

Development Management Committee
9 January 2020

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 9 January 2020 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

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

J.Broach, A.Chesterman, J.Cragg (substituting for S.Boulton), S.Elam, B.Fitzsimon, S.Kasumu, M.Larkins, R.Lass, F.Marsh, J.Ranshaw and P.Shah

ALSO

PRESENT: Legal Advisor, Trowers & Hamlins LLP (J.Backhaus)

OFFICIALS Head of Planning (C.Haigh)
PRESENT: Development Management Service Manager (S.Smith)
Principal Major Development Officer (M.Robinson)
Principal Development Management Officer (M.Peacock)
Governance Services Officer (S.Keenlyside)

86. APOLOGIES

Apologies for absence were received from Councillors S.Boulton and P.Hebden.

87. SUBSTITUTIONS

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

Councillor J.Cragg for Councillor S.Boulton
Councillor R.Lass for Councillor P.Hebden

88. MINUTES

The Minutes of the meeting held on 5 December 2020 were approved as a correct record and signed by the Chairman.

89. HILL-TOP NEIGHBOURHOOD CENTRE, HIGH VIEW, HATFIELD, AL10 8HZ - 6/2019/1067/MAJ - REDEVELOPMENT OF PART OF THE HILL-TOP SHOPPING CENTRE AT HIGH VIEW, SOUTH HATFIELD TO PROVIDE 18 RETAIL UNITS (CLASS A1, A2, A3, A5, B1 AND SUI GENERIS), A DOCTOR'S SURGERY (FLEXIBLE USE CLASS A1, A2, A3, A5, D1), 146 RESIDENTIAL UNITS (CLASS C3), NEW PUBLIC OPEN SPACE INCLUDING CHILDREN'S

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PLAY AREA OFF HIGH VIEW, NEW PUBLIC SQUARE IN FRONT OF THE CHURCH, ASSOCIATED PARKING, HIGHWAYS AND DRAINAGE WORKS AND PUBLIC REALM IMPROVEMENTS

Report of the Corporate Director (Public Protection, Planning and Governance) on the redevelopment of part of the hill-top shopping centre at high view, South Hatfield to provide 18 retail units (class, A1, A2, A3, A5, B1 and Sui Generis), a Doctor's Surgery (flexible use class A1, A2, A3, A5, D1), 146 residential units (Class C3), new public open space including children's play area off high view, new public square in front of the church, associated parking, highways and drainage works and public realm improvements.

The site was located in South Hatfield on the eastern side of Bishops Rise. It covered an area of 2.0 hectares and comprised part of a neighbourhood centre dating from the late 1950s which included a parade of retail and other commercial units at Hill Top Shopping Centre, a four storey block of flats, public spaces, which included an existing paved area to the front of St John's Church, storage and industrial units, garage areas and parking courts.

The High View road bisected the site on a broadly north-west to south-east axis and links Bishops Rise to the north-west and Northdown Road to the south.

Along the Bishops Rise frontage, to the north of Hill View junction was a public car park which served the neighbourhood centre with a garage block to the rear. South of the junction with High View the shops and business units in the High View Crescent begun, and further south was a single four storey block of 6 empty bedsits and office space which was now vacant, and a further car parking area for visitors to the centre adjacent to the Harrier Public House to the south. The shopping centre lay broadly to the west of High View, the units were single storey, arranged in a crescent facing west over a paved and landscaped public amenity area which also afforded pedestrian access to the shops. The servicing area for the shops lay to the rear (east), fronting onto High View. This street frontage also contained a number of lock-up garages.

Also fronting Bishops Rise but outside of the application site was the Harrier Public House and its car park, St John's Church and Community Centre which together with parking areas and open space, stretched to the junction with Northdown Road.

The west side of Hill View comprised the rear of the commercial premises within the centre with pedestrian and vehicular access points served the businesses. On the opposite (east) side of Hill View at its northern end was a free-standing betting office, the Hatfield Town Council depot which contained a number of single storey buildings and further small workshops plus another public car park, and beyond the site boundary was the Jim MacDonald Centre and further car parking and homes and gardens.

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This application was presented to the Development Management Committee because it was a major development and Welwyn Hatfield Borough Council had an interest in the land and property that was the subject of the application.

Hatfield Town Council object to the application for the following reasons:

'Members noted the concerns of representatives from the PCC & Youth Centre at St John's on the following grounds:

There is insufficient turning room for hearses in the space named Church Square;

There are insufficient parking spaces for high days, holidays and funerals at the Church which would lead to bad congestion in the area;

The Church needs a minimum of 15 – 20 car parking spaces;

There are insufficient spaces generally which will lead to unauthorised parking, the Youth and Community Centre has 8 spaces which will likely be taken up in unauthorised parking;

The plan 3515/C/524 shows the newly refurbished steps owned by the Church that run between the Church and the pub leading straight onto 2 vehicular access points with no means of preventing a pedestrian (particularly a child or person with poor vision) from walking straight into the path of a car or lorry;

The whole plan leads to pedestrian and vehicular conflicts;

There appeared to be no provision for an increase sustainable transport.

Members raised their own concerns regarding the shortfall of 80 parking spaces and lack of disabled access to the Jim McDonald Centre.

Furthermore there appeared to be no provision for electric vehicle charging points nor bike racks and conflict with student parking.

The four storey flats were in conflict with the Church and surrounding area and were unacceptable as over development and out of keeping in the neighbourhood.

The proposed layout would also lead to a west/east wind tunnel through the high rise buildings.

The Town Council request that the Borough Council go back to consult with the Church, business owners and other interested parties to bring forward a scheme which more resembled that which came out of the original public consultation'.

Officers announced that there were the following minor errors in the officers report:-

Point 1.3 – 'Hill View junction' should have read 'High View junction'.

Point 2.3 – the end of the paragraph should have read '3x3 bed intermediate houses' instead of '3x3 bed social rented houses'.

Point 2.18 – the report referred to High View being one-way south of the new cross road with traffic only permitted to travel in a southbound direction toward Northdown Road when in fact it was one-way southbound for its entire length.

Mr J.Walton, Agent, spoke for the application saying that a significant amount of work had gone into the application which would deliver 146 houses across three distinct areas, in keeping with the character of the area. The retail floor space would remain, with the prospect of a new doctor's surgery if the NHS wanted to take it up. There would be a new play area provided for children under the age of

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10. Affordable Housing would be provided and there would be significant Section 106 payments. There would also be a £50,000 community grant provided to make a positive impact.

Mr J.Shelford spoke as an objector saying that of the 279 car parking spaces, 219 were reserved for the new residential units which left 64 to share for existing retail units and community use. There was insufficient parking to sustain community use on the site. The parking assessment was carried out during June 2018 when University students would have returned home so some of the parking needs would have been missed. The shared parking between retail units and residents would not work and residents would have to pay for parking in the parking controlled zone in order for this development to go ahead.

Mr S.Archer, St John's Church, spoke as an objector, saying that St. John's Church was the Parish church for South Hatfield with sixty or more adults in the congregation. The Church was a Grade 2 listed building. The main entrance was at the front of the church, not at the back. The Church welcomed the initiative to regenerate the area but had concerns over parking when the parking spaces were reduced to 60. Many significant spaces opposite the Church would be eliminated. The assumption was that the space opposite the Church was Council owned but it belonged to the Church. The proposals damaged access to the Church and to keep the Church viable, the congregation needed to be a good size. It was felt that the Council had not looked at the impact of the new development on the Church.

Councillor M.Eames-Petersen, Hatfield Town Council, spoke against the application saying that Hatfield Town Council welcomed the regeneration of Hatfield but it had concerns regarding parking. There was not sufficient room for a hearse to turn around outside the Church and there was insufficient parking spaces for the retail units. It was felt that the height of the flats completely dominated the area.

The Committee raised concerns about the new retail units being provided as a shell and that retailers who had been in the area for many years were being asked to fit out the units at great cost to themselves. Officers agreed that the retail tenants would be offered a rent free period to help them recover the costs from moving into the new unit.

Following discussion, it was proposed and seconded by Councillors Simon Wrenn and Samuel Kusumu and

RESOLVED:
(9 voting in favour and 4 against)

That planning permission be APPROVED subject to the conditions as set out in report including completion of a Section 106 (S106) agreement.

Officers recommended amendments to condition 29 to include the removal of Class A4 and an additional informative for Chalk mining.

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Condition 29 to read;

Premises falling within Use Classes A3 and A5 hereby approved shall only be open to the public between 07:00 hrs and 23:00 hrs. Any members of public remaining in the buildings must have left the premises by 23:30 hours.

REASON: In order to protect the living conditions of local residents, in accordance with Policy R19 of the Welwyn Hatfield District Plan 2005.

Informative:

The planning authority has determined the application on the basis of the information available to it but this does not warrant or indicate that the application site is safe or stable or suitable for the development proposed, or that any nearby land is structurally stable. The responsibility for safe and suitable development rests upon the developer and/or land owner and they should take expert advice from properly qualified experts to ensure that the historic chalk mining activities in the area will not adversely affect the development.

90. 1 & 1A TOWN CENTRE, HATFIELD, AL10 0JZ - 6/2019/2378/FULL - FORMATION OF TEMPORARY CAR PARK TO ACCOMMODATE FOR 48 SPACES, FOR A DURATION OF TWO YEARS WITH ASSOCIATED PHYSICAL WORKS

Report of the Corporate Director (Public Protection, Planning and Governance) on the formation of temporary car park to accommodate 48 spaces for a duration of two years with associated physical works.

The site was located at the eastern of the Hatfield Town Centre and formerly occupied by a building, which had recently been demolished. The site was therefore currently vacant. The site was adjacent on its south eastern and eastern boundaries to a pedestrian footway and Queensway and the Queensway/Wellfield Road roundabout. To the west it lay partially adjacent to the existing Kennelwood Road car park.

This application sought temporary planning permission (up to 2 years) for the use of the site as a car park for 48 car parking spaces and 1 motorcycle parking space. Part of the site was proposed to be surfaced (following the demolition of the building), and a 500mm high fence was proposed along the northern and western site boundaries.

This application was presented to the Development Management Committee because it was contrary to the development plan.

Chris Lloyd, Agent, spoke for the application saying that the application was for a small, temporary car park. There had been no formal objections to the

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application. The temporary parking for would help mitigate the reduction in parking spaces whilst the multi storey car park was built. There would be 48 spaces on the site for a maximum of two years, after which, subject to planning permission, there would be mixed development on the site.

Councillor J.Brennan, Hatfield Town Council, spoke against the application, saying that the 48 parking spaces were welcomed but the area would be losing 148 spaces, and therefore, there would be a deficit of 100 spaces. The car park was inadequate for peak times. There was to be no disabled parking spaces. The entrance to the temporary car park would be on a very chaotic road. There were concerns about the material used for the surface of the car park as less mobile people would be using it.

Following discussion, it was proposed and seconded by Councillors P.Shah and J.Broach and

RESOLVED:
(unanimous)

That planning permission be APPROVED subject to the conditions as set out in report and an additional condition.

Additional condition; -

Notwithstanding the approved plans, prior to the formal laying out of any of the car parking spaces, an amended car parking plan showing a minimum of 3 car parking spaces to be disabled spaces shall be submitted to and approved in writing by the Local Planning Authority. Subsequently only that approved plan shall be implemented and retained thereafter for the duration of the use of this land as a car park.

REASON: To provide accessible parking bays and a high standard of design of the development in line with Policies D1 of the Welwyn Hatfield District Plan, national guidance and the National Planning Policy Framework.

91. 5 AND 7 MOOR COTTAGES, MIMRAM WALK, WELWYN, AL6 9EZ - 6/2019/1342/FULL - CONVERSION OF 2 X OUTBUILDINGS TO 1 X DWELLING AND ERECTION OF A SINGLE STOREY REAR EXTENSION (RETENTION OF NUMBER 5 OUTBUILDING)

Report of the Corporate Director (Public Protection, Planning and Governance) on the conversion of 2 x outbuildings to 1 x dwelling and erection of a single storey rear extension (retention of number 5 outbuilding).

Numbers 5 and 7 Moor Cottages were two storey terrace houses set in an L shape row of similar matching properties which included Number 3 Moor Cottages. All the houses were finished in similar materials.

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The properties which faced onto Mimram Walk represented the principle front elevation of the properties. The front doors were accessed by foot along a pedestrian path in front of the neighbouring houses in the row and accessed from the main roads, Mill Lane to the east and Mimram Road from the west. The properties had no vehicle access or parking.

The application site comprised of two attached single storey outbuildings sited within the rear garden area of Numbers 5 and 7 Moor Cottages. The application site for both these properties was within the ownership of the applicant. The application site was accessed via a side gate from Mimram Walk and provided pedestrian access only. The application site measured approx. 145 sqm in area and was subdivided into two plots of land based on its former ownership. Both outbuildings comprised of a living/dining room, bedroom and bathroom and associated garden area.

This application was presented to the Development Management Committee because Councillor Kingsbury had called-in the application on the grounds that;

- “1) There is no parking provision in the application that already has parking issues. This does not meet the expected parking standards;*
- 2) I would suggest this is inappropriate development in a Conservation Area;*
- 3) Inadequate access for emergency vehicles.”*

Welwyn Parish Council raised an objection for the following points:

“The development of these outbuildings will lead to over densification of the number of households in the Conservation Area. There is no parking provision for the increased number of cars that will result from this development. The area is already suffering from limited parking for residents and businesses.”

C.Watts, Agent, spoke for the application saying that there was no planning reason to refuse the application. There were many properties in the property that did not have a parking space and that there was long-term parking in the village. The parking survey had been carried out at weekends and evening when it was expected to be fully used.

J.Tudor John spoke as an objector saying that when purchasing the property, she accepted that it was a slightly unusual situation and took comfort in the fact that it was in a conservation zone. The property had a right of way across the garden to the outbuilding and the proposed development would have an adverse effect on her properties privacy if anyone would be able to cross the garden, for example, delivery men. The proposed development had gone beyond the small scale development that was approved in 2007.

Councillor T.Kingsbury, Ward Councillor, spoke against the application saying that it was a difficult and contentious area for parking, currently being looked at by the Parish Council. There was soon to be yellow lines put in which would make parking more difficult. The train station was some way from the village.

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Following discussion, it was proposed and seconded by Councillors J.Broach and S.Elam and

**RESOLVED:
(12 voting for and 1 against)**

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

92. 1 STONECROSS ROAD HATFIELD AL10 0HR - 6/2019/2744/HOUSE - ERECTION OF TWO STOREY SIDE EXTENSION AND PART REAR PART SIDE SINGLE STOREY EXTENSION WITH INTERNAL ALTERATIONS

Report of the Corporate Director (Public Protection, Planning and Governance) on the erection of two storey side extension and part rear part side single storey extension with internal alternations.

The application site was located on the north west side of Stonecross Road which formed a row of terraced properties. The application property was an end of terrace.

The site comprised a two storey three bedroomed dwelling located at a prominent location on a corner plot with Stonecross Road and Ground Lane. The main door was located to the side elevation wall.

The site benefitted from a front, side and rear garden of a relatively generous size. The dwelling house was at a slightly more elevated position than Ground Lane. Adjacent to the application site on the elevation with Ground Lane was a grass verge along with a footpath running parallel with Ground Lane. To the rear (north) of the application site was green space with a footpath which linked Ground Lane with a number of other nearby streets. The site benefitted from a side driveway on Ground Lane with on-site car parking for one car to the rear garden.

This application is presented to the Development Management Committee because a major objection has been received from Hatfield Town Council.

Hatfield Town Council – Major objection:

“The Committee felt this was a gross over development, there was added concern that the dining room was not connected to the kitchen. Also concern over loss of amenity space”.

Councillor E.Boulton, Ward Councillor, spoke for the application saying that it was a straightforward extension to a house which met all planning regulations. The application had previously been withdrawn and resubmitted to make it compliant with Officers advice. There were no planning policies which state that a dining room and kitchen needed to be connected. There was to be no increase

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in occupants therefore one parking space was enough. There were no objections from neighbours.

Councillor J.Brennan, Hatfield Town Council, spoke against the application saying that it was overdevelopment of the site. The extension added two bedrooms and would be the full width of the site to the boundary.

In 2014 a similar application was refused due to being incongruous and harmful to the street scene. This application was slightly smaller. Parking was an issue. The dining room and kitchen were not connected.

Following discussion, it was proposed and seconded by Councillors R.Lass and S.Wrenn and

**RESOLVED:
(unanimous)**

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

93. APPEAL DECISIONS

Report of the Corporate Director (Public Protection, Planning and Governance) detailing recent appeal decisions for the period 20 November to 18 December 2019.

RESOLVED:

That appeal decisions during the period 20 November to 18 December 2019 be noted.

94. PLANNING UPDATE - FUTURE PLANNING APPLICATIONS

Report of the Corporate Director (Public Protection, Planning and Governance) providing the Committee with a summary of planning applications that might be presented 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 the Committee.

RESOLVED:

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

Meeting ended at 10.05 pm
SK