

Development Management Committee
23 April 2020

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 23 April 2020 at 6.30pm via Zoom.

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

J.Broach, S.Elam, B.Fitzsimon, M.Larkins, J.Ranshaw

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

OFFICIALS Head of Planning (C.Haigh)
PRESENT: Development Management Services Manager (S.Smith)
Principal Development Management Officer (M.Peacock)
Principal Development Management Officer (E.Aston)
Governance Services Manager (A.Marston)

J.Backhaus confirmed that the DMC meeting can be held remotely in line with new regulations passed under the Coronavirus Act 2020 using the Zoom application.

These regulations have been passed under to ensure Local Authorities can conduct any necessary business under the current public health emergency.

117. APOLOGIES

Apologies for absence were received from Councillors S.Boulton, A.Chesterman, P.Hebden, S.Kasumu, F.Marsh and P.Shah.

118. MINUTES

The Minutes of the meeting held on 27 February 2020 were approved as a correct record and noted by the Chairman.

The hard copies of minutes will be signed by the Chairman as soon as it is reasonably practicable or alternatively, electronic signatures can be arranged after a meeting.

119. 1 AND 1A TOWN CENTRE AND 3-9 TOWN CENTRE, HATFIELD, AL10 0JZ - 6/2019/2430/MAJ - DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION 3 X BUILDINGS COMPRISING OF 71 X FLATS AND 1,110 SQM OF FLEXIBLE COMMERCIAL USES (USE CLASS: A1, A2, A3, A4, D1 & D2) (INCLUDING A SMALL OFFICE ELEMENT (B1A)) AND ASSOCIATED WORKS TO INCLUDE CAR AND BICYCLE PARKING, PLANT AND REFUSE STORAGE AND PUBLIC REALM WORKS

Report of the Corporate Director (Public Protection, Planning and Governance) on the demolition of existing buildings and the erection of 3 building comprising of 71 flats and 1,110 sqm of flexible commercial uses (use class A1, A2, A3, A4, D1 and D2) (including a small office element (B1A)) and associated works to include car and bicycle parking, plant and refuse storage and public realm works.

The site (which is some 0.71 hectares in size) is located at the eastern end of Hatfield Town Centre, bounded to the east by Wellfield Road and Queensway. Much of the application site is currently vacant (following the demolition of the building at no. 1 Town Centre), although a two storey building currently exists at nos. 3 – 9 Town Centre. Pedestrian access runs through the site into the town centre from Wellfield Road, Queensway and the town beyond. The site is also occupied by an existing short stay public car park (the car park contains 74 spaces and is operated by the Borough Council) which is accessed from Kennelwood Lane.

Planning permission was previously sought for the erection of 2 buildings on the site comprising 1,194sqm commercial floor space (A1 & A3) and 70 flats (15 1-bed, 55 2-bed) (ref. 6/2017/0606/MAJ). Following concerns raised in respect of the impact of the proposal on heritage assets, the application was withdrawn and the applicant undertook discussions with the relevant statutory consultees and third parties to seek to agree parameters for development on this site.

The application is presented to the Committee because the application is a major development and the Borough Council is the applicant, and Hatfield Town Council have submitted a major objection to the proposed development for the reasons set out below:

“The Committee wish to make a major objection due to this application having insufficient allocated car spaces. The car parking also needs to be shared with shops and a health centre. The Committee wished to encourage and suggest underground parking for this application”.

Mr A.Shapland, Agent, spoke for the application saying that Hatfield is a town with huge potential. He said that the development will be the next chapter for Hatfield. The project included 71 apartments and nearly 11,000 sq ft of flexible commercial accommodation. These uses will help to revitalise the eastern end of the town and bring much-needed housing right into the town centre. The development is a vital component of the phased regeneration of Hatfield Town Centre. It will replace a series of dilapidated buildings with high quality

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residential apartments and the new commercial accommodation will re-energise this part of Hatfield.

Mr A.Edwards, spoke as an objector, saying that there are reasonable cycle routes in Hatfield – For example Hatfield Garden Village, Business Park and Alban Way. The Hatfield 2030+ Strategy says they want to ‘improve the experience of cycling and improve connections across Hatfield and breakdown the east-west town division. Currently Queensway runs through the middle of the route and acts as a significant barrier to the town centre. People have to go through the horrible subways to go in to the town.

Councillor J.Brennan, Hatfield Town Council, spoke against the application saying that the development is welcome and long overdue. It will add extra retail units and extra dwellings which will all require parking. The idea of dual or triple use of the car park for residents, shoppers and workers is great in theory but will be inadequate in reality. Cycling is to be encouraged but the new development is on a dangerous roundabout with a smelly and graffiti covered subway. A well-connected cycle route is needed to ensure the safe cycling. The green issue of electric charging points for the car park seems to be overlooked, while Hatfield Town Council consider it essential as part of the sustainable way forward.

Following discussion, it was proposed and seconded by Councillors S.Elam and B.Fitzsimon and

RESOLVED:
(6 in favour and 1 against)

That planning permission be APPROVED subject to the completion of a satisfactory S106 planning agreement and the agreement of any necessary extensions to the statutory determination period to complete this agreement for.

120. 7 HANYARDS LANE, CUFFLEY, POTTERS BAR, HERTFORDSHIRE EN6 4AS
- 6/2019/2311/FULL - ERECTION OF TWO DWELLINGS FOLLOWING THE
DEMOLITION OF THE EXISTING DWELLING

Report of the Corporate Director (Public Protection, Planning and Governance) on the erection of two dwellings following the demolition of the existing dwelling.

Hanyards Lane is an established residential area characterised by large plots containing detached dwellings in a variety of architectural styles. There has been much redevelopment in the area, where large plots have been sub-divided or smaller dwellings have been extended or replaced by larger dwellings, as a result, architectural styles and materials vary considerably.

The application site is situated on the northern side of Hanyards Lane, close to the junction with The Ridgeway. The site comprises a detached dwelling and garage set within a large and spacious plot. The site slopes down from front to rear by a few metres and is well treed on its rear boundary.

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Planning permission is sought for the demolition of the existing dwelling and the erection of two dwellings on the site. The forward-most dwelling would be sited in approximately the same location as the existing dwelling on the site, the rear-most dwelling would be sited approximately 48m further back within the plot, at a slight angle to the front dwelling and aligned with the dwellings at 50 – 56 Bradgate Close. The new dwellings would have the same sized footprint, measuring approximately 16.4m wide and up to 13m deep, incorporating a single storey, flat roofed, side and rear projection. The forward-most of the dwellings would be approximately 8.8m high at the ridge with accommodation in the roofslope. The rear-most dwelling would be approximately 7.6m high at the ridge.

The application is presented to the Committee as Northaw and Cuffley Parish Council has raised a major objection to the application on the following grounds:

“Major objection. This is a backland development in a garden for which there is no precedent in Hanyards Lane. There is precedent on Hanyards for two houses side by side where the plot is wide enough, but not for “Tandem Developments”. NCPC are not aware that any similar Tandem Developments have ever been approved in Cuffley. We are concerned that the access road is too narrow for refuse lorries and fire/ambulance vehicles and for shared vehicle/pedestrian access. There is no appropriate turning circle. It is unrealistic for house owner of House Type-02 to walk every week to place bins at the entrance. Refuse lorries must have access. The bulk and mass of the two properties represent an over development of the site (approximately 0.6 acres), in the context of a lane which has large single dwelling houses either side. This plot has previously been subdivided. The development is out of character with the local environment. The very small rear garden of House Type-02 will be north facing so represents poor design as the amenity is much reduced. The position of House Type-02 with the existing trees along the eastern boundary (and western boundary of the neighbouring garden) together with the proposed Acer campestre, means this house and garden will receive minimal sunlight in summer and almost no sunlight whatsoever in winter. A single larger dwelling would be far more appropriate in terms of its surroundings and reduced impact on the amenities and privacy of the neighbouring property. House Type-02 substantially reduces neighbour amenity and privacy for No 5 Hanyards. The rear of no 5 is mainly glazed and is set at an angle looking directly at the location of House Type-02. Due to the angle of the house, the bedroom windows of House Type-02 look directly into (children’s) bedrooms on the second and third floors, and into the living room and kitchen. Cars and pedestrians using the access road will have similar visibility of through the children’s windows, further reducing privacy unless obscured glass is used. Should the development proceed the use of deciduous trees (Acer campestre), to reduce the impact on amenity/ privacy will be of insufficient height and will be ineffectual from Autumn until Spring. Irrespective of this, these trees will take decades - if at all - for them to reach any height that may offer privacy. NCPC requests that WHBC reject this proposal.”

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Mr D.Fuller, spoke as an objector, saying that he is not against development of the site. He does strongly object to the type and design of the application. The application is uncharacteristic and does not match the appearances of the other buildings in the area. If the application was occupying the frontage, it would be more in keeping with the character and appearance of the area and at the same time being consistent with the policies in the plan.

Following discussion, it was proposed and seconded by Councillors S.Elam and M.Larkins and

RESOLVED:
(4 in favour and 3 against)

That planning permission be APPROVED subject to the conditions as set out in the report, but with amendments to condition 1 to read;

Prior to the demolition of any buildings on site, three dusk emergence and/ or dawn re-entry surveys shall be undertaken during May – August inclusive (possibly September if the weather remains warm) to determine with confidence whether bats are roosting in the buildings on the site. The results of the surveys shall be submitted to and approved in writing by the Local Planning Authority. Should roosting bats be found, the outline mitigation strategy (ref. Outline Bat Mitigation Strategy by Middlemarch Environmental, March 2020) should be modified as appropriate based on the results and then be submitted to and approved in writing by the Local Planning Authority, prior to the demolition of any buildings on the site. Thereafter, the development shall be carried out in accordance with the approved details.

REASON: To ensure the continued ecological functionality of bats and their roosts are maintained in accordance with European and national legislation.

And the reason for condition 5 amended to:

REASON: To protect the amenity of existing residential properties in the near vicinity to the development in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

(Note: This item was discussed after 7 Danesbury Lane, Welwyn, AL6 9SG during the DMC meeting due to technical difficulties).

121. 7 DANESBURY LANE WELWYN AL6 9SG - 6/2020/0090/HOUSE -
RETENTION OF EXISTING OUTBUILDING

Report of the Corporate Director (Public Protection, Planning and Governance) on the retention of existing outbuilding.

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The application site is situated to the north of the borough, outside of any settlement and within the Metropolitan Green Belt.

The plot is located at the end of Danesbury Lane and comprises a two storey detached dwelling and garage, as well as a large area of land which extends beyond the property. The surrounding land is predominantly open and undeveloped although there are some other houses set within large plots which are located to the south-east of the site.

The application site is located to the west of the property and is served by the existing vehicular access from Danesbury Lane, which has been separated to create a hard surfaced path that leads to the site.

The application is presented to the Committee because it has been called-in by Councillor P.Smith for the following reason:

"I would like to call in the application due to the proposed development being on the same footprint as the previously approved application on this site. I therefore request that it is given due consideration by being discussed by members at DMC."

Welwyn Parish Council have raised a major objection to the proposed development for the reasons set out below:

"We believe the proposal to be inappropriate development in the Green Belt."

Mr A.Collins, Applicant, spoke for the application saying that the house is shielded by large trees and six metre high laurel hedges which means that the building cannot be seen at all from the road or by neighbours. They built the building on the same footprint as the previous application for a stable building. It was dug two metres into the ground and had no visual impact. The neighbours had been kept involved in what they were doing and they were happy as long as they were not impacted.

Councillor P.Smith, Councillor, spoke for the application saying that the site is tucked away from neighbours and is on a narrow private road with a number of properties a small distance away. The building is in the same location as an approved application for a small agricultural building. Neighbours objected to the previous application due to the nuisance it would cause. The neighbours support this application and there were no objections received.

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

RESOLVED:
(6 in favour and 1 against)

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

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122. APPEAL DECISIONS

Report of the Corporate Director (Public Protection, Planning and Governance) detailing recent appeal decisions for the period 13 February to 2 April 2020.

RESOLVED:

That appeal decisions during the period 13 February to 2 April 2020 be noted.

123. 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.

124. DEVELOPMENT MANAGEMENT PERFORMANCE REPORT JANUARY - MARCH 2020

Report of the Corporate Director (Public Protection, Planning and Governance) relating to the performance of the Development Management Service over the three month period January to March 2020.

RESOLVED:

That the Development Management Performance Report, January to March 2020 be noted.

Meeting ended 8.20pm
AM