

Part I
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WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 5 DECEMBER 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 If the call-in or application is withdrawn, the item will not be presented.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	Sarah Smith
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	Ms Clare Howe

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 Councillor Paul Zukowskyj, Welwyn Hatfield Borough Council from

Reason for Committee Decision 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.

Call-In/Objection Sue Chudleigh, North Mymms Parish Council from

Reason for Committee Decision 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.

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.

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.

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.

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.

6/2018/2768/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.

Case Officer Ms Michael Robinson
Summary This major planning application is anticipated to be presented to committee in 2020.

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 Councillor Tony Kingsbury, Welwyn Hatfield Borough Council from
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 December 2019.

6/2019/1582/FULL

Address	Land rear of 10-18 Mymms Drive Brookmans Park Hatfield AL9 7AF
Proposal	Erection of 1x dwelling and 2x replacement bridges following demolition of existing buildings and bridges
Applicant	Mr & Mrs C Pocock
Ward	Brookmans Park & Little Heath
Agent	C/O Agent
Call-In/Objection from	Sue Chudleigh, North Mymms Parish Council
Reason for Committee Decision	<p>North Mymms Parish Council maintain the Major Objection to the proposal as it would result in loss of openness to the Green Belt and as no special circumstances exist it would be inappropriate development. The application form is misleading as the vehicular and pedestrian access (item 8.) would be altered, particularly as vehicles will now have to have strengthened bridges for access resulting in industrial type construction in a rural location. The proposal is located where it is visible and therefore will cause harm as a result of its effect on the openness adjacent to Green Belt, the comments in the Heritage Statement are biased in favour of the proposal but do not provide sufficiently good reasons to alter NMPC's strong objections, and the proposal is back land development. It is also noted that the applicant's previous application for this site, refused by WHBC is now awaiting a decision on appeal.</p> <p>North Mymms Parish Council bring Welwyn Hatfield Borough Council's attention to the attached Land Registry title number HD213805 and in particular section 12.2 which imposes Restrictive Covenants on the land owners and gives North Mymms Parish Council the ability to enforce these Covenants. On this basis Welwyn Hatfield Borough Council should note that North Mymms Parish Council, given the Major Objection to the application, will not be giving written consent to the applicants.</p>
Case Officer	Ms Lucy Hale
Summary	This application is likely to be presented to committee in January 2020.

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	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 January 2020.

6/2019/2082/FULL

Address	Unit 4A Travellers Lane Welham Green Hatfield AL9 7HF
Proposal	Erection of building (Use Class B1(a)/B8)) following demolition of existing building (Use Classes B2)
Applicant	Mr A Wilde
Ward	Welham Green & Hatfield South
Agent	Mr J Hallam
Call-In/Objection from	Councillor Paul Zukowskyj, Welwyn Hatfield Borough Council
Reason for Committee Decision	I would like to call in this application as I and local residents are very concerned indeed to see yet another planning application for development by the Ashley Wilde group on this site. The justification for this is that the application raises significant and sensitive planning issues, in that we appear to be seeing 'salami slicing' of development on this site, it results in a hodge-podge of development, in an apparent attempt to avoid assessment of cumulative impacts. It also seriously undermines the justification for other developments currently in the decision phase as the question might be asked what the justification is

for portacabin additional office space when this development could have been very slightly increased and provide all space needed. The decision on this application may therefore affect the basis for any decision on the other applications.

I believe all applications within the same curtilage should be heard together so a proper assessment of cumulative impact can be made. Since call-in of other applications has been accepted, this application also needs to be determined by the same committee at the same time.

Case Officer Mr David Elmore
Summary This application is likely to be presented to committee in December 2019.

6/2019/2048/HOUSE

Address 2 Bull Stag Green Hatfield AL9 5DE
Proposal Erection of single storey rear extension
Applicant Mr J Duceau
Ward Hatfield East
Agent Mr S Cook
Call-In/Objection from Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision Members do not consider this demolition of a conservatory as it has a first floor extension above it. This proposed very large single storey extension with existing first floor extension is over development of the site by the percentage of footprint increase, out of keeping with neighbouring properties and in appropriate development in this area of Hatfield. It is also considered that there is inadequate parking.
Case Officer Mr A Commenville
Summary This application is likely to be presented to committee in December 2019 or January 2020.

6/2019/2218/FULL

Address	Tanum Farm Hawkshead Road Little Heath Potters Bar EN6 1LX
Proposal	Erection of a dwelling following demolition of existing dwelling and commercial building
Applicant	Mr & Mrs Hewett
Ward	Brookmans Park & Little Heath
Agent	Mr A Morrow
Call-In/Objection from	Sue Chudleigh, North Mymms Parish Council
Reason for Committee Decision	North Mymms Parish Council have a MAJOR OBJECTION to this inappropriate development in the Green Belt. It will affect the openness as it is so large. The 2 storeys and chimney will be overdominant in the landscape. Presumption is against development in the Green Belt and this is not replacement but completely new build. Materials are partly industrial and therefore not suitable for its rural location and the design is not sympathetic. The manipulation of the Planning system is evident in the history of the site, contained in the Planning Statement, but this is at the point at which it must stop. The site is within Green Belt and not appropriate for a new, large residential unit. It would be highly visible from Little Heath Open Space and is not comparable to Osborne House Farm where an existing barn was converted. Location plan drawing number 4123-001 is inaccurate and shows the site boundary to the north encroaching on North Mymms Parish Council land.
Case Officer	Mr William Myers
Summary	This application is likely to be presented to committee in January 2020.

6/2019/2311/FULL

Address	7 Hanyards Lane Cuffley Potters Bar EN6 4AS
Proposal	Erection of 2x dwellings following demolition of existing dwelling
Applicant	C/O Agent
Ward	Northaw and Cuffley
Agent	Mr S Sandler
Call-In/Objection from	The Clerk, Northaw & Cuffley Parish Council

Reason for Committee Decision	<p>This is a backland development in a garden for which there is no precedent in Hanyards Lane.</p> <p>2. There is precedent on Hanyards for two houses side by side where the plot is wide enough, but not for "Tandem Developments"</p> <p>3. NCPC are not aware that any similar Tandem Developments have ever been approved in Cuffley.</p> <p>4. 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.</p> <p>5. The bulk and mass of the two properties represent an over development of the site (approx 0.6 acres), in the context of a Lane which has large single dwelling houses either side.</p> <p>6. This plot has previously been subdivided</p> <p>7. The development is out of character with the local environment.</p> <p>8. The very small rear garden House Type-02 will be north facing</p>
Case Officer	Mr Tom Gabriel
Summary	This application is likely to be presented to committee in January or February 2020.

6/2019/2466/FULL

Address	Land to the rear of 55 Roe Green Close Hatfield AL10 9PF
Proposal	Erection of 1 x dwelling with associated parking and private amenity space
Applicant	Ms S Coley
Ward	Hatfield South West
Agent	Mr L Sutton
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	<p>Cllr Eames -Petersen had received a letter from a local resident advising there is a restricted conveyance on Roe Green Close restricting any further property development. This in turn would be a nuisance to existing neighbours, an overdevelopment of the area, also out of character and failed to provide adequate parking spaces.</p>
Case Officer	Ms Lucy Hale

Summary This application is likely to be presented to committee in January or February 2020.

6/2019/2760/OUTLINE

Address	Colesdale Farm Northaw Road West Northaw Potters Bar EN6 4QZ
Proposal	Outline permission for residential development of site of up to 34 dwellings following demolition of the existing buildings and structures with all matters reserved apart from access
Applicant	Mr Brosnan
Ward	Northaw and Cuffley
Agent	Ms Hunter
Call-In/Objection from	The Clerk, Northaw & Cuffley Parish Council
Reason for Committee Decision	MAJOR OBJECTION - Although the number of dwellings has reduced, the unsustainability of the site under NPPF framework still pertains. Our previous comments/objections still stand and are unaffected by this amendment.
Case Officer	Mrs Elizabeth Aston
Summary	This application is likely to be presented to committee in January or February 2020.