

Part I

Main author: Chris Carter

Executive Member: Councillor S. Boulton

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 12 JUNE 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 If the call-in or application is withdrawn, the item will not be presented.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.

Name of author	Chris Carter
Title	Development Management Service Manager

## Appendix 1 - Applications called-in or objected to

### 6/2016/0270/VAR

Address	Four Oaks 1-4 Great North Road Welwyn AL6 0PL
Proposal	Variation of conditions 1 (occupants) and 2 (number of caravans) of Planning Permission N6/2010/0211/S73B to increase the number of caravans from 10 to 20 of which no more than 5 shall be static caravans or mobile homes.
Applicant	Mr J Connors
Ward	Welwyn West
Agent	Mr M Green
Call-In/Objection from	Councillor Julie Cragg, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>Please can we call this in due to the fact that this raises a lot of issues of concern for the residents.</p> <p>There is uneasiness about the fact that the number of caravans fluctuates wildly and that they residents do not appear to adhere to the planing that they do have.</p> <p>The restrictions regarding children is there as this was not intended to be a permanent site but only to give stability to the children to enable them to attend school.</p> <p>Are they planning to use caravans as an office sutie and run business's from there? [sic]</p>
Call-In/Objection from	Caroline Williams, Welwyn Parish Council
Reason for Committee Decision	<p>15/03/2016 21:43 - Welwyn Parish Council at its Planning &amp; 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

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

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	<p>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.</p> <p>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.</p>
Case Officer	Mr David Elmore

**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	<p>13/02/2018 12:27 - Northaw &amp; Cuffley Parish Council objects to the proposed development on the following grounds:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• We feel strongly that this development would set a precedent for backland development of other properties along The Ridgeway</li> </ul> <p>Design</p> <ul style="list-style-type: none"> <li>• 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</li> </ul>

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 m<sup>2</sup> 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	I have concerns about the scale of the proposed development and its impact on the visual amenities of neighbouring occupiers and the green belt
Case Officer	Mrs June Pagdin

#### 6/2018/0373/FULL

Address	32 Upland Drive Brookmans Park Hatfield AL9 6PT
Proposal	Erection of 2 x detached properties following demolition of existing dwelling
Applicant	Mr & Mrs Orphanides
Ward	Brookmans Park & Little Heath
Agent	Mr L Battersby
Call-In/Objection from	Councillor Jonathan Boulton, Welwyn Hatfield Borough Council



Reason for Committee Decision I think it is still justifiable to call this in as I received a very strong objection from a resident which got caught up in various IT issues resulting in a delay in me receiving it. In planning terms I think this would effect the amenity of the neighbours and the character of the road and as such it is viable for DMC to review it.

Case Officer Mr David Elmore

#### 6/2018/0581/OUTLINE

Address Firs Farm Stables Woodside Lane Hatfield AL9 6DF  
Proposal Outline application for 18 detached dwellings with all matters reserved  
Applicant Mr J Patel  
Ward Welham Green & Hatfield South  
Agent Mr M Olive  
Call-In/Objection from Sue Chudleigh, North Mymms Parish Council  
Reason for Committee Decision 20/03/2018 17:48 - North Mymms Parish Council has a MAJOR OBJECTION to this inappropriate development on Green Belt land in spite of the fact that there is an extant outline permission for the building of 5 houses on the plot (Reference 6/2014/1403/OP). The expansion to 18 houses would seriously affect the openness of Green Belt and cause harm and be over development of the site. No special circumstances have been given so this development is entirely unsuitable.

Case Officer Mr William Myers

#### 6/2018/0588/HOUSE

Address 23 New Road Digswell Welwyn AL6 0AQ  
Proposal Erection of a 3.0m high outdoor wood and charcoal burning fireplace wall and feature wall following demolition of hedge  
Applicant Dr S Houlton  
Ward Welwyn East  
Agent Mr G Cullis  
Call-In/Objection from Caroline Williams, Welwyn Parish Council  
Reason for Committee Decision 28/03/2018 14:45 - Welwyn parish Council at it's Full Council Meeting of 26th March 2018 agreed to submit a MAJOR OBJECTION to this application.  
This stark structure will alter the natural large garden character of this part of Digswell and permanently shade the northern neighbours area. We also object to the incorporation of an open fireplace within the structure. The

fumes from it will, in certain climatic conditions, cause a nuisance to nearby residents, without having provided the counterbalancing normal benefit of a fireplace in providing essential domestic indoor warmth.

Case Officer Mr Tom Gabriel

#### 6/2018/0655/FULL

Address 20 Upland Drive Brookmans Park Hatfield AL9 6PT  
Proposal Erection of 2 x 5-bedroom dwellings with private rear gardens and front driveways, following demolition of existing single storey dwelling.  
Applicant Mr G Shiells  
Ward Brookmans Park & Little Heath  
Agent Mr P Cramphorn

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

Reason for Committee Decision I would like to call in this application please.

As you know there have been several applications in this road and I am concerned that the character of the road is being changed by these proposals.

The road had been originally developed with fairly large houses or bungalows on wide plots of land with good space between the dwellings.

The ongoing applications to build two houses on plots which contained one house will, if allowed to continue, affect the character of the road and amenity of existing residents.

Case Officer Mr David Elmore

#### 6/2018/0679/VAR

Address Meadow Farm Northaw Road West Northaw Potters Bar EN6 4QX  
Proposal Variation of condition 2 and 3 on planning permission E6/1973/1887/, dated 16/08/1973  
Applicant Mr A W Best  
Ward Northaw and Cuffley  
Agent Mr S Curran

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

Reason for Committee Decision 4/04/2018 16:24 - This parish is unusual in that we are unaware of any social housing in Cuffley. The existing social housing in Northaw has the equivalent access to public transport as this property. Due to the limited amount of social housing in the parish, we recommend that this property

should be first considered for social housing to assist lower income households

Case Officer Mr William Myers

#### 6/2018/0708/HOUSE

Address 11 Oaklea Welwyn AL6 0PT  
Proposal Erection of a boundary fence measuring 8ft (retrospective)  
Applicant Mr N Allegri  
Ward Welwyn West  
Agent Mr N Allegri  
Call-In/Objection from Councillor Tony Kingsbury, Welwyn Hatfield Borough Council  
Reason for Committee Decision 30/04/2018 22:28 - I would like to call in the application to committee, if the officer is minded to approve it, on the basis that the height of the fence is too great, out of keeping and overbearing when considered with the surrounding properties and road. The fence is close to the road and safety issues need to be considered.  
There have also been issues raised by neighbours regarding right of way over the area.

Case Officer Mrs Kerrie Charles

#### 6/2018/0719/FULL

Address Wood Green Timber Company, Coopers Lane, Northaw, Potters, Bar EN6 4NE  
Proposal Retention of existing racking structures with a reduced height of 4 metres and omitting the roofs  
Applicant Mr J Silvester  
Ward Northaw and Cuffley  
Agent DLA Town Planning Ltd  
Call-In/Objection from Jason Grocock, Northaw & Cuffley Parish Council  
Reason for Committee Decision 4/04/2018 16:34 - The Inspector who refused the previous appeal ruled that there is:-  
Harm to the Green Belt from introducing an industrial structure  
The volume of the racking now proposed is a massive 2566.7 cubic metres  
Northaw is not an industrial area  
Loss of amenity to neighbours  
No very special circumstances  
Should WHBC approve this application, we would expect industry standard conditions to be applied e.g. hours of operating, no parking on the B156, size of lorries etc.  
However we would regret this application being approved as it would set a

precedent for nearby landowners

Case Officer Mr David Elmore

#### 6/2018/0742/HOUSE

Address 1 Russellcroft Road Welwyn Garden City AL8 6QN  
Proposal Raise and realign roof height and installation of 2 rear rooflights  
Applicant Mr G Scannell  
Ward Handside  
Agent Mr Anpitan  
Call-In/Objection from Councillor Helen Bromley, Welwyn Hatfield Borough Council  
Reason for Committee Decision I would like to call this in, should officers be looking to approve, as it will be overdevelopment of the site, a dramatic change to the street scene, especially looking from the town and cause harm to the amenity of others, from the overlooking from any further roof windows.  
Case Officer Mr Tom Gabriel

#### 6/2018/0764/FULL

Address Land Adjacent to 26 Starling Lane Cuffley EN6 4JX  
Proposal Erection of a detached dwelling  
Applicant Code 4 Ltd  
Ward Northaw and Cuffley  
Agent Mr D Padalino  
Call-In/Objection from Jason Grocock, Northaw & Cuffley Parish Council  
Reason for Committee Decision  
3/04/2018 17:19 - This planning application has already been refused and would definitely look out of place and be dangerous to people walking on the footpath.  
4/04/2018 03:10 - This is a FOOTPATH, you cant allow anyone to start driving down a footpath and you certainly cant change its status just because one person wants it, what about the hundreds of others that dont!  
4/04/2018 16:44 - The footpath is now officially recorded on the Definitive Map & Statement  
It is unlawful to drive a vehicle along a pedestrian only footpath which is on the Definitive Map  
The developer has no right to claim use of this footpath as an integral part of his proposed development for vehicular use  
Re-siting two concrete bollards as proposed would be deeply inappropriate as Herts Highways installed them to stop vehicles  
Mixed pedestrian/vehicle use is inherently dangerous  
A one bedroomed house is totally out of character with the area. There is a

strong possibility that if Planning permission is achieved a further application to alter the property would follow. The 'dressing room' could easily be changed to a further bedroom.

Case Officer Mr Richard Sakyi

**6/2018/0969/LAWE**

Address 50 Reynards Road Welwyn AL6 9TP  
Proposal Certificate of lawfulness for use of the hot pressure washing facility on plant, machinery and vehicles.  
Applicant John O'Conner (Grounds Maintenance) Ltd  
Ward Welwyn West  
Agent Mrs G Parry  
Call-In/Objection from Councillor Tony Kingsbury, Welwyn Hatfield Borough Council  
Reason for Committee Decision 9/05/2018 18:11 - Whilst this is a Certificate of Lawfulness, I would like this to be called into committee, if the officer is minded to approve it, on the basis that this application has attracted an unusually high level of public interest which is reflected in the number of emails and a petition received.

This has also been objected to by the Parish Council.

In addition, planning constraints already in place call for no outdoor work for the maintenance of vehicles and there are restrictions on noise levels.

Case Officer Mrs Sarah Madyausiku