

Part I

Main author: Chris Carter

Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE 29 March 2018
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 If the call-in or application is withdrawn, the item will not be presented.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.

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| Name of author | Chris Carter x2298 |
| Title | Development Management Service Manager |

Appendix 1 - Applications called-in or objected to

6/2016/0270/VAR

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|-------------------------------|---|
| 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 June Pagdin |

6/2016/1493/VAR

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| Address | Thunderbridge Yard Bulls Lane Hatfield AL9 7BB |
| Proposal | Variation of condition 1 to extend the temporary permission; condition 3 to permit eight caravans of which no more than five would be static caravans; condition 4 to vary the approved drawings; and condition 5 to vary the site development scheme; of planning permission S6/2011/0116/FP |

Applicant Mr J Robb
Ward Welham Green & Hatfield South
Agent Mrs A Heine
Call-In/Objection from Councillor Paul Zukowskyj, Welwyn Hatfield Borough Council

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

Case Officer Mr Tom Gabriel

6/2017/0513/FULL

Address 5 West View Hatfield AL10 0PJ

Proposal Change of use from sui-generis (Large HMO for up to 8 people) to a large HMO for up to 7 people and 6 self-contained units for up to 12 people and erection of laundry area and awning over patio

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 Mark Peacock

6/2017/0606/MAJ

Address 1-9 Town Centre Hatfield AL10 0JZ

Proposal Erection of 2 buildings to provide 1,194m2 (GEA) commercial floor space (A1 & A3), 70 flats (15 x 1 bedroom, 7 x 2 bedroom, three person and 48 x 2 bedroom, four person) with associated car/bicycle parking, plant and refuse storage and including the improvement of public realm, following the demolition of existing buildings.

Applicant Mr P Brimley

Ward Hatfield Cent.

Agent Mr P Wellings-Longmore

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

Reason for Committee Decision Object: The Town Council is concerned at the impact of parking from new residential units on the retail parking spaces available. The Council has repeatedly asked that design of new structures in the Town is sympathetic to existing Hatfield designs but again we see another architect imposing their design on our Town making it an uncoordinated mismatch of urban design from different decades with no empathy to the historic nature of the Town. Members are concerned at the impact of the level 7 building on the Grade 1 listed building of Hatfield House. Members consider that a community facility needs to be included within the design.

Case Officer Mr Mark Peacock

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 David Elmore

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 Committee Decision 14/08/2017 14:49 - Members object to the loss of a parking space in this part 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 David Elmore

6/2017/2513/FULL

Address 33-34 Salisbury Square Hatfield AL9 5AF

Proposal Conversion of existing ground floor (Class A3) restaurant to form two (2xbed) flats (Class C3) including part demolition and extension at ground and first floor (rear) with associated external alterations.

Applicant Mr M A Hussain-Hiam

Ward Hatfield East

Agent Mr R Morton

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

Reason for Committee Decision 23/11/2017 10:18 - Hatfield Town Council Planning Committee wished to make a major objection to this application due to a loss of retail/restaurant unit, lack of parking and not in keeping with the neighbourhood with Old Hatfield

Case Officer Mrs June Pagdin

6/2018/0043/FULL

Address Maran House 56 Hertford Road Digswell Welwyn AL6 0BX

Proposal Conversion of existing garage to an independent residential dwelling unit including the insertion of 3 x rear dormer windows, new windows and doors and alterations and erection of single attached garage.

Applicant Mr & Mrs P Kasperczak

Ward Welwyn East

Agent Mr D Goodman
Call-In/Objection from Caroline Williams, Welwyn Parish Council
Reason for Committee Decision 30/01/2018 20:56 - Welwyn Parish Council at it's Planning and Licensing Committee meeting of the 30th January 2018 unanimously agreed to submit the following:

Major Objection:
Welwyn Parish Council feel this is of poor quality design that will lead to a cramped residence and would be unsuitable for permanent occupation. We note that this an application for an additional dwelling house in the green belt which we believe is an inappropriate development of the site, no very special circumstances apply which would clearly outweigh the harm to the green belt by reason of inappropriateness or any other harm.

Case Officer Ms Louise Sahlke

6/2018/0126/FULL

Address 36 The Ridgeway Cuffley Potters Bar EN6 4AX
Proposal Redevelopment of the site including the erection of nine residential units (3 x 5-bedroom, 4 x 4-bedroom and 2 x 3-bedroom), following the demolition of the existing dwelling, supporting structures and associated ancillary buildings
Applicant Cuffley Property Developments Ltd
Ward Northaw and Cuffley
Agent Ms A Squires
Call-In/Objection from Jason Grocock, Northaw & Cuffley Parish Council
Reason for Committee Decision 13/02/2018 12:27 - Northaw & Cuffley Parish Council objects to the proposed development on the following grounds:

- The number of properties in this proposed development together with their massing, height and scale are out of keeping with the surroundings and can be seen as overdevelopment of the site
- We feel strongly that this development would set a precedent for backland development of other properties along The Ridgeway Design
- According to WelHat's Supplementary Design Guidance the new development should be viewed in the context of its location and surroundings. We feel that the proposed properties are completely out of keeping with others along The Ridgeway. Existing properties are predominantly single, large, detached dwellings with wide frontages on spacious plots. In contrast the proposed development has a range of houses packed closely together with shared frontage and much reduced gardens. The shape of the houses, being narrow and deep, is out of keeping with the type of properties along The Ridgeway.
- The narrow plots have large houses from 235 to 325 m2 which take up

most of the plot space. They are designed to have narrow frontages with large depth. This is a poor design as insufficient light would reach all the rooms due to their depth and adjoining properties would shade each other. Furthermore, the proximity and height of the boundary trees will reduce the sunlight reaching the properties and also reduce the efficiency of PVs and solar hot water tubes

- The contemporary style of the houses is completely alien to the mixed styles of existing houses along The Ridgeway
- The small garden areas for each property, largely decking and patio, would provide a lack of amenity for the occupants
- The proximity of the house fronting the Ridgeway to the road will expose it to high noise levels

Access

- The Ridgeway is a busy road with a 40mph speed limit and is heavily used by motor traffic and cyclists. It is also unlit at night. Access on

Case Officer Mr Tom Gabriel

6/2018/0195/FULL

Address 94 Harmer Green Lane Digswell Welwyn AL6 0EP

Proposal Installation of 67 x stand alone solar pv panels within the grounds of dwelling.

Applicant Mr & Mrs Kempster

Ward Welwyn East

Agent Mrs C Butterworth

Call-In/Objection from Councillor Julie Cragg, Welwyn Hatfield Borough Council

Reason for Committee Decision

Case Officer Mrs June Pagdin

6/2018/0334/FULL

Address 2 Sutherland Avenue Cuffley Potters Bar EN6 4EQ

Proposal Erection of a single storey dwelling following the demolition of existing garage, with off street parking and refuse storage. Retention of existing dropped kerb and driveway.

Applicant Ms Efstathiou

Ward Northaw and Cuffley

Agent Mr A Campbell

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

Reason for Committee Decision 20/02/2018 18:34 - The Parish Council objects to this application due to over development of the site with insufficient car parking space particularly at the

Decision end of this cul de sac. There is a lack of amenity space and the overall design is poor and out of character with the area. This would set an unfortunate precedent with others looking to squeeze properties into cramped plots.

Case Officer Mr Richard Sakyi

6/2018/0336/HOUSE

Address 5 Oakwell Drive, Northaw, Potters Bar, EN6 4EZ

Proposal Erection of pool house following demolition of existing outbuilding

Applicant Mr A Marler

Ward Northaw and Cuffley

Agent Mr S Matlock

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

Reason for 6/03/2018 16:55 - MAJOR OBJECTION
Committee There appears to be insufficient protection to valuable trees which are
Decision subject to TPO's. These are very significant trees in the landscape and should be protected.

Case Officer Mr David Elmore

6/2018/0382/FULL

Address 43 Cherry Way Hatfield AL10 8LF

Proposal Erection of a 1-bedroom house

Applicant Mr N Place

Ward Welham Green & Hatfield South

Agent Mr M Ledger

Call-In/Objection Councillor Paul Zukowskyj, Welwyn Hatfield Borough Council
from

Reason for 20/02/2018 21:26 - This development fails to deliver any new car parking
Committee space for the actual dwelling at all, in contravention of the parking policy. In
Decision fact, even a one bed dwelling should deliver 1.25 spaces, this delivers zero. The ownership of the adjacent property, 43, is immaterial as there is no apparent intention to modify the property curtilage, so if 43 is sold separately, no parking provision will remain with the new dwelling. This is clearly contrary to WHBC policy and in an area of really intense parking pressure is clearly unacceptable.

If the planning officer is minded to grant under delegated powers, I would ask this decision be called in on the basis that it is a departure from WHBC parking policy and raises particularly sensitive planning issues, namely parking pressure in this area of south Hatfield.

Case Officer Mr William Myers

6/2018/0514/FULL

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| Address | 14 & 16 Bishops Rise Hatfield AL10 9HB |
| Proposal | Erection of a part single, part two storey rear extension to both properties and alterations to openings to facilitate conversion of existing houses to form 4 x 1 bedroom and 3 x 2-bedroom flats with associated car parking and cycle stores, following the partial demolition of existing dwellings |
| Applicant | Danewell Limited |
| Ward | Hatfield South West |
| Agent | Mr D Goodman |
| Call-In/Objection from | Councillor James Broach, Welwyn Hatfield Borough Council |
| Reason for Committee Decision | <p>6/03/2018 13:33 - Good afternoon,</p> <p>I wish to call this application in on the following grounds (though I am happy for this to be decided under delegated powers should officers recommend refusal).</p> <ul style="list-style-type: none">• The two storey extensions are vastly out of keeping with the surrounding areas and pose a high risk to the amenity of neighbouring residents. I feel that the proposed extension may give the impression of being overbearing to properties to the side, and also of overlooking the houses to the rear of the property on Chantry Lane.• I have serious concerns about the parking. 10 spaces seems woefully insufficient for a proposal of this size, as the occupiers of each bedroom, such as couples, may have more than one car. Also, I note that the measurements of the car parking spaces weren't provided (or certainly weren't clear on the drawings), and I therefore have concerns that it may not be possible to fit this number of spaces onto the site, whilst ensuring the spaces are large enough for modern cars, and leaving sufficient space for vehicles to turn, reverse, or otherwise exit the site safely.• The flats on the proposed development, especially no. 16, look exceptionally small. I would like to make sure that these flats are of a suitable size for future residents with a suitable level of amenity space provided. Also, I note that the communal gardens are in close proximity to the ground floor flats, and would argue that this could pose a risk for residents of these ground floor flats to enjoy their amenity space• I note that one of the communal gardens is running along the side of the boundary with no. 12. I feel that this therefore poses a risk to their amenity due to the potential for increased noise when compared to the original garden at no.14, as the sounds from the garden will be closer to their property. |

- I note that the size of the cycle stores were not shown. Are these of sufficient size to meet council requirements? I also note that the store

Case Officer

Mr David Elmore