

Development Management Committee
4 January 2018

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 4 January 2018 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,
L.Chesterman (substituting for T.Lyons), M.Cowan
(substituting for P.Zukowskyj), B.Fitzsimon, K.Holman
(substituting for I.Dean), M.Larkins, T.Mitchinson,
F.Thomson, J.Weston

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

OFFICIALS Head of Planning (C.Haigh)
PRESENT: Development Management Services Manager (L.Hughes)
Development Management Service Manager (Interim) (C.Carter)
Legal Adviser, Partner, Trowers and Hamblins LLP (J.Backhaus)
Principal Development Management Officer (M.Peacock)
Governance Services Officer (M.Lowe)
Governance Services Officer (G.Paddan)

93. SUBSTITUTIONS OF MEMBERS

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

Councillor L.Chesterman for T.Lyons, Councillor M.Cowan for P.Zukowskyj and Councillor K.Holman for I.Dean.

94. APOLOGIES

Apologies for absence were received from Councillors I.Dean, T.Lyons, P.Shah and P.Zukowskyj.

95. MINUTES

The Minutes of the meeting held on 7 December 2017 were approved as a correct record and signed by the Chairman.

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96. DECLARATIONS OF INTEREST BY MEMBERS

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

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

Councillor K.Holman declared non-pecuniary interests in items on the Agenda as appropriate by virtue of being Member of Hatfield Town Council.

97. 50 REYNARDS ROAD, WELWYN, AL6 9TP - S6/2017/1204/FULL - INSTALLATION OF VEHICLE WASH-DOWN WATER TREATMENT AND RECYCLING SYSTEM

Report of the Executive Director (Public Protection, Planning and Governance) detailed the installation of vehicle wash-down water treatment and recycling system.

The proposed development was for the installation of a water recycling tank beneath the ground nearby to the existing wash bay area. The application did not seek permission for the use of the wash bay because this had an established lawful use.

The application had been presented to the Development Management Committee because Councillor T.Kingsbury has objected on the grounds that the proposal could be considered overdevelopment in the green belt and intensification of the site. He additionally asked for it to be called-in so that the neighbours' concerns relating to noise may be fully considered.

Mrs Jackie Naylor (objector) spoke against the application on behalf of neighbours, which in their view would be in total breach of the conditions laid down in the previous planning application.

Welwyn Hatfield Borough Councillor T.Kingsbury spoke against the application.

Following discussion, it was then proposed by the Chairman and agreed by the Committee that further consideration of the application be deferred to a future meeting.

RESOLVED:

That consideration of the application be deferred for further clarification of the lawful use of the site and in particular the open air washing of vehicles.

98. LAND AT WATERBEACH, BERICOT WAY AND SHACKLETON WAY, WELWYN GARDEN CITY, AL7 2PT - 6/2017/2202/OUTLINE - OUTLINE

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PLANNING APPLICATION FOR 21 DWELLINGS WITH ALL MATTERS EXCEPT ACCESS RESERVED

Report of the Executive Director (Public Protection, Planning and Governance) setting out the application seeking outline planning permission for 21 dwellings with all matters except access reserved.

Members were asked to note that the only matter for consideration at this stage was the access, which would be gained from Waterbeach via a new vehicular access road.

The application had been presented to the Development Management Committee because Councillor Mitchinson had called the application in on the grounds of;

'Overdevelopment and loss of a local amenity. This site lies on the edge of a plot originally earmarked for a local school. Subsequently planning permission was granted for a care home which now dominates the area and takes up a significant amount of the plot. Had a school been built there would have been provision of a playing field which would have protected an area of open space between the new build and existing houses. I believe the open space that now exists should remain as a buffer between the care home and the existing nearby housing'.

Matthew Wood (agent) spoke in support of the application.

County Councillor Barbara Gibson (objector) spoke against the application

Mrs Sandra Surendran (objector) spoke against the application, raising concerns regarding the overdevelopment of the site, which would be out of keeping with the surrounding area, increased parking problems, the location of the egress from the site into Waterbeach and a further loss of privacy.

Following discussion, it was proposed by Councillor A.Chesterman, seconded by Councillor J.Beckerman and

RESOLVED:
(8 voting for, 4 against and one abstention)

That planning permission be granted, subject to an additional condition as follows:-

Additional Condition:

The maximum number of units on the application site shall be limited to 21 units.

REASON: To ensure that a suitable layout and density is achieved to reflect the character of the surrounding area in accordance with policies D1, D2 and H6 of the Welwyn Hatfield District Plan and the NPPF.

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DRAWING NUMBERS

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
ST02603-06	B	Means of Access Plan	4 October 2017
70-001	B	Site Location Plan	4 October 2017
ST2603/FRA- 1707-Bericot Way	I	Flood Risk Assessment	3 November 2017

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

99. 37 CHURCH STREET, WELWYN, AL6 9LS - 6/2017/2107/FULL - ERECTION OF 8 X 2 BEDROOM APARTMENTS ARRANGED IN TWO BLOCKS, WITH ASSOCIATED PARKING, AMENITY AREAS AND BIN STORES, FOLLOWING THE DEMOLITION OF EXISTING 4 BEDROOM HOUSE

Report of the Executive Director (Public Protection, Planning and Governance) detailing the application for the erection of 8 x 2 bedroom apartments arranged in two blocks with associated parking, amenity areas and bin stores following the demolition of existing four bedroom house.

The proposal would utilise the same access taken from Wendover Drive leading to a communal parking area consisting of the vehicle parking spaces. A small building would be at the entrance to the site and would be used for the storage of refuse. Additionally an area for bike storage would be located to the front of Block A.

The application had been presented to the Development Management Committee because Councillor Markiewicz has an interest in the land.

Mr Ian Skidmore (objector) spoke against the application, stating that there was inadequate parking on the proposed site, vehicles would be unable to manoeuvre safely in such a confined space. Further concerns were raised regarding the location of the building for refuse storage, which appeared to block the access route.

Welwyn Parish Councillor Colin Hukin (objector) spoke against the application, raising additional concerns about the parking and egress on to an already extremely busy roundabout and junction, together with concerns about the trees and hedges.

Following discussion, it was proposed by Councillor N.Pace, seconded by Councillor F.Thomson and

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RESOLVED:
(12 voting for and 1 against)

That planning permission be refused for the reasons set out in the report.

100. LAND AT TOLLGATE FARM, TOLLGATE ROAD, WELHAM GREEN, AL4 0NY - 6/2017/2340/FULL - DEVELOPMENT OF A BATTERY STORAGE FACILITY WITH ASSOCIATED INFRASTRUCTURE

Report of the Executive Director (Public Protection, Planning and Governance) detailing an application for development of a 49.5MW battery storage facility with associated infrastructure.

The development would comprise of a series of batteries housed within 25 containers which are proposed to be finished in green. It is also proposed to install a series of energy related equipment within the site complex.

This application is presented to the Development Management Committee because Councillor Paul Zukowskyj has called it in for the following reason:

“This application raises unusual and sensitive planning issues, in that the facility is within the green belt and may have an adverse impact on the green belt, but may have very special circumstances in its favour that could allow it to be granted permission. I think these issues need to be aired at committee to give residents and the applicant the opportunity to discuss the merits and demerits of the application in an appropriate forum.”

A late representation had been circulated from the Council’s Landscape and Ecology Manager stating that the landscape proposals were satisfactory. 23 late representations had also been received in support of the proposed application.

Nigel Viney (agent) spoke in support of the application.

Following discussion, it was proposed by Councillor J.Weston, seconded by Councillor M.Cowan and

RESOLVED:
(unanimous)

That planning permission be granted, subject to the conditions set out in the report and subject to amended Condition No.1 to read as follows:

Amendment to condition 1 to read:

This permission is for a limited period only expiring on 4th January 2038 (20 years), thereafter, the use hereby permitted shall be discontinued. Within 12 months, and no later than 4th January 2039, the battery storage plant shall be decommissioned, all items, structures, hardcore and any underground apparatus or concrete shall be removed from the site and

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the land shall be subsequently restored to its undeveloped state or in accordance with a scheme which shall have previously been submitted to and approved in writing by the Local Planning Authority.

REASON: The site and associated infrastructure should be decommissioned and the land reinstated in the interests of visual amenity and the openness, character and appearance of the Green Belt in accordance with Policies GBSP1, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

DRAWING NUMBERS

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

Plan Number	Revision Number	Details	Received Date
2066-02-03		Proposed Site Layout	12 October 2017
2066-02-04		Elevations (with Fence)	16 October 2017
2066-02-05		Elevations (without Fence)	16 October 2017
2066-01-06		Landscape Design	12 October 2017
2066-02-07		Illustrative CCTV System	16 October 2017
2066-02-02		Location Plan	12 October 2017
2066-02-01		Location Plan	12 October 2017

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

101. UNIT 9-11 PEATREE FARM, WELWYN GARDEN CITY - 6/2017/1152/FULL - CHANGE OF USE OF LAND TO A B2 USE FOR VEHICLE REPAIRS INVOLVING ERECTION OF A WORKSHOP FOLLOWING PART DEMOLITION OF EXISTING WORKSHOP

Report of the Executive Director (Public Protection, Planning and Governance) detailed the change of use of land to a B2 use for vehicle repairs involving erection of a workshop following part demolition of existing workshop.

The application sought full planning permission for the change of use of the land for purpose involving the erection of a vehicle maintenance workshop and part demolition of existing workshop (B2 Use Class).

Members noted that the applicants have indicated that the proposed structure would be used to maintain and repair the applicant's coaches and minibuses. And although the applicants consider the proposal to be sui-generis, the Land Use Gazetteer classified Maintenance and Repairs of Motor Vehicles as B2 (Industrial) Use. The application is assessed on this basis.

The application had been presented to the Development Management

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Committee as Councillor Cowan had called the application in stating the following:

"The fact these industrial units back onto residential homes means there has been some history of a difficult interface and it is important the application is given the fullest examination."

"My comment about difficult interface was that the previous company running a bus operation there were the subject of many complaints over a long period."

Mark Williams (agent) spoke in support of the application.

Mr Jellett (objector) spoke against the application on behalf of neighbours, regarding the visual impact of the proposed development for the neighbouring residential properties, the impact on environment with an increase of fumes and noise.

Following discussion, it was proposed by the Chairman and

RESOLVED:

That the application be deferred pending further investigation into the height of the vehicles to be repaired within the workshop to establish the extent of repairs that would continue to be repaired in the open air.

102. 54 MYMMS DRIVE, BROOKMANS PARK, HATFIELD, AL9 7AF - 6/2017/2162/HOUSE - ERECTION OF FRONT BOUNDARY WALL WITH RAILINGS, PIERS AND GATES

Report of the Executive Director (Public Protection, Planning and Governance) detailed the erection of front boundary wall with railings piers and gates, which was a re-submission following a recent refusal at the site for development of the same description (Planning reference: 6/2017/0977/HOUSE).

The application had been presented to the Development Management Committee because North Mymms Parish Council had objected to the application on the following ground.

"...Previous comments in respect of Ref: 6/2017/0369 and Ref: 6/2017/0977/HOUSE that the proposal was inappropriate and out of keeping as it would result in it breaking up the openness of the road where there are currently no gates and walls close by and would also be over dominant in the street scene remains the same with this revised application. This continues to be inappropriate development. North Mymms Parish Council request that our current comments are noted as an "Objection with Comments" but if this application is likely to be recommended for approval then we would request that it is registered as a Major Objection."

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North Mymms Parish Councillor, Jacqueline Boulton spoke against the application.

Following discussion, it was proposed by Councillor J.Beckerman, seconded by Councillor L.Chesteman and

RESOLVED:
(7 voting for and 6 against)

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

DRAWING NUMBERS

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

Plan Number	Revision Number	Details	Received Date
PL-G1	C	Proposed Plans & Elevations	28/09/2017

103. APPEAL DECISIONS

Report of the Executive Director (Public Protection, Planning and Governance) detailing recent appeal decisions for the period 28 November to 12 December 2017.

RESOLVED:

That appeal decisions during this period be noted.

104. 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.

The Chairman announced that the Development Management Service Manager, Lisa Hughes would be leaving the Council at the end of January 2018 and, on behalf of Members of the Committee, wished her the very best for the future.

The Chairman went on to congratulate Chris Carter who had recently been appointed Development Management Service Manager as Lisa's replacement.

Meeting ended at 9.10 pm
ML