

Part I

Executive Member: Councillor S Boulton

WELWYN HATFIELD BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE – 21 MAY 2019

REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

6/2019/0166/FULL

UNITS 9-12 PEARTREE FARM WELWYN GARDEN CITY AL7 3UW CONSTRUCTION OF COACH WORKSHOP AND OFFICE WITH 2 PARKING SPACES, RESURFACE OF YARD/WASH DOWN AREA FOLLOWING DEMOLITION OF EXISTING OFFICE AND GARAGE

APPLICANT: WELHAM TRAVEL

(Pearmtree)

1 Site Description

- 1.1 The application site comprises units 9 – 11 Peartree Farm which is currently used as a coach and minibus hire business with all activities associated with that use such as office functions and coach/minibus parking and vehicle repair and maintenance currently taking place mainly in the open air within the yard area. At present the buildings on the site include
 1. A single storey row of three ‘garage’ buildings facing south onto Peartree Farm, side on to residential gardens on the east side (homes on Peartree Lane).
 2. A pair of single storey units on the eastern end of a longer terrace of commercial units also facing south onto Peartree Farm and used as an office.
 3. A portable building located on land to the rear of the commercial terraced buildings in (2) above.
- 1.2 Buildings 1 and 2 are divided by a gated access 3.5m wide beyond which is an area of hardstanding approximately 13m deep and 13m wide with an area of approximately 171 sq m enclosed by the two buildings and portable building and brick walls approximately 1.8m high. This open area was being used for open vehicle repairs and storage at the time of the officer site visit.
- 1.3 South of the buildings is a forecourt area mainly used for parking, all accessed via Peartree Farm. To the west of the site are further commercial units all of single storey height but to the north-west and rear of the site are much taller buildings associated with British Premium Meats and accessed from Hydeway.
- 1.4 Land immediately north of the site and within the applicant’s ownership comprises an area of open land enclosed by fences and hedgerow planting with homes and gardens to the north and east and palisade type fencing with British Premium Meats to the west. This area of open land is mainly grassed with a line of tree planting on its western edge.

2 The Proposal

- 2.1 It is proposed to demolish the existing buildings on the site and to replace them with: -
1. A single storey office building backing onto the east boundary with Peartree Lane gardens measuring 14.5m by 4.25m, 2.4m to the eaves and 3.28m to the ridge. This will be constructed using red brick and pantile roofing. No windows will face the adjoining houses.
 2. A taller workshop building in place of the end of terrace offices and portable building on the west side of the site measuring 8.5m wide by 14.25m deep and 5.88m to eaves and 6.325m to ridge. The building will be covered in pale olive green cladding with high level windows for illumination only. The application proposes it will be constructed to current building regulation standards with heating and soundproofing to standards stipulated in Building Regulations.
 3. The open area between the two proposed buildings is described as a yard/wash-down area with two car parking spaces created at the end of the single storey office unit. The site would have security gates and fencing at the frontage onto Peartree Farm.

- 2.2 The submitted plans show no changes to the open area north of the buildings.

3 Reason for Committee Consideration

- 3.1 Cllr Cowan has called in this application on the grounds the previous application was recommended for approval, but was refused by members and upheld on appeal. "This application appears to have the same problems".

4 Relevant Planning History

- 4.1 Application Number: N6/2002/0704/FP - Change of use of land adjoining the rear of the application site to hard surfacing for storage of vehicles associated with the adjoining coach and mini-bus hire business was refused 17 July 2002.

- 4.2 This was refused for the following reasons:

1. *The proposal would represent inappropriate development outside the designated Employment Area and more over, ample Employment Land is available within the District, the proposal would therefore be contrary to Policy EMP 6 of the adopted Welwyn Hatfield District Plan Alterations No 1, 1998 and also to Policy EMP 8 of the Welwyn Hatfield District Plan Review Revised Deposit Version June 2002.*
2. *The proposed use of the site for storage of commercial vehicles would, because of the proximity of the site to residential property, be likely to have a harmful impact upon the amenities of the occupiers of those properties by virtue of noise and increased disturbance resulting from the manoeuvring of vehicles on site and consequently the proposal would represent development contrary to EMP 8 of the Welwyn Hatfield District Plan Review Revised Deposit Version June 2002.*

- 4.3 This application was subsequently dismissed on appeal by the Planning Inspectorate in 2003. The Inspector found that the need for additional parking did

not outweigh the presumption against such development outside of the Employment Areas. He also found that the revving of engines and the manoeuvring of vehicles would cause undue noise and disturbance to neighbouring residents.

- 4.4 Application number 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 unit was refused 1st February 2018.
- 4.5 This application proposed a building with a shallow curved roof and a ridge height of approximately 5.15m, a width of 11.5m and a length of 20m on open land to the rear of the existing workshop and offices.
- 4.6 Permission was refused for the following reason: -

The land on which the proposal is located is outside any designated employment area and would cause a major impact on the living conditions of the neighbouring residential properties, particularly given the proximity to their boundaries, the height and scale of the building and the fumes from the use of the facility and their impact on the health of nearby residents. As such the proposal would fail to comply with the requirements of Policy EMP8 of the Welwyn Hatfield District Plan 2005 which requires employment sites, located outside of designated employment areas, not to have any adverse impact on the residential amenities of nearby properties.

- 4.7 This decision was also appealed which was dismissed in October 2018 with the Inspector considering the workshop outside of the Employment Area being out of character with the surroundings and being significantly harmful to the living conditions of the occupants of neighbouring dwellings.

4.8 Relevant Planning Policy

- 4.9 National Planning Policy Framework 2019 (NPPF)
- 4.10 Welwyn Hatfield District Plan 2005 – Policies EMP1, EMP8, D1, D2, D8, R13 and R19.

5 Site Designation

- 5.1 The site is located within Welwyn Garden City with the site partly within Employment area E1 as defined in Policy EMP1 of the Welwyn Hatfield District Plan 2005 (Adopted 2005) and partly outside of the Employment Area.
- 5.2 Approximately 50% of the workshop building would be within the Employment Area boundary and 50% of the building, the wash down area and the proposed new office building on the east boundary would be outside the Employment Area Boundary.

6 Representations Received

- 6.1 The application was advertised by means of neighbour notification letters.
- 6.2 Objections have been received from 4 close residents.

Objection on the grounds of: -

noise and pollution plus movement of large vehicles in a residential area.

The proposal will not be able to carry out the purpose described, as the proposed building doors are too small for coaches (even a single decker) to get in the building.

As the coaches cannot get in the building, what is the mezzanine floor for? What are the windows for? What actually is the building for?

The green area to be "to be retained" is not defined. There is a door at the back of the proposed building directly adjacent to the green area. Why? What is the green area going to be used for? What limitations on its use will there be and who will enforce them?

The building is huge next to its neighbours and constructed from different materials not in keeping with them. This large, tall building will appear massive and imposing from nearby gardens.

There are several lights shining at night on adjacent homes plus diesel engine pollution and noise at all hours (including nights and early mornings). As the coaches cannot get in the building, in what way will these pollutants be reduced?

The plan includes building on land owned by one of the adjacent home owners. Has a compulsory purchase been requested?

Access via the back door of the proposed building makes the green area more accessible to Welham Travel. For what purpose? Welham Travel currently have bonfires and dump waste next to neighbours' gardens in it. A pickup truck used for Welham travel is parked outside residencies off Peartree Lane, which cuts up grass verges when turning. For a long time, these problems plus the noise and pollution discussed have never improved, despite many complaints over the years from residents.

In summary, the improvements to the quality of the yard area and offices are welcome. However, a location next to domestic gardens is the wrong place for a coach garage.

Additionally, the expansion of the site could increase the existing problems and there are no constraints in the proposal to prevent that, let alone reduce the impact of the site the residents currently suffer from. The proposal does not address these issues and may make some significantly worse.

The application does not propose to limit working hours.

Outside work will continue and will cause noise disturbance.

Noise from fume extract equipment, activity and repairs and outside activity will continue.

Conditions preventing the closure of doors and windows during maintenance work are unenforceable.

Contaminated waste water may cause pollution.

A group of residents calling itself the **Hydeway/Pearmtree Residents Association** containing signatures from 16 residents from 11 homes strongly object for reasons including the following: -

The proposed workshop would appear dominant from the neighbouring rear gardens.

As the plans are drawn it would seem that 'standard' coaches will not fit through the door.

There is no indication in the plans of the intended use of the area to the rear of the workshop.

The green space and tree belt to the rear of the current proposal should be preserved as a buffer for the amenity of neighbouring residents.

The units in Peartree Farm are single, small business, units. This workshop would be dominant and overbearing and not in keeping with the surrounding buildings.

The Design and Access Statement submitted on behalf of the applicant makes reference to a mezzanine level which is not shown in any of the submitted drawings.

The plans show a yard/wash down area between the offices and the workshop. There are no drawings to indicate where the waste water would drain to, nor is there a proposal to install any kind of treatment for contaminated water (segregation tank). This is considered essential to prevent pollution of neighbouring gardens by contaminated waste water run-off and ground seepage.

There is no mention in either the Design and Access Statement or plans regarding forced ventilation plant which would seem to be necessary for the health and safety of the workforce as many maintenance tasks require coach engines to be running.

Soundproofing is mentioned in the Design and Access Statement but no details are provided.

There is no plan showing the outside lighting. The HPLRA has concerns about the possible intrusive impact of unspecified industrial lighting around the proposed workshop.

There is no mention of Change of Use in this proposal. We understand that some of the existing units are on non-employment land. If this does involve non-employment land then two of Policy EMP 8 requirements will not be met.

The development would be of a similar scale to the existing activities on the site.

The current scale of existing activities is totally unacceptable to the local residents. The coach company operates at all hours. With repair work being undertaken during evenings (up to 11 pm) and weekends. Coaches leave / return at all hours. At the previous planning committee meeting held 1st February 2018 it was suggested that planning conditions could be imposed to limit working hours. It was stated by a member of the committee that the council is unable to enforce any conditions outside of normal working hours and that council resources in general are inadequate to ensure compliance with stipulated conditions.

The proposed workshop would have a devastating effect on our residential amenity by:

The overbearing height and bulk of the building,

The additional and constant noise pollution from the essential extractor fans that would be required to provide a safe working environment for operatives.

The noise of the roller shutter being opened and closed.

The proposal does not meet the criteria of WHDP D2 as it does not respect the character and context of the area.

The proposal would also be in conflict with Policy R19 of the WHDP which seeks to minimise the adverse impact of noise.

Policy EMP13 of the WHDP requires a high standard of design for employment uses with, among others, a criterion that employment development should not harm the amenities of any nearby residential properties. Our amenities will be harmed by this proposal due to its overbearing visual appearance in daylight and darkness, and an inevitable increase in noise levels and pollution as the company seeks to make maximum use of its investment.

The proposal does not promote alternative modes of transport other than the private motor vehicle as it proposes 2-3 additional parking spaces (as opposed to, for example; a bike rack).

In conclusion we strongly object to this proposal for the following reasons:

Whilst we acknowledge that the previous two proposals which were refused and the current proposal differ in what is being proposed, the common reason that the previous two were refused was due to the impact on neighbouring residents. The current proposal will impact on the residents' amenity and their opportunity to enjoy their back gardens.

The proposed building will not reduce the disturbance caused by the coaches driving in and out of the area. There will be increased noise from the ventilation fans. The building is large in scale and would have an overbearing impact on the surrounding properties. The proposal does not comply with a number of WHDP Policies.

The current proposal lacks detail. The submitted drawings are inadequate and not clear and some are missing (i.e. drawing showing the height of the workshop compared to the neighbouring houses, extract plant, outside lighting, waste water treatment, etc). This proposal is incomplete and we strongly request that it be dismissed by the planning committee.

7 Consultations Received

7.1 Herts Transport Programmes and Strategy –

No objection - This level of development is unlikely to generate any extra vehicle movements, recommend informatives are added to any permission.

7.2 **Welwyn Hatfield Borough Council - Parking Services** – the two parking spaces which are to be provided within the development. Do we know how many people are likely to be working here on a daily basis and whether this provision will meet that demand?

7.3 **WHBC – Public Health and Protection –**
Noise due to activities associated coach business

Complaints have been received in the past, relating to engines running on the existing site and allegations of working during unsocial hours. This is in line with the current set up of external working.

A previous application for the site requested the hours of 7am to 7pm during the week and 8am to 1pm on Saturdays. Under certain circumstances and if managed correctly, also taking into account the industrial nature of the area (albeit this being on the boundary) makes the proposed hours not wholly unreasonable, and are recommended to remain for this application.

Enclosing the works taking place on site, including the washing of vehicles, there should be an improvement in the noise experienced by residential properties nearby. Taking into account some of the max levels associated with various works using power tools, pneumatic equipment etc, we would expect the structure of the building to be insulated to minimise noise disturbance to residential properties.

If permission is to be granted, whilst any works are taking place, all doors and windows must be kept closed when activities are taking place within the building, as such during summer months, an air conditioning system will be required to maintain suitable temperatures within the building.

Noise from plant and equipment

Any plant required for ventilation (including air conditioning) will need to be assessed for the noise it emits and its potential impact on the nearest residential properties, the noise levels we would require would be 10dB below background at the nearest residential properties.

It is recommended that any plant is placed on the façade of the proposed building away from the residential properties to limit the likelihood of loss of amenity.

It is recommended that a condition is placed on the application requiring details to be provided of any plant or equipment which is to be installed and evidence provided showing that it meets this requirement.

Lighting

If any external lighting is to be installed, there must be no light trespass impacting on the amenity of the neighbouring residential properties. The applicant will need to provide details of the lighting to be installed along with vertical lux diagrams which show the potential level of light which will hit the facades of these properties.

Conclusion - Recommend planning application is permitted but with conditions.

- 8.1 The main planning issues to be considered are:
- 1. Background**
 - 2. The Principle of development**
 - 3. The scale of activities on the site**
 - 4. The Design of the Development**
 - 5. Impact on neighbours**
 - 6. Access, car parking and highway considerations**
 - 7. Economic considerations**
 - 8. Conclusions**
- 1. Background**
- 8.2 Twice in the past planning permissions have been refused and appeals dismissed for development on and use of the area of open land to the rear (north) of existing buildings at this site. The current application differs significantly from these former proposals as it does not propose development of this area, rather the redevelopment of existing buildings and land which have been in use by the applicant company and before that by a former company for a coach and mini-bus hire business for very many years. It must therefore be considered on its merits.
- 2. The Principle of development**
- 8.3 The application relates to an established business operating from the same site that it has occupied for many years. The buildings on the site however are not adequate for the operations carried out on the site and some repairs to the company vehicles are carried out in the open. The application proposes the construction of buildings that meet the present needs of the company and enable routine maintenance/repair of coaches and minibuses to be undertaken under cover.
- 8.4 Part of the application site and other buildings west of the site is on land within the defined Employment Area EA1. Within the Employment Area Welwyn and Hatfield District Plan 2005 says development within use classes B1, B2 and B8 will be permitted subject to a range of criteria including that (ii) it would not have an unacceptable impact on the local and/or strategic infrastructure and (iii) it would not harm the amenities of any nearby residential properties.
- 8.5 The proposed use of the new buildings is within Use Class B2, there is no evidence that it would have an unacceptable impact on the local and/or strategic infrastructure but residents are concerned that it will harm residential amenities and this issue is addressed in paragraphs below. In principle therefore the B2 use within the defined employment area is acceptable, and indeed there are other vehicle based repair and maintenance businesses in the same row of business units on Peartree Farm.
- 8.6 Other parts of the site and the proposed buildings would be on land outside of the Employment Area EA1 but the land is currently in B2 Use (by the applicant

company) and if redeveloped would continue to be in B2 Use. On sites outside of the employment areas Policy EMP8 applies and relates to new employment development or redevelopment on sites in existing employment use and it identifies three criteria to be met (i) Similar scale to the existing activities on site, (ii) No adverse effects on the residential amenities of nearby properties; and (iii) Adequate parking, servicing and access arrangements and would not have an adverse impact on the highway network, including highway safety.

- 8.7 It is not therefore possible to say that the redevelopment of existing employment sites outside of defined Employment Areas is unacceptable in principle, rather such proposals have to be assessed against the policy criteria identified in 8.6 above and by reference to later Government Policy contained in the National Planning Policy Framework which maintains a commitment to achieving well-designed places that “will function well and add to the overall quality of the area”... and “are sympathetic to local character and history, including the surrounding built environment and landscape setting” and “is sensitive to its surroundings, does not have an unacceptable impact on local roads”.

3. The scale of activities on the site

- 8.8 The proposed new buildings will be contained within essentially the same operational area of the site as the existing business activity. It is relatively modest in size and does not include the open land to the rear of the site. The main difference in activity will be that the routine repair/maintenance of the company vehicles will be undertaken within the purpose built workshop building rather than in the open as occurs at the present time. The exception to this will be works to the company’s one double decker coach which will not fit within the workshop building and the continuing reference to wash down area on the plans makes it clear that the coaches will be cleaned in the yard area between the two buildings proposed.
- 8.9 In other respects it is not considered that the overall scale of activity on the site will change significantly because it is limited by the restricted size of the site.

3. The Design of the Development

- 8.10 The current buildings are of a very functional design and are now many years old. They are however similar to other buildings in the vicinity within Peartree Farm and other buildings in the employment area. The replacement workshop building proposed is again of an unmistakably commercial appearance with a steel frame and covered in cladding, whilst the proposed single storey office building at the rear of residential gardens on Peartree Lane is to be more domestic in character and scale and is to be constructed of brick and tile. Given its position on the boundary between residential streets and a substantial area of employment buildings the design and appearance of the replacement buildings in a street of commercial buildings but adjoining an area of homes and gardens is considered to be acceptable and to accord with policies D1 and D2 of the WHDP which aim to achieve a high quality of design that respects the character and context of the area.
- 8.11 It is also noteworthy that just metres forward of the site at unit 13 Peartree, planning permission has been granted for a replacement brick and tile building for B1 Use of a greater height and scale adjacent to the rear boundary of homes on Peartree Lane.

5. Impact on neighbours

- 8.12 A significant number of objections have been received from neighbours a number of whom have drawn comparisons between the current proposal and previous applications for different proposals. The current application is significantly different from previous proposals as it does not involve development of the open land beyond the rear of the existing yard and buildings. All development now proposed is on land which is currently actively used for the business and so will have materially different impacts to earlier schemes. The open land to the rear is shown to remain and may effectively act as a buffer between the buildings and existing homes as some neighbours have requested.
- 8.13 The larger workshop building is on the west side of the site, furthest from neighbouring residents and given that an appeal Inspector recently said a larger building closer to the rear of the nearest dwelling was “a significant distance from the neighbouring dwellings” and “it would not be overbearing to the adjacent properties” it is not considered that the smaller building now proposed and still further from neighbours could be considered as ‘overbearing’ as some objectors suggest.
- 8.14 The smaller single storey office building proposed adjacent to gardens on the east side of the site replaces a single storey brick building. The proposed replacement building would affect a longer stretch of the garden boundaries but because of the lengths of gardens, the relatively low height of the building and its relatively domestic scale and appearance it is not considered that the smaller building could be considered as unreasonably overbearing either.
- 8.15 The Hydeway/Peartree Residents Association consider the current level of activity on the site adversely affects the enjoyment of neighbours’ homes and gardens. The activity associated with the arrival and departure of coaches and mini-buses using Pear Tree however is unlikely to change significantly if the development is permitted, this is the nature of the coach and mini-bus hire business operating from the site. The effects of activity carried out on the site may however change significantly if the routine repair and maintenance of the coaches and mini-buses were to take place within a purpose built workshop rather than in the open air.
- 8.16 It is not likely that all such activity in the open areas of the site will entirely cease, the double deck bus does not fit in the workshop and washing down activity is clearly intended in the wash-down area. Whilst it is likely that a great many more tasks currently carried out in the open will be undertaken within the workshop building with consequent benefits for the area in terms of noise reduction the continuing requirement to maintain and repair the double deck bus which would not fit inside the proposed building means that noise associated with this vehicle would remain.
- 8.17 The residents association have concerns about the noise of activity even within the building were it to be permitted. Their concerns relate to possible noise from open doors and from fume extraction and similar equipment that might be audible from homes. Amendments to the design of the building have resulted in the rear shutter door being entirely removed from the plan and for a double door system being introduced on the east side elevation such that an internal lobby area is created to minimise noise transmission. These amendments are considered an improvement and will reduce possible noise spillage from within the building towards the homes and gardens to the east. With regards to equipment noise the

position of equipment such as fume extraction systems can be controlled through design and through the imposition of planning conditions and should noise nuisance result the Council also has powers to require the abatement of noise nuisance. The applicant has also stated that,

"As main servicing is carried out by specialist companies away from the site (as stated in my earlier email) the work being carried out would be regular maintenance work, water, oil, washer checks, changing bulbs washers etc. which do not really create any noise, servicing of brakes is really the only item that would require the engine to be run for any amount of time, the brake system requires re pressurising by running the engine before it can be move as the brakes will not work until pressurised, this would require the engine to run for a maximum of six minutes to completely recharge the system, apart from actually moving the coach in and out of the workshop there is very little that requires the engine to be run at all and those jobs that will require it only need it for a couple of minutes to check the work is done correctly".

- 8.18 It must however be the case that the impacts of noise close to homes and gardens would be significantly reduced if the activity were to be enclosed within a building rather than in the open air. The current proposal shows the workshop located further from homes than was previously proposed and there will be a second building (the brick and tile office building) acting as a second physical barrier between the workshop building, the yard area and neighbouring homes.
- 8.19 Whilst accepting that noise issues may not be completely overcome, on balance it is considered that the proposal will represent a positive improvement on what neighbours may currently experience with the majority of repairs and maintenance activity carried out within a building rather than the open air, with controls over the use of extraction and similar equipment and controls over the opening and closing of doors and windows of the workshop building (facing neighbours) levels could be controlled within the proposed workshop. There would however still be noise emission from the engine and the maintenance of the double deck coach outside of the building causing undue disturbance to the neighbouring residents. The previous planning Inspector also acknowledged that elements of the scheme would be beneficial but concluded that they did "not outweigh the harm I have found with regard to undermining the development plan and to the living conditions of the occupants of neighbouring dwellings".
- 8.20 On a similar note the effects on neighbours of any exhaust fumes from running engines within the workshop are likely to be less than when compared to the effects of the same engines running in the open air closer to neighbouring gardens as occurs at present but this would not address the issue of impacts from the double deck coach.
- 8.21 The residents association have also expressed concerns about possible light intrusion from the site. Conditions controlling the installation of lighting, its intensity and direction can be imposed to ensure that light spillage beyond the site boundaries is avoided. Again the proposed position of the office building along the boundary with homes offers a physical barrier to light such that any lighting can be contained within the working site boundaries.
- 8.22 The proposal is therefore considered an improvement in terms of compliance with Policy EMP8 of the District Plan. The new development is (i) of a similar scale to

the existing activities on site (a point acknowledged by the previous appeal Inspector) and (ii) improves upon any possible adverse effects of the development on the residential amenities of nearby properties by locating the activity further from homes and encasing activities currently undertaken in the open within a modern building but it does not overcome issues arising from the continuing need to maintain the double deck bus which would continue outside of the building.

6. Access, car parking and highway considerations

- 8.23 There are no objections from the highway authority. The previous application for a larger building on a larger operational site also had no objections on the basis of highway safety. In 2018 the appeal Inspector said “the proposal would meet the third criterion of Policy EMP8 of the WHDP which requires that the development would provide adequate parking, service and access arrangements and would not have an adverse impact on highways safety. The development would provide sufficient parking for the proposed use and would therefore accord with policy M14 of the WHDP”.
- 8.24 The reduced scale of development now proposed is also considered to be acceptable in terms of Policy EMP8 (iii) and M14 of the WHDP.

7. Economic considerations

- 8.25 Whilst the applicant company has not sought to support the application on the grounds of job creation or retention it is clear that the current method of operations on the site, with activities carried out in the open air is not conducive to the operation of a modern coach and mini bus hire business. The creation of a workshop building and purpose built offices and staff welfare facilities may assist in the securing the future of an established local company within the town on a site that it has operated from for many years.
- 8.26 The economic benefits of maintaining and possibly creating jobs in the Borough and investment in the Borough's buildings and economic base represents a benefit of the development that should carry some weight in its favour.

8. Other issues

- 8.27 The application plans show the central yard area as a wash-down area, utilising the sites current surface water disposal connections. Given the entire site would be redeveloped with new buildings it would be appropriate to require the new development to be served by an improved surface water drainage system that intercepts oils and possible contaminants washed from the vehicles. If permitted it would therefore be appropriate to require details of a surface water drainage scheme, including the use of oil interceptors and silt traps to be submitted to and approved by the Local Planning Authority to be secured by a planning condition.

Conclusion

- 8.28 The current proposal is considered to have addressed many of the issues identified by the previous planning Inspector who dismissed the 2018 appeal for a larger building, on a larger operational site and closer to adjoining dwellings. The development would result in more potentially unneighbourly works being undertaken from within a building with consequent improvements in noise insulation and activity generally further from homes than takes place in the open

air at present. There does remain however the clear statement that not all vehicle will be maintained and repaired in the building proposed. The double deck coach does not fit in the building and will be repaired/maintained outside as at present. In 2018 the Inspector was clear that prospect that “even if the noise levels could be controlled within the proposed workshop, there would be noise emission from the engine and the maintenance of this vehicle, causing undue disturbance to the neighbouring residents”. In this respect the current proposal does not differ from the previous scheme.

8.29 It is recommended that planning permission should be **REFUSED** for the following reasons.

1. The continuing reliance upon the outdoor servicing and maintenance of the companies double deck coach (and potentially other vehicles) resulting with noise emissions from the engine and the maintenance of this vehicle(s), would cause undue disturbance to the neighbouring residents. The proposal would therefore be in conflict with the second criterion of Policy EMP8 of WHDP which requires that the development would not have any adverse impacts on the residential amenities of any nearby properties and Policy R19 of the WHDP which seeks to minimise the adverse impact of noise and Policy EMP13 of the WHDP which seeks a high standard of design for employment uses with, among others, a criteria that employment development should not harm the amenities of any nearby residential properties.

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).

Michael Robinson (Development Management)
Date 30 April 2019



 WELWYN HATFIELD <small>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</small>	Title: Welham Travel 9-12 Peartree Farm Welwyn Garden City		Scale: DNS
		Date: 2019	
Project: DMC Committee	Drawing Number: 6/2019/0166/FULL	Drawn: Baras Mast-Ingle	
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