

Part I

Main author: Lisa Hughes

Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 14 SEPTEMBER 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 If the call-in or application is withdrawn, the item will not be presented.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	Lisa Hughes x2247
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 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

6/2016/1375/FULL

Address	51 Roe Green Close, Hatfield, AL10 9PF
Proposal	Erection of chalet type bungalow
Applicant	Mr A Miller
Ward	Hatfield South West
Agent	Mr C Bailey
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	Further to our objection the details are; The committee raises objections to this planning application regarding proximity to chalk mines, vehicular access, refuse and emergency vehicle access and the number local residents objections for such an isolated 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 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	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

6/2016/2606/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 D Cookson
Call-In/Objection from	Sue Chudleigh, North Mymms Parish Council
Reason for Committee Decision	5/01/2017 13:55 - North Mymms Parish Council OBJECT to this application 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	Mrs J Pagdin

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	<p>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.</p> <p>This has caused significant harm to the residents and the general amenity of the area.</p> <p>The original application did not mention the floodlights being in different positions.</p> <p>This is impacting on the conservation and EMS area.</p> <p>There is substantial visual intrusion day and night.</p> <p>At night, the light spill is far worse than previously, despite the rugby club saying it would be less. This is not the case.</p> <p>The club also seems to be contravening the permission given as to when they may be used.</p>
Case Officer	Ms R Collard

6/2017/0235/FULL

Address	28 High Oaks Road Welwyn Garden City AL8 7BH
Proposal	Erection of a detached house with garage, parking area and gazebo within rear garden
Applicant	Mr A Nicholas
Ward	Handside
Agent	Mr K Harley
Call-In/Objection from	Councillor Helen Bromley, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>This is the third time this application has come to planning.</p> <p>Each time there are a few minor changes.</p> <p>The size and scale of any new development on this site will lead to a loss of amenity, both to neighbours and the street scene which concerns many residents.</p> <p>Amenity loss to the street scene by virtue of a loss of hedge, grass verge etc. and more visible hard landscaping. This street has houses on large individual plots, which this garden grabbing development would compromise.</p> <p>I ask, that should officers be minded to accept this latest attempt, that it is put before the DMC.</p> <p>Executive Member for Environment</p>
Case Officer	Mr R Adenegan

6/2017/0513/FULL

Address	5 West View Hatfield AL10 0PJ
Proposal	Retention of change of use from sui-generis (Large HMO for up to 8 people) to sui-generis (Large HMO for up to 10 people)
Applicant	Ms D Law
Ward	Hatfield Cent.
Agent	Ms D Law
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	The Committee objected to this application due to the fact the Hatfield Article 4 Direction desperately needs reviewing and this has been recognised by the LPA. Until such time that this has been carried out and bearing in mind that the overall concentration of HMOs in Hatfield Town Council's area needs to be reduced, no further HMOs should be permitted within the boundaries of Hatfield Town Council's area hence forth. This particular application lacks sufficient communal space and we suggest fails to meet the legal requirements for HMO's.
Case Officer	Mr M Peacock

6/2017/0550/MAJ

Address	Plot 6000 Land adjacent to Porsche Garage Hatfield Avenue Hatfield Business Park Hatfield AL10 9UA
Proposal	Erection of a 75 bed elderly care home development (C2) with 20 parking bays and associated landscaping.
Applicant	Mr Atkar
Ward	Hatfield Villages
Agent	Mr J Bell
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	6/04/2017 14:12 - Members regret that the applicant chose not to make a presentation to this Council prior to submitting their application. Without greater understanding of the plans, they object to the application due to the overbearing nature of the development on the properties in Manor Rd, the height of the development and the lack of on site parking.
Case Officer	Mr M Peacock

6/2017/0606/MAJ

Address	1-9 Town Centre Hatfield AL10 0JZ
Proposal	Erection of 2 buildings to provide 1,194,60 m2 (GEA) retail 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 M Peacock

6/2017/1152/FULL

Address	Units 9-11 Peartree Farm Welwyn Garden City AL7 3UW
Proposal	Change of use of land to a sui generis use for vehicle repairs with the operating hours: Monday-Friday 07:00- 19:00 and Saturday 08:00-13:00 Erection of a workshop following part demolition of existing workshop
Applicant	Welham Travel
Ward	Peartree
Agent	DLA Town Planning Ltd
Call-In/Objection from	Councillor Malcolm Cowan, Welwyn Hatfield Borough Council
Reason for Committee Decision	I wish to call in this application for member decision. The fact these industrial units back onto residential homes means there has been some history of a difficult interface and it is important the application is given the fullest examination. The difficult interface relates to previous complaints over a long period of time during the occupation by the previous occupier as a bus operator.
Case Officer	Mr R Adenegan

6/2017/1194/MAJ

Address	98-102 Great North Road Hatfield AL9 5DB
Proposal	Erection of 24 retirement living units (category II sheltered housing) with associated communal facilities, car parking and landscaping following the demolition of existing buildings
Applicant	McCarthy & Stone Lifestyles Ltd

Ward	Hatfield East
Agent	Mr G Cooper
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	3/07/2017 11:50 - Members are concerned at the lack of parking on site. Hertfordshire has the highest car ownership by County and this needs to be reflected in the parking provision when also taking into account the location of this development in relation to major supermarkets and the chronic lack of decent public transport in Hatfield at present. Until a bus loop system is in place in Hatfield, this Council has difficulty in condoning such low provision for residents parking.
Case Officer	Mr M Peacock

6/2017/1242/FULL

Address	2 St Albans Road East Hatfield AL10 0HE
Proposal	Conversion of single dwelling into 5 self contained units.
Applicant	Ms M Lister
Ward	Hatfield East
Agent	Mr M Bryant
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	30/06/2017 16:37 - The Committee object to this application due to the fact the Hatfield Article 4 Direction desperately needs reviewing and this has been recognised by the LPA. Until such time that this has been carried out and bearing in mind that the overall concentration of HMOs in Hatfield Town Council's area needs to be reduced, no further HMOs should be permitted within the boundaries of Hatfield Town Council's area hence forth. Whilst this application provides self contained units, it is still going to have the same effect as an HMO including the parking issues and negative effects on local residents.
Case Officer	Mr M Peacock

6/2017/1575/HOUSE

Address	6 Errington Close Hatfield AL10 9AU
Proposal	Conversion of garage to habitable room with installation of window to rear elevation
Applicant	Helene
Ward	Hatfield Villages
Agent	Mr A Feasey
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for	14/08/2017 14:49 - Members object to the loss of a parking space in this part

Committee Decision of Hatfield where parking is at a premium.

Further the Hatfield Article 4 Direction desperately needs reviewing and this has been recognised by the LPA. Until such time that this has been carried out and bearing in mind that the overall concentration of HMOs in Hatfield Town Council's area needs to be reduced, no further HMOs should be permitted within the boundaries of Hatfield Town Council's area hence forth, permitting this garage to be converted will further exacerbate the increase in student/HMO accommodation in Hatfield.

Case Officer Mr A Sabir

6/2017/1617/FULL

Address 20 Upland Drive Brookmans Park Hatfield AL9 6PT

Proposal Erection of 2 x 5-bedroom dwellings with private rear garden and front driveways, following demolition of existing dwelling.

Applicant Mr G Shiells

Ward Brookmans Park & Little Heath

Agent Mr P Cramphorn

Call-In/Objection from Councillor Stephen Boulton, Welwyn Hatfield Borough Council

Reason for Committee Decision I have not called in the previous one at 30 Upland but this at 16 follows immediately the application for 20 Upland and three applications for two large detached houses on each plot previously having one in a matter of weeks seems to be detrimental to the amenity of existing houses in the road.

I know that each one needs to be dealt with individually but in this case the six proposed houses in these three applications look excessive. Added to this is the real concerns of the rest of the residents in the road.

Therefore if the officers are not minded to refuse the application I would like to call in 20 and 16.

Case Officer Mrs J Pagdin

6/2017/1642/FULL

Address 58 Heron Way Hatfield AL10 8QX

Proposal Erection of 3 bedroom dwelling and single storey rear extension to existing dwelling following demolition of existing detached garage and part demolition of existing dwelling.

Applicant Mr G Grewal

Ward Hatfield South West

Agent Mr S Cook

Call-In/Objection Carrie Lloyd, Hatfield Town Council

from

Reason for Committee Decision 14/08/2017 15:01 - This is overdevelopment of the site. Should officers be minded to grant the application Members request that a condition be put on ensuring that the premises is not permitted to be used for Class C4 use.

Members consider the size, mass and bulk of the additional three bedroom dwelling on this single dwelling plot over development of the site and out of character with the existing street scene.

Case Officer Mr D Elmore

6/2017/1648/HOUSE

Address 16 The Meadway Cuffley Potters Bar EN6 4ES

Proposal Erection of detached annexe in rear garden following the demolition of existing shed, studio and greenhouse

Applicant Mr J Ainsworth

Ward Northaw and Cuffley

Agent Mr J Ainsworth

Call-In/Objection from Jason Grocock, Northaw & Cuffley Parish Council

Reason for Committee Decision 10/08/2017 15:42 - The PC objects to this application on the following grounds:- this appears to be residential accommodation, not an annexe. This is inappropriate development and in no way replaces existing structures equivalently.

Case Officer Mrs J Pagdin

6/2017/1690/FULL

Address 53 Roe Green Close Hatfield AL10 9PF

Proposal Conversion of existing single dwelling into two self contained residential flats.

Applicant Mr M Apicella

Ward Hatfield South West

Agent Mr N Lisowski

Call-In/Objection from Carrie Lloyd, Hatfield Town Council

Reason for Committee Decision 10/08/2017 09:44 - TBA
14/08/2017 14:57 - Members object that the applicant is taking an existing HMO and converting it into two flats which will continue to be HMO's judging by the number of bedrooms.

Further the Hatfield Article 4 Direction desperately needs reviewing and this has been recognised by the LPA. Until such time that this has been carried out and bearing in mind that the overall concentration of HMOs in Hatfield

Town Council's area needs to be reduced, no further HMOs should be permitted within the boundaries of Hatfield Town Council's area hence forth.

There is inadequate parking for the number of bedrooms.

Case Officer	Ms L Hale
Address	53 Roe Green Close Hatfield AL10 9PF
Proposal	Conversion of existing single dwelling into two self contained residential flats.
Applicant	Mr M Apicella
Ward	Hatfield South West
Agent	Mr N Lisowski
Call-In/Objection from	Councillor James Broach, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>17/08/2017 13:50 - I strongly object to this application and wish to call it in for consideration at DMC.</p> <p>The loss of a family style house to create flats sets a very dangerous precedent in an area such of this in Hatfield. This is an area surrounded by family homes, converting a dwelling into flats could open the floodgates.</p> <p>I am also concerned about the impact that this proposed development may have on parking in the surrounding area. Insufficient off street parking has been provided for the seven bedrooms in this proposal, and on street parking is somewhat at a premium in this area.</p> <p>I note that a proposal at number one Roe Green Close was rejected recently in the surrounding areas. At the time of my objection, I note that there are a large number of objections from local residents to this proposal.</p>
Call-In/Objection from	Councillor Paul Zukowskyj, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>I would like to call in this application for committee decision as an application that meets the relevant criteria for call in on two grounds: 1. A significant change in the type and form of the dwellings in this location, suggesting potentially a departure from the designation of the land in this location, and 2. An application which has local sensitivities beyond the specific plot and on which the public may have strong opinions.</p> <p>The local sensitivities are related to developments that could be viewed by the public as ones geared to 'creep' towards developments such as those previously proposed for student accommodation blocks. Conversion to flats is therefore of concern in this area in a way that it would not be in other locations.</p> <p>The 'potential departure from local designation' was, in my intention, referring to the potential reclassification of the original dwelling from C3 to C4 or even C2.</p>

I'd also be grateful if you could perhaps review the compliance of the proposal with the Article 4 directive were the property to be viewed as C4 in whole or in part, especially if two separate dwellings are to be formed and both were subsequently used as HMOs.

Case Officer Ms L Hale

6/2017/1738/FULL

Address	16 Upland Drive Brookmans Park Hatfield AL9 6PS
Proposal	Erection of 2 x 5 bedroom detached dwellings.
Applicant	Mr & Mrs D Highton
Ward	Brookmans Park & Little Heath
Agent	Mr S Zaffuto
Call-In/Objection from	Councillor Stephen Boulton, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>I have not called in the previous one at 30 Upland but this at 16 follows immediately the application for 20 Upland and three applications for two large detached houses on each plot previously having one in a matter of weeks seems to be detrimental to the amenity of existing houses in the road.</p> <p>I know that each one needs to be dealt with individually but in this case the six proposed houses in these three applications look excessive. Added to this is the real concerns of the rest of the residents in the road.</p> <p>Therefore if the officers are not minded to refuse the application I would like to call in 20 and 16.</p>

Case Officer Ms L Hale