

Part I

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WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE 15 AUGUST 2019
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING AND
GOVERNANCE)

PLANNING UPDATE – FUTURE PLANNING APPLICATIONS

1 Introduction

- 1.1 This report is for the Development Management Committee to provide a summary of applications that might be presented to Committee over the coming months. If the call-in or application is withdrawn, the item will not be presented.
- 1.2 The applications should not be debated as part of this agenda, however any Councillor wishing to raise specific points about the proposal – such as a need for planning obligations or issue(s) that might not readily be apparent from the proposal or any other matter, may do so and the case officer will consider, where they are planning considerations, these matters raised as part of the future Committee report.
- 1.3 Appendix 1 comprises all applications that have been called-in or objected to by Town or Parish Councils. Appendix 2 comprises those that are a departure from the Local Plan, Officers consider should be determined by Development Management Committee, the applicant is the Borough Council or it has an interest in the land and an objection has been received.

2 Recommendation

- 2.1 That members note this report.

Name of author	Chris Carter
Title	Development Management Service Manager

Appendix 1 - Applications called-in or objected to

6/2016/0270/VAR

Address	Four Oaks 1-4 Great North Road Welwyn AL6 0PL
Proposal	Variation of conditions 1 (occupants) and 2 (number of caravans) of Planning Permission N6/2010/0211/S73B to increase the number of caravans from 10 to 20 of which no more than 5 shall be static caravans or mobile homes.
Applicant	Mr J Connors
Ward	Welwyn West
Agent	Mr M Green
Call-In/Objection from	Councillor Julie Cragg, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>Please can we call this in due to the fact that this raises a lot of issues of concern for the residents.</p> <p>There is uneasiness about the fact that the number of caravans fluctuates wildly and that they residents do not appear to adhere to the planing that they do have.</p> <p>The restrictions regarding children is there as this was not intended to be a permanent site but only to give stability to the children to enable them to attend school.</p> <p>Are they planning to use caravans as an office sutie and run business's from there? [sic]</p>
Call-In/Objection from	Caroline Williams, Welwyn Parish Council
Reason for Committee Decision	<p>15/03/2016 21:43 - Welwyn Parish Council at its Planning & Licensing Committee of the 15 March 2016 agreed to submit Major Objection. We are unclear why the existing conditions have not been enforced. We understand that the site was permitted as a temporary location linked to the schooling of the children which have now grown up and not as a permanent site. We are concerned that the number of caravans has continued to increase overtime both with, and without, permission and Welwyn Hatfield Borough Council have previously stated that 10 is the maximum that can be accommodated. The existing conditions include that the land should be restored in accordance with the scheme previously submitted and approved by the planning authority as the residents may have already changed.</p>
Case Officer	Mrs Sarah Smith
Summary	This application has been delayed due to the progress of the Local Plan, however officers are now working on bringing this application to the committee in the next few months.

6/2016/1493/VAR

Address	Thunderbridge Yard Bulls Lane Hatfield AL9 7BB
Proposal	Variation of condition 1 to extend the temporary permission; condition 3 to permit eight caravans of which no more than five would be static caravans; condition 4 to vary the approved drawings; and condition 5 to vary the site development scheme; of planning permission S6/2011/0116/FP
Applicant	Mr J Robb
Ward	Welham Green & Hatfield South
Agent	Mrs A Heine
Call-In/Objection from	Councillor Paul Zukowskyj, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>I would like to formally 'call in ' this applicaiton as it meets at least two of the key criteria for a call in, namely 1. The application is of an unusually sensitive nature as the current use of the site has led to significant adverse impact on neighbours amenity and that development beyond that permitted had occurred at the site. 2. The wider ramifications are the potential impact of permitting this development may have on setting precedent for permitting neighbouring sites in the forthcoming local plan examination in public. There is also the precedent that would be set of permitting such developments, even for a limited period, in flood zones.</p>
Call-In/Objection from	Sue Chudleigh, North Mymms Parish Council
Reason for Committee Decision	<p>NMPC OBJECT as this is clearly a new application. The name of the applicants is not the name to whom the extant Permission was originally given.</p> <p>The Government Planning Policy for traveller sites Policy E, in its introduction, states that making and decision taking should protect the Green Belt from inappropriate development - Item 4d and Item 16 state that inappropriate development is harmful to the Green Belt except in exceptional circumstances. None have been indicated.</p> <p>Item 4f - further states the local planning authority should aim to reduce the number of unauthorised developments and encampments. This site has consistently exceeded the numbers stated in the original Permission and it is too small a site to be abused in this way.</p> <p>Item 4k - states the local planning authority have to have due regard to the protection of local amenities and local environment. There have also been sanitary issues arising from the over-use of the site.</p>

One or more travelling caravans have also been let to itinerant workers in contravention to the terms of the licence. This has caused considerable problems to the neighbourhood.

Item 13 of the Planning Policy for traveller sites states the local planning authority should ensure that their policies:

- a) promote peaceful and integrated co-existence between the site and the local community
- f) avoid placing undue pressure on local infrastructure and services
- g) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans

Policy E, Item 24 addresses local provision and it is the case that WHBC do not have a firm policy on Gypsy and Traveller sites in the Borough but there are existing sites in Welham Green – including a long term Showmans site which causes no trouble – however the Foxes Lane site also is also over used as the numbers of caravans exceeds the permitted numbers. Item 27 states that if a local planning authority cannot demonstrate an up to date 5 year supply of deliverable sites this should be a material consideration and in this case the existing sites result in over supply in Welham Green therefore any expansion is unwarranted.

Item 25 states that the local planning authority should very strictly limit traveller site development in the Green Belt and further”sites in rural areas do not dominate the nearest settled community.” Expansion of this site would cause stress on services and neighbours.

Item 16 Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances, none of which have been indicated in this case.

Item 24(a) The Local Planning Authority has to take into account the existing level of local provision and Welham Green currently has provision. Indeed, even this is exceeded unlawfully – see report from Dennis Pennyfather, Licensing Technical Officer, dated 24 August 2016.

Item 25 This further states the Local Planning Authority should very strictly limit sites in rural areas should not dominate the nearest settled community. Of late the activities at Thunderbridge Yard have caused extreme concern and disturbance to the neighbourhood. Police and other authorities are aware of this, which seems to arise from the subletting of the excessive on-site accommodation to persons other than gypsies or travellers.

Footnote 9 States there is no presumption that a temporary grant of Planning Permission should be granted permanently, therefore North Mymms Parish Council consider, taking into account comments by Licensing Technical Officer that the site is not big enough, there are fire safety issues and this is a known flood plain with previous flooding issues, caravans on this Green Belt site are inappropriate development.

Case Officer Mr Mark Peacock

Summary This application has been delayed due to the progress of the Local Plan, however officers are now working on bringing this application to the committee in the next few months.

6/2017/0225/FULL

Address Welwyn Rugby Football Club Hobbs Way Welwyn Garden City AL8 6HX

Proposal Retention of 4x 15 metre high floodlight columns and lamps measuring a further 0.5 metres

Applicant Mr M Elliott

Ward Handside

Agent Mr M Elliott

Call-In/Objection from Councillor Helen Bromley, Welwyn Hatfield Borough Council

Reason for Committee Decision I would like to call this in as the new floodlights are significantly higher and brighter than those which they replaced, by some 7 meters, and they are also in different positions to the original lights.
This has caused significant harm to the residents and the general amenity of the area.
The original application did not mention the floodlights being in different positions.
This is impacting on the conservation and EMS area.
There is substantial visual intrusion day and night.
At night, the light spill is far worse than previously, despite the rugby club saying it would be less. This is not the case.
The club also seems to be contravening the permission given as to when they may be used.

Case Officer Mr Tom Gabriel

Summary Following a site meeting between the applicant, residents and officers, an updated and amended proposal has very recently been submitted. This will be consulted upon and the application returned to the committee for decision at the earliest opportunity following the end of that consultation process.

6/2017/0606/MAJ

Address	1-9 Town Centre Hatfield AL10 0JZ
Proposal	Erection of 2 buildings to provide 1,194m2 (GEA) commercial floor space (A1 & A3), 70 flats (15 x 1 bedroom, 7 x 2 bedroom, three person and 48 x 2 bedroom, four person) with associated car/bicycle parking, plant and refuse storage and including the improvement of public realm, following the demolition of existing buildings.
Applicant	Mr P Brimley
Ward	Hatfield Cent.
Agent	Mr P Wellings-Longmore
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	Object: The Town Council is concerned at the impact of parking from new residential units on the retail parking spaces available. The Council has repeatedly asked that design of new structures in the Town is sympathetic to existing Hatfield designs but again we see another architect imposing their design on our Town making it an uncoordinated mismatch of urban design from different decades with no empathy to the historic nature of the Town. Members are concerned at the impact of the level 7 building on the Grade 1 listed building of Hatfield House. Members consider that a community facility needs to be included within the design.
Case Officer	Mr Mark Peacock
Summary	This application has been held in abeyance pending further work on the wider Hatfield Town Centre regeneration project.

6/2018/2768/OUTLINE

Address	Hatfield Business Park Hatfield AL10 9SL
Proposal	Outline application for a large-scale mixed use development including 1,100 new homes and supporting infrastructure including a primary school, local centre and open space with all matters reserved
Applicant	Arlington Business Parks
Ward	Hatfield Villages
Agent	Mr M Hill
Call-In/Objection from	Councillor Duncan Bell, Welwyn Hatfield Borough Council
Reason for Committee Decision	I would like to conditionally call-in the above application. Conditional in the sense that i would only ask for it to be brought before DMC if Planning Department is minded to recommend approval. My grounds for calling this in are:

- The size and scale of the proposed development make it a matter of significant public interest.
- The proposal is on Green Belt land, and would risk coalescence with the eastern outskirts of St Albans.
- The site is not one of those accepted for development as part of our current Local Plan submission.

I will be making a more detailed set of representations once i have studied the plans in more detail, but i would be grateful if you could log my call-in on to the system as soon as possible.

Thank you for your assistance.

Case Officer Ms Gill Claxton
 Summary This major planning application is anticipated to be presented to committee later in 2019.

6/2019/0218/LB

Address Northaw House Coopers Lane Northaw Potters Bar EN6 4NG
 Proposal Conversion of Northaw House to form 11 apartments (including refurbishment of existing single caretaker's flat) and underground parking area, the Ballroom Wing to form 2 dwellings, the Stable Block to form 1 dwelling, refurbishment of existing dwelling at Oak Cottage, construction of 2 Gate Lodge dwellings, 3 dwellings within the Walled Garden, 7 dwellings within the Settlement Area, refurbishment of the Walled Garden, refurbishment of access routes and reinstatement of old route, provision of hard and soft landscaping, car parking and supporting infrastructure
 Applicant Mr L Williamson
 Ward Northaw and Cuffley
 Agent Mr T Waller
 Call-In/Objection from The Clerk, Northaw & Cuffley Parish Council
 Reason for Committee Decision 7/03/2019 21:00 - Not sustainable. Remote location. Public transport insufficient. Limited bus service. Village offers limited services and cars would be essential for shopping and employment.

New buildings on Green Belt are unacceptable as it has an adverse impact on openness. This is over development of the site.

Traffic access improvements at west end inadequate (simply narrowing junction and changing road markings & signage) and it is a dangerous bend.

At east end, Design Statement is contradictory - is this a pedestrian or vehicular access? If vehicular, there is a dangerous bend and dip in the road.

The Special Circumstances of additional buildings funding work on historic buildings is not justified. This would impact on the Green Belt gap between Northaw and Potters Bar. The development is socially unsustainable as it is not mixed housing and has no affordable housing included.

Case Officer Mr William Myers
Summary This application is likely to be presented to committee in October 2019.

6/2019/0457/FULL

Address Land north of Harmer Green Lane Welwyn AL6 0ET
Proposal Erection of a 1 x eco house dwelling following demolition of existing stables
Applicant Mr C Malcolm
Ward Welwyn East
Agent Ms A Idris-Town
Call-In/Objection from Caroline Williams, Welwyn Parish Council
Reason for Committee Decision 26/03/2019 21:58 - Welwyn Parish Council at its Planning and Licensing committee meeting of the 26th March 2019 agreed to submit:
MAJOR OBJECTION
Welwyn Parish Council view the statement in 3.15 within the Planning Statement "the property remains affordable following construction" with skepticism and puzzlement as to how the property will remain affordable in the future.
We do not recognise this development as an eco-house and therefore it does not form a special circumstance for development in the Green Belt.
Case Officer Mr Tom Gabriel
Summary It is anticipated that this application may be presented to the September meeting.

6/2019/0464/FULL

Address Royal Veterinary College Hawkshead Lane North Mymms Hatfield AL9 7TA
Proposal Installation of 8x floodlights at the Equine Lunge Arena
Applicant Royal Veterinary College

Ward	Welham Green & Hatfield South
Agent	Miss C Simpson
Call-In/Objection from	Sue Chudleigh, North Mymms Parish Council
Reason for Committee Decision	<p>Comment 1</p> <p>NMPC majorly object to this application on the grounds that the lighting will be obvious and intrusive and will therefore not meet environmental objectives and be out of keeping with the character of the countryside location and will affect the openness of the green belt. This is a greenbelt site and the is for lighting which will be visible from Hawkshead Lane, the railway and across the valley of Brookmans park. The floodlights will not prevent spread of illumination below their 8 m height so the surrounding area will be apparent particularly when it is dark or dusk. It cannot be acceptable for illumination to occur very late at night or just because visibility is bad . Who determines this? The lighting in this location should be limited to small periods of time and up to no later than 10pm . There must also be an environmental impact on wildlife when high levels of illumination occur .</p> <p>Comment 2 15/05/19</p> <p>NMPC Majorally object to this application on grounds that the lighting will be obvious and intrusive and therefore not meet environmental objectives. It is out of keeping with the countryside location and affect the openness of the green belt. It is a green belt site and lighting will be visible from Hawkshead Lane , the railway, and across the valley to Brookmans Park . The lighting will not prevent spread of illumination below their 8 m height so the surrounding area will be apparent particularly at dusk and when it's dark. Can't be acceptable for lighting to occur late at night or in bad weather. At the very least lighting should be limited to small periods and no later than 10pm at night taking into consideration the residents and road users . Environmentally there will be an impact on wildlife when there is high lighting levels .</p>
Case Officer	Ms A Christophi
Summary	It is anticipated that this application may be presented to the September meeting

6/2019/0814/FULL

Address	55 Bishops Rise Hatfield AL10 9BX
Proposal	Erection of new dwelling and vehicle crossover
Applicant	Mr A Shah
Ward	Hatfield South West
Agent	Mr S Cook
Call-In/Objection	Councillor James Broach, Welwyn Hatfield Borough Council

from

Reason for
Committee
Decision

23/04/2019 10:04 - Please see attached Word file for details of my reasons for call in.

I would like to call this application in to DMC, however I am happy for this to be refused under delegated powers if applicable. My reasons for the call in are as follows:

The proposed development would result in an overdevelopment of the site, given the footprint of the proposed bungalow when compared to the existing HMO.

The plans note 4 existing car parking spaces for the HMO – however no new parking spaces are proposed to accommodate the needs of this new site. Instead, the existing spaces for the HMO have been allocated to the annex. The applicant has failed in his duty to provide new parking spaces for this new development.

I would therefore question whether the existing HMO will remain compliant with criterion HMO2 of the - Houses in Multiple Occupation Supplementary Planning Document due to the loss of parking provision? I would also argue that the expectations of the WHBC Supplementary planning guidance have not been met, in particular section 4.1, which states “Residential development will generally be expected to accommodate all parking demand on site”. 4 spaces for the HMO plus this annex is woefully insufficient. The loss of the existing garage space would further exacerbate this.

I also note that there is no access into the HMO from this annex. If this is the case, should this not be considered a separate dwelling as opposed to an annex?

A neighbour on Lark Rise has shared some serious concerns with me in regards to this proposal, which I fully support. I particular note the point that this proposal would be out of keeping with the immediate surrounding area, raising concerns about whether this proposal would be compliant with Section 5.2 of the WHBC Supplementary Design Guidance (2005).

I also have concerns that this proposal poses a severe risk to the enjoyment of outdoor amenity space to the occupants of No. 2 Lark Rise – which raises concerns around Section 5.7 of the SDG.

In summary – this is a wholly inappropriate development for this area, and I urge you to refuse it based on the planning policies referenced above.

Case Officer

Ms Lucy Hale

Summary

This application is likely to be presented to committee in September 2019.

6/2019/1185/FULL

Address

The Ashley Wilde Group, Emmanuel house, Travellers Close, Hatfield, AL9 7LD

Proposal	Retention of portakabin installed at first floor over existing with balcony & enclosed staircase structure
Applicant	Mr A Brodin
Ward	Welham Green & Hatfield South
Agent	Mr J Hallam
Call-In/Objection from	Councillor Jaida Caliskan, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>I would like to call in this application for retrospective planning permission for the erection of a Portacabin, if the officer is minded to grant it.</p> <p>My ground is as follows;</p> <p>1) It has attracted an unusually high level of public interest</p> <p>Due to the proximity of the Portacabin to the rear boundary of several homes, it has a consequential loss of visual amenity for the residents of Puttocks Drive. In addition, the windows of the Portacabin overlook the back garden and rear windows of several households, impacting upon their privacy and security.</p> <p>The Portacabin was erected in contravention of Planning laws and as such due process requires that the applicant should face enforcement, not a grant of permission.</p>
Call-In/Objection from	Councillor Paul Zukowskyj, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>Comments:</p> <p>I would like to object to this retrospective application as the development adversely affects the amenity and privacy of the rear gardens and rear living spaces for a number of residents of neighbouring houses.</p> <p>If the case officer is minded to grant retrospective permission I would like this application called in to be determined at the DMC.</p>
Case Officer	Mr David Elmore
Summary	This application is likely to be presented to committee in September 2019.

6/2019/1277/FULL

Address	Judge's, Judge's Hill Northaw Potters Bar EN6 4NL
Proposal	Retention of single storey rear extension and two canopies

Applicant	Mr J Cunningham
Ward	Northaw and Cuffley
Agent	Mr R Almeida
Call-In/Objection from	The Clerk, Northaw & Cuffley Parish Council
Reason for Committee Decision	25/07/2019 15:50 - MAJOR OBJECTION - The structure is not in keeping with the historic building which is Grade II listed. It was erected without a planning application. This is a Green Belt Site so the structure falls outside the NPPF guidelines. This type of structure is known to amplify noise. Music events are held at this venue causing noise nuisance to neighbours.
Case Officer	Mr William Myers
Summary	This application is likely to be presented to committee in October 2019.

6/2019/1290/HOUSE

Address	22 Bramble Road Hatfield AL10 9SA
Proposal	Erection of first floor front extension and insertion of roof light
Applicant	Mr D Hicks
Ward	Hatfield Villages
Agent	Mr S Cook
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	27/06/2019 13:45 - Members consider this application contrary to PolicyD1: Quality of Design as it is not of a high quality and Policy D2: Character and Context as it is overdevelopment of the original footprint of the property and fails to allow for adequate parking. It fails to maintain, nor enhances or improve the character of the existing area.
Case Officer	Mr David Elmore
Summary	This application is likely to be presented to committee in September 2019.

6/2019/1330/FULL

Address	Former Shredded Wheat Factory Welwyn Garden City AL8 6UN
Proposal	Alterations and amendments to planning permission 6/2018/0171/MAJ, dated 15th February 2019, for the erection of a five-storey Community

Bridge Building (1,257m2) for flexible use (B1/D1/D2 Use Classes), incorporating the removal of the skate park.

Applicant The Wheat Quarter
Ward Peartree
Agent Mr A McPheat
Call-In/Objection from Councillor Malcolm Cowan, Welwyn Hatfield Borough Council
Reason for Committee Decision I wish this application to be called in to DMC (unless you decide to refuse it as a delegated decision); this is on the grounds the skate park was promised to the public from the inception of the project, indeed was a part of the Spenhill application, and to remove it at this late stage would be a major breach of faith with the public who have long looked forward to a purpose-built skate park in the town.
Case Officer Ms A Christophi
Summary This application is likely to be presented to committee in October or November 2019.

6/2019/1338/FULL

Address University of Hertfordshire, Club de Havilland, Mosquito Way, Hatfield, AL10 9EU
Proposal Change of use from entertainment and leisure (Use Class D2) to teaching facility (Use Class D1)
Applicant University of Hertfordshire
Ward Hatfield Villages
Agent Mr C Pattison
Call-In/Objection from Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision 27/06/2019 13:48 - Members object to the loss of this leisure and entertainment facility for the people of Hatfield especially Salisbury Village. This amenity was required under the s.106 for this site and if it is to be lost suitable compensation should be made to the residents of the "new" de Havilland & Salisbury area to compensate them. Suggestions are free passes to the sports village.
Case Officer Mr Mark Peacock
Summary This application is likely to be presented to committee in October 2019.

6/2019/1342/FULL

Address	5 and 7 Moor Cottages Mimram Walk Welwyn AL6 9EZ
Proposal	Conversion of 2x outbuildings to 1x Dwelling and erection of a single storey rear extension (retention of number 5 outbuilding)
Applicant	Ms B Gavin
Ward	Welwyn West
Agent	Mr C Watts
Call-In/Objection from	Councillor Tony Kingsbury, Welwyn Hatfield Borough Council
Reason for Committee Decision	I would like to call in this planning application, if the officer is minded to approve it, on the following grounds:- 1. There is no parking provision in the application within an area 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.
Case Officer	Ms Louise Sahlke
Summary	This application is likely to be presented to committee in September or October 2019.

6/2019/1665/MAJ

Address	41-43 Town Centre, Hatfield, AL10 0JJ
Proposal	Retention of existing ground floor and basement retail (A1) use with the proposed first floor converted and extended from A1 retail storage to four storeys of 47no. student flats (C2) with associated basement level cycle store
Applicant	Merivale Estates
Ward	Hatfield Cent.
Agent	Mr N Husband
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	22/07/2019 13:25 - As previously objected by Hatfield Town Council. Over development of site and concerns regarding car parking. In agreement with Welwyn Hatfield Borough Council previous reasons for refused application
Case Officer	Mr David Elmore

Summary

This application is likely to be presented to committee in October or November 2019.