

Part I

Main author: Chris Carter

Executive Member: Councillor S.Boulton

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE 16 AUGUST 2018
REPORT OF THE CORPORATE 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 If the call-in or application is withdrawn, the item will not be presented.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 & 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

6/2017/0225/FULL

Address	Welwyn Rugby Football Club Hobbs Way Welwyn Garden City AL8 6HX
Proposal	Retention of 4x 15 metre high floodlight columns and lamps measuring a further 0.5 metres
Applicant	Mr M Elliott
Ward	Handside
Agent	Mr M Elliott
Call-In/Objection from	Councillor Helen Bromley, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>I would like to call this in as the new floodlights are significantly higher and brighter than those which they replaced, by some 7 meters, and they are also in different positions to the original lights.</p> <p>This has caused significant harm to the residents and the general amenity of the area.</p> <p>The original application did not mention the floodlights being in different positions.</p> <p>This is impacting on the conservation and EMS area.</p> <p>There is substantial visual intrusion day and night.</p> <p>At night, the light spill is far worse than previously, despite the rugby club saying it would be less. This is not the case.</p> <p>The club also seems to be contravening the permission given as to when they may be used.</p>
Case Officer	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	<p>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.</p>
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

6/2017/1575/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

6/2018/0719/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	<p>4/04/2018 16:34 - The Inspector who refused the previous appeal ruled that there is:-</p> <p>Harm to the Green Belt from introducing an industrial structure</p> <p>The volume of the racking now proposed is a massive 2566.7 cubic metres</p> <p>Northaw is not an industrial area</p> <p>Loss of amenity to neighbours</p> <p>No very special circumstances</p> <p>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.</p> <p>However we would regret this application being approved as it would set a precedent for nearby landowners</p>
Case Officer	Mr David Elmore

6/2018/1267/VAR

Address	8-18 (inclusive) Stanborough Close Welwyn Garden City AL8 6XB
Proposal	Variation of condition 10 (tenancy restriction) on planning permission N6/1994/0338/FP, dated 29/09/1994
Applicant	Ms T Sinclair
Ward	Handside
Agent	Mr A Woolcott
Call-In/Objection from	Councillor Helen Bromley, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>I understand that an application for a variation to several of the bungalows has now been submitted.</p> <p>I have called in previous applications in this Close and would like to call in this latest one too.</p> <p>This would be a fundamental change to the use of these dwellings which needs to be considered by the DMC, in order that all the implications of any decision, may be fully discussed and understood by all.</p> <p>Kind Regards</p>

Helen

Case Officer Ms Louise Sahlke

6/2018/1354/OUTLINE

Address Land South of Cromer Hyde Welwyn Garden City

Proposal Outline permission for the change of use of land to airfield with runway and support facilities including a clubhouse, hangar and car park with all matters except access and layout reserved

Applicant Mr C Fitch

Ward Hatfield Villages

Agent Mr A Bardett

Call-In/Objection from Councillor Duncan Bell, Welwyn Hatfield Borough Council

Reason for Committee Decision As one of the ward councillors for Hatfield Villages, I would like to conditionally call-in the above application.

This call-in is conditional, in that I would only request it's consideration by the Development Management Committee in the event that Planning Department recommend approval of the application.

My grounds for calling this application in are:

* The flying training circuit indicated within the Feasibility Study raises potential environmental (noise) concerns impacting many properties in Hatfield Garden Village and Salisbury Village, as well as properties within the proposed Local Plan sites of HAT1 and Symondshyde Village. This potential environmental impact goes well beyond the addresses contacted as immediate neighbours.

* The Feasibility Study appears to envisage that construction of the airfield could be at least partly funded by S106 monies generated from the Panshanger site housing development. In reality, S106 or CIL commitments generated from Local Plan developments will be finite, and there will be many competing claims upon their deployment. They will need to be deployed where the infrastructure needs are greatest, as assessed by the public authorities involved. The idea that these essentially public resources could be pre-empted for use on a private proposal for a new airfield seems questionable at best.

Given the above, I believe that this application is of sufficient interest to merit consideration by Development Management Committee if the Planning Officer recommends approval.

I have copied the three town councillors for the ward, as Hatfield Town Council is one of the consultees.

I will almost certainly submit a more detailed representation in a few days time.

Thanks for accepting this call-in.
Kind Regards,
Duncan Bell.

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

Reason for Committee Decision 22/06/2018 15:47 - The application is in the Green Belt and no special circumstances have been shown to divert from Green Belt Policy. Members are concerned at the effect of noise and air pollution on the quality of life on residents of Salisbury Village and the Hatfield Garden Village. HAT1 & HAT2 (if built) will be very close to this application site causing further distress to residential development. 50 cars will see a great increase in vehicular movements in this area.

Case Officer Mr Mark Peacock

6/2018/1635/OUTLINE

Address Historic De Havilland Grass Runway
Ellenbrook fields Hatfield Buisness park
Hatfield Herts

Proposal Outline permission for the change of use of land to airfield with runway and support facilities including a clubhouse, hangar and car park with all matters except layout reserved

Applicant Mr C Fitch

Ward Hatfield Villages

Agent Mr C Fitch

Call-In/Objection from Councillor Duncan Bell, Welwyn Hatfield Borough Council

Reason for Committee Decision i would like to conditionally call in the above planning application, which appears to be for an airfield within Ellenbrook Fields.

This will, as for 6/2018/1354, be a conditional call-in, in that it will only need to come to DMC if Planning Department recommend approval.

My ground for calling this in are:

- There is a considerable potential for noise nuisance over a wide area of Ellenbrook, Salisbury Village, and Hatfield Garden Village.
- Just as for application 6/2018/1354, the applicant seems to envisage that S106 monies can be used to help finance the project. S106 monies will be a scarce resource in the context of the WHBC Local Plan. They are essentially public resources infrastructure needs associated with Local Plan development. This should not include private flying facilities.

- There is no airfield at Panshanger to "replace".
- My understanding is that there is an entirely separate S106 commitment associated with a 2017 mineral extraction application to restore Ellenbrook Fields as a country park. It is unclear how this application would fit with this prior commitment.

Case Officer Mr Mark Peacock