

Development Management Committee  
31 January 2019

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 31 January 2019 at 7.30pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors J.Boulton (Chairman)  
S.Wrenn (Vice-Chairman)

S.Boulton, H.Bromley, J.Caliskan, A.Chesterman, S.Elam,  
P.Hebden, S.Kasumu, M.Larkins, T.Lyons, P.Shah,  
S.Thusu (substituting for S.Markiewicz)

OFFICIALS Head of Planning (C.Haigh)  
PRESENT: Development Management Service Manager (C.Carter)  
Legal Advisor, Trowers and Hamlins LLP (J.Backhaus)  
Principal Major Developments Officer (G.Ansell)  
Development Management Officer (D.Elmore)  
Governance Services Manager (G.Seal)

---

90. SUBSTITUTION OF MEMBER

The following substitution of a Committee Member had been made in accordance with Council Procedure Rules 19-22:

Councillor S.Thusu for Councillor S.Markiewicz.

91. APOLOGY

An apology for absence was received from Councillor S.Markiewicz.

92. MINUTES

The Minutes of the meeting held on 3 January 2019 were approved as a correct record and signed by the Chairman.

93. DECLARATIONS OF INTEREST BY MEMBERS

Councillor S.Boulton declared a non-pecuniary interest in items on the Agenda as appropriate by virtue of being a Member of Hertfordshire County Council.

Development Management Committee  
31 January 2019

94. 17-19 HOWARDSGATE, WELWYN GARDEN CITY, AL8 6HA - 6/2018/1232/FULL - CHANGE OF USE FROM A1 POST OFFICE TO A3/A4 RESTAURANT AND DRINKING ESTABLISHMENT WITH ASSOCIATED WORKS

Report of the Corporate Director (Public Protection, Planning and Governance) setting out an application for the change of use from A1 Post Office to A3/A4 Restaurant and Drinking establishment with associated works.

The application site comprised a vacant building last used as a Post Office and convenience store. The imposing building was located on a prominent corner plot facing onto Howardsgate and Wigmores North which had been vacant since October 2016.

The application site was located in a designated secondary and mixed use frontage within a primary shopping parade of predominately A3 and A4 units.

The application had been presented to the Committee because the proposed development was a departure from the development plan.

M.Schooling, (applicant) spoke in support of the application. He informed the Committee that the development would be of an individual design in keeping with the location in the frontage of Howardsgate and the conservation area and would have a positive contribution to the vitality and viability of the town centre also creating employment. Many letters of support for the proposal had been received.

The Committee discussed the balance of use between retail and pub/restaurant use as provided for in current planning policies and the draft local plan submission noting that evidence of active and extensive marketing of the property for A1 use had been provided and that the A3/A4 use would support the vitality and viability of the town centre providing overriding benefits.

All nineteen representations received supported the proposal.

It was noted that a late representation of support had been received from the Welwyn Garden City Business Improvement District.

Following discussion, it was proposed by Councillor T.Lyons, seconded by Councillor A.Chesterman and

RESOLVED:  
(11 voting for, 2 against)

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

Development Management Committee  
31 January 2019

### 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
03(06)		Proposed Elevation E02, E03	9 May 2018
03(07)		Proposed Section A A	9 May 2018
03(08)		Proposed Section BB	9 May 2018
01(01)		Existing Basement Plan	9 May 2018
01(05)		Existing Elevation E01	9 May 2018
01(06)		Existing Rear Elevation E02, E03	9 May 2018
01(07)		Existing Section AA	9 May 2018
01(08)		Existing Section BB	9 May 2018
03(05)		Proposed Elevation E01	9 May 2018
03(10)		Site Layout Plan	9 May 2018
01(02)		Existing Ground Floor Plan	9 May 2018
01(03)		Existing First Floor Plan	9 May 2018
01(04)		Existing Roof Plan	9 May 2018
03(01)		Proposed Basement General Arrangement Plan	9 May 2018
03(02)		Proposed Ground Floor General Arrangement Plan	9 May 2018
03(03)		Proposed First Floor General Arrangement Plan	9 May 2018
03(04)		Proposed Roof Plan	9 May 2018
03(09)		Site Location and Block Plan	9 May 2018
001-559-01	B	Ground Floor HVAC Layout	25 September 2018
001-599-02	F	First Floor HVAC Layout	25 September 2018
03 (09) B		Proposed Plant Area Elevation	25 September 2018
001-599-03	C	External Elevations A-A & B-B HVAC Layout	25 September 2018

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 paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a

Development Management Committee  
31 January 2019

decision contrary to the development plan (see the Officer's report which can be viewed on the Council's website or inspected at these offices).

95. ROYAL VETERINARY COLLEGE HAWKSHEAD LANE NORTH MYMMS HATFIELD AL9 7TA - 6/2018/2616/VAR - VARIATION OF CONDITION 2 REQUIRING THE REMOVAL OF THE BUILDING, KNOWN AS KALANISI BUILDING, BY 30 NOVEMBER 2018 ON PLANNING PERMISSION S6/2014/1860/FP. THE VARIATION SEEKS TO PERMIT AN EXTENSION OF TIME REQUIRING THE REMOVAL OF THE BUILDING ON OR BEFORE 30TH NOVEMBER 2021

Report of the Corporate Director (Public Protection, Planning and Governance) on the variation of Condition 2 of planning permission requiring the removal of the building, known as Kalanisi Building, by 30 November 2018. The variation sought to permit an extension of time requiring the removal of the building on or before 30 November 2021.

The variation sought to extend the temporary permission's timeframe to allow for the consolidation of various facilities within the Teaching and Clinical parts of the Hawkshead Campus into one building by 2021, in-line with the vision of the newly 'approved' Hawkshead campus Masterplan (February 2018).

The application had been presented to the Development Management Committee because it might be considered as a departure from the provisions of the development plan. The considerations contained in the report sought to provide an assessment on the status of the proposals in the context of this issue.

Following discussion, it was proposed by Councillor P.Shah, seconded by Councillor P.Hebden and

RESOLVED:  
(unanimous)

That the variation of condition be approved subject to the conditions contained in the report of Officers.

96. 37 CHURCH STREET, WELWYN, AL6 9LS - 6/2018/2455/FULL - ERECTION OF 8 APARTMENTS ARRANGED IN 2 BLOCKS WITH PARKING, AMENITY AREA AND BIN STORE FOLLOWING DEMOLITION OF EXISTING BUILDING ON SITE

The Chairman announced that this application had been **WITHDRAWN** by the applicant before the meeting.

Development Management Committee  
31 January 2019

97. 13 THE GARDENS, BROOKMANS PARK, HATFIELD, AL9 7UL - 6/2018/2319/FULL - ERECTION OF PART SINGLE/PART TWO STOREY SIDE AND REAR EXTENSION TO CREATE A NEW SELF-CONTAINED 3-BED DWELLING, AND CONSTRUCTION OF A REAR DORMER WINDOW TO EXISTING DWELLING

Report of the Corporate Director (Public Protection, Planning and Governance) on the erection of a part single/ part two storey side and rear extension to create a new self-contained three bed dwelling and construction of a rear dormer window to existing dwelling.

The application site comprised a wide two storey detached dwelling which was located on the junction of The Gardens and Oaklands Avenue. The house fronted onto Oaklands Avenue and had a rectangular garden to the side. Both Oaklands Avenue and The Gardens had a strong residential character.

The application had been presented to the Committee because North Mymms Parish Council had responded with a major objection to the proposal, which stated that:

*“The war of attrition to obtain flats on the site by the applicant does not mean that this proposal, whilst building on previous applications is appropriate. The building would be over-dominant in the street scene and should be refused, as the nibbling approach to planning is detrimental to the location. There would be a loss of amenity space to fit in the car parking to the rear”.*

North Mymms Parish Councillor J.Boulton spoke against the application in accordance with the objection submitted.

Following discussion, it was proposed by Councillor P.Shah, seconded by Councillor P.Hebden and

RESOLVED:  
(9 voting for, 3 against 1 abstention)

That planning permission be granted subject to the conditions contained in the report of Officers.

98. WELWYN RUGBY FOOTBALL CLUB, HOBBS WAY, WELWYN GARDEN CITY AL8 6HX - 6/2017/0225/FULL - RETENTION OF 4 X 15M HIGH FLOODLIGHT COLUMNS AND LAMPS

The Chairman announced that this application had been **WITHDRAWN** from the Agenda before the meeting.

Development Management Committee  
31 January 2019

99. 94 HARMER GREEN LANE DIGSWELL WELWYN AL6 OEP - 6/2018/2199/FULL - INSTALLATION OF STAND ALONE SOLAR PV PANELS, ASSOCIATED PLANTING AND GROUND WORKS

Report of the Corporate Director (Public Protection, Planning and Governance) on the installation of standalone solar PV panels associated planting and ground works.

The application site was in the Green Belt. It comprised a trapezoid of land measuring 55m long and 44m wide covering an area of approximately 1,800sqm within a meadow which belonged to the owners of No 94 Harmer Green Lane and lay to the west side of the landscaped grounds of that property. The new house under construction at No 94 had been granted planning permission in 2015 (reference number 6/2015/1588/FULL).

The meadow was currently partly planted as a wild flower meadow which reverted to earth/grass in the winter and also contained a mature tree. It was accessed through a gate on its eastern boundary from the landscaped grounds belonging to No 94. There was also a gate onto the public footpath which ran along the southern boundary of the meadow. The north of the meadow was marked by the hedge on the boundary with the rear gardens of 90 and 92 Harmer Green Lane. To the west the meadow was edged by a thick copse of trees.

The application site was semi-circular and set in a slight dip in the landscape approximately 19m from the rear garden boundaries of 90 and 92 Harmer Green Lane. At the time of the Officer site visit in December 2018 the land had been further excavated into a slight depression. These excavation works also required planning permission as they were in association with the proposed photovoltaic panels.

The application had been presented to the Committee because Councillors R.Trigg and J.Cragg had called it in.

Councillor Trigg had called it in for the following reason:

*"I support environmentally friendly schemes and I believe this revised scheme will not harm the green belt."*

Councillor Cragg had called it in for the following reason:

*"I have concerns about the scale of the proposed development and its impact on the visual amenities of neighbouring occupiers and the green belt."*

N.Kempster, (applicant) spoke in support of the application.

P.Langford, (objector) spoke representing the group of neighbours who had objected to the application on the grounds that this was inappropriate

Development Management Committee  
31 January 2019

development within the Green Belt on meadow/grazing land and would have a significant detrimental impact.

Borough Councillor J.Cragg, spoke as Ward Member against the application citing residents' concerns about harm to the green belt and their amenity value.

Following discussion, it was proposed by Councillor S.Elam, seconded by Councillor H.Bromley and

RESOLVED:  
(10 voting for, 3 against)

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

#### REFUSED DRAWING NUMBERS

Plan Number	Revision Number	Details	Received Date
22823A-02	P11	Proposed Site Plan	24 September 2018
22823A-03	P1	Proposed Site Plan, Sections, Location Plan	24 September 2018

#### POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 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).

100. 18 CRANBORNE ROAD HATFIELD AL10 8AP -6/2018/2690/HOUSE - ERECTION OF A REAR GARDEN ANNEXE

Report of the Corporate Director (Public Protection, Planning and Governance) on the erection of an outbuilding in the rear garden to be used as an annexe replacing one of the existing sheds which would be relocated.

The application site comprised a detached house and gardens located on the north side of Cranborne Road. The streetscene was residential in character, comprising generally two storey houses of varying architectural design set within spacious plots. The site was bound to the north by a recreation ground, which was mostly screened by leylandii hedging and mature trees. There was no formal right of access from the garden to the land behind.

The property had a large rear garden measuring approximately 30 metres in depth x 16 metres in width. Towards the rear of the garden were two small garden sheds which were of a modest height and were mostly screened from neighbouring occupiers by vegetation and boundary fencing. The garden was

Development Management Committee  
31 January 2019

accessible through the house, garage and a narrow gated side passage leading from the front of the property.

The application had been presented to the Committee because Councillor Hebden had called it in:-

*"I would like to provisionally call in this application, should the planning officers be minded to recommend approval of the current plans. The address is a 6 bedroom house and further accommodation is not a necessity. There is a concern that the annexe could/would be used as an independent dwelling, Airbnb or HMO for non-family members."*

Councillor Hebden circulated a statement and photographs on behalf of neighbours. The applicant had also circulated information.

(Councillor Hebden withdrew from the meeting for this item).

O.Latter spoke in support of the application which was required to provide ancillary accommodation for her teenage children in order to allow them some independence after finishing university whilst still maintaining a functional link with the main dwelling. She was willing to provide additional planting to help screen the building.

C.Tracy (objector) spoke against the application as a neighbouring occupier on the grounds that it would have an overbearing impact on amenity, reduce the value of neighbouring properties and be out of keeping with the character of the road.

Following discussion, following which it was noted that the proposed annexed could only be used for purposes ancillary to the main house and to the additional condition set out below.

It was proposed by Councillor H.Bromley, seconded by Councillor S.Elam and

RESOLVED:  
(11 voting for, 1 abstention)

That planning permission be approved subject to the conditions contained in the report of Officers and to the additional conditions set out below:-

"Prior to the first occupation of the annex, full details on a suitably scaled plan of additional boundary planting must be 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]



Development Management Committee  
31 January 2019

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

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”.

And

“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”.

#### 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
1045/01	C	Proposed Floor Plan	9 November 2018
1045/02	D	Proposed Elevations	9 November 2018
930218	C	Site Plan as Proposed	9 November 2018
930118		Site Plan As Existing	22 October 2018
100053143		Block Plan	22 October 2018
Location Plan		Location Plan	22 October 2018

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 paragraph 38 of the National Planning

Development Management Committee  
31 January 2019

Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see the Officer's report which can be viewed on the Council's website or inspected at these offices).

101. APPEAL DECISIONS

Report of the Corporate Director (Public Protection, Planning and Governance) detailing recent appeal decisions for the period 13 December 2018 to 14 January 2019.

All appeals during this period which were against Officer decisions had been dismissed.

RESOLVED:

That appeal decisions during the period 13 December 2018 to 14 January 2019 be noted.

102. PLANNING UPDATE - FUTURE PLANNING APPLICATIONS

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

103. DEVELOPMENT MANAGEMENT PERFORMANCE REPORT SEPTEMBER - DECEMBER 2018

Report of the Corporate Director (Public Protection, Planning and Governance) relating to the performance of the Development Management Service over the three month period September to December 2018.

Performance was being maintained and there had been an excellent performance on appeals with eleven out of twelve being dismissed in the last quarter.

RESOLVED:

That the development management service performance in Quarter 3 of 2018/19 be noted.

Meeting ended 9.45pm  
GS