

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 19 July 2017
REPORT OF THE EXECUTIVE 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 If the call-in or application is withdrawn, the item will not be presented.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 x2298
Title	Interim Development Management Service Manager

Appendix 1 - Applications called-in or objected to

6/2016/0270/VAR

Address	Four Oaks, 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 J Pagdin

6/2016/0900/FULL

Address	111 The Ryde, Hatfield, AL9 5DP
Proposal	Change of use to Sui-Generis Large House in Multiple Occupation (HMO) for up to 9 occupants

Applicant	Mr I Kabala
Ward	Hatfield East
Agent	Planmore Design Architecture
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	There is insufficient parking for this use, the development is cramped, insufficient welfare amenities for the number of occupants and this Council supports the Borough's Corporate Property Department in their objection regarding the covenants in place. Approving this application would set a bad precedent for HMO's in this area.
Case Officer	Mrs J Pagdin

6/2016/1493/VAR

Address	Thunderbridge Yard, Bulls Lane, Hatfield, AL9 7BB
Proposal	Variation of condition 1 to make the temporary permission permanent; condition 3 to permit eight caravans of which no more than four 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	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 from	Sue Chudleigh, North Mymms Parish Council
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 Mrs J Pagdin

6/2016/1882/FULL

Address Former Roche Products Site, 40 Broadwater Road, AL7 3AY

Proposal Change of use of former Roche Products Factory (Class B offices, research and manufacturing) to provide 34 residential units (Class C3) across basement, ground and first to third floors, with associated external alterations including excavation to the rear lightwell of southern elevation, additional and altered fenestration to the northern and southern elevations, creation of additional car parking and associated landscaping, together with internal alterations including the subdivision and reconfiguration of floorspace, the introduction of 5 new spiral staircases and provision of servicing within the building

Applicant Taylor Wimpey North Thames

Ward Peartree

Agent Mrs A Herrick

Call-In/Objection from Councillor Malcolm Cowan, Welwyn Hatfield Borough Council

Reason for Committee Decision Can I call in this application for committee decision.

Reasons:

It appears to be a departure from the SPD in having no community content when the SPD said the whole building was to be for community use.

It is a departure from WHBC guidelines in having no social housing, and the justification given in their report are I understand from your officers, spurious on two grounds.

I also note that most of the promised parking already exists and is in use.

Case Officer Mrs J Pagdin

6/2016/1891/FULL

Address	Land at Cucumber Lane, Essendon, Hatfield, AL9 6JB
Proposal	Erection of 3 no. agricultural barns comprising a grain store, cattle housing and straw/implement storage barn, the creation of a 3m high earth bund and the creation of a balancing pond.
Applicant	A T Bone & Sons
Ward	Hatfield East
Agent	Miss J Orsborn
Call-In/Objection from	Ms D Daniell, Essendon Parish Council

Reason for Committee Decision

This application has attracted considerable interest from the local community and the meeting was well-attended by the public. The applicant appeared before the meeting and sought to answer the public's concerns. However, it was clear that those present were not persuaded by many of his responses and the Parish Council continued to receive representations over the subsequent days.

The concerns centre on the seeming escalation of the farming operation proposed and its potential impact. It is unclear why such large barns are required when it is proposed to split the function of the farm between grain and cattle. For example, a local farmer commented that the grain barn capacity is greater than the potential yield of the land (if it is solely given over to grain). Why, therefore, is it also proposed to have a shed for cattle? And why is such a large cattle shed being applied for given the numbers anticipated? There is a concern that the proposal is to facilitate the trading of grain, involving not tractor and trailer scale movements but vast 44 tonne lorry movements.

The consequence of this traffic is of major concern to many residents in the surrounding area. These are very minor rural roads and are not built to withstand these loadings (note the many potholes and collapsed soft verges along these roads). Many of these roads are too narrow to facilitate two-way passing of articulated lorries and other vehicles. Introducing this scale of traffic will inconvenience locals but, possibly of greater concern, present a danger to the very many cyclists who visit the area in pursuit of their sport or recreation.

The excessive scale of the buildings has motivated the applicant to surround the complex with an ugly bund in order to hide them. This will scar the landscape and have a harmful impact on the setting of nearby pond and heritage assets.

We suggest that if the nature of the proposed operation was resolved the scale of the building could then be reduced and their design improved such that they are less offensive to the landscape and the bund might not then be deemed necessary. The volume and scale of the traffic movements could

then be reduced to something more compatible with the existing road network and safer for its other users. This should be further explored through a Traffic Management Plan.

One member of the public questioned the applicant on why this location had been chosen for the barns when other options and existing entrances were available that would avoid much of the above. Surprisingly, the applicant was not aware of these other options and we suggest that it would be appropriate for these to be fully explored as they may prove more satisfactory to all concerned than the current application.

The Parish Council is keen to support farming and farmers in our area but find that, in this instance, too many issues and concerns have not been properly considered and thought through. We would be pleased to be consulted on a further iteration that addresses the above public concerns.

Case Officer Mr S Dicocco

6/2016/2339/FULL

Address 23 Park Street Hatfield
Proposal Change of use from Restaurant (A3) to residential (C3) and the erection of single storey and first floor rear extension and subdivision into four flats
Applicant Mrs M Harvey
Ward Hatfield East
Agent Mr M Skehill
Call-In/Objection from Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision 12/12/2016 16:12 - Object to loss of a retail/restaurant unit within the shopping core of Old Hatfield.
Case Officer Mrs J Pagdin

6/2016/2606/FULL

Address The Bellbrook Bulls Lane Hatfield AL9 7AZ
Proposal Erection of two box stable building for private equestrian use with hardstandings for stable yard, parking and turning, with access track to stables and host dwelling
Applicant Mr Hassan
Ward Welham Green & Hatfield South
Agent Mr J Young
Call-In/Objection from Sue Chudleigh, North Mymms Parish Council
Reason for 5/01/2017 13:55 - North Mymms Parish Council OBJECT to this application

Committee
Decision

as the proposed facility could be relocated and existing vehicular access used, negating the need for additional access and hard standing on Green Belt land. The proposed development would affect the openness of the site due to its closeness to the road frontage. No special circumstances have been demonstrated. NMPC also OBJECT to the proposed 'Change of Use' of the land from Agricultural to Grazing. This is unnecessary as the land would still be classed as Agricultural type use.

Case Officer

Mr A Mangham