

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 4 JANUARY 2018
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE)

6/2017/2202/OUTLINE

LAND AT WATERBEACH, BERICOT WAY AND SHACKLETON WAY, WELWYN
GARDEN CITY, AL7 2PT

OUTLINE PLANNING APPLICATION FOR 21 DWELLINGS WITH ALL MATTERS
EXCEPT ACCESS RESERVED

APPLICANT: Mr D Bowler

AGENT: Mr M Wood

(Panshanger)

1 Site Description

- 1.1 The application site is located within the heart of Panshanger Ward and is approximately 2 miles to the east of the centre of Welwyn Garden City and is roughly a rectangular piece of undeveloped land which is approximately 0.70ha. It should be noted that this site was part of a larger piece of land, however part of the land, immediately to the south-west of the application site is being re-developed for a 75 bed care home, which is largely complete.
- 1.2 The application site is an island site surrounded on three sides by roads, which comprise of Bericot Way to the west, Shackleton Way to the east and Waterbeach to the north, with the care home development immediately to the south. The site consists of an undeveloped greenfield site which is laid to grass and is relatively flat. It is surrounded by a grass bund with a number of trees and vegetation on or next to it, which form a soft boundary between the site and the adjacent houses and highway.
- 1.3 The site is situated within a residential area which consists of mainly later twentieth century two storey housing. The residential properties are a mixture of styles but are all of a traditional character. The surrounding housing tends to face onto side streets rather than the main routes through the area. The roads within the area however include grass verges and soft greenery.

2 The Proposal

- 2.1 The application seeks outline planning permission for 21 dwellings. The only matter for consideration at this stage is the access. The access would be gained from Waterbeach via a new vehicular access road.

- 2.2 Whilst scale and layout are not matters for consideration at this stage, the application description refers to 21 dwellings and the submission is accompanied by a proposed layout plan for 21 dwellings, although it should be noted that the Design and Access Statement clearly states that this is an illustrative layout. Furthermore this document states that the *'applicant would be prepared to accept a condition/cap confirming that the permission is for up to 21 units.'*
- 2.3 The proposed residential units on the indicative proposed site layout plan, shows the proposed dwellings would be arranged around a central road, creating a cul-de sac with turning heads terminating this internal road. The plans shows 6, three bedroom, semi-detached properties, 3, four bedroom detached dwellings and two rows of terraces containing 3 dwellings which would predominantly consist of 2 bedroom houses although one would be a 3 bed. It can also be confirmed that the applicant will provide 30% affordable housing in accordance with the emerging planning policy SP7.

3 Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because Councillor Mitchinson has called the application in on the grounds of;
- 'Overdevelopment and loss of a local amenity. This site lies on the edge of a plot originally earmarked for a local school. Subsequently planning permission was granted for a care home which now dominates the area and takes up a significant amount of the plot. Had a school been built there would have been provision of a playing field which would have protected an area of open space between the new build and existing houses. I believe the open space that now exists should remain as a buffer between the care home and the existing nearby housing.'*

4 Relevant Planning History

- 4.1 N6/2014/2462/MA: Erection of a 75 bed care home, incorporating 20 person elderly day care centre, communal facilities, new vehicular access onto Shackleton way, car parking, bin store and energy centre and associated hard and soft landscaping – Approved 05/03/2015
- 4.2 N6/2012/1776/MA: Erection of 75 bed care home, 10 bed Young Physically Disabled home, 20 person elderly day care centre, 4 independent living units, enablement suite and communal facilities. New vehicular access onto Shackleton Way with external car parking and bin store/energy centre - Refused 6/12/2012.
- 4.3 N6/1981/0272/: Site for residential development (20 acres approx) - Refused 18/06/1981
- 4.4 N6/1981/0270/: Site for residential development (40 acres approximately) - Refused 18/06/1981
- 4.5 N6/1979/0884/: Site for residential development - Refused 04/09/1980

5. Planning Policy

- 5.1 National Planning Policy Framework 2012
- 5.2 Welwyn Hatfield District Plan 2005
- 5.3 Draft Local Plan Proposed Submission 2016
- 5.4 Supplementary Design Guidance, February 2005
- 5.5 Supplementary Planning Guidance, Parking Standards, January 2004
- 5.6 Interim Policy for Car Parking Standards and Garage Sizes, August 2014
- 5.7 Supplementary Planning Guidance Planning Obligations

6 Site Designation

- 6.1 The site lies within the settlement of Welwyn Garden City as designated in the Welwyn Hatfield District Plan 2005.

7 Representations Received

- 7.1 The application was advertised by means of site notice, press notice and neighbour notification letters. 13 responses have been received from residents in Lincoln Close, Oakington, Waterbeach, Spindleberry Close and Wyton. Their objections can be summarised as:
 - Increase in traffic
 - Parking concerns/insufficient parking provision
 - Danger to children using roads and footpaths
 - Impact on health and well being
 - Highway safety issues
 - Reduction in greenery
 - Loss of existing mature trees and loss of green space
 - Impact on drainage, issues with flooding during rainy periods
 - Impact on local wildlife
 - Development would have a detrimental impact on the character of the area.
 - The design of the proposal is out of character with the neighbourhood.
 - Increase in density of surrounding neighbourhoods.

- Loss of privacy and loss of light
- Unsightly view
- The outline proposal for 21 houses is not binding on future applications, which will need to be in keeping with the local area - however, the large scale and size of the care home means that proposed properties eventually built there may be much denser and much taller than that proposed on the outline application. This will lead to complete loss of privacy as these properties will be densely built (the land is much too small to do otherwise) and so these properties will be close to our rear boundary fence, leading to further loss of daylight and privacy in both garden and home.
- Impact on ability to maintain boundary treatments.
- Concerns regarding the amount of affordable housing provision at the site.
- Impact on local services from schools to doctor surgeries.

7.2 Comments have also been received from the MP Grant Shapps, relaying concerns of constituents and can be summarised as:

- Concerns regarding the allocation of 30% of dwellings to be affordable housing. It is considered that this would not be in keeping with the style or size of houses in the residential area. Constituents were previously informed that as the sites proposal was for less than 25 properties and none would be affordable.
- Lack of privacy
- Parking provision, as area is struggling with parking issues due to the narrow width of surrounding roads.

8 Consultations Received

8.1 The following have responded advising that they have no objections to the proposal:

- Highways England
- Natural England
- Thames Water

8.2 The following have responded advising they have no objections but request conditions should permission be granted:

- Hertfordshire County Council Planning Obligations
- Hertfordshire Ecology
- Hertfordshire County Council Minerals and waste
- Welwyn Hatfield Borough Council Client Services

- Welwyn Hatfield Borough Environmental Health
- Welwyn Hatfield Borough Council Housing
- Hertfordshire Country Council Transport Programmes and Strategy
- Welwyn Hatfield Borough Council Housing
- Lead Local Flood Authority
- Herts Fire & Rescue

8.3 The Following have responded with comments:

- Welwyn Hatfield Borough Council Parking Services – Requested S106 contributions to be available to address any parking issues which may arise if this development is approved and the majority of dwellings are occupied. A base study will be needed to be carried out, to gain an understanding of what the current parking regime is.
- Herts Constabulary - This application seeks to establish if the intention to build at the location is acceptable in broad terms and that the details of what will eventually be built are not set firm at this stage. Whilst I do not have any serious concerns with the principle of building homes at this location and that the density proposed is also acceptable, I am concerned that within the intentions and details provided there is not one mention of security. There is a requirement to demonstrate compliance with all policies and one of them surely is to build safe and secure housing. Unless this most serious error is corrected, I cannot support any application.
- Welwyn Hatfield Borough Council Landscapes and Ecology Department - The proposal retains a significant amount of vegetation along the north east of the site which is welcome. The scheme also shows a good proportion of the site will be landscaped including an area Shackleton Way which includes a SUDs scheme. In principle, from a landscape perspective, the proposal is promising and should enhance the area with its additional planting. As it stands the proposal is acceptable in terms of landscaping. Conditions are required to provide additional detail.

8.4 The following have not responded:

- NHS
- HCC Public Health Department
- East & North Herts Clinical Commissioning
- Herts Sports Partnership
- NHS England GP Premises Office
- Hertfordshire County Council Adult Care Services
- Welwyn Hatfield Access Group
- Hertfordshire County Council Social Services
- Herts Playing Fields Association
- Affinity Water Ltd
- CPRE

- Hertfordshire Ecology
- Herts & Middlesex Wildlife Trust
- North Hertfordshire District Council
- East Herts Council.

9 Analysis

9.1 The main planning issues to be considered in the determination of this application are:

- 1. The principle of development (NPPF, GBSP2, R1, H2 and SD1 of the District Plan and Policy SADM 21 of the Emerging Plan)**
- 2. The Layout and Design of Development (GBSP2, D1, D2, H6, SDG and NPPF)**
- 3. Impacts to Neighbours and Living Conditions (D1, R19, R20, SDG and NPPF)**
- 4. Impact on Highway Network, access and car parking (M14, D1, SPG and Council's Interim Policy for Car Parking and Garage Sizes)**
- 5. Other Considerations**
 - i) Trees and Landscaping (R17, D8 and NPPF)**
 - ii) Protected Species (R11 and NPPF)**
 - iii) Refuse (D1 and D2)**
 - iv) Contaminated land (R2 and NPPF)**
 - v) Sustainable Urban Drainage**
 - vi) Lifetime Homes (H10)**
 - vii) Renewable Energy**
- 6. Planning Obligations (M4, IM2, Supplementary Planning Document, Planning Obligations Policy SP 7 of the Emerging Plan)**
 - i) Affordable Housing**
 - ii) Hertfordshire County Council Contributions**
 - iii) Welwyn Hatfield Contributions**

1. The principle of development

9.2 Policies SD1 and H2 of the Welwyn Hatfield District Plan 2005, when taken together, direct new residential development towards existing towns and settlements, that are well-served with facilities and transport, outside of the Green Belt. Additionally Policy R1 directs development to land previously developed.

9.3 The National Planning Policy Framework (NPPF) encourages the provision of more housing and states that applications should be considered in the context of the presumption in favour of sustainable development. Local Planning Authorities should encourage the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value. The settlement of Welwyn Garden City is defined as an urban area for the purposes of the District Plan.

- 9.4 The application site consists of an open piece of undeveloped land which was reserved for future use as a primary school following the residential development in Panshanger which was developed in the 1980s. However, as a result of a review by Hertfordshire County Council of primary school provision in this part of Welwyn Garden City, they have stated that the site and adjacent land are of an insufficient size to accommodate a two form entry school and the land remains unsuitable for educational use. In any event the larger parcel of this land has been developed for a residential care home and therefore the site is unable to accommodate a school.
- 9.5 The proposed development comes forward as windfall development where Policy H2 of the Welwyn Hatfield District Plan relates specifically to applications for windfall housing development and states that all proposals of this type will be assessed for potential suitability against the following criteria:
- (i) The availability of previously-developed sites and/or buildings;
 - (ii) The location and accessibility of the site to services and facilities by transport modes other than the car;
 - (iii) The capacity of existing and potential infrastructure to absorb further development;
 - (iv) The ability to build new communities to support infrastructure and provide demand for services and facilities; and
 - (v) The physical and environmental constraints on development of land.
- 9.6 However the Council are in the process of producing a new Local Plan, which is currently at examination. Within the new Local Plan this application site is an allocated housing site HS1 (Pan01b) in accordance with policy SADM 21 and therefore there is the expectation that the site would be developed for housing.
- 9.7 The site is located close to bus stops and local amenities and is connected to alternative means of transport and the future occupants would not have to be heavily reliant on the car. Additionally whilst the site is currently open and undeveloped land, it is located within the settlement of Welwyn Garden City. Furthermore, there are no known physical or environmental constraints at this site, therefore there are no objections to policy H2 of the Welwyn Hatfield District Plan.
- 9.8 The principle of residential development is therefore acceptable when considered against the criteria set out in Policies H2 and SD1, subject to an assessment of the scheme against policies having regard to design, parking, and means of access as well as amenity of the occupiers of adjoining premises.
- 9.9 Overall, it is considered that the site is acceptable in principle as a residential windfall site subject to high quality design. There are no objections to the development on this site in line with Policies GBSP2, R1 and H2 of the Welwyn Hatfield District Plan and the NPPF in relation to suitability. Furthermore the proposal would be in accordance with Policy SADM 21 of the emerging Local Plan 2016

2. The Layout and Design of Development

- 9.10 Policies D1 and D2 of the District Plan apply which aim to ensure a high quality of design and ensure that the development respects and relates to the character and context of the locality.
- 9.11 In addition to the above, the Framework sets out the view of the Government in respect of good design, indeed this is noted as forming a key aspect of sustainable development as it can contribute positively to making places better for people. In particular paragraph 64 outlines that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.
- 9.12 This application seeks outline consent, with all matters reserved apart from the means of access to the site. The applicant has indicated that the layout has been submitted 'for illustrative purposes' as set out in the Design and Access Statement and therefore technically, the Local Planning Authority cannot treat them as part of the development. This means that the Local Planning Authority retain a degree of control at the reserved matters stage to ensure that considerations of amenity, design, parking are fully considered and resolved to the satisfaction of the Council.
- 9.13 The character of the Panshanger area, consists of a 1980s housing estate of varying properties mainly, which back onto the main article routes throughout the estate. However following a recent planning permission a residential care home can be seen immediately south of the application site.
- 9.14 The Design and Access Statement, which accompanies the planning application seeks to demonstrate that the proposed development incorporates a high standard of design, as required by Policy D1 of the development plan. It describes how the design and layout has created a layout which reflects the character and local distinctiveness. It describes the amount of development that will be planned, the way the buildings, routes and open spaces are set out, the scale of buildings and how they relate to their surroundings. The statement justifies and explains the hard and soft landscaping and shows how the development responds to opportunities to improve the landscape character of the site and area.
- 9.15 The proposed layout proposes a small cul de sac of 21 properties, which include detached, semi-detached and terraced properties, leading from a road accessed from Waterbeach. Therefore whilst layout is not a matter for determination at this outline stage, the indicative layout is an essential component of this outline proposal indicating how up to 21 residential units could possibly be laid out on site. Although the plan itself does not express these details to be indicative, approximate or maximums that might be materially changed when the reserved matters were submitted. Nevertheless, as a matter of basic geometry, to arrange up to 21 residential units on the site are unlikely to be designed so as to be materially different from that shown on the drawing. Therefore, an assessment of the acceptability of this proposed layout is necessary.

- 9.16 The proposed development would provide 21 dwellings establishing an overall density of 30 (d.p.h). The density proposed is similar to other residential development sites within the surrounding area which is characterised by a variety of housing types and densities. It is also within the density range for new development required by Policy H6 of the District Plan, which requires 30 to 50 dwellings per hectare, however this policy states that such densities are only acceptable provided that the development does not have an adverse impact on the character of the surrounding area and can satisfy the design policies of the plan.
- 9.17 Access would be taken from Waterbeach, leading to a central spine road serving all properties. The positioning of the dwellings would face onto this road with soft landscaping surrounding the properties and to the front. Additionally semi-detached properties would be sited centrally at the end of the main access road, terminating this vista and providing a good focal point, which would be visible from Waterbeach. The properties would also be sited some distance from the surrounding roads and provide open space to the boundaries of the site, which would help the development integrate into the existing area and would create a soft street scene, which is ever present within the Panshanger area and maintains the ethos and character of the Garden City. The distance between dwellings within the site provides some separation and garden sizes are not unusually small and would be commensurate with the size of that property. Properties have some gaps between them ensuring the scheme provides an adequate amount of spacing.
- 9.18 There is space for landscaping, however this is a reserved matter and therefore is not being considered under this application. However an indicative landscaping plan has been submitted. The success of this scheme as a quality residential environment integrating into the Garden City relies on the quality of the landscaping. Over time, a good landscaping scheme will mature and help offset the impact, allowing the buildings to be seen through a landscaped context. The inclusion and retention of trees within areas that are not specifically rear gardens will also improve the outlook from the residential properties and create a more attractive and pleasing residential environment for future occupiers. This has been achieved to an extent as shown on the layout plans, as areas of soft landscaping would be provided to the boundaries with Shackleton Road and Bericot Way creating a soft landscaped buffer. It is considered that as part of any approved reserved matters scheme a condition requiring a full and detailed landscaping scheme shall be submitted.
- 9.19 The appearance and scale of dwellings is not a matter for consideration and no details have been submitted.
- 9.20 Overall, the proposed number of dwellings and proposed layout is considered to be of a good quality and would adequately respect and relate to the overall character of the established area. Accordingly no objections are raised with regard to Policies D1 to D2 of the District Plan, the SDG and the Framework.

3. Residential Amenity

- 9.21 With regard to neighbouring amenity, this is considered in two parts, firstly the impact on adjoining occupiers and secondly the impact of the scheme on future occupiers of the proposed dwellings.
- 9.22 Whilst layout, scale and appearance are reserved matters, proposed/indicative layouts have been provided showing the proposed locations of the 21 residential units. The proposed development, by virtue of the positioning of the development on a large plot, its layout and distances maintained in relation to neighbouring properties, is not considered to impact unduly on light or be overbearing to existing adjoining properties, although this is a matter that needs to be considered in detail at the reserved matters stage, should planning permission be granted.
- 9.23 With regard to privacy, window positions would need to be located in appropriate locations to avoid potential overlooking, which would be dealt with at reserved matters. Whilst three plots would be to the rear of properties located within Waterbeach the approximate separation distance would be between 24m and 27m back to back distance, which is not considered to be unreasonable, however this would be considered in more detail at the reserved matters stage.
- 9.24 With regard to the impact of the scheme on future occupiers of the proposed dwellings, the proposed indicative layout shows that a reasonable relationship would be able to be provided and would not result in loss of light that would be detrimental, however this too would be an issue dealt with at reserved matters stage.
- 9.25 Policy R19 of the District Plan requires proposals to be refused if the development is likely to generate unacceptable noise or vibration from other land uses. The Council has an obligation therefore to ensure that the development proposed does not suffer from a high level of noise, which is considered particularly important as the site is proposed to be residential.
- 9.26 The site is located immediately to the north of a care home that is being erected and is surrounded by residential properties. The proposed residential development is not considered to have a detrimental impact on the surrounding properties and Environmental Health have not objected to the application on this basis.
- 9.27 Accordingly, it is considered that an acceptable environment can be provided for the future occupants and would ensure that they have reasonable living conditions, complying with the aims of policies D1 and R19 of the District Plan and the Council's SDG.

4. The proposals impact on the Highway Network, Access and car parking

- 9.28 The proposed development would take its vehicle access from Waterbeach. It is proposed that a 5.5m access road is provided with a bell mouth radii of 6m. Footways will be provided on both sides of the junction, with a width of 1.5m on the east side and 2m on the west side. Additional pedestrian and cycle

accesses connecting the site to Bericot Way and Shackleton Way can also be seen.

- 9.29 It should be noted that an existing access can be seen from Waterbeach, presumably implemented for the potential school development. However this access remains outside of the application site and would appear to remain in situ. The development would include an internal road that would serve the proposed dwellings and turning head whereby all vehicles on the site could enter and exit within a forward gear.
- 9.31 A Transport Statement (TS) has been submitted to demonstrate the likely impact of the proposed development on the local highway network. A Design and Access Statement has been provided for the proposed development and is considered appropriate for the purposes of this planning application. The TS states that the site is capable of accommodating up to 31 dwellings. As a result, the trip generation assessment has been based on 31 dwellings. This is considered acceptable as it provides a robust assessment of the impact. It is stated that the additional 17 vehicles generated during each of the morning and evening peak periods would not have a significant impact on either Waterbeach or Shackleton Way due to the low traffic flows in the area. This is considered acceptable and the level of assessment is considered appropriate for a development of this size. Therefore on the basis that the development is for 21 dwellings, no concerns are raised.
- 9.32 No objections have been raised by the highway authority in relation to highway safety, however conditions have been recommended, these include detailed plans to be submitted and a construction management plan together with a number of informatives, no Travel Plan is required as part of the development
- 9.33 With regards to parking, an indicative layout has been provided indicating the size of properties and the numbers of bedrooms. In accordance with the Council's Supplementary Planning Guidance Parking Standards document, the maximum parking provision would be:

2 bedroom – 1.5 spaces
3 bedroom – 2.25 spaces
4 bedrooms or more – 3 spaces.

However the Council have an Interim Policy for Car Parking Standards and Garage sizes, which states that the car parking standards contained within the Parking Standards (SPG) are guidelines rather than maximums. Therefore applications can be determined on a case by case basis to achieve a sensible level of provision.

- 9.34 Through the indicative layout plan, the applicant has outlined that the level of car parking proposed via the external hard standings would meet the Council's adopted car parking standards. The layout would show the 2 bed and 3 bed properties with 2 parking spaces, whilst the 4 bed properties would have 3 parking spaces.

- 9.35 Whilst representations have raised objections regarding the scheme in relation to the increase of traffic and the lack of car parking provision for the dwellings. No objections have been raised from Highways regarding the increase in traffic. Furthermore the parking provision as shown on the plans is considered to be in accordance with the Council's parking standards but this would be dealt with at reserved matters stage, therefore the scheme would be in accordance with Policy M14 of the Welwyn Hatfield District Plan 2005 and the Supplementary Parking Standards and Garage Sizes document.

5. Other Material Considerations

i) Trees and Landscaping

- 9.36 Policy R17 of the District Plan states that 'The Council will seek the protection and retention of existing trees, hedgerows and woodland by use of planning conditions... and tree preservation orders where applicable'. Policy D8 requires that 'all development should include landscaping as an integral part of the overall design...to reflect the strong tradition of urban landscape design in the district'.
- 9.37 The site benefits from a grassed bund around the site and mature vegetation can be seen along the boundaries of the site. An arboricultural survey has been supplied with the application, together with an indicative landscaping plan. The indicative layout and landscaping plans, demonstrates that the proposal would retain a significant amount of vegetation along the north east boundary which is positive and in addition suitable vegetation and open space around the boundaries of the site would be seen and therefore the indicative layout plan proposed provides a suitable amount of soft landscaping. The Council's landscape team do not object to the proposal, however it is noted that conditions would need to be attached to any approval to ensure that landscaping was controlled by condition. As landscaping is a reserved matter it is not considered relevant to impose landscaping conditions on the outline planning application but would be relevant on any future reserved matters applications.
- 9.38 Accordingly no objections are raised with regard to policies D1 and D8 of the District Plan which refer to a high quality design and landscaping to be incorporated into new development.

ii) Protected Species and Ecology

- 9.39 The application is accompanied by a Preliminary Ecological Appraisal (PEA) that provides an adequate assessment of the site's ecology and the likely impacts of the development. It can reasonably be concluded that there is not likely to be any significant ecological impact from the development proposals and so the application can be determined accordingly without the need for any further surveys. This is a view held by Hertfordshire Ecology, however comments suggest that the PEA, which includes mitigation measures associated with the removal of vegetation, in relation to the potential for nesting birds and these should be followed in full. A condition shall be imposed but will not fix these mitigation measures as the resultant layout and

buildings may alter at reserved matters stage, therefore a condition shall be imposed to allow for flexibility.

iii) Refuse

- 9.42 Bin provision would need to be provided for each residential unit within the plot. As this is an outline planning application, no details of the final waste management strategy for the site has been agreed or submitted. Any future application will need to submit these details and the design/location of bin stores will need to be shown for the dwellings. It is therefore considered that these matters do not have to be considered further at this stage.

vi) Open Space and Ecology

- 9.43 Policy OS3 of the District Plan states that new residential development will be expected to make a contribution to the provision of children's open space and informal open space. The amount of space proposed would be sufficient for the size of the site and the amount of development proposed. Additionally, Policy D8 of the District Plan seeks to maintain and protect existing landscaping. Policy R11 outlines that development will be required to demonstrate how it would contribute positively to the biodiversity of the site.
- 9.44 Paragraph 109 of the Framework is clear that the planning system should 'contribute to and enhance the natural and local environment'. Paragraph 118 also state that '*opportunities to incorporate biodiversity in and around development should be encouraged*'.
- 9.45 The proposed development provides no children's open space and informal open space and therefore a contribution is considered necessary.
- 9.46 The site is open and undeveloped and includes grassland and vegetation. The vegetation at the site is of low significance to represent a constraint on development of the site. As a result it is considered that, there would be no conflict with the Framework or Policy R11.

v) Contaminated Land

- 9.47 Policy R2 of the District Plan outlines that development should only be approved on land that is known to be contaminated where it has been adequately proven that the development or land would not pose an unacceptable risk to public health or the environment. Environmental Health have requested a condition requiring a contaminated land survey, therefore in the event of an approval it is recommended that a condition requesting a contamination report is attached to any permission.

vi) Sustainable Urban Drainage

- 9.48 The drainage strategy is based upon swales, permeable paving, ponds storage and discharge into Thames Water surface water sewer. No objections have been received from the Lead Local Flood Authority, however conditions have been recommended to be attached to any grant of permission. These include a condition requiring the works to be carried out in accordance with

the revised flood risk assessment and for a details surface water drainage scheme to be submitted.

- 9.49 These conditions are considered to be reasonable and shall be imposed on any planning permission granted. Accordingly the proposed development is in accordance with Policy R7 of the Welwyn Hatfield District Plan and the Framework.

v) Lifetime Homes

- 9.50 In accordance with Policy H10, the proposed development would need to ensure that a proportion of the proposed units would be built to lifetime homes standard ensuring the creation of accessible housing for all members of the community. Policy SP7 of the emerging local plan requires at least 20% of all new dwellings on sites involving 5 or more new dwellings to meet the required Building Regulations Part M4(2) standards for 'accessible and adaptable dwellings'. Therefore it is considered appropriate for a condition to be imposed on any grant of permission for a proportion of the total numbers of properties to be in line with Policy H10 of the Welwyn Hatfield District Plan 2006 and Policy SP7 of the Emerging Local Plan.

vi) Renewable Energy

- 9.51 Policy R3 states that 'the Council will expect all development to (i) include measures to maximise energy conservation through the design of buildings...'. Policy SD1 states that 'Development proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied'.
- 9.52 Given that the application is outline the submitted plans do not show any measures to incorporate a sustainable form of development. It would therefore be necessary to condition this on any subsequent reserved matters application. As such no objections are raised with regard to policies SD1 and Policy R3 of the District Plan.

6. Planning Obligations

- 9.53 S106 of the Town and Country Planning Act 1990 (as amended) enables land owners/developers to enter into an obligation with the relevant local planning authority to achieve specified aims which may include:
- (a) restricting the development of the land in any specified way; requiring specific operations to be carried out in, on, under or over land;
 - (b) Requiring the land to be used in any specified way, or
 - (c) Requiring a sum or sums to be paid to the authority on a specified date or dates periodically.'
- 9.54 The NPPF sets out that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be sought where they meet all of the following tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended):

- Necessary to make the development acceptable in planning terms
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

9.55 The Council has not adopted a Community Infrastructure Levy and therefore where a planning obligation is proposed for a development, The Community Infrastructure Levy Regulations 2010, which came into effect from 6 April 2010, has introduced regulation 122 which provides limitations on the use of planning obligations.

9.56 Regulation 123 introduces further limitation and these relate to the use of planning obligations for the purposes of infrastructure. Where a local authority has a published list for infrastructure projects, the authority may not seek contributions through a legal agreement through S106 of the 1990 Act. In this case, the authority does not have a published list and therefore it is appropriate to seek contributions through a S106 legal agreement. This would be in accordance with policies M4 and IM2 of the District Plan.

i) Affordable Housing

9.57 The proposed development seeks permission for up to 21 residential units and in accordance with the adopted District Plan, the Council would not expect this number of houses to include the provision of affordable housing.

9.58 Responses received following public consultation, have raised objections relating to the affordable housing provision, as residents believe the scheme should be determined in accordance with Policy H7. It is acknowledged that Policy H7 of the Welwyn Hatfield District Plan, states that 30% affordable housing provision is expected on development sites of 1 ha or more or 25 units or more. Therefore in accordance with policy H7 no affordable housing would be required. However Policy SP 7 of the emerging Local Plan requires that for a proposal of 11 or more new dwellings, 30% of those dwellings in Welwyn Garden City should be affordable. Given the advanced stage of this plan and the significant weight afforded to the policy and that the application site is an allocated residential site as stated within Policy SADM 21, whilst not adopted this is a material consideration that holds significant weight in the determination of the application.

9.59 The NPPF paragraph 216 states that '*from the day of publication decision takers may also give weight to relevant policies in emerging plans according to: the stage of preparation..., the extent to which there are unresolved objections to relevant policies... and the degree of consistency of the relevant policies in the emerging plan to policies in this Framework.*' Accordingly, it is considered reasonable that 30% affordable housing is sought to meet the needs of local people who cannot afford to occupy dwellings generally available on the open market.

9.60 Welwyn Hatfield Housing Department have outlined that in relation to the tenure our evidence base outlines that half of the affordable units should be at social rent and half for shared ownership. The applicant has agreed to provide 30% affordable housing in line with the emerging policy SP 7 and therefore

the scheme would be policy compliant. Furthermore it has been confirmed that the affordable housing units shall comprise 51% social rented housing and 49% shared ownership housing.

ii) Hertfordshire County Council Contributions

9.61 Confirmation has been received from Hertfordshire County Council that financial contributions are required to fund various Hertfordshire County Council projects in order to mitigate the impacts of the development including;-

- Primary Education (towards a new 2 form entry Primary School) - £45,574
- Library Services (towards reconfiguration of the space on the ground floor of the Welwyn Garden City library) - £3,930
- Youth Service (towards the funding of sports equipment for detached work in the Panshanger are) - £908
- Sustainable Transport (towards bus stop improvements) - £22,125
- Fire hydrants

iv) Welwyn Hatfield Contributions

9.62 WHBC Client Services have found the proposal to be acceptable, subject to S106 contributions being provided to cover the costs of bin provision specifically for up to 21 proposed dwellings. This refuse contribution would not be subject to the pooling system, as this is specific to the proposed development.

- Green Space (towards, part funding a compost toilet at Moneyhole allotment site) – £2,834.06
- Play Facilities (Improvement of play facilities at New Wood, WGC) - £7,433.60
- Waste & Recycling - £1,575

9.63 The Council's parking team, raised concerns about the numbers of parking spaces and have requested a S106 contribution of £50,000. This money would be for the carrying out of a base study to gain an understanding of what the current parking regime is. Once the development is constructed with at least 80% of dwellings occupied a further study would be carried out. Should the development have a negative impact on parking in the area, then the monies available would be used to address this. Whilst displacement of vehicles within the Borough is a problem in some areas, as the layout shows, the site is compliant with the Council's parking standards and it is considered that the contribution sought is unreasonable and therefore this has not been requested.

- 9.64 In accordance with the adopted SPD, a monitoring fee will be charged for all obligations which equates to 5% of the total value of the contributions. In addition, the Council charges for officer time taken in negotiating legal agreements. These costs exclude any legal costs incurred by the Council which are paid by the applicant. Please note that to ensure that the value of an obligation does not reduce over time all monetary contributions paid to Welwyn Hatfield Borough Council will be index linked from the date of adoption of the SPD (February 2012).
- 9.65 It should be noted that all of the above contributions have been calculated on the basis of the number of bedrooms contained within the dwellings proposed as shown on plan 70-004 Revision G. However this plan is not the definitive layout or final housing mix and therefore the size of properties may alter dependent on the final layout submitted under a reserved matters application. As such a caveat will be placed within the S106 which requires the contributions to be in compliance with the tables set out within the SPD and Hertfordshire County Council Services planning obligations contributions table dependent on the final scheme approved at reserved matters stage.
- 9.66 These requested contributions are considered to be reasonable and to pass the necessary Community Infrastructure Levy 122 tests as the works are considered necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 9.67 Although the applicant has agreed in principle to these contributions, no legal agreement is in place at this time. However the S106 agreement is with solicitors and it is anticipated that, should permission be granted it is subject to the completion of an acceptable S106 agreement, which would be in accordance with Policies IM2 and M4 the District Plan and Policy SP 7 of the emerging Local Plan and the Framework.

Conditions

- 9.68 Planning Practice Guidance Policy governs the use of conditions in planning and the power to impose conditions when granting planning permission is very wide. If used properly, conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. The objectives of planning, however, are best served when that power is exercised in such a way that conditions are clearly seen to be fair, reasonable and practicable. Conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. In considering whether a particular condition is necessary, both officers and members should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. If it would not, then the condition needs special and precise justification.

9.69 Aside from the standard planning conditions relating to outline planning applications, based on the above approach, conditions are required in relation to the following:

- Contaminated land survey
- Construction method statement
- Sustainable Urban Drainage
- Ecology

9.70 Given the fairly constrained nature of the site and the type of development that would be created, officers consider that it would be necessary to withdraw certain permitted development rights for the properties as this would protect the amenity space for each dwelling and would reduce the impact on neighbouring occupiers. The permitted development rights that should be withdrawn include the following:

- Class A – The enlargement, improvement or other alteration of a dwellinghouse
- Class B – The enlargement of a dwelling consisting of an addition or alteration to a roof.
- Class C – Any other alteration to the roof of a dwellinghouse
- Class E – The erection of outbuildings
- Class F – Hardstandings
- No further gates, walls or fences

9.71 On such a site, the permitted development rights for householders could potentially raise a number of issues in relation to the appearance of the development, pressures on car parking through additional bedrooms in the roof space, inappropriate hardstandings and therefore the removal of these rights is considered to be appropriate in this instance.

10 Conclusion

10.1 The proposed development is compliant with and supported by national and local planning policy. The principle of the proposed development is acceptable and in line with Policies SD1, R1, H1, H2 of the Welwyn Hatfield District Plan 2005 and SADM 21 of the emerging Local Plan and is considered to represent sustainable development in accordance with the Framework. For the reasons discussed above, it is considered that the site can support 21 residential units and a suitable access can be provided.

10.2 Should outline permission be granted, reserved matters applications will be required wherein the Local Planning Authority will have full control over

design, appearance, layout, scale and landscaping to ensure it be in keeping with the character and appearance of the surrounding area and is respectful of impacts on the residential amenity of neighbouring occupiers (for example by loss of privacy, loss of light or overbearing impact).

11 Recommendation

11.1 It is recommended that planning permission is granted subject to the following conditions; the applicant entering the necessary S106 Agreement to secure the following obligations (these are the anticipated sums, however as this is outline the housing mix and numbers are not confirmed and therefore the final figures could alter); and to the applicant agreeing any necessary extensions to the Statutory determination period to allow the completion of the S106 Obligation.

- 30% affordable housing comprising of the following proportions (51% social rented housing and 49% shared ownership housing.)
- WHBC Client Services (Waste & Recycling) - £1,575
- WHBC Green Spaces - £2,834.06
- WHBC Play Facilities - £7,433.60
- HCC Primary Education - £45,574
- HCC Library Services - £3,930
- HCC Youth Service - £908
- HCC Sustainable Transport - £22,125
- Fire hydrants

And the following conditions:

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called, the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: The outline application as submitted does not give particulars sufficient for consideration of these reserved matters.

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 92 of the Town and Country Planning Act (As amended).

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

REASON: In order to comply with Section 92 of the Town and Country Planning Act (As amended).

PRIOR TO COMMENCEMENT

4. The development permitted must not be carried out other than in accordance with the approved Flood Risk Assessment carried out by Stomor report reference ST2603/FRA-1707-Bericot Way, Revision 1, July 2017 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 1.1 l/s during the 1 in 100 year event plus 40% of climate change event.

2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a total storage in swales, permeable paved area and ponds (or such features agreed with the LLFA).

3. Discharge of surface water into the Thames Water surface water sewer network.

The scheme shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To reduce the risk and impact of flooding by ensuring the satisfactory storage and disposal of surface water from the site and to ensure surface water can be managed in a sustainable manner during the lifetime of the development in accordance with Policies R7 and R10 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

5. No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

1. Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features.

2. Full detailed drainage plan including location of SuDS measures, pipe runs and discharge points.

3. Exceedance flow paths for surface water for events greater than the 1 in 100 year plus climate change event.

4. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

REASON: To prevent the increased risk of flooding, both on and off site by ensuring the satisfactory storage and disposal of surface water from the site and to ensure surface water can be managed in a sustainable manner during the lifetime of the development in accordance with Policies R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

6. Notwithstanding the submitted Ecological Appraisal Report prepared by Pell Frischmann (reference RE70084V001C dated July 2017), no development shall commence until an Ecological Design Strategy (EDS) addressing protection, mitigation, and enhancement has been submitted and approved in writing by the Local Planning Authority. The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

REASON: To ensure the development contributes to the Government's commitment to halt the overall decline in biodiversity and to provide net gains where possible in accordance with Policy R11 and the National Planning Policy Framework.

7. No development other than that required to be carried out as part of an approved scheme of remediation shall commence until conditions A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The contents of the scheme and the written report are subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination

(ii) an assessment of the potential risks to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
- adjoining land
- groundwaters and surface waters
- ecological systems
- archaeological sites and ancient monuments

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be

reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

(e) Long Term Monitoring and Maintenance

Where indicated in the approved remediation scheme, a monitoring and maintenance scheme to include, monitoring the long-term effectiveness of the proposed remediation over the agreed period of five years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and others offsite in accordance with Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

8. No development shall take place until full details in the form of scaled plans and written specifications shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:
 - i. Internal Roads, footways, foul and on-site water drainage.
 - ii. Existing and proposed access arrangements including visibility splays.
 - iii. Parking provision.
 - iv. Cycle parking provision.
 - v. Servicing areas, loading areas and turning areas for all vehicles.

Subsequently, the development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of maintaining highway efficiency and safety in accordance with the National Planning Policy Framework.

9. Construction of the development hereby approved shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:
 - a. Construction vehicle numbers, type, routing;
 - b. Traffic management requirements;
 - c. Construction and storage compounds (including areas designated for car parking);
 - d. Siting and details of wheel washing facilities;
 - e. Cleaning of site entrances, site tracks and the adjacent public highway;
 - f. Provision of sufficient on-site parking prior to commencement of construction activities;
 - g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

REASON: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with the National Planning Policy Framework.

10. No development shall commence until the applicant submits, for approval in writing by the Local Planning Authority, details relating to the external lighting scheme. This scheme must meet the requirements within the Institution of Lighting Engineers guidance notes for the reduction of obtrusive lighting. Any lighting subsequently installed shall comply with the approved scheme.

REASON: To protect the amenity and living conditions of future occupiers of the site and existing residential properties in the near vicinity to the development in accordance with Local Plan Policies D1 and R20 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

11. No development shall commence until details of the location and design of the refuse bin and recycling storage areas have been submitted to and approved by the Local Planning Authority. These stores shall be provided prior to the first occupation of the units to which they relate and the development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

12. No development shall commence until details identifying that at least 20% of all new dwellings meet Building Regulations Part M4(2) standards for 'accessible and adaptable dwellings' and/or Part M4(3) standards for 'wheelchair used dwellings' (or subsequently amended) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that a proportion of dwellings are built to accessible and adaptable standards in accordance with Policy H10 of the Welwyn Hatfield District Plan 2005 and Policy SP7 of the Emerging Local Plan 2016.

POST DEVELOPMENT COMMENCING

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A, B, C, E or F of Part 1 of Schedule 2 shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Class A of Part 2 of Schedule 2 shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that order in the interests of residential and visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

15. The development/works shall not be started and completed other than in accordance with the approved plans and details:

| Plan Number | Revision Number | Details | Received Date |
|------------------------------------|------------------------|-----------------------|----------------------|
| ST02603-06 | B | Means of Access Plan | 4 October 2017 |
| 70-001 | B | Site Location Plan | 4 October 2017 |
| ST2603/FRA -1707-Bericot Way | I | Flood Risk Assessment | 3 November 2017 |

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

Summary of reasons for grant of permission

The decision has also been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be inspected at these offices).

Informatives:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.
2. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be reinstated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.
3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.

Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.

Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide (2011)". Before works commence the applicant would need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.

4. The development will involve the numbering of properties and naming new streets. The applicant MUST contact Welwyn Hatfield Borough Council, Transportation (Lorraine Davis 01707 357546 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.

OR

Recommendation B

In the event that the applicant fails to agree any necessary extensions to the Statutory determination period, that powers are delegated to the Head of Planning to refuse planning permission on the basis of absence of the completed S106 Obligation for the following reason:

1. The applicant has failed to satisfy the sustainability aims of the plan and to secure the proper planning of the area by failing to ensure that the development proposed would provide a sustainable form of development in mitigating the impact on local infrastructure and services which directly relate to the proposal and which is necessary for the grant of planning permission. The applicant has failed to provide a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). The Local Planning Authority considers that it would be inappropriate to secure the required financial and non-financial contributions by any method other than a legal agreement and the proposal is therefore contrary to Policy M2 and M4 of the Welwyn Hatfield District Plan 2005.

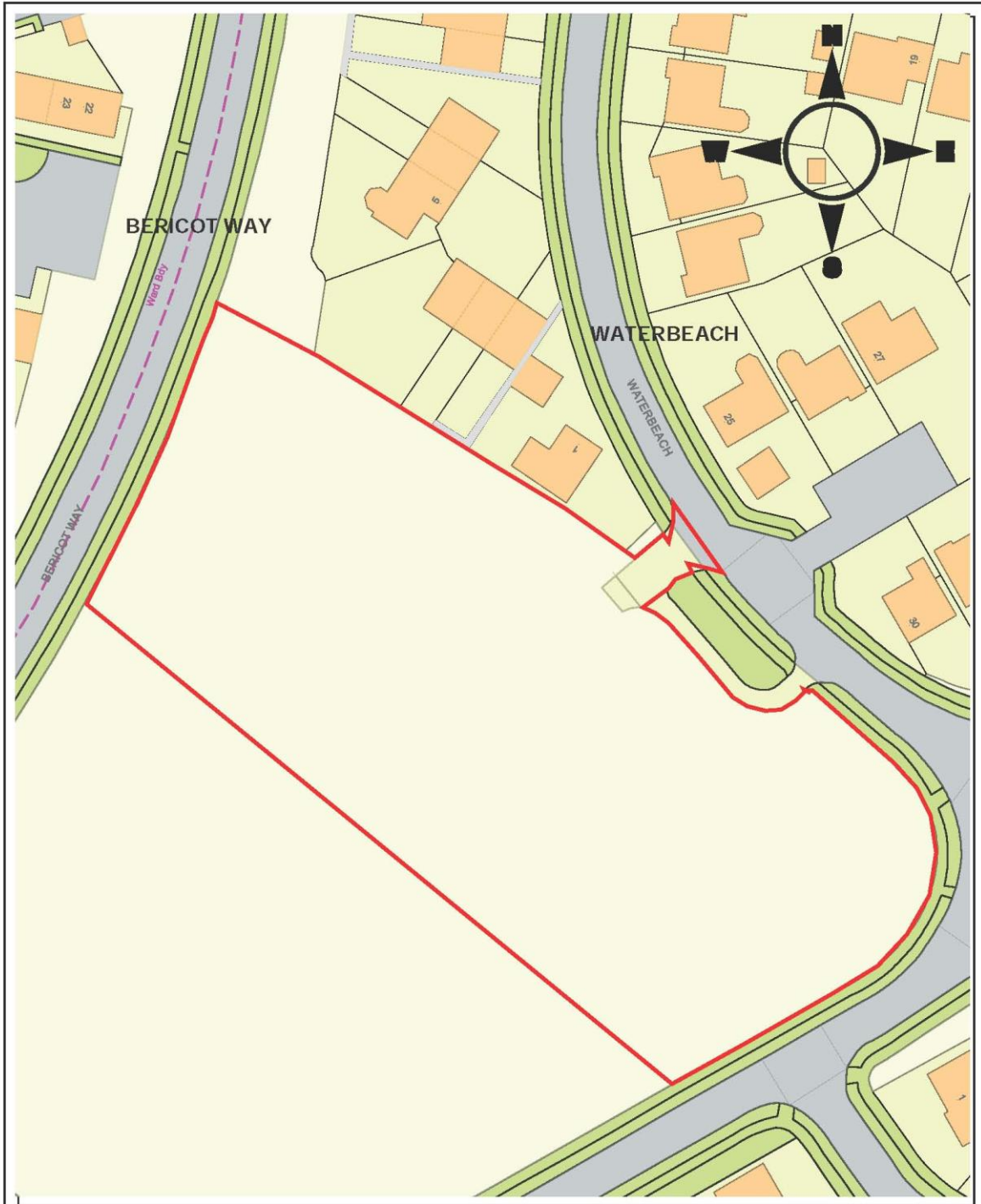
Summary of reasons for refusal of permission

The decision has been made taking into account material planning considerations and where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework (see Officer's report which can be inspected at these offices).

Rachael Collard (Development Management)

Date of Expiry: 03/1/2018

Time Extension: 10/1/2018



Council Offices, The Campus
Welwyn Garden City, Herts, AL8 6AE

Title: Land at Waterbeach, Bericot Way and
Shackleton Way Welwyn Garden City

Scale: DNS

Date: 2018

Project: DMC Committee

Drawing Number:
6/2017/2202/OUTLINE

Drawn: Ida Moesner

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