

Development Management Committee
7 December 2017

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 7 December 2017 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

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

J.Beckerman, D.Bennett, A.Chesterman, I.Dean,
B.Fitzsimon, M.Larkins, T.Lyons, T.Mitchinson,
P.Shah, F.Thomson, J.Weston, P.Zukowskyj

OFFICIALS Head of Planning (C.Haigh)
PRESENT: Development Management Service Manager (L.Hughes)
Legal Adviser, Partner, Trowers and Hamlins LLP (J.Backhaus)
Principal Development Management Officer (M.Peacock)
Principal Planning Enforcement Officer (B.Owusu)
Senior Development Management Officer (D.Elmore)
Governance Services Officer (M.Lowe)
Governance Services Officer (G.Paddan)

79. APOLOGY:

An apology for absence was received from Councillor M.Perkins.

80. MINUTES:

The Minutes of the meeting held on 9 November 2017 were approved as a correct record and signed by the Chairman.

81. DECLARATIONS OF INTEREST BY MEMBERS:

Councillors S.Boulton and P.Zukowskyj declared non-pecuniary interests in items on the Agenda as appropriate by virtue of being Members of Hertfordshire County Council.

Councillors S.Boulton also declared non-pecuniary interests in items on the Agenda as appropriate by virtue of being a Member of the North Mymms Parish Council.

82. 98-102 GREAT NORTH ROAD, HATFIELD AL9 5DB - 6/2017/1194/MAJ - ERECTION OF 24 RETIREMENT LIVING UNITS (CATEGORY II SHELTERED HOUSING) WITH ASSOCIATED COMMUNAL FACILITIES, CAR PARKING AND LANDSCAPING FOLLOWING THE DEMOLITION OF EXISTING BUILDINGS:

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Report of the Executive Director (Public Protection, Planning and Governance) setting out the application seeking planning permission for erection of 24 retirement living units (Category II sheltered housing) with associated communal facilities, car parking and landscaping following the demolition of existing buildings.

The proposed use of the application site was for a McCarthy and Stone Retirement Living Development. The proposed development consisted of a total of 24 apartments falling within use class C3 residential and comprising 7 x 1 bed and 17 x 2 bed apartments with a club lounge, reception area, cycle and mobility scooter store, refuse room, plant room and guest suite. There were 20 car parking spaces associated to the proposal. No protected trees would be removed.

The reason the application had been presented to the Development Management Committee because Hatfield Town Council had objected to the proposal.

Mr Gavin Cooper, agent, spoke in support of the application.

Hatfield Town Councillor James Broach spoke against the application.

The Committee received legal advice regarding the appropriateness of Planning Conditions and Section 106s to the application.

Following discussion, it was proposed by Councillor N.Pace, seconded by Councillor I.Dean and

RESOLVED:
(12 voting for, 2 against)

That planning permission be granted, subject to the conditions set out in the report, amendments to conditions and an additional condition as follows:-

Condition 2 (relating to construction management plan) Addition of:

h) Site access arrangements

Condition 3 – to add in after the wording of the condition and before the

REASON: The development must not be carried out and retained other than in accordance with the approved details.

Additional condition which will be condition 16:

Car parking spaces shall be sold as part of the sale of the units hereby permitted, details of which shall then be included within the covenant lease. The sale of car parking spaces shall therefore not exceed the

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number provided, taking account of provision required for staff at the development.

REASON: To ensure appropriate parking provision is provided for those occupiers who will have vehicles and to ensure that parking associated with the development does not overflow into the adjoining highway in accordance with policy M14 of the Welwyn Hatfield District Plan 2005 and National Planning Policy Framework.

Condition 16 of the report will be amended to condition 17 Insert drawing number NL_2391_01_03_AC_002 rev A received 28 November 2017 instead of NL_2391_01_03_AC_002

83. 11 AND 11A HOLLY CLOSE HATFIELD AL10 9JB - 6/2017/2064/FULL - CONVERSION OF EXISTING 6-BEDROOM DWELLING AT 11 HOLLY CLOSE INTO TWO SELF-CONTAINED 2-BEDROOM FLATS:

Report of the Executive Director (Public Protection, Planning and Governance) detailing the application for the conversion of existing 6-bedroom dwelling at 11 Holly Close, Hatfield into two self-contained 2-bedroom flats.

The reason that the application had been presented to the Development Management Committee was because Councillor James Broach has called it in for the following reason:

“Parking is already a nightmare in this part of Hatfield - which was best documented by an ambulance being unable to reach a patient due to the chaotic parking in this area. Any further traffic, including construction traffic, could exacerbate this.”

Dr F.Mahmmud, applicant, spoke in support of the application.

Hatfield Town Councillor James Broach spoke against the application.

Following discussion, it was proposed by Councillor N.Pace, seconded by Councillor T.M.Lyons to accept the Officers recommendation. On being put to the vote this was lost (5 voting for and 9 against).

It was then proposed by Councillor P.Zukowskyj, seconded by Councillor P.Shah and

RESOLVED:
(11 voting for, 3 against)

That planning permission for application 11 and 11A Holly Close, Hatfield, AL10 9JB - 6/2017/2064/FULL notwithstanding the Officer's recommendation for approval be overturned and refused for the following reason.

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The proposed subdivision of the family dwelling into flats would result in harm to the character of the area by virtue of the change in intensity of use of this narrow cul-de-sac as well as detrimentally impact upon the amenity of neighbouring properties. The proposal is therefore contrary to policies D1 and D2 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).

REFUSED DRAWING NUMBERS:

DRAWING NUMBERS

9. 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 |
|--------------------|------------------------|---|----------------------|
| 1080467 | | Site Location Plan | 21 September 2017 |
| P-02 | A | Proposed Floor Plans | 21 September 2017 |
| P-03 | A | Existing & Proposed Site Plans (Redacted) | 21 September 2017 |
| P-01 | A | Existing Floor Plans & Elevations | 21 September 2017 |

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

84. 106A COLLEGE LANE, HATFIELD AL10 9PA - 6/2017/2053/HOUSE - ERECTION OF SINGLE STOREY REAR, SIDE AND FRONT EXTENSIONS, HIP-TO-GABLE ROOF ENLARGEMENT, AND THE INSTALLATION OF FRONT ROOFLIGHTS AND DORMER WINDOW TO FACILITATE LOFT CONVERSION:

Report of the Executive Director (Public Protection, Planning and Governance) detailing an application seeking planning permission for the erection of single storey rear, side and front extensions, hip-to-gable roof enlargement, and the installation of front roof lights and dormer window to facilitate loft conversion

The reason that the application had been presented to the Development Management Committee was because Hatfield Town Council had objected to the proposal.

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Mr David Patrick, applicant, at the Chairman's invitation, declined his right to speak in support of the application although registered to do so.

Hatfield Town Councillor James Broach spoke against the application.

Following discussion, it was proposed by Councillor N.Pace, seconded by Councillor I.Dean and

RESOLVED:
(14 voting for)

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

85. THE BELLBROOK, BULLS LANE, HATFIELD AL9 7AZ - 6/2016/2606/FULL - ERECTION OF TWO BOX STABLE BUILDING AND MANAGE FOR PRIVATE EQUESTRIAN USE WITH HARDSTANDINGS FOR STABLE YARD, PARKING AND TURNING, WITH ACCESS TRACK TO STABLES:

Report of the Executive Director (Public Protection, Planning and Governance) detailing this application seeking erection of two box stable building and manege for private equestrian use with hardstanding for stable yard, parking and turning, with access track to stables.

Mr Cookson, agent, spoke in support of the application.

North Mymms Parish Councillor Linda Saffer spoke against the application.

The reason the application had been presented to the Development Management Committee was because North Mymms Parish Council had objected to the proposal.

Following discussion it was then proposed by Councillor N.Pace, seconded by Councillor T.M.Lyons to refuse the Officer's recommendation.

RESOLVED:
(9 voting for, 5 against)

That planning permission for application The Bellbrook, Bulls Lane, Hatfield, AL9 7AZ - 6/2016/2606/FULL notwithstanding the Officer's recommendation for approval be overturned and refused for the following reasons:

1. The proposed development would lead to a built form that would fail to comply with the purposes of including land within the Green Belt by virtue of encroaching into the countryside and also resulting in a loss of openness. The stable block is therefore inappropriate development and very special circumstances to outweigh the harm or need for the building have not been demonstrated. The proposal is therefore contrary to the

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National Planning Policy Framework and Welwyn Hatfield District Plan 2005, policy RA10.

2. The driveway compared to the previously dismissed planning and enforcement appeals (APP/C1950/A/13/2199626 and APP/C1950/C/15/3138373) would result in a reduction in width and different materials. However, it is considered that this would still represent inappropriate development, harmful to the rural character of the area and, as well as providing access to the stable block, would appear to be providing access to the dwellinghouse. This was considered as part of the aforementioned appeals and dismissed as an access already exists. It is therefore considered that the development would conflict with the purposes of including land within the Green Belt as defined within the National Planning Policy Framework and policy RA10 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).

REFUSED DRAWING NUMBERS:

| Plan Number | Revision Number | Details | Received Date |
|--------------------|------------------------|---------------------------------------|----------------------|
| Site Location Plan | B | Location Plan Rev B | 24 February 2017 |
| LPS259-1.2 | 00 | EXISTING SITE AND AREA | 31 August 2017 |
| LPS259-1.1 | F | REVISED PROPOSALS plan and elevations | 10 October 2017 |

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

- 86. 62 HILL RISE CUFFLEY POTTERS BAR EN6 4RG - 6/2017/2412/HOUSE - ALTERATIONS TO THE ROOF TO INCLUDE AN INCREASE IN RIDGE HEIGHT, FORMATION OF HIP TO GABLE AND INCREASE IN HEIGHT OF FRONT GABLE TO FACILITATE ACCOMODATION IN EXISTING LOFT SPACE AND THE ADDITION OF TWO FRONT AND TWO REAR DORMERS AND A ROOF LIGHT:

Report of the Executive Director (Public Protection, Planning and Governance) detailing this application seeking planning permission for alterations to the roof to include an increase in ridge height, formation of hip to gable and increase in height of front gable to facilitate accommodation in existing loft space and the addition of two front and two rear dormers and a roof light.

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The application had been presented to the Development Management Committee because Northaw and Cuffley Parish Council had objected to the proposal.

Mrs Caroline Saunders, applicant, spoke in support of the application.

Northaw and Cuffley Parish Councillor Jane Brook spoke against the application.

Following discussion, it was proposed by Councillor I.Dean, seconded by Councillor J.Beckerman and

RESOLVED:
(11 voting for, 3 against)

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

87. APPEAL DECISIONS:

Report of the Executive Director (Public Protection, Planning and Governance) detailing recent appeal decisions for the period 30 October to 27 November 2017.

RESOLVED:

That appeal decisions during this period be noted.

88. PLANNING UPDATE - FUTURE PLANNING APPLICATIONS:

Report of the Executive Director (Public Protection, Planning and Governance) provided Members with a summary of planning applications that might be presented to the Committee over the next one or two months. Members noted that if the call-in or application was withdrawn, the item would not be presented to Committee.

RESOLVED:

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

89. DEVELOPMENT MANAGEMENT PERFORMANCE REPORT - JULY - SEPTEMBER 2017:

Report of the Executive Director (Public Protection, Planning and Governance) related to the performance of the Development Management Service over the three month period, July to September 2017. Additional information had been contained within the report regarding previous quarters.

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RESOLVED:

That the Development Management Performance report for July – September 2017 be noted.

90. PLANNING APPLICATION VALIDATION CHECKLIST:

Report of the Executive Director (Public Protection, Planning and Governance) sought approval for the adoption of the proposed amended validation checklists for the different application types following consultation with relevant stakeholders.

RESOLVED:

That the adoption of the proposed amended validation checklists for the different application types be approved.

91. EXCLUSION OF PRESS AND PUBLIC:

RESOLVED:

That under Section 100(A)(2) and (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for item 17 (Minute 93 refers) on the grounds that they 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)

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.

92. ENFORCEMENT CASES MONITORING REPORT:

Exempt report of the Executive Director (Public Protection, Planning and Governance) provided an update on ongoing planning enforcement cases and sought authorisation of the enforcement of the cases

RESOLVED:

(1) That the content of the report be noted.

(2) That the enforcement of the cases detailed in the report be authorised.

Meeting ended 10.05pm
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