

Part I

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Executive Member: Councillor S.Boulton

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
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 If the call-in or application is withdrawn, the item will not be presented.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 planning 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 suite 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 application 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	The White House, 5 West View, Hatfield, AL10 0PJ
Proposal	Change of use from a large HMO for up to 8 people (sui-generis use) to a Guest House (Use Class C1) for up to 21 people
Applicant	Ms D Law
Ward	Hatfield Cent.
Agent	
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 David Elmore

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

6/2018/1354/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	<p>As one of the ward councillors for Hatfield Villages, I would like to conditionally call-in the above application.</p> <p>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.</p> <p>My grounds for calling this application in are:</p> <p>* 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</p>

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	<p>i would like to conditionally call in the above planning application, which appears to be for an airfield within Ellenbrook Fields.</p> <p>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.</p> <p>My ground for calling this in are:</p> <ul style="list-style-type: none"> • 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

6/2018/1775/VAR

Address	97 Handside Lane Welwyn Garden City AL8 6SP
Proposal	Variation of condition 3 (details windows) on planning permission 6/2015/2470/HOUSE
Applicant	Mrs A Mawer
Ward	Handside
Agent	Mrs A Mawer
Call-In/Objection from	Councillor Malcolm Cowan, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>I would like to call in the new application unless officers decide to refuse it. My reasons are that it raises issues not covered in the description, and it seeks changes that would probably have led to a refusal if they had been properly articulated in the original application.</p> <p>Regards, Malcolm.</p>
Case Officer	Mr Tom Gabriel

6/2018/1810/MAJ

Address Former Xerox Site Bessemer Road Welwyn Garden City AL7 1HE
Proposal Erection of 16 apartments
Applicant Mr A Ward
Ward Haldens
Agent Mr A Ward
Call-In/Objection Councillor Steve Roberts, Welwyn Hatfield Borough Council
from
Reason for I would like to call this in as I believe that there will be inadequate parking
Committee provision given the total number of flats planned for this site.
Decision
Regards
Steve
Case Officer Ms Clare Howe

6/2018/1881/FULL

Address 22 Parkway Welwyn Garden City AL8 6HG
Proposal Change of use from offices (B1) to hotel (C1) and erection of single storey
rear extension
Applicant JD Wetherspoon PLC
Ward Handside
Agent Mr J Pyper
Call-In/Objection Councillor Malcolm Cowan, Welwyn Hatfield Borough Council
from
Reason for I wish to call in this application, first due to the massive public reaction to it,
Committee and secondly as
Decision I believe the prosecution use would conflict with expected use as in various
iterations of local plans.
Malcolm.
Case Officer Mr Michael Robinson

6/2018/1933/FULL

Address 1 Roe Green Close Hatfield AL10 9PD
Proposal Erection of 8 flats and creation of car parking and amenity space following
demolition of existing dwellinghouse
Applicant Mr H Jones

Ward	Hatfield South West
Agent	Mr P Cavill
Call-In/Objection from	Councillor James Broach, Welwyn Hatfield Borough Council
Reason for Committee Decision	<p>11/09/2018 09:24 - I would like to call this application in to DMC – unless officers are minded to refuse, in which case I am happy for this to be done under delegated powers, as I believe this is a textbook case of overdevelopment. My call in is for the following reasons:</p> <ul style="list-style-type: none">• This proposed change of a family bungalow to a set of flats would be completely out of keeping with the neighbouring area of family homes, and would give a significant impression of overlooking to the immediate neighbours at No. 3. To steal a quote from the officers report on the previously rejected application - “the proposal would result in an excessively bulky and prominent building, which would appear over-dominant in the streetscape. It would result in a loss of spacing to the detriment of the visual amenities of the area”.• I cannot see a designated storage area for bicycles on the plans, which I would expect to see as standard on an application such as this.• Whilst I welcome the addition of a turning area by the car parking spaces at the rear of the property, I do not believe what is proposed will work in practice. Will a car reversing out of spaces 9-11 actually be able to turn if spaces 5-8 are occupied? If not, this leaves a lengthy and potentially dangerous reversing manoeuvre of the users of spaces 9-11.• For the numbers of potential occupants of this proposal, the garden amenity space seems absolutely tiny. I would therefore argue that insufficient outdoor amenity space has been afforded to the potential occupants of this proposal.• Turning to indoor amenity space, I note that the applicant has failed to provide measurements on the plans for the bedrooms. Based on the information on the drawings, I would argue that Bedroom 2 of Unit Two, Unit 5 and Unit 6 are all very small, and would query whether these meet the requirements for a bedroom? I also note that none of the bathrooms have any windows, and would query whether this constitutes a good level of design? <p>This is a completely inappropriate development, and I would urge that it be refused as the previous application was.</p>
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	19/09/2018 21:34 - Members consider there to be insufficient car parking spaces for the number of dwellings and bedrooms proposed.

The height of the proposal will have a domineering impact on this particular aspect of Roe Green Close and College Lane. It will be overbearing on No. 3 and out of keeping with the other properties on Roe Green Close.

Case Officer Mrs June Pagdin

6/2018/1983/FULL

Address 50 Reynards Road Welwyn AL6 9TP

Proposal Erection of acoustic shelter over wash facility, installation of biological washdown water treatment and recycling system and retention of existing pressure wash

Applicant

Ward Welwyn West

Agent Mrs G Parry

Call-In/Objection from Caroline Williams, Welwyn Parish Council

Reason for Committee Decision 29/08/2018 14:14 - Welwyn Parish Council at its Planning and Licensing committee meeting of 28th August 2018 unanimously agreed to submit

MAJOR OBJECTION
Permission was never granted for the pressure wash currently in use at the property as the application for it (6/2018/0969) was withdrawn. Welwyn parish submitted a MAJOR OBJECTION to this application which still stands.
We therefore submit a MAJOR OBJECTION to this new application for the erection of the acoustic shelter and retention of the existing pressure wash. This is an unsuitable development in a residential area within the Green Belt.

Call-In/Objection from Councillor Tony Kingsbury, Welwyn Hatfield Borough Council

Reason for Committee Decision 6/09/2018 18:09 - I would like this to be called into committee, if the officer is minded to approve it, on the basis that this is inappropriate development in the Green Belt in a quiet residential area. Neighbours have raised concerns over noise nuisance and traffic movements.

Case Officer Mrs Sarah Madyausiku

6/2018/2010/HOUSE

Address 41 The Avenue Welwyn AL6 0PW

Proposal Erection of single storey front/side extension and raise roof height to facilitate conversion of loft to habitable space including alterations to openings

Applicant Mr & Mrs Mags

Ward Welwyn West

Agent Mr M Ballard

Call-In/Objection from Councillor Tony Kingsbury, Welwyn Hatfield Borough Council

Reason for Committee Decision I would like to call in this application, if the officer is minded to approve it, to allow further consideration. The increase in height of 2.5m has a significant impact on the neighbouring property due to its proximity and warrants further consideration by members. It should also be considered whether the significant increase in floorspace/volume of the property is appropriate development within the green belt and whether it impacts the openness of the green belt.

Case Officer Ms Emily Stainer

6/2018/2085/FULL

Address The East Great North Road Welwyn Garden City AL8 7TB

Proposal Erection of 8 x 4 bedroom dwellings with associated parking, bin/storage and retention of existing vehicular access following demolition of existing public house

Applicant Quinn (St Albans) Ltd

Ward Hatfield Villages

Agent Miss A Cannon

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

Reason for Committee Decision 19/09/2018 21:43 - Members have concerns regarding Highway Safety. the Transport Statement submitted mismatches the description of the development citing 7 rather than 8 dwellings which calls into question the accuracy of their calculations, further, the pub and restaurant were failing businesses, therefore traffic generation were significantly less than anticipated within this document and significantly less than generated by 8 4 bedroom dwellings.

The roundabout is very dangerous for cycles as evidenced by accidents which makes sustainable transport on this site impossible. Pedestrian safety is further impossible on the ground.

The properties as designed are out of keeping with anything in the locality and in this prominent site will be out of character.

There is insufficient parking on site. Members are further concerned about air quality.

Case Officer Mr Tom Gabriel

6/2018/2170/FULL

Address Garages and Land adjacent to flats 37-48 Lambs Close Cuffley EN6 4HD

Proposal Erection of third flat on the Airspace of 2x existing Flats.

Applicant Ludgate Property Developments Ltd
 Ward Northaw and Cuffley
 Agent Mr Domenico Padalino
 Call-In/Objection from Jason Grocock, Northaw & Cuffley Parish Council
 Reason for Committee Decision 26/09/2018 18:29 - The Parish Council objects to this application for the following reasons:-
 There is insufficient parking as one space per flat does not conform with current Planning Policy.
 The impact of loss of daylight on existing flats, particularly during the winter months is not acceptable and the plastic green 'living wall' is likely to be a temporary solution as will not be durable for more than a short period.
 Case Officer Mr William Myers

6/2018/2258/FULL

Address Land Adjacent to 26 Starling Lane Cuffley Potters Bar EN6 4JX
 Proposal Erection of bungalow
 Applicant DPA (London) LTD
 Ward Northaw and Cuffley
 Agent Mr D Padalino
 Call-In/Objection from Jason Grocock, Northaw & Cuffley Parish Council
 Reason for Committee Decision 26/09/2018 18:50 - The Parish Council objects as vehicle access is very likely to be required. There is no vehicular access. There will be parking issues for visitors.
 The development is similar to those which have been previously refused and we believe that Welwyn Hatfield Borough Council should decline to determine this application.
 Case Officer Mr Richard Sakyi