a retail/restaurant unit within the shopping core of Old Hatfield."*

11 Analysis

11.1 The main planning issues to be considered are:

1. **Principle of the proposed residential uses and subdivision into flats (NPPF, TCR24, H2, H4, GBSP2)**
2. **Features high quality design which incorporates the design principles of the plan and Supplementary Design Guidance 2005 (GBSP2, D1, SDG 2005)**
3. **Respects and relates to the character and context of the Conservation Area, as a minimum maintaining and where possible enhancing or improving the character of the existing area (D1 and D2, SDG2005)**
4. **Maintains the living conditions and amenities of neighbouring occupiers (D1 and SDG 2005)**
5. **Other planning matters**
   - **(i) Highways and parking**
   - **(ii) Refuse and Recycling**

1. Principle of the proposed residential uses and subdivision into flats

11.2 The site falls within the Old Hatfield area of Hatfield as designated in the Welwyn Hatfield District Plan 2005. The provision of new residential units and/or the extension of residential buildings within specified settlements such as this is acceptable in principle under Policy GBSP2 of the Plan, which aims to focus new developments in sustainable locations.

11.3 The proposal involves change of use of the ground floor of the property from a restaurant (Use Class A3) to residential (C3). The ground floor of the application property has been used as a restaurant for several years (since at least 1977) and, as such, does not contribute to the convenience retail function of Old Hatfield. A change of use to residential at the property would not result in the loss of a convenience retail facility in the locality. The area is served by other restaurants in the centre and there are public houses in the vicinity including the Horse and Groom, which serve food.

11.4 It has been suggested that the proposal is contrary to Policy TCR24. However, that policy principally seeks to protect A1 (retail uses) at ground floor in Old Hatfield. The Policy also allows for B1 (office) uses provided they do not result in the loss of any A Class uses at first floor level. However, this policy is not relevant to this application for a change of use from A3 to residential use. Notwithstanding, as mentioned above, the proposal would not be detrimental to the continued function of the town centre as there are other alternative A3 uses (restaurants) within the vicinity of the site.

11.5 With regard to the proposed additional residential floor-space on the site at ground floor and first floor (including the extensions of 23sqm), the National Planning Policy Framework 2012 (NPPF) encourages the provision of more housing within towns and specified settlements and encourages the effective use of land by reusing that which has been previously developed. Local Plan Policy is consistent with the NPPF and requires development to take place on previously used or developed land.

11.6 The application involves small extensions to the rear of the property and subdividing it into four residential units. The site is not an allocated housing site and so is considered to be a 'windfall site'; Policy H2, therefore, applies. This policy states that all proposals for windfall housing development will be assessed against certain criteria, the relevant ones being:

- The location and accessibility of the site to services and facilities, by transport modes other than the car
- The capacity of existing and potential infrastructure to absorb further development
- The physical and environmental constraints on development of the land.

11.7 The site is within Old Hatfield, which is designated in Policy GBSP2 as a sustainable location to which development will be directed. In addition, it is positioned close to the railway station and well-served by buses. It is therefore, accessible by transport modes other than the car and in a sustainable location. In principle, in land use terms, there is no objection to this site being used for residential purposes. However, the other criteria of Policy H2 are relevant; these include consideration of the environmental and physical constraints of the application site and its surroundings. For this site the relevant considerations are:

1. The living conditions for future occupiers (see section 2)

2. The character and appearance of the property and the Conservation Area (see Section 3)

3. The impact on any neighbours (See section 4)

4. Car and cycle parking (see section 5 (i))

2. High Quality Design

11.8 Policy D1 of the Welwyn Hatfield District Plan 2005 requires a high quality of design in all new developments. The Supplementary Design Guidance 2005 also requires high quality design to provide adequate living standards for future occupiers.

11.9 The proposed development would provide two x two bedroom flats (in the rear half of the building) and two x one bedroom flats (in the front half of the building). Each ground floor flat would have a separate access and the first floor flats would be accessed from the stair entrance from a repositioned door on the side elevation.

11.10 The rear yard would provide access to the ground floor rear flat and a shared amenity area for sitting out and clothes drying. The space would be a functional shape and would be available for occupants of the four flats and is considered acceptable in this situation. Bin storage and cycle parking facilities would also be accommodated in the rear yard. Flats 2, 3 and 4 would gain access to the amenity area from the foot path.

11.11 The layout of the flats has been adjusted to ensure adequate light to each habitable room and to prevent overlooking of the rear yard of No 25 Park Street, which is in commercial use on both floors. The small windows facing the yard of No 25 would require obscure glazing to prevent loss of privacy to the commercial unit and to the application site and this could be secured by condition.

11.12 The stacking of rooms between the floors has been arranged to achieve living rooms above living rooms and bedrooms above bedrooms in accordance with good practice.

11.13 The proposed design is considered to be adequate to meet the requirements of Policy D1 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance 2005.

3. Character and Context of the Conservation Area,

11.14 The NPPF (paragraphs 58-60) supports good design that responds to local character, is visually attractive and promotes and reinforces local distinctiveness. Paragraphs 132 and 137 also emphasise that the conservation of heritage assets (which includes Conservation Areas) should be given great weight and proposals that preserve or enhance the assets and/or their settings should be treated favourably.

11.15 Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 (WHDP) require high quality design and require developments to respect and relate to the character and context of the area and, as a minimum, maintain or where possible enhance or improve the character.

11.16 Section 5 of the Supplementary Design Guidelines 2005 (SDG) requires extensions to complement and reflect the character of each building and to be subordinate in scale. They should not result in the building looking cramped on its site – the spacing of buildings adjacent to and in the locality of the site should

be reflected. The SDG also requires the materials used in extensions to match those of the existing building.

11.17 The area is designated as a Conservation Area and the street-scene and buildings within it are considered to be a heritage asset. The building is clearly visible from all aspects in the Conservation Area; from publically accessible places in the street at the front, the footpath to the side, the car park to the rear and the yard of the neighbouring properties to the north. The building forms part of a consistent line of historic two-storey buildings with pitched roofs and traditional materials. In addition it has a characteristic angled entrance door and a panelled wooden shop front at ground level and a canopy overhang.

11.18 The above policies require the key features of the building and its setting to be retained and be replicated. The characteristic timber shop front and canopy and the angled corner would be retained. The original windows at first floor and the position of most of the openings on the side elevation of the ground floor would be retained. One doorway would be repositioned and two windows would be closed off at ground floor. At first floor two windows would be reduced in size but be of a style and materials (timber) to match the originals.

11.19 The extension at the rear of the first floor would be finished in materials to match the existing building and the chimney stack and timber clad gable end would be repositioned on the rear elevation.

11.20 The extension to the north side of the rear addition has been reduced in depth and is set in 0.3m from the rear elevation of the original rear addition in order to give definition to the original rear addition and a subservient appearance to the new extension. The materials would match the rest of the rear of the building: painted render walls and plain, red clay tiles on the roof.

11.21 Overall, the scale of the extensions would be small and not result in the building appearing cramped upon its site. The proposed materials would be appropriate to the setting in the conservation area. In addition, the shape and features of the original building would be retained. The proposed extensions would replicate the style and materials of the original. A condition requiring samples of materials to be submitted can be imposed to ensure the finished building and extensions are in keeping with the setting of the Conservation Area and the adjacent Listed Building (public house) at No 21 Park Street. The proposal is therefore considered to be in compliance with Policies of the NPPF, Policy D2 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidelines 2005.

4. Maintains the living conditions and amenities of neighbouring occupiers

11.22 Policy D1 aims to improve and enhance the quality of the existing environment and requires development to incorporate the guidance in the Supplementary Design Guidance. Policy D1 and the Supplementary Design Guidance (2005) (SDG) aim to preserve neighbouring amenity. The SDG sets out the Council's guidelines with regard to residential development for the provision of adequate amenity for future occupants and the protection of neighbouring residential amenity. Guidance in Paragraph 17 of the NPPF also seeks high quality design and good standards of amenity for all existing and future occupiers of land and buildings.

11.23 The properties most likely to be affected are No's 21 and No 25 and Archway House in Park Street.

11.24 With regard to light and overbearing impact, the proposed rear extension would not be closer to the rear of No 25 or to the side access yard of Archway House. The eaves height would be increased by 0.8m but the angle of pitch would be slightly lower and the rise away from the boundary. The existing two-storey rear projection at Archway House screens the application site from the windows to the rooms on the rear elevation of Archway House. Consequently, the small increase in depth of the rear addition at No 23 would not affect light to those rooms over and above the existing situation. Neither would there be a significant adverse impact on the amount of light to the rear yard.

11.25 With regard to privacy, the original plans showed windows facing over the yard of No 25 Park Street and onto the rear elevation of No 25, which contains windows at ground and first floors, with a consequent loss of privacy to that property. Amended plans have reconfigured the internal layouts, which has enabled removal of first floor windows facing onto the yard of No 25, with the exception of a small obscure glazed to provide light to kitchen areas and two windows at ground floor. Subject to a condition over obscure and fixed glazing in these windows, the amended proposal would not result in overlooking of No 25's rear windows and yard. In addition, an informative is recommended advising that planning permission is required for new windows in flats.

11.26 This aspect of the proposal is considered to comply with the Policies of the NPPF, Policy D1 of the District Plan and the Supplementary Design Guidance 2005.

5. (i) Highways and parking

11.27 Policy D5 of the Welwyn Hatfield District Plan 2005 requires all new development to make provision for pedestrian, cyclist and passenger transport facilities. Parking and traffic management provision must be included in new development. The Highways Authority had no objection subject to satisfactory parking arrangements for contractors during construction. They also request informatives over storage of construction materials and no obstruction to the public highway/public rights of way.

11.28 Parking - The Council's Local Plan Policy M14 and the Parking Standard Supplementary Planning Guidance (SPG) use maximum standards which are not consistent with the NPPF and are, therefore, not afforded significant weight. In light of the above the Council has produced an Interim Policy for Car Parking Standards and Garage Sizes that states that parking provision will be assessed on a case by case basis and the existing maximum standards within the SPG should be taken as guidance only.

11.29 The car parking standard for long term residential spaces for the existing three bedroom, first floor flat in Zone 2 is 1.5 parking spaces. These are not currently provided on the site. Short term parking for customers to the previous A3 use was available on Park Street during the day (Limited to 2 hours to discourage commuter parking) and unrestricted hours after 6pm. There is a Residents' Parking Zone in operation in Park Street, Park Close and surrounding roads, which allows Permit Holders to park in the Controlled Parking Zone. There is free, overnight parking in Arm and Sword Lane car park directly behind the site.

11.30 The proposed development would create 4 new dwellings, (two x two bedrooms requiring 1space each and two x 1 bedroom flats requiring 0.75 spaces each) generating a demand for 3.5 spaces in total. The proposed scheme would create demand for 2 long term residential spaces over and above the previous uses. The two additional spaces would not be provided on site. However, the location is accessible by public transport (Zone 2) and the car parking standards have been adjusted to take this into account. The area is the subject of some parking pressure overnight from surrounding residential uses in the Old Hatfield village. The applicants have submitted the results of an overnight car parking survey undertaken in the area, which was undertaken over two nights 19th and 20th October 2016 and shows that there were spaces available in the vicinity of the site overnight and free of charge.

11.31 Objections have been received from local residents of Park Close regarding the methodology used in the parking survey. That the timing was a week before the school holidays began and was not representative. The dates were in normal term time before the October Half Term began on two mid-week nights (Wednesday and Thursday). This timing is standard practice for this type of survey and is used to avoid peaks and lows in demand. The survey included on-street spaces and unrestricted car park spaces within 200m of the site that provide overnight spaces free of charge. The total number of spaces identified as Unrestricted and not “undesirable” was approximately 230. It is not clear from the survey results whether the Sword and Arm Car Park was included in the survey.

11.32 The survey concluded that the available parking was, over the area surveyed, occupied to a rate of between 50% and 59%. This figure excludes what the surveyors have classified as “unrestricted undesirable” spaces. The survey recorded higher parking stress on Park Street (73-87%) but on average the ratio of available spaces that were vacant was 41%. It is considered that the survey provides a reasonable picture of the overnight parking situation in the area. There are on-street and car park provisions of considerable number in the vicinity and, on average, there is a fairly high vacancy rate amounting to approximately 40% (90 spaces). Parking demand may increase and decrease depending on various factors such as holidays and visitors. However, the submitted survey is considered to represent an accurate picture of the amount of overnight parking generated by the residential uses in the area.

11.33 The application site is positioned on the footway between the car park where overnight parking is available and Park Street where overnight parking is available and during the day restrictions apply but Parking Permits are available to residents. The occupants of the property would be able to park on Park Street or in the car park behind the site in Arm and Sword Lane.

11.34 Notwithstanding the above considerations Officers have explored the potential for achieving Car Free development for the ground floor flats in this location. Case law illustrates that Local Planning Authorities outside London are not able to prevent through S106 Obligations, residents from owning cars or applying for Residents/Business Parking Permits for Controlled Parking Zones. However, LPA’s are able to exclude a property from the Traffic Regulation Order (TRO) that lists the properties eligible for a Residents/Business Parking Permits in any Zone. This method is found, in other Local Authority areas outside London, to be an effective means of deterring residents from owning and parking a car within the vicinity of a site, while maintaining Council control of the parking regulations.

This method has proved useful in enabling developments in historic townscapes and Conservation Areas where on-site parking is, typically, not available.

11.35 In other Local Authority areas in Hertfordshire the resource implications of amending a TRO are accommodated by a financial contribution (on average £2,000) secured through a S106 obligation. Parking Services have commented that revision to the TRO would be possible the process would involve consultations and there would be an administrative fee.

11.36 With regard to cycle parking, the proposal includes the provision of a cycle store for four bicycles which meets the requirement for one per residential unit as set out in the Car Parking Standards and Interim Policy 2014. This store would be located in the rear yard and, therefore, accessible to all the flats. Details of a secure and weatherproof store can be secured by condition. A condition securing the provision of the cycle store is also recommended.

11.37 Accordingly, no objection is raised on highway safety grounds and the proposal is considered to comply with Policies M5 and M14 of the Welwyn Hatfield District Plan 2005. It is, therefore, recommended that the development be approved subject to removal of the ground floor of the property from the TRO and that resources to enable this are secured through a S106 Agreement.

(ii) Refuse and Recycling

11.38 The site layout plan shows the bin store location within the rear yard. The gate to the yard is within 25m of the highway in Park Street, which refuse vehicles already service. WHBC Client Services have no objection. Further details of the bin stores details can be secured by condition.

(iii) Houses in Multiple Occupation

11.39 Since 12th January 2012, there has been an Article 4 Direction covering the whole of Hatfield removing permitted development rights for change of use from C3 (Dwellinghouse) to C4 (Houses in Multiple Occupation). The rationale for the Direction is detailed within the Houses in Multiple Occupation, Supplementary Planning Document, February 2012.

11.40 As a result of the Direction, it is considered appropriate and reasonable to a condition to ensure that the development, which has been assessed and determined on the basis of being in C3 use is not first occupied within C4 use, over which the Council would have no control. It is also reasonable to remove permitted development rights for a change of use from a C3 dwelling-house to a C4 HMO. It is therefore recommended that conditions are attached.

Planning Obligations

11.41 Where a planning obligation is proposed for a development, The Community Infrastructure Levy Regulations 2010, which came into effect from 6 April 2010. These introduced regulation 122, which provides limitations on the use of planning obligations.

In summary, a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

(a) necessary to make the development acceptable in planning terms;
(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development. Regulation 123 introduces further limitations and these relate to the use of planning obligations for the purpose of infrastructure. Where a local authority has a published list of infrastructure projects, the authority may not seek contributions through a legal agreement through Section 106 of the Town and Country Planning Act 1990 (S106). In this case the authority does not have a published list and, therefore, it is appropriate to seek contributions through a S106 legal agreement. This would be in accordance with Policies M4 and IM2 of the Welwyn Hatfield District Plan 2005.

11.42 The proposed development gives rise to the necessity for the following obligation:

Contribution (up to £2,500) to the administrative costs of amending the TRO for Old Hatfield Residents Parking Zone to exclude the ground floor flats at the application site (No 23 Park Street) from the list of properties eligible for parking permits.

The TRO would be amended prior to the occupation of the ground floor units.

Conditions

11.43 The National Planning Policy Guidance governs the use of conditions in planning and the power to impose conditions when granting planning permission is very wide. If used properly, conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. The objectives of planning, however, are best served when that power is exercised in such a way that conditions are clearly seen to be fair, reasonable and practicable. Conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. In considering whether a particular condition is necessary, both officers and members should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. If it would not, then the condition needs special and precise justification.

12 Conclusion

12.1 The proposed development has been considered in terms of the principle of the proposed uses, the quality of the design, and its impact on the Conservation Area and adjacent Listed Building and is considered acceptable in these regards. The application has also been considered in terms of the impact on Highways and parking, the public right of way and cycle and refuse bin facilities and found acceptable in these regards.

12.2 Subject to conditions over the submission of samples of materials appropriate to the Conservation Area, use of obscure glazing on windows facing the yard of No 25 Park Street, a Construction Management Plan and further details of the bicycle store and bin stores, the proposal is consider compliant with Policies of the NPPF, the District Plan and Supplementary Guidance.

13 Recommendation

12.1 It is recommended that planning permission be granted subject to

Completion of a S106 Agreement by 1st December 2017 to secure the following obligation:

1. Contribution (up to £2,500) to the administrative costs of amending the TRO for Old Hatfield Residents Parking Zone to exclude the ground floor flats at No 23 Park Street from the list of properties eligible for parking permits

And the following conditions:

1. 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.

2. Before any demolition, clearance, building or other works commence on site, a Construction Management Plan and Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority, specifying:

   a) Construction vehicle numbers, type, routing;

   b) Traffic management requirements;

   c) Construction and storage compounds (including areas designated for car parking);

   d) Cleaning of site entrances, site tracks and the adjacent public highway;

   e) Provision of sufficient on-site parking prior to commencement of construction activities;

   f) Post construction restoration/reinstatement of the working areas and any temporary access to the public highway.

   g) Any proposal for fencing of a site compound. (Thereafter the compound and fencing shall be retained until building and clearance work has been completed).

   REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

3. The proposed windows at ground and first floor of the flats hereby permitted, that face onto the rear yard of No 25 Park Street shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.8 metres above floor level, and shall be retained in that form thereafter.

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

4. No development shall commence before details of the location, design and specification of the refuse bin and recycling materials storage bins and areas to serve the residential units have been submitted to and approved in writing by the Local Planning Authority. Subsequently the refuse and recycling materials storage bins and areas shall be constructed, equipped and made available for use prior to first occupation and retained in that form thereafter.

   REASON: To ensure a satisfactory standard of refuse and recycling provision and to protect the residential amenity of adjoining and future occupiers in accordance with Policies IM2, R5 and D1 of the Welwyn Hatfield District Plan 2005.

5. No development shall commence before details of the location, design and specification of the secure and weatherproof bicycle store to serve the residential units have been submitted to and approved in writing by the Local Planning Authority. Subsequently the refuse and recycling materials storage bins and areas shall be constructed, equipped and made available for use prior to first occupation and retained in that form thereafter.

   REASON: To ensure a satisfactory standard of refuse and recycling provision and to protect the residential amenity of adjoining and future occupiers in accordance with Policies IM2, M14 and D1 of the Welwyn Hatfield District Plan 2005.

6. The development hereby permitted shall be used for Class C3 dwellinghouse[s] only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

   REASON: The Article 4 Direction covering Hatfield removes the Class I permitted development rights to move from a use falling within Class C3 (dwellinghouses) to a use falling within Class C4 (Houses in Multiple Occupation) and to enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity in accordance with the Houses in Multiple Occupation Supplementary Planning Document 2012 and Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

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

Plan Number	**Revision Number**	**Details**	**Received Date**
P-01	A	Location Plan	7 November 2016
P-03		Existing & Proposed Block Plans	16 November 2016
P-25	A	Proposed Elevations Rev A	14 February 2017

P-11		Existing Ground Floor & Cellar	16 November 2016
P-12		Existing First Floor Plan	16 November 2016
P-13		Existing Roof Plan	16 November 2016
P-14		Existing Sections	16 November 2016
P-15		Existing Elevations	16 November 2016
P-21	A	Proposed Ground Floor Plans	14 February 2017
P-22	A	Proposed First and Second Floor Plans	14 February 2017
P-23	A	Proposed Roof Plan	14 February 2017
P-24	A	Proposed Sections	14 February 2017

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

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).

Informatives

1. The planning regime for flats and maisonettes differs in many important ways to that which covers houses. Bear in mind that the permitted development rights which apply to many common projects for houses do not apply to flats. You should not need planning permission if you are fitting windows which are identical, like-with-like replacements. However, if the new windows differ in appearance or size to those you are replacing (for instance, different glazing patterns) you may need to apply for planning permission. If new openings would be created you will need to apply for planning permission.

OR

It is recommended that planning permission be refused if a S106 Agreement is not completed on or before the 1st December 2017 for the following reason:

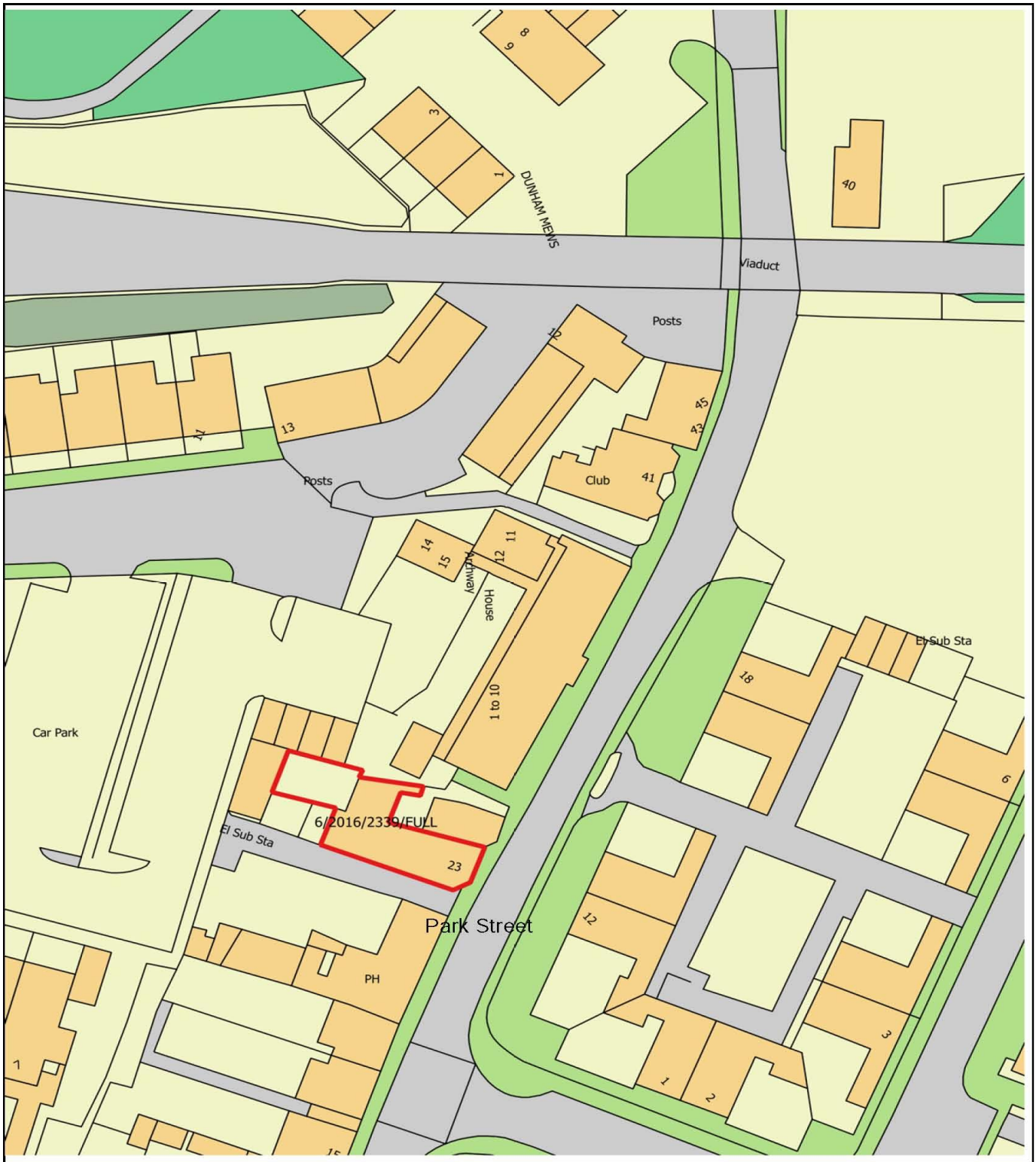
1. The applicant has failed to satisfy the sustainability aims of the plan and to secure the proper planning of the area by failing to ensure that the development proposed would provide a sustainable form of development in mitigating the impact on local infrastructure and services which directly relate to the proposal and which is necessary for the grant of planning permission. The applicant has failed to provide a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). The Local Planning Authority considers that it would be inappropriate to secure the requires

financial and non-financial contributions by any method other than a legal agreement and the proposal is therefore contrary to Policy IM2 and M4 of the Welwyn Hatfield District Plan 2005.

Author: June Pagdin (Development Management)

Date of Expiry: 4.1.2017

Time Extension: 28.4.2017



WELWYN HATFIELD

Council Offices, The Campus
Welwyn Garden City, Herts, AL8 6AE

Title: 23 Park Street, Hatfield		Scale: DNS
		Date: 2017
Project: DMC Meeting	Drawing Number: 6/2016/2339/FULL	Drawn: Baras Mast-Ingle

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Part I
Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 17 AUGUST 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

6/2017/0546/FULL

LAND AT LITTLE MEAD, HATFIELD

ERECTION OF 4 X 3 BEDROOM HOUSES AND 3 X 2 BEDROOM HOUSES WITH ASSOCIATED PARKING FACILITIES AND LANDSCAPING FOLLOWING DEMOLITION OF 16 GARAGES AND 2 FLATS

APPLICANT: Welwyn Hatfield Borough Council

AGENT: Mr Andrew Fisher (Pellings LLP)

(Hatfield Central)

1 Site Description

1.1 The development site is located in the Birchwood area of Hatfield, approximately half a mile north of the town centre and half a mile south of junction 4 of the A1(M). The area is suburban residential in character with houses and flatted development mostly dating from the interwar period onwards.

1.2 The site is south of Cornerfield and comprises a paved car parking area, 2 blocks of single storey brick-built garages with single storey flats above constructed as part of the 1950s and 1960s estate at the southern end of Little Mead. Surrounding properties are generally one, two or three storeys in height. The site is relatively flat and mainly concrete hard surface.

2 The Proposal

2.1 The application seeks full planning permission for the erection of a two-storey terrace of 4 x 3 bedroom houses (Terrace A) and a two-storey terrace of 3 x 2 bedroom houses (Terrace B) with associated parking facilities and landscaping involving the demolition two blocks of 16 lockup garages and two flats above The block of four units would front Cornerfield with access to the houses gained from this road while the block containing three units adjoins 47-49 Little Mead which serves as the front access.

2.2 The two new buildings would be approximately 8m in height and host pitched roof with gable ends. The block of 4 units would be approximately 10.2m deep and 22m wide while the block of 3 units would measure approximately 10.6m long and 14m wide. Each of the units would host private rear gardens while 14

(2.4m x 4.8m in size) parking spaces would be located to the rear and front of the properties.

2.3 A 2m wide pedestrian walkway is proposed on the northern flank of Terrace A linking Cornerfield and Little Mead. This will result in a reduction of the area currently used as drying area by the residents of flats No. 2 to 12 (evens) Little Mead.

3 Reason for Committee Consideration

3.1 Welwyn Hatfield Borough Council is the applicant and this scheme forms part of the Council's Affordable Housing programme.

4 Relevant Planning History

4.1 Application Number: E6/1956/1112/ Decision: Granted Decision Date: 01 November 1956

Proposal: Erection of 15 1 bedroomed bungalows and use of land for open space.

4.2 Application Number: E6/1965/0322/ Decision: Granted Decision Date: 29 June 1965

Proposal: Local authority housing

4.3 Application Number: E6/1974/0796/ Decision: No Information Decision Date: 31 December 1974

Proposal: 110 houses and 35 flats with garages and parking areas

5 Relevant Planning Policy

5.1 National Planning Policy Framework 2012

5.2 Welwyn Hatfield District Plan 2005

5.3 Supplementary Design Guidance, February 2005 (Statement of Council Policy)

5.4 Supplementary Planning Guidance, Parking Standards, January 2004

5.5 Interim Policy for Car Parking Standards and Garage Sizes, August 2014

6 Site Designation

6.1 The site lies within the specified settlement of Hatfiled as designated in the Welwyn Hatfield District Plan 2005.

7 Representations Received

7.1 The application have been advertised by neighbour notification letters to 32 neighbouring occupiers. 4 representations have been received with the following comments:

a) The garage area is used not only by the residents of Little Mead but those of Cornerfield, St Michaels View and Drovers Way for parking.

b) I see that from the initial plans they have added 7 new parking spaces 2 of which are located off a main road on a bend.

c) Parking will become a much greater issue, as it's already a problem with so many people using the street and parking area already without adding to the existing problem.

d) The houses especially the 3 bedroom houses will more than likely need two parking spaces, it will be a real issue.

e) Also our community is made up of flats which house the elderly and those with learning and physical disabilities. The proposal will have a big impact on our quality of life.

f) I am not opposed to new housing and am very pleased that the Welwyn Hatfield Council are building new homes but think that these shouldn't be at the detriment of the existing residents and area.

g) The houses are virtually touching going to be touching the side of my elderly aunt's flat. Surely that is going to be an invasion of her privacy?

h) The bin store of the closest house to No 49 Little Mead will be in close proximity to its kitchen.

i) The block containing No. 49 will be surrounded by parked cars.

j) You will be removing trees which are good for the environment.

8 Consultations Received

8.1 **Hertfordshire County Council Transport Programmes and Strategy (HCCTPS)** – The amendments in relation to the design and principle for the Highway Authority remain acceptable in highways terms. No objection to the scheme.

8.2 **Welwyn Hatfield Borough Council Environmental Health Department (EH)** – The application site is within an existing residential area and the traffic along Cornerfield is not expected to generate significant levels of noise. The council's database is not showing any known sources of contamination for the site, however, due to the garages on site, there is a high likelihood that asbestos will be on site. As such, the applicant will need to ensure that the garages are demolished and all material removed so that the land does not become contaminated. No objection to the scheme.

8.3 **Welwyn Hatfield Borough Council Landscaping and Ecology Department –** No real information has been submitted for either trees or soft landscaping. I have concerns about the lack of soft landscaping to the rear boundary fence of Terrace A onto the car parking area and the front of Terrace B. Should this application be approved I look forward to seeing the greened up drying area, 'high standard of soft landscaping' and the 'new trees' on a detailed landscape plan. An arboricultural protection plan is required. The surrounding greens are not handy sites for vehicular parking, storage of materials, site offices etc.

Welwyn Hatfield Borough Council Client Services Department – The properties can be incorporated onto the existing ARRC scheme. Each property would be provided with 2 bins FOC for refuse and dry recyclables. The 3 bedroom properties face onto Cornerfield and would be collected from there on the boundary with the public highway and the 2 bed houses would be collected from Little Mead again on the public highway.

8.4 **Lead Local Flood Authority –** LLFA would have no objection on flood risk grounds. However, we note that the proposed drainage strategy is based on infiltration and no infiltration tests have been undertaken. If the Local Planning Authority will decide to grant this planning permission we would recommend that the infiltration tests should be provided to ensure the feasibility of the scheme.

8.5 **Affinity Water Ltd –** No comment received.

8.6 **Hertfordshire Fire and Rescue –** We have examined the drawings and note that the access for fire appliances and provision of water supplies appears to be adequate.

8.7 **Thames Water (TW) –** Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

9 Town / Parish Council Representations

9.1 Hatfield Town Council – No comment received

10 Analysis

10.1 The main planning issues to be considered are:

1. **The principle of the development (National Planning Policy Framework 2012 and Policies SD1, H1, H2, R1, GBSP2 of the Welwyn Hatfield District Plan 2005).**
2. **Whether or not the scheme incorporates high quality design in accordance with the principles of the Welwyn Hatfield District Plan (2005) and relates to the character and context of the area (D1, D2, D8, Supplementary Design Guidance (SDG) and National Planning Policy Framework (NPPF))**
3. **The impact of the proposal on residential amenity of future occupiers and adjoining properties (D1 and Supplementary Design Guidance (SDG))**
4. **Access, Impact on the Highway and Parking (M14 and SPG)**
5. **Other Considerations**

1. The principle of the development

10.2 The proposal gives rise to two main issues; firstly, the creation of five additional residential units on the site and, secondly, the loss of garages.

10.3 Policies R1 and GBSP2 of the Welwyn Hatfield District Plan 2005 encourages development to take place on previously used or developed land and directs new development towards existing towns and specified settlements. This is in line with the National Planning Policy Framework 2012 (NPPF) which encourages the provision of more housing within towns and settlements and encourages the re-use of land which has previously been developed.

10.4 The site is not an allocated housing site and so is considered to be a 'windfall site', Policy H2, therefore, applies. This policy states that all proposals for windfall housing development will be assessed against the following criteria:

i. The availability of previously-developed sites and/or buildings;

ii. The location and accessibility of the site to services and facilities by transport modes other than the car;

iii. The capacity of existing and potential infrastructure to absorb further development;

iv. The ability to build new communities to support infrastructure and provide demand for services and facilities;

v. The physical and environmental constraints on development of land.

10.5 The application site is situated within the existing Hatfield Town as outlined in the Welwyn Hatfield District Plan 2005. This site has previously been developed and currently comprises residential units, garages and communal parking area and amenity space. The site is positioned close to the facilities of the Birchwood area of North Hatfield and is within easy reach of a good range of local facilities and is served by public transport. There are no concerns with the possibility of contaminated land and there are no known infrastructure constraints. Two flats would be demolished and replaced with seven terraced houses; a net increase of five units. The principle of residential development is therefore acceptable against the criteria set out in Policies H2, SD1, R1 and GBSP2 subject to an assessment of the scheme against policies having regard to design, parking, and means of access as well as amenity of the occupiers of adjoining premises.

10.6 Overall, it is considered that the site is, in principle, acceptable as a residential windfall site. The site complies with Policy H2 of the Welwyn Hatfield District Plan in regards the criteria of suitability.

2. Whether or not the scheme incorporates high quality design and relates to the character and context of the area

10.7 In addition to Policy GBSP2 outlined above, Local Plan Policies D1 and D2 aim to ensure a high quality of design and to ensure that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area. Local Plan Policy D8 requires landscaping to form an integral part of the overall design. In addition to the above, the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

10.8 The Council's adopted SDG states that existing layouts of buildings, streets and spaces should be taken into account to ensure that buildings relate to one another and spaces complement each other. Furthermore, this guidance states that developments should respond to building forms and patterns of existing building in the detailed layout and design to reinforce a sense of place.

10.9 Little Mead is an established residential location; the surrounding housing types are mixed and heights vary from 1 to 3 storeys. However, the predominant vernacular is short terraces of two storey houses or flats with pitched roofs and soft landscaping in front and around buildings either following the road line or set at 90 degrees to it. The application site is at the end of what can be described as a cul-de-sac containing 16 garages, 2 flats and communal parking and vehicle turning area and in the main, hard surfaced.

10.10 This application seeks full planning permission for the demolition of the existing residential flats and 16 lock-up garages and erection of two new residential terrace blocks comprising (a) 4 x 3 bedroom and (b) 3 x 2 bedroom dwelling houses. The two- storey terrace of 4 no. 3 bedroom houses fronts onto Cornerfield. A second terrace of 3 no. 4 bedroom houses adjoins 47-49 Little Mead. The positioning of the houses maximises the usable space for private garden areas to the rear of the new terraces. The layout has been designed to respect existing neighbouring dwellings by careful positioning in relation to boundaries to avoid overshadowing and consideration of orientation to ensure overlooking issues are avoided.

10.11 The proposed houses would have entrances in the frontage. A new path to the north from Cornerfield leads to the parking area for residents located in the centre of the site providing easy access. The dwellings and their internal layout oriented to ensure optimal light reach the living spaces.

10.12 Although the proposed dwellings fronting Cornerfield will have a different front appearance to the properties on the opposite side of the street, the design including that of Terrace B, would reflect the features found on its side of the road and the streetscene of Little Mead. The buildings would generally maintain the established building line at both Cornerfield and Little Mead. The buildings are off similar proportion to existing two-storeys in the vicinity maintaining the suburban grain of this suburb of Hatfield.

10.13 Positioning of window and door openings create a symmetry to the elevations while the perceived bulk and massing is tempered by design devices such as the duo-pitch roof form and simple projecting canopies above the entrance doors. There is a clear attempt at reflecting the exterior materials present in the area; the main roof is pitched to reflect the adjacent houses with an artificial grey slate covering contained in a gable with parapet wall. Windows are dark brown aluminium and all metal – aluminium rainwater goods and eaves fascias and soffits to be polyester powder coated dark grey. The proposed exterior materials of Red multi stock brickwork finish is in keeping with the local area enabling the development to sit well within its surroundings. Timber effect vertical board cladding spandrel provide interest and texture to front elevations. These features are reflective of the area in regards to the above, resulting in the proposed buildings not representing an incongruous addition within the

streetscene in terms of design. The proposed development is considered to be satisfactory in terms of its architectural design being of a high quality and complimentary to the differing styles of dwelling houses within the immediate area. They would represent an improvement over the current appearance of the garage court and would enhance the character of the site itself and the wider locality.

10.14 In regards to the scale of the two residential blocks, 6 of the existing garages, are single-storey flat-roofed structures while the two flats, also with flat roof, are located above 5 garages each. The buildings in the immediate surroundings of the development site are of two and three storeys. Neighbouring buildings in and around Little Mead are generally straight terraces of houses and flats. The ridge and eaves height of the roof at approximately 8m would be similar to the existing dwellings. The introduction of a parapet gable to contain the roof, whilst alien to the area, is not considered to be incongruous enough to detract from the character of the area.

10.15 In terms of spacing, relatively modest front gardens with hard and soft landscaping and hedges area characteristic of the Cornerfield streetscene. This has the effect of softening the dense appearance of dwellings in close proximity to each other. The application dwellings fronting Cornerfield (Terrace A) are set back approximately 8m from the edge of the highway and the proposal would maintain the existing building line. Whereas the existing garage is set along the footpath south of the site, the proposed building would be set approximately 3m from the edge of the footpath, which is similar to the spaces between buildings and footpath as existing. Whilst the Terrace B would adjoin a residential block inside Little Mead, a new footpath of approximately 1.8m linking with the existing footpath separates the block from the proposed car park. The concept of a central parking area leading from Little Mead, in essence, creates an open vista which further helps to soften the appearance of the built form. This level of built form is comparable to that obtained in Little Mead. It is considered that the proposal would not represent over-development of the site or a cramped form of development and is in accordance with the SDG.

10.16 The proposed accommodation would be designed to Lifetime Standards (Part M of the Building Regulations) thus providing flexibility and space for households with a wide range of needs including wheelchair access around the ground floor. The proposed amenity space provisions are ample and have good levels of privacy and access to the gardens from the front of the houses is via side passages. Parking would be provided to an adequate standard in spaces adjacent to and overlooked by the respective houses. The parking and access forecourt would be landscaped. Overall, the site layout and units would provide good quality accommodation to meet the needs of family-sized households.

10.17 Local Plan Policy D8 which requires landscaping to form an integral part of the overall design, and in this respect the high quality design required by Policy D1 and D2 would again be relevant. As mentioned previously, the character of the area is heavily influenced by soft landscaping, with the buildings set within a landscape context. Landscaping is important in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development.

10.18 Excessive removal of soft landscaping to accommodate off street parking can erode the character and visual amenity of the street scene. In this case, the application site already benefits from a carriage driveway and a large concrete hard surface. It should be pointed out that the 14 parking spaces proposed would be contained within existing hard surface, and as such not increasing the hard surface. Whilst the proposal would result in loss of soft landscaping on Conerfield due to the design of the front gardens of the houses in Terrace A thereby increasing the hard surface in this section of the street, this is comparable to the frontages of houses opposite and therefore not considered to warrant a refusal of the application. Whilst each dwelling would have private garden, the landscaping information provided is limited as it only shows an area of soft landscaping maintained either side of the site. It would therefore be reasonable to attach a planning condition requiring a full and detailed landscaping scheme to be submitted and approved by the Local Planning Authority in order to reduce the visual and environmental impacts of the development.

10.19 In terms of quality of design and visual amenity, it considered that the scheme would be adequately compatible with the maintenance of the character and context of the area. In this respect, subject to conditions regarding materials and landscaping, no objections are raised with regard to the NPPF and Local Plan Polices D1, D2 and D8 and the SDG.

10.20 Notwithstanding the above, the impact on character of the area resulting from the intensification of the use of the site is also a material consideration. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF outlines, in its introduction, three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. Of particular relevance to this application is an economic role, among others, to ensure land is available in the right places to support growth; a social role to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment; as well as a an environmental role which includes the protecting and enhancing the built environment.

10.21 The proposal would have an economic benefit during the construction phase and a limited social benefit through the provision of 5 windfall residential units. In this case, 5 additional social rented houses, making small but valuable contribution to local housing supply and affordable housing homes in the borough; this is a clear benefit as it reduces pressure on housing land take elsewhere, albeit to a very limited degree. Consequently, it is considered that the proposal affords benefits in all areas of sustainability as defined by the Framework and affords environmental benefits in terms of improvement to the appearance of the local environment, which would significantly outweigh the concern regarding future cumulative effect if the development were to be repeated. The proposal therefore accords with Policy SD1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

3. The impact of the proposal on residential amenity of future occupiers and adjoining properties

10.22 Saved Policy D1 and the Council's Supplementary Design Guidance (SDG) provide the local policy framework when assessing the impact of development on the residential amenity of neighbouring properties, as well as providing sufficient amenity for potential future occupiers of the proposed development. All new development should not cause loss of light or be unduly dominant from adjoining properties. In addition, development should be designed, orientated and positioned in such a way to minimise overlooking between dwellings.

10.23 In considering privacy and sunlight/ daylight, each property would not be unduly overlooked and would benefit from sufficient access to sunlight and natural daylight. There is no objection to the proposal in terms of the potential for overlooking from the internal living spaces into each property.

10.24 Neighbour representations have been received having regard to the impact of the proposed development on the living conditions of the occupiers of adjoining premises in terms of loss of privacy and being unduly dominant. The following discussion takes place in this context.

10.25 In terms of visual impact, given that the new buildings would feature a pitched roof with an eaves height of just 5m; would be set back from the site boundary; would (Terrace A) be set approximately 11m from rear wall of the closest property to the south (14 St Michael's View) which is a bungalow with a 3m high hedge along its rear boundary; and set at least 17m from of rear wall properties to the northeast and south southeast and in the context of surroundings, it is considered that the resulting development would not appear unduly dominant or overbearing when viewed from adjoining dwellings and their gardens. In the case of Terrace B, the block would be set along the flank of 47/49 Little Mead (maisonette flats) with matching building line but extending approximately 2.5m beyond the rear wall of the building. Whilst the extent of the projection would be readily visible from the rear habitable room windows of the flats and from the common garden area serving Nos. 35 to 49 (odd), this would not be significantly different to what current exist as the existing two-storey structure containing one the two flats to be demolished, extends some 13.5m beyond the rear wall the flats in question. It is therefore considered that the proposed block would appear less dominant and less obtrusive to the living accommodation of Nos. 47 and 49, and as such would enhance the living condition currently enjoyed by their occupants.

10.26 The impact of the proposals on sunlight and daylight would be limited given that the proposed buildings would have a similar footprint and building line as the existing structures. Whilst there would be an increase in bulk above ground floor level than existing, the orientation of the two terrace blocks to the adjoining properties is such that the level of sun/day light currently reaching those properties will be reasonably maintained as any overshadowing will be limited and would not be significantly harmful to the amenity of neighbouring occupiers.

10.27 The rear elevations of the dwellings in Terrace A face broadly east, therefore a limited degree of overshadowing would affect part of their garden from mid-afternoon only while the garden area of dwellings in Terrace B will get sufficient daylight being south facing. Given the height and distance of the two blocks as illustrated in paragraph 10.25 above, it is considered that the proposal would

not have adverse impact on the residential amenity of the adjoining properties and the future occupants.

10.28 Giving consideration to the scale of the proposal, the siting of windows in the adjoining properties, the orientation of the building, the size of neighbouring plots, separation distance and boundary screening and taking into account the scale, bulk and orientation of the existing structures, it is considered that the proposal would not have an unreasonable impact on light amenity or the level of privacy afforded to the neighbouring residencies and would not appear visually overbearing nor unduly dominant in relation to adjoining properties. Overall, subject to a planning condition regarding fixed and obscure glazing, it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level. In this respect, no objections are raised with regard to Local Plan Policy D1 and the SDG.

10.29 Turning to the amenity space, the proposed dwellings would host private rear gardens; giving sufficient private amenity space for the proposed building size and its residential use. Whilst adequate amenity space is proposed in this development, considering those prevailing in the locality, it is considered reasonable to remove permitted development rights, to prevent extensions and outbuildings being erected without further consideration by the Local Planning Authority.

10.30 The internal floor space for the proposed accommodation is 94m² for the 3 bedroom houses and 83m² for the 2 bedroom houses. The proposal would have a total gross floor area of approximately 222sq.m for Terrace A and 148sq.m for Terrace B compared to the 133sq.m and 125sq.m respectively to be demolished. The proposal has a generous habitable space and would provide a high quality accommodation for future occupiers and as such accords with the principles contained in the National Space Standard, Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

10.31 Amenity space is generally green space and planting which softens the urban fabric, allows for informal leisure, and provides a setting for buildings. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) makes it clear that all new residential developments should provide adequate private gardens. Paragraph 5.6 of the SDG states that communal amenity space for flats must be available both for the use of and large enough to accommodate the needs of all residents. Whilst no specific dimensions are stipulated, amenity space should nonetheless be functional and useable in terms of width, depth, shape and orientation. The proposed 7 dwellings would each have approximately 52sq.m of private garden space with appropriate screening from public vantage point by way of 2m high closed boarded. These gardens would be functional and usable in their shape, orientations and relationships to the dwellings. This level of screening is considered appropriate and a planning condition for its retention as part of an overall landscaping scheme to be submitted and approved by the Local Planning Authority is recommended. Whilst adequate amenity space is proposed for this development, considering those prevailing in the locality, it is considered reasonable to remove permitted

development rights, to prevent extensions and outbuildings being erected without further consideration by the Local Planning Authority.

4. Access, Impact on the Highway and Parking (M14 and SPG)

10.32 In terms of access and parking, the adopted parking standards (supplementary planning guidance) specify that the maximum parking requirement for dwellings in this location (Zone 4) is 2.25 spaces for a 3 bedroom property and 1.5 spaces for a 2 bedroom property. As such, in accordance with the interim Policy for Car Parking Standards the total maximum parking requirement for the proposal is 13.5 spaces. The proposal provides 14 communal parking spaces; 2 parking spaces each per dwelling. This level of parking provision is sufficient for the size and use of the proposed buildings using the Supplementary Parking Standards as guidance. The proposal therefore complies with Policy M14.

10.33 Policy D5 of the Welwyn Hatfield Plan requires that new development take into account its impact on existing and proposed movement patterns. Hertfordshire County Council has raised no principle objection to the application based on the impact of the development on Little Mead and Cornerfield.

10.34 The proposed driveway and communal parking area is shown as being laid to permeable block paving whereas at present it is concrete. The provision of a permeable surface will reduce surface water run-off and would afford easy accessibility and public safety.

10.35 In terms of cycle storage, the Parking Standards SPG identifies a requirement for one long term secure cycle storage space per residential unit. Storage space is shown in the submitted block plan and as the proposal is for houses with their own private garden, it is considered that the proposed scheme complies with relevant Council policy.

5. Other Considerations

10.36 Landscaping – Policy R17 of the District Plan states that 'The Council will seek the protection and retention of existing trees, hedgerows and woodland by use of planning conditions… and tree preservation orders where applicable'. Policy D8 requires that 'all development should include landscaping as an integral part of the overall design...to reflect the strong tradition of urban landscape design in the district'

10.37 It is noted that at present the application site do not benefit from established vegetation, and as such little will be lost should dwellings be constructed. It is therefore considered that landscaping would be important to the success of any development. Whilst some degree of landscaping has been proposed, the Council's Landscaping and Ecology Officer has raised concern about the level of landscaping being proposed. However, this is not considered enough to warrant refusal of the application. As such, landscaping conditions have been recommended in order to ensure a satisfactory landscaping and maintenance scheme.

10.38 Refuse and Recycling Storage – The submitted Site Plan shows a bin store proposed in the front of each unit. The Council's Waste Collection Services

were consulted and have not objected to the proposal nor the Highways Authority with regards to the manoeuvrability of the refuse collection vehicle.

10.39 Secure by Design – Policies D4 and D7 encourage new developments to be designed to ensure natural surveillance and to minimise the opportunities for crime/antisocial behaviour. Terrace A has windows at first floor in the north side elevation which would overlook the footpath to the side of the site. Likewise, stair windows and bedroom windows are proposed in the west elevation of Terrace B to allow natural surveillance of the parking area and public footpath to the side.

10.40 Flood Risk / Surface Water Drainage – The application site is not located within flood zone 2 or 3 and the area is not known to have critical drainage problems. The Lead Local Flood Authority were consulted on this proposal and removed their initial objection following the review of the Drawing No. 3500/300, revision P2, which shows the existing water drainage scheme, submitted with the additional information. The applicant has provided sufficient detail to demonstrate that the proposed development will not increase flood risk on site or elsewhere and that the capacity of the current drainage scheme will not be detrimentally affected. The site currently drains to three linked soakaways located within the car park. The proposed development will not modify the working of the existing system, there will be no increase in impermeable surfaces and the existing drainage will remain unchanged. The applicant's drainage consultant has confirmed that the current drainage system drainage is operating satisfactorily and that drainage covers and yard gullies can be lifted for inspection and removal of any silt build up.

10.41 Contaminated Land – It is expected that remediation would have taken place prior to the development of the existing building. On this basis it is unlikely that any contamination will be found, however, due to the previous use of the surrounding land there may still be some potential for contamination. For this reason it is recommended that an unexpected finds condition be placed on the application in accordance with Local Plan Policy R2 and the NPPF.

10.42 Houses in Multiple Occupation – Since 12th January 2012, there has been an Article 4 Direction covering the whole of Hatfield removing permitted development rights for change of use from C3 (Dwellinghouse) to C4 (Houses in Multiple Occupation). The rationale for the Direction is detailed within the Houses in Multiple Occupation, Supplementary Planning Document, February 2012.

10.43 As a result of the Direction, it is considered appropriate and reasonable to a condition to ensure that the development, which has been assessed and determined on the basis of being in C3 use, is not first occupied within C4 use, over which the Council would have no control. It is also reasonable to remove permitted development rights for a change of use from a C3 dwellinghouse to a C4 HMO. It is therefore recommended that conditions are attached.

10.44 Some local residents have raised concern regarding loss of parking space (garages) and likely impact of the proposal on the parking conditions in the area, which according to them, is very difficult. In the supporting Transport Statement, the applicants state "the existing garages are approximately 5.4m

long x 2.6m wide and are substandard when compared to current guidance. According to the submitted Transport Assessment statement, the existing site generates vehicle traffic associated with the use of the garages. The proposed development consists of seven houses, 4 x 3bed and 3 x 2bed. 14 parking spaces will be provided on site with three additional parking spaces provided on-street.

10.45 The statement further states that based on an occupancy of eight garages and the loss of two flats the traffic movements generated by the development will be broadly similar to that generated by the existing site. And that any additional trips generated by the new development are considered to be well within the daily fluctuations of traffic using Little Mead and the surrounding roads. The conclusion of the statement is that although the development would lead to a slight increase in parking stress in the local area, there is sufficient space to accommodate anticipated parking demand following the development within the local area.

10.46 A stakeholder engagement feedback has been submitted as part of the supporting documents for the application. The applicants state that all the garage occupiers have been offered an alternative council owned garage to rent in a nearby location while the proposed parking on the development will be for the use of the occupants of the new dwellings; that the Council has undertaken a Transport Survey which concluded that the new development would lead to a slight increase in parking stress in the local area but there is sufficient space to accommodate anticipated parking demand following the redevelopment. The Council has identified 3 additional on-street parking bays in response to concerns raised by local residents.

10.47 The Highways Authority have not raised any fundamental concern about proposal and advised that the proposal is acceptable on highways ground.

Conditions

10.48 The National Planning Policy Guidance governs the use of conditions in planning and the power to impose conditions when granting planning permission is very wide. If used properly, conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. The objectives of planning, however, are best served when that power is exercised in such a way that conditions are clearly seen to be fair, reasonable and practicable. Conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. In considering whether a particular condition is necessary, both officers and members should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. If it would not, then the condition needs special and precise justification.

11 <u>Conclusion</u>

11.1 The general design and detailing of the proposal is considered acceptable. The terrace houses have been designed to be more in keeping with the

predominant style of properties along Little Mead and the proposed materials and fenestration help to ensure that the visual dominance of the proposal within the site and the street scene is limited.

11.2 The development is considered to represent appropriate windfall development which would maintain the character and context of the area and be of reflective and respectful design which would relate well to the surrounding dwellings. The amenity of the occupiers of adjoining premises has been considered and the resultant impact from the development is considered to be acceptable when weighed against the benefits of the proposal. The Highways Authority have considered the impacts of the development upon the safe use of the highway, and have accepted the scheme as it is presented as having a neutral impact on highway safety, and sufficient parking relative to the size and use of the building would be accommodated on site. Accordingly, the proposed development complies with policies D1, D2, D4, D7, D8, H1, H2, R1, R2, R9, R17, GBSP2, M14 and SD1 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance Statement of Council Policy 2005, the Supplementary Planning Guidance on Parking Standards 2004 taken in conjunction with the Interim Garage Size and Car Parking Policy 2014 as well as relevant parts of the National Planning Policy Framework 2012.

12 <u>Recommendation</u>

12.1 It is recommended that planning permission be granted subject to the following conditions:

1. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings 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.

2. A scheme of landscaping is to be submitted and agreed, which shall include details of the following:
   (a) original levels and proposed finished levels
   (b) means of enclosure and boundary treatments
   (c) hard surfacing, other hard landscape features and materials
   (e) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing
   (f) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife.

   REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

3. Prior to commencement of development a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved management plan.

   REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area. To comply Policies D1, D8 and R17 of the Welwyn Hatfield District Plan 2005

4. No works or development shall take place before a scheme for the protection of the existing trees (other than those the removal of which has been granted express permission in writing by the Local Planning Authority) has been submitted to and approved in writing by the Local Planning Authority. Such a scheme will comply with the provisions of BS5837 ("Trees in relation to construction – 2012") and BS 3998 ("Recommendations for tree works – 2010"). The approved scheme for the protection of the existing trees shall be implemented before development commences and be maintained in full until the development has been completed.

   REASON: To ensure protection during construction works of trees, hedges and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area are not impaired. To comply Policies D1, D8 and R17 of the Welwyn Hatfield District Plan 2005

5. All agreed landscaping comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the first building, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014.

   REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

   (a) the parking of vehicles of site operatives and visitors

   (b) loading and unloading of plant and materials

(c) storage of plant and materials used in constructing the development

(d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate

(e) wheel washing facilities

(f) measures to control the emission of dust and dirt during construction

(g) a scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking and re-enacting that Order with or without modification), there shall be no enlargement or extension of the dwelling(s) hereby permitted, including any additions or alterations to the roof and no new building or enclosure shall be constructed within the application site (no development within Classes A, B, D and E), without the prior written approval of the Local Planning Authority.

   REASON: To satisfactorily protect the character and appearance of the area and the residential amenities of nearby occupiers. To comply with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

8. No development shall take place before a Drainage Impact Study, a surface water drainage scheme for the site (based on sustainable drainage principles SuDS) including infiltration test has been submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented before the first occupation and/or use of the development and be constructed in accordance with the approved details.

   REASON: To ensure the proposed development does not overload the existing drainage system resulting in flooding and/or surcharging. To comply with Policy R9 of the Welwyn Hatfield District Plan 2005.

9. The area set aside for car parking shall be laid out surfaced and marked out, in accordance with a scheme which has been submitted to and agreed in writing by the Local Planning Authority before the buildings hereby permitted are first occupied and shall be retained permanently thereafter for the free parking of vehicles for residents/occupiers of the development permitted and shall not be used for any other purpose.

   REASON: To ensure that the spaces are provided prior to the occupation of the units in the interests of highway safety in accordance with the National Planning Policy Framework.

10. The development hereby permitted shall be used for Class C3 dwellinghouse[s] only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

    REASON: The Article 4 Direction covering Hatfield removes the Class I permitted development rights to move from a use falling within Class C3 (dwellinghouses) to a use falling within Class C4 (Houses in Multiple Occupation) and to enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity in accordance with the Houses in Multiple Occupation Supplementary Planning Document 2012 and Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework

DRAWING NUMBERS

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

Plan Number	**Revision Number**	**Details**	**Received Date**
773 002 P-02	B	Existing Site Plan	22 March 2017
773 002 P-05	B	Proposed Floor Plans Terrace A	13 July 2017
773 002 P-06	B	Proposed Floor Plans Terrace B	13 July 2017
773 002 P-07	A	Proposed Elevations Terrace A	22 March 2017
773 002 P-08	A	Proposed Elevations Terrace A	22 March 2017
773 002 P-09	A	Proposed Elevations Terrace B	22 March 2017
773 002 P-10	A	Proposed Elevations Terrace B	22 March 2017
773 002 P-11	B	Proposed Aerial Views	22 March 2017
773 002 P-12	A	Proposed Street View	22 March 2017
773 002 P-13	A	Proposed Street View	22 March 2017
3500/300	P2	Proposed Drainage Strategy	22 March 2017
773 002 P-03	D	Proposed Block Plan	19 June 2017
773 002 P-04	D	Proposed Site Plan	19 June 2017
773 002 P-01	A	Site Location Plan	22 March 2017

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

1. 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).

Informatives:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.

2. The development will involve the numbering of properties and naming new streets. The applicant MUST contact Welwyn Hatfield Borough Council, Transportation (Lorraine Davis 01707 357546 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.

3. The decision notice contains conditions which require you to submit information to the Local Planning Authority and have it approved in writing before any development relating to the approval takes place. There is a formal procedure for applying to discharge conditions and further information can be found at http://www.welhat.gov.uk/index.aspx?articleid=834 . Failure to comply with this type of condition may result in the development being considered unlawful and enforcement action could be taken. If you require any clarification or information please contact the section on 01707 357000.

4. Noise control
   1. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:

   8.00am and 6.00pm on Mondays to Fridays
   8.00am and 1.00pm Saturdays and at no time on Sundays and Bank Holidays

   2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times

   3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions

   4. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in

use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.

5. All machines in intermittent use shall be shut down during intervening periods between works, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.

6. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.

7. All pile driving shall be carried out by a recognised noise reducing system.

8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material

9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.

10. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub-contractors.

11. Any emergency deviation from these conditions shall be notified to the Council without delay

12. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.

13. Permissible noise levels are not specified at this stage.

Dust control
1. All efforts shall be made to reduce dust generation to a minimum

.
2. Stock piles of materials for use on the site or disposal that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.

5. AN1) Construction standards: Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN.
Their telephone number is 0300 1234047. Storage of materials.

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website http://www.hertsdirect.org/services/transtreets/highways/ or by telephoning 0300 1234047. Obstruction of the highway.

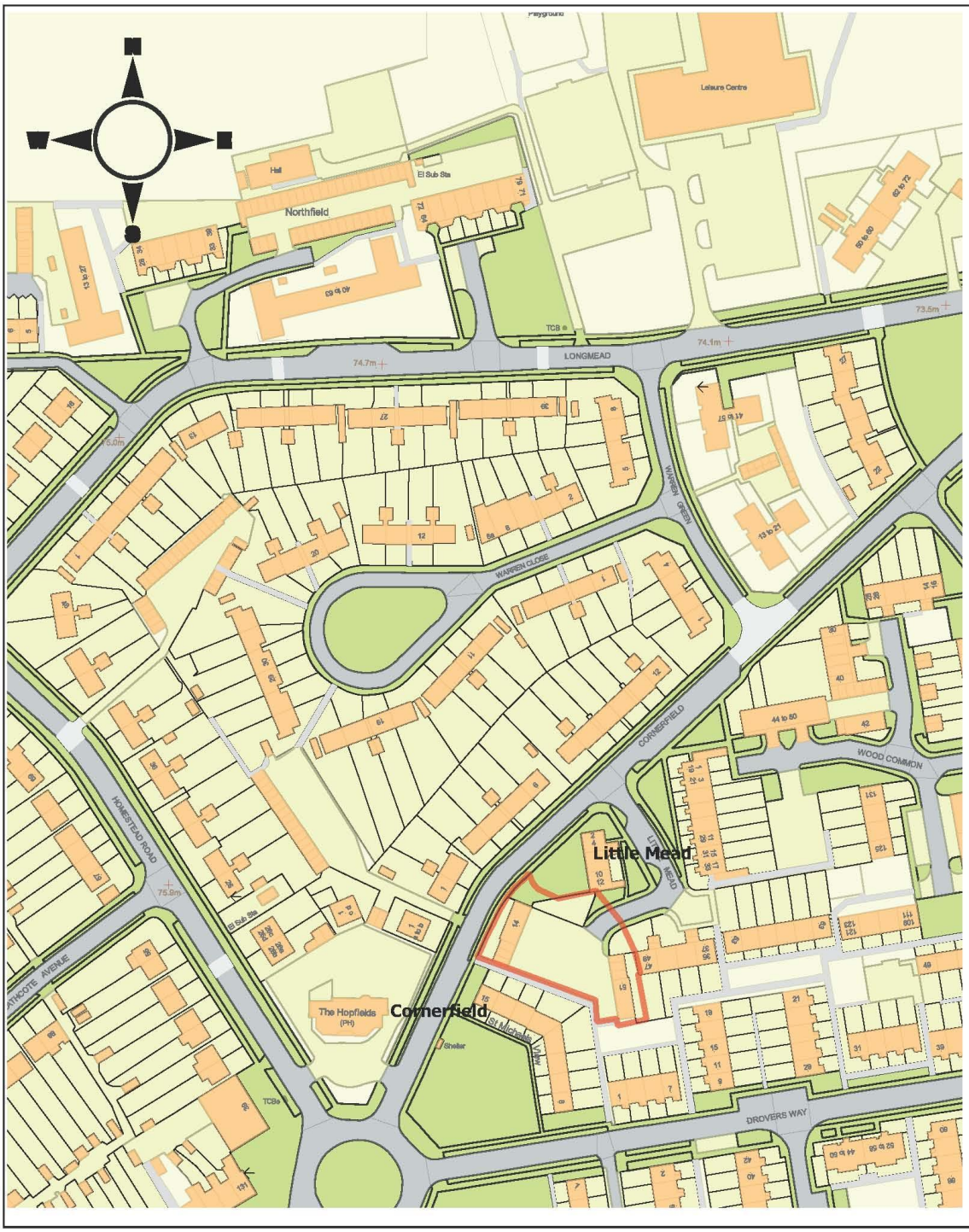
AN3) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website http://www.hertsdirect.org/services/transtreets/highways/ or by telephoning 0300 1234047.

AN4) Roads to remain private: The applicant is advised that all new roads / the routes marked on the plan associated with this development will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website http://www.hertsdirect.org/services/transtreets/highways/ or by telephoning 0300 1234047.

6. Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Raphael Adenegan (Public Protection, Planning and Governance)

Date	1st August 2017
Expiry date	30th April 2017



WELWYN HATFIELD

Council Offices, The Campus
Welwyn Garden City, Herts, AL8 6AE

Title: Little Mead Hatfield		Scale: DNS
		Date: 2017
Project: DMC Meeting	Drawing Number: 6/2017/0546/FULL	Drawn: Baras Mast-Ingle

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Part I
Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 17 AUGUST 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE

6/2017/1435/FULL

32 PARKWAY WELWYN GARDEN CITY AL8 6HQ

DEMOLITION OF REAR OUTBUILDING

APPLICANT: Mr K. Bromley

(Handside)

1 Site Description

1.1 The application site is located on the western side of Parkway and consists of a two-storey detached dwelling with front and rear associated gardens. The site measures approximately 40 metres deep and 22 metres wide. There is a single storey element with a hipped roof on both sides of the dwellinghouse and an access gate to the rear garden on the north side of the site. Within the rear garden adjacent to the boundary with number 34 Parkway there is a single storey detached outbuilding with a pitched roof. It measure at approximately 13m in length by 5.3m in width and is greater than 115 cubic metres in volume.

2 The Proposal

2.1 The application seeks planning permission for the demolition of the rear outbuilding which is located within the Welwyn Garden City Conservation Area. There is no indication that anything would replace the structure.

3 Reason for Committee Consideration

3.1 This application is presented to the Development Management Committee because the applicant's wife is Councillor Helen Bromley.

4 Relevant Planning History

4.1 None

5 Planning Policy

5.1 National Planning Policy Framework

5.2 Welwyn Hatfield District Plan 2005

6 Site Designation

6.1 The site is situated within the Welwyn Garden City Conservation Area as designated in the Welwyn Hatfield District Plan 2005.

7 Representations Received

7.1 The application was advertised by means of site notice, press notice and neighbour notification letters. No letters have been received in response.

8 Consultations Received

8.1 Hertfordshire Ecology raise no objection subject to a condition to require the submission and approval of a bat survey to determine if any bats would be affected by the demolition.

9 Analysis

9.1 The main planning issues to be considered in the determination of this application are:

1. **The Principle of Demolition in relation to the Impact on the Designated Heritage Asset and Character and Appearance (NPPF, D1, D2)**
2. **Other material considerations- Protection of species of conservation concern (R11)**

The Principle of Demolition-Impact on Heritage Assets

9.2 The National Planning Policy Framework (NPPF) provides guidance on the consideration of applications affecting Heritage Assets, in chapter 12. Local Planning Authorities are advised, when determining planning applications, to take account of, amongst other things, the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

9.3 The local planning authority has extra powers to control works and demolition of buildings to protect or improve the character or appearance of the area.

9.4 The rear outbuilding is located at the south of the site. It is visible from public vantage points when viewed from Parkway and Russellcroft Road. Its age is understood to be the same as the main house.

9.5 Given its limited size and rear garden location, the structure makes a neutral contribution to the character and appearance of the conservation area. It is not physically attached to the main house and although it is viewed from public vantage points, it is a single storey structure with a pitched roof that is in a poor state of repair. The demolition of the structure would not reduce the main dwelling's significance and contribution to the historic and architectural significance of the Welwyn Garden City Conservation Area given its distance and location.

9.6 In addition, its removal would not result in an unsightly gap within the conservation area because of its rear garden location and in this regard there is no requirement to specify any replacement structure.

9.7 Given that the rear outbuilding only makes a neutral contribution to the character and appearance of the conservation area, the significance of the designated heritage asset would not be harmed and the proposal is acceptable in terms of the impact on the historic environment.

The Principle of Demolition-Character and Appearance

9.8 The proposal is for the demolition of the rear outbuilding. The main house is not a listed building so there would be no impact on this building in this regard. Given its distance from the main house, the removal of the building would respect the heritage of the host dwelling and no objections are raised.

9.9 As such, the development would accord with Policies D1 and D2 and the relevant paragraphs of the NPPF.

Other material considerations- Protection of species of conservation concern

9.10 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05.

9.11 There is a potential of bats being located within the building to be demolished. Regulation 61 (2) of the Conservation Regulations 2010 requires the applicant to submit sufficient information for assessment.

9.12 An initial report commissioned by the applicant has indicated that no evidence of bats was found in the building to be demolished. However, there is still the low potential for bats which, as the report states, would require one activity survey to reasonably confirm whether or not bats are present, given the lack of direct evidence observed so far.

9.13 On this basis it would be reasonable for the Local Planning Authority (LPA) to impose a condition requiring that a bat activity survey should been undertaken and the results submitted to and approved in writing by the LPA in consultation with Environment Resource Planning- Hertfordshire County Council prior to any site clearance or demolition taking place. This would ensure that species of conservation concern are protected in accordance with the National Planning Policy Framework and Policy R11 of the Welwyn Hatfield District Plan 2005.

10 Conclusion

10.1 The proposed demolition would not have a harmful impact on the character and appearance of the conservation area. Subject to the submission and

approval of a bat activity survey, the proposal would ensure that species of conservation concern are protected.

10.2 Accordingly, the development complies with Policies D1, D2 and R11 of Welwyn Hatfield District Plan 2005 and the relevant paragraphs of the National Planning Policy Framework 2012.

11 Recommendation

11.1 It is recommended that planning permission for demolition be approved subject to the following condition:

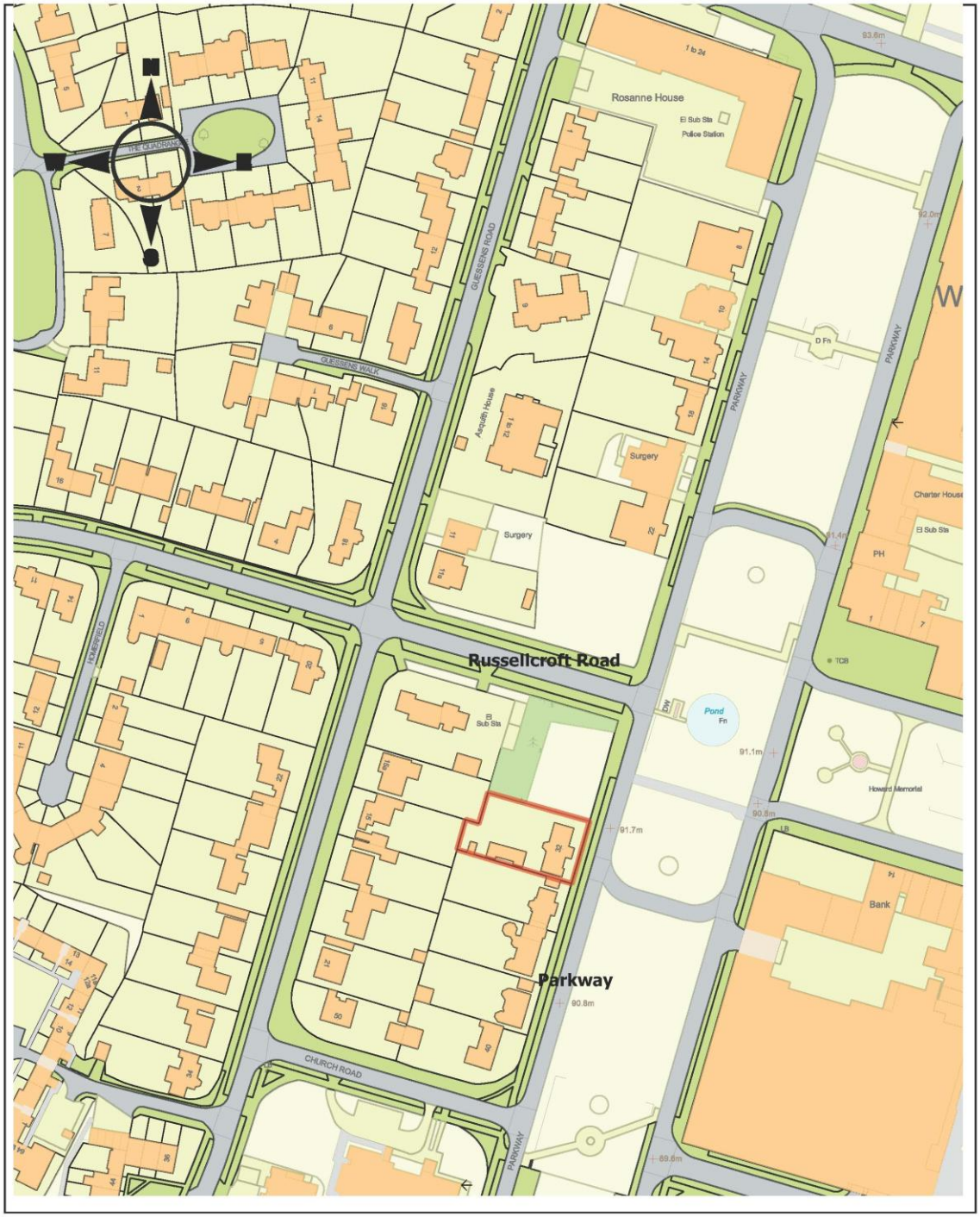
1. No works of site clearance or demolition shall take place until:

   A Bat Roost activity survey has been undertaken and the results submitted to and approved in writing by the Local Planning Authority in consultation with Environment Resource Planning- Hertfordshire County Council.
   Subsequently the works shall be carried out in accordance with the approved details.

   REASON: To comply with the requirements of the Habitats Regulations and to protect species of conservation concern in accordance with the National Planning Policy Framework and Policy R11 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).



WELWYN HATFIELD

Council Offices, The Campus
Welwyn Garden City, Herts, AL8 6AE

Title: 32 Parkway WGC		Scale: DNS
		Date: 2017
Project: DMC Meeting	Drawing Number: 6/2017/1435/FULL	Drawn: Baras Mast-Ingle

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Part I
Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – **17 August 2017**
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

Appeal Decisions 07/07/2017 to 03/08/2017

6/2016/1466/LAWP	
DCLG No:	APP/C1950/X/16/3166163:
Appeal By:	Mr & Mrs Miller
Site:	16 The Firs Park Woodside Lane Hatfield AL9 6DG
Proposal:	Certificate of lawful use or development in respect of the proposed use of land within the existing caravan site boundaries for the siting of static caravans without restriction on the layout of the land or the number of caravans up to a maximum of 8 caravan units on the site at any one time
Decision:	Appeal Allowed
Decision Date:	11/07/2017
Delegated or DMC Decision:	Delegated
Summary:	LDCs have already been granted to confirm that the appeal site is part of the planning unit of The Firs Park, and to confirm that addition of two caravans would be lawful. The main issue was whether six additional caravans would in fact amount to a material change in the use of the site, by virtue of a change in its character and impact on the surroundings. The Inspector considered that the increase in the number of caravans would be modest (from 46 to 52), and did not envisage that this would result in any off-site impacts such as on the highway network. Because of the location of the additional caravans at the rear of the site and proximity of mature trees, the Inspector also judged that public views of the site would not be materially changed. It was therefore concluded that there were no reasons not to grant an LDC.
6/2016/1308/LAWP	
DCLG No:	APP/C1950/X/16/3163136
Appeal By:	Mr & Mrs I Hunt
Site:	The Yolk Hawkshead Lane North Mymms Hatfield AL9 7TE
Proposal:	Certificate of lawfulness for the proposed erection of detached building in garden and loft conversion with rear dormer.
Decision:	Appeal Allowed
Decision Date:	11/07/2017
Delegated or DMC Decision:	Delegated
Summary:	The focus of the appeal was the outbuilding – the LDC had been refused because of a lack of evidence that its use would be incidental to the main house. Whilst noting that the outbuilding would have a larger footprint than the main house, the Inspector judged that this was more or a reflection of the house's compact size and did not find the size of the outbuilding to be unusual. Whilst noting that a wetroom within the building could be viewed as a bathroom, the Inspector was satisfied that this would be related to the use of the home gym and would not be an addition to the primary living accommodation of the house.

6/2017/0087/HOUSE	
DCLG No:	APP/C1950/D/17/3172688
Appeal By:	Mr J Michau
Site:	2 Roe Green Close Hatfield AL10 9PE
Proposal:	Erection of single storey front, two storey side and rear extension
Decision:	Appeal Dismissed
Decision Date:	12/07/2017
Delegated or DMC Decision:	Delegated
Summary:	The appeal property is both offset and higher than its neighbour at 4 Roe Green Close – the Inspector therefore judged that the proposal would have a harmful overbearing impact. Whilst noting the appeal site's prominent location when entering Roe Green Close and the general uniformity of the road, the design of the extensions was considered to be reasonable. Nevertheless, the Inspector considered the harm to the amenity of adjoining residents to be too significant to allow the appeal.

6/2016/1778/FULL	
DCLG No:	APP/C1950/W/17/3173234
Appeal By:	Mr & Mrs S Morris
Site:	11 Brookmans Avenue, Brookmans Park, Hatfield, AL9 7QH
Proposal:	Erection of replacement building containing 5 flats with forecourt parking following demolition of existing house
Decision:	Appeal Allowed with Conditions
Decision Date:	17/07/2017
Delegated or DMC Decision:	Delegated
Summary:	Planning permission was previously granted on appeal for the erection of 3 flats on this site – the main issue is therefore the acceptability of the changes to the scheme. Because this scheme would provide 8 parking spaces and is in close proximity to shops and public transport, the Inspector considered that provision would be consistent with the 8.25 space requirement for the scheme derived from the Council's Parking Standards. The Inspector was satisfied that the new building would adequately reflect the character of surrounding detached houses, and judged that the 10% increase on the footprint of the previous approved scheme would have little greater impact. The appeal was therefore allowed.

6/2016/0970/HOUSE	
DCLG No:	APP/C1950/D/17/3169419
Appeal By:	Mr A Stewart & Ms R Naylor
Site:	1 Reynards Road Welwyn AL6 9TR
Proposal:	Erection of two storey front extension with side facing dormer windows and front facing dormer window within existing North-West facing roof slope
Decision:	Appeal Dismissed
Decision Date:	17/07/2017
Delegated or DMC Decision:	Delegated
Summary:	Taken together with other previous extensions, the proposal would result in a 215% increase on the size of the original dwelling – the Inspector concluded that this would be disproportionate, and therefore inappropriate in a Green Belt location. Whilst noting that the proposal would be screened by planting, the Inspector further judged that the significant bulk of the proposal would harm the openness of the Green Belt. Whilst consideration was given to a fallback position of existing lawful

	development certificates for extensions and outbuildings at the property, the Inspector held that the two storey proposal would be more visually prominent.
6/2016/1468/OUTLINE	
DCLG No:	APP/C1950/W/17/3171041
Appeal By:	Mrs L Banham
Site:	85 Hardings Welwyn Garden City AL7 2HA
Proposal:	Outline planning permission for the erection of 1 dwellinghouse, driveway and access with approval sought for access, layout and scale with all other matters reserved
Decision:	Appeal Allowed with Conditions
Decision Date:	21/07/2017
Delegated or DMC Decision:	Delegated
Summary:	Whilst adjacent properties to one side are only single storey, because of their separation by a footpath the Inspector did not consider the insertion of an additional dwelling to be harmful to the character of the area. Whilst noting that the intention might well to be to build a 2-storey dwelling, the Inspector judged that this was unknown at an outline application stage and simply concluded that a dwelling of a suitable design and scale (to be assessed in the future) could be accommodated on the site.

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Part I
Main author: Lisa Hughes
Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 17 AUGUST 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

PLANNING UPDATE – FUTURE PLANNING APPLICATIONS

1 Introduction

1.1 This report is for the Development Management Committee to provide a summary of applications that might be presented to Committee over the coming months. If the call-in or application is withdrawn, the item will not be presented.

1.2 The applications should not be debated as part of this agenda, however any Councillor wishing to raise specific points about the proposal – such as a need for planning obligations or issue(s) that might not readily be apparent from the proposal or any other matter, may do so and the case officer will consider, where they are planning considerations, these matters raised as part of the future Committee report.

1.3 Appendix 1 comprises all applications that have been called-in or objected to by Town or Parish Councils. Appendix 2 comprises those that are a departure from the Local Plan, Officers consider should be determined by Development Management Committee, the applicant is the Borough Council or it has an interest in the land and an objection has been received.

2 Recommendation

2.1 That members note this report.

Name of author Lisa Hughes x2247
Title Development Management Service Manager

Appendix 1 - Applications called-in or objected to

6/2016/0270/VAR	
Address	Four Oaks 1-4 Great North Road Welwyn AL6 0PL
Proposal	Variation of conditions 1 (occupants) and 2 (number of caravans) of Planning Permission N6/2010/0211/S73B to increase the number of caravans from 10 to 20 of which no more than 5 shall be static caravans or mobile homes.
Applicant	Mr J Connors
Ward	Welwyn West
Agent	Mr M Green
Call-In/Objection from	Councillor Julie Cragg, Welwyn Hatfield Borough Council
Reason for Committee Decision	Please can we call this in due to the fact that this raises a lot of issues of concern for the residents. There is uneasiness about the fact that the number of caravans fluctuates wildly and that they residents do not appear to adhere to the planing that they do have. The restrictions regarding children is there as this was not intended to be a permanent site but only to give stability to the children to enable them to attend school. Are they planning to use caravans as an office sutie and run business's from there? [sic]
Call-In/Objection from	Caroline Williams, Welwyn Parish Council
Reason for Committee Decision	15/03/2016 21:43 - Welwyn Parish Council at its Planning & Licensing Committee of the 15 March 2016 agreed to submit Major Objection. We are unclear why the existing conditions have not been enforced. We understand that the site was permitted as a temporary location linked to the schooling of the children which have now grown up and not as a permanent site. We are concerned that the number of caravans has continued to increase overtime both with, and without, permission and Welwyn Hatfield Borough Council have previously stated that 10 is the maximum that can be accommodated. The existing conditions include that the land should be restored in accordance with the scheme previously submitted and approved by the planning authority as the residents may have already changed.
Case Officer	Mrs J Pagdin

6/2016/0887/MAJ	
Address	Cuffley Motor Company Ltd 71 Station Road Cuffley Potters Bar EN6 4HZ
Proposal	Erection of three storey residential block (with basement parking) comprising of 9no two bedroom and 3no one bedroom flats with associated access, off-street parking, amenity space and landscaping following demolition of

	existing car showroom
Applicant	Mr Rowe
Ward	Northaw and Cuffley
Agent	Mr P Cavill
Call-In/Objection from	Jason Grocock, Northaw & Cuffley Parish Council
Reason for Committee Decision	19/04/2017 15:26 - Further to our previous comments OBJECTING on 14/6/16, we feel the loss of amenity space and change to car parking spaces is very regrettable and the changes to cladding materials does not solve our original objection to the incongruous design of the building with a flat roof1
Case Officer	Mrs J Pagdin

6/2016/0900/FULL	
Address	111 The Ryde, Hatfield, AL9 5DP
Proposal	Change of use to Sui-Generis Large House in Multiple Occupation (HMO) for up to 9 occupants
Applicant	Mr I Kabala
Ward	Hatfield East
Agent	Planmore Design Architecture
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	There is insufficient parking for this use, the development is cramped, insufficient welfare amenities for the number of occupants and this Council supports the Borough?s Corporate Property Department in their objection regarding the covenants in place. Approving this application would set a bad precedent for HMO's in this area.
Case Officer	Mrs J Pagdin

6/2016/1493/VAR	
Address	Thunderbridge Yard, Bulls Lane, Hatfield, AL9 7BB
Proposal	Variation of condition 1 to make the temporary permission permanent; condition 3 to permit eight caravans of which no more than five would be static caravans; condition 4 to vary the approved drawings; and condition 5 to vary the site development scheme; of planning permission S6/2011/0116/FP
Applicant	Mr J Robb
Ward	Welham Green & Hatfield South
Agent	Mrs A Heine
Call-In/Objection from	Councillor Paul Zukowskyj, Welwyn Hatfield Borough Council
Reason for	I would like to formally 'call in ' this applicaiton as it meets at least two of the

Committee Decision	key criteria for a call in, namely 1. The application is of an unusually sensitive nature as the current use of the site has led to significant adverse impact on neighbours amenity and that development beyond that permitted had occurred at the site. 2. The wider ramifications are the potential impact of permitting this development may have on setting precedent for permitting neighbouring sites in the forthcoming local plan examination in public. There is also the precedent that would be set of permitting such developments, even for a limited period, in flood zones.
Call-In/Objection from	Sue Chudleigh, North Mymms Parish Council
Reason for Committee Decision	NMPC OBJECT as this is clearly a new application. The name of the applicants is not the name to whom the extant Permission was originally given. The Government Planning Policy for traveller sites Policy E, in its introduction, states that making and decision taking should protect the Green Belt from inappropriate development - Item 4d and Item 16 state that inappropriate development is harmful to the Green Belt except in exceptional circumstances. None have been indicated. Item 4f - further states the local planning authority should aim to reduce the number of unauthorised developments and encampments. This site has consistently exceeded the numbers stated in the original Permission and it is too small a site to be abused in this way. Item 4k - states the local planning authority have to have due regard to the protection of local amenities and local environment. There have also been sanitary issues arising from the over-use of the site. One or more travelling caravans have also been let to itinerant workers in contravention to the terms of the licence. This has caused considerable problems to the neighbourhood. Item 13 of the Planning Policy for traveller sites states the local planning authority should ensure that their policies: a) promote peaceful and integrated co-existence between the site and the local community f) avoid placing undue pressure on local infrastructure and services g) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans Policy E, Item 24 addresses local provision and it is the case that WHBC do not have a firm policy on Gypsy and Traveller sites in the Borough but there are existing sites in Welham Green – including a long term Showmans site which causes no trouble – however the Foxes Lane site also is also over used as the numbers of caravans exceeds the permitted numbers. Item 27 states that if a local planning authority cannot demonstrate an up to

date 5 year supply of deliverable sites this should be a material consideration and in this case the existing sites result in over supply in Welham Green therefore any expansion is unwarranted.

Item 25 states that the local planning authority should very strictly limit traveller site development in the Green Belt and further ….”sites in rural areas do not dominate the nearest settled community.” Expansion of this site would cause stress on services and neighbours.

Item 16 Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances, none of which have been indicated in this case.

Item 24(a) The Local Planning Authority has to take into account the existing level of local provision and Welham Green currently has provision. Indeed, even this is exceeded unlawfully – see report from Dennis Pennyfather, Licensing Technical Officer, dated 24 August 2016.

Item 25 This further states the Local Planning Authority should very strictly limit …. sites in rural areas should not dominate the nearest settled community. Of late the activities at Thunderbridge Yard have caused extreme concern and disturbance to the neighbourhood. Police and other authorities are aware of this, which seems to arise from the subletting of the excessive on-site accommodation to persons other than gypsies or travellers.

Footnote 9 States there is no presumption that a temporary grant of Planning Permission should be granted permanently, therefore North Mymms Parish Council consider, taking into account comments by Licensing Technical Officer that the site is not big enough, there are fire safety issues and this is a known flood plain with previous flooding issues, caravans on this Green Belt site are inappropriate development.

Case Officer	Mrs J Pagdin

6/2016/1882/FULL	
Address	Former Roche Products Site, 40 Broadwater Road, AL7 3AY
Proposal	Change of use of former Roche Products Factory (Class B offices, research and manufacturing) to provide 34 residential units (Class C3) across basement, ground and first to third floors, with associated external alterations including excavation to the rear lightwell of southern elevation, additional and altered fenestration to the northern and southern elevations, creation of additional car parking and associated landscaping, together with internal alterations including the subdivision and reconfiguration of floorspace, the introduction of 5 new spiral staircases and provision of

	servicing within the building
Applicant	Taylor Wimpey North Thames
Ward	Peartree
Agent	Mrs A Herrick
Call-In/Objection from	Councillor Malcolm Cowan, Welwyn Hatfield Borough Council
Reason for Committee Decision	Can I call in this application for committee decision. Reasons: It appears to be a departure from the SPD in having no community content when the SPD said the whole building was to be for community use. It is a departure from WHBC guidelines in having no social housing, and the justification given in their report are I understand from your officers, spurious on two grounds. I also note that most of the promised parking already exists and is in use.
Case Officer	Mrs J Pagdin

6/2016/2606/FULL	
Address	The Bellbrook Bulls Lane Hatfield AL9 7AZ
Proposal	Erection of two box stable building for private equestrian use with hardstandings for stable yard, parking and turning, with access track to stables and host dwelling
Applicant	Mr Hassan
Ward	Welham Green & Hatfield South
Agent	Mr D Cookson
Call-In/Objection from	Sue Chudleigh, North Mymms Parish Council
Reason for Committee Decision	5/01/2017 13:55 - North Mymms Parish Council OBJECT to this application as the proposed facility could be relocated and existing vehicular access used, negating the need for additional access and hard standing on Green Belt land. The proposed development would affect the openness of the site due to its closeness to the road frontage. No special circumstances have been demonstrated. NMPC also OBJECT to the proposed'Change of Use' of the land from Agricultural to Grazing. This is unnecessary as the land would still be classed as Agricultural type use.
Case Officer	Mrs J Pagdin

6/2017/1064/FULL	
Address	Knebworth Care Home 59 London Road Woolmer Green Knebworth SG3 6JE
Proposal	Installation of 4 x dormers and alterations to the internal layout to provide additional bedrooms
Applicant	Ms P Bullock
Ward	Welwyn East
Agent	Miss N Davies
Call-In/Objection from	Janet Pearce, Woolmer Green Parish Council
Reason for Committee Decision	20/06/2017 16:26 - Major objection. Woolmer Green Parish Council objects to this application for the following reasons: 1. Inserting dormer windows in the roof would convert the care home to a three storey building as viewed from the front which would be out of keeping for London Road, Woolmer Green which comprises of low level buildings. 2. The windows would be more appropriate and match the style of the building if they were of a gable design, however introducing dormer windows will make the roof line look cluttered and incongruous. 3. The windows are to enable additional bedrooms to be installed which would look out into the back gardens of Longmead and compromise residents' privacy. There is already an existing central window at third storey but this is a dining room and therefore only used for a short space of time. The new bedrooms could be occupied for long periods. 4. Noise levels emanating from Cawdor Stone would have an impact on bedrooms at the front of the building. 5. There will be extra strain on health services due to the culmination of additional occupants from new elderly accommodation existing and proposed in Knebworth. If the planning officer is minded to approve his application Woolmer Green Parish Council would like it to be called in for determination by the planning committee.
Case Officer	Ms R Collard

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Appendix 2 - All other applications not comprising call-ins or objections

6/2017/0848/MAJ	
Address	Entech House London Road Woolmer Green SG3 6JE
Proposal	Erection of 72 residential units consisting of 46 houses (12 x 3 bed and 34 x 4 bed) and 26 flats (4 x 1 bed and 22 x 2 bed), 657 sqm retail floor space (A1) and 485.1 sqm office floor space (B1)a)) with associated landscaping, parking and infrastructure, involving demolition of existing industrial (B2) buildings and residential units.
Applicant	Taylor Wimpey North Thames
Ward	Welwyn East
Agent	Ms K Urbahn
Reason for Committee Decision	The application is a departure from the provisions of the appropriate development plan, other policy guidance or supplementary planning guidance.
Case Officer	Mrs S Smith

S6/2015/1342/PP	
Address	Land to the north east of King George V Playing Fields, Northaw Road East, Cuffley, Hertfordshire, EN6 4RD
Proposal	Outline planning application for residential development of up to 121 dwellings, associated infrastructure and a change of use from agricultural land to an extension of the King George V playing field. All matters reserved except for new vehicular access to serve the site, the provision of surface water discharge points and the levels of development platforms
Applicant	Lands Improvement Holdings Landmatch
Ward	Northaw and Cuffley
Agent	Mr M Smith
Reason for Committee Decision	The application is of a scale, sensitive nature or is controversial and officer's consider that in accordance with the Council's constitution, it should be determined by the Development Management Committee. Additionally, the appication is a departure from the provisions of the appropriate development plan, other policy guidance or supplementary planning guidance.
Case Officer	Mr M Peacock

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