

ADDENDUM REPORT

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 11 JANUARY 2024
REPORT OF THE ASSISTANT DIRECTOR (PLANNING)

6/2022/1355/MAJ

FORMER BEALES HOTEL, COMET WAY, HATFIELD, AL10 9NG

DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 142
RESIDENTIAL UNITS (USE CLASS C3) WITH PRIVATE AND COMMUNAL
AMENITY SPACE, LANDSCAPING, ACCESS, ASSOCIATED CAR AND CYCLE
PARKING, REFUSE AND RECYCLING STORAGE, AND SUPPORTING
INFRASTRUCTURE

APPLICANT: HATFIELD PARK HOMES LTD

Introduction

1.1 This addendum has been produced for the following reasons:

- Incorrect paragraph numbers of the National Planning Policy Framework (NPPF) stated. See Table 1 below which includes the relevant report paragraph, reasoning, and tracked changes to reflect the correct paragraph numbers.
- Report paragraph 10.156 requires re-wording to reflect footnote 8 of the updated NPPF (published on 19 December 2023)
- Report paragraph 10.157 requires re-wording to reflect the updated NPPF and latest 2022 Housing Delivery Test (published on 19 December 2023)

2. Paragraph number of the NPPF

Table 1

Report paragraph	Reasoning	Tracked changes
10.40	Paragraph 130(f) of the NPPF referenced but should be paragraph 135(f)	Paragraph 130(f) Paragraph 135(f) of the NPPF outlines, amongst other things, that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.
10.76	Paragraph 110 of the NPPF referenced but should be paragraph 114	Paragraph 110 Paragraph 114 of the NPPF states that developments should ensure “safe and suitable access to the site can be achieved for <i>*all*</i> users”, and that “appropriate opportunities to promote sustainable transport modes can be – or have been – taken up”. It references the new National Model Design Code, of which key quotes include: “New development

		<p><i>should contribute to the creation of well-lit, direct and overlooked pedestrian and cycle routes” and “all streets should be accessible to all members of the community” (paragraph 59 part 1); plus “walking and cycling should be the first choice for short local journeys, particularly those of 5 miles or less” (paragraph 33 part 2).</i></p>
10.77	Paragraph 111 of the NPPF referenced but should be paragraph 115	<p>Paragraph 111 Paragraph 115 of the NPPF states that <i>“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.</i></p>
10.78	Paragraph 112 of the NPPF referenced but should be paragraph 116	<p>Paragraph 112 Paragraph 116 goes on to states that <i>“Within this context, applications for development should:</i></p> <ul style="list-style-type: none"> <i>a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;</i> <i>b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;</i> <i>c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;</i> <i>d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and</i> <i>e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”.</i>
10.93	Paragraph 107 of the NPPF referenced but	<p>Paragraph 107 Paragraph 111 of the NPPF states that if setting local parking standards for residential and non-residential</p>

	should be paragraph 111	development, policies should take into account: <ul style="list-style-type: none"> a) the accessibility of the development; b) the type, mix and use of development; c) the availability of and opportunities for public transport; d) local car ownership levels; and e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.
10.115	Paragraph 167 of the NPPF referenced but should be paragraph 173	Paragraph 167 Paragraph 173 of the NPPF outlines that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere.
10.116	Paragraph 169 of the NPPF referenced but should be paragraph 175	Paragraph 169 Paragraph 175 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should: <ul style="list-style-type: none"> a) take account of advice from the lead local flood authority; b) have appropriate proposed minimum operational standards; c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.
10.119	Paragraph 174 of the NPPF referenced but should be paragraph 180	Paragraph 174 Paragraph 180 of the NPPF states, amongst other things, that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
10.120	Paragraph 180 of the NPPF referenced but should be paragraph 186	Paragraph 180 Paragraph 186 of the NPPF sets out the principles local planning authorities should apply when determining planning applications. This includes refusing planning permission if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for.
10.161	Paragraph 134 of the NPPF referenced but	In terms of design, paragraph 134 paragraph 139 of the NPPF states that significant weight should be given to:

	should be paragraph 139	<i>“a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”.</i>
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3. Report paragraph 10.156

3.1 Report paragraph 10.156 states footnote 8 of the 05 September version of the NPPF. The wording of this footnote however has been amended in the updated NPPF (19 December 2023) and now reads as follows:

“This includes, for applications involving the provision of housing, situations where: (a) the local planning authority cannot demonstrate a five year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77) and does not benefit from the provisions of paragraph 76; or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years.”

3.2 The text in italics in paragraph 10.156 of the report should be replaced with the above text. Track changes to paragraph 10.156 included below for ease.

“Footnote 8 states:

This includes, for applications involving the provision of housing, situations where: (a) the local planning authority cannot demonstrate a 5 year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with ~~the appropriate~~ a buffer, if applicable, as set out in paragraph ~~74~~;77) and does not benefit from the provisions of paragraph 76; or (b) where the Housing Delivery Test indicates that the delivery of housing was ~~substantially~~ below ~~(less than~~ 75% of) the housing requirement over the previous 3 years”.

4. Report paragraph 10.157

4.1 Minor changes are required to report paragraph 10.157 to reflect the updated NPPF and latest Housing Delivery Test which were both published on 19 December 2023. Track changes to paragraph 10.157 as follows:

The Council cannot demonstrate a 5 year supply of deliverable housing sites and the latest Housing Delivery Test indicates that the delivery of housing was ~~substantially~~ below 75% of the housing requirement over the previous 3 years (~~currently 66%~~). Accordingly, the ‘titled balance’ applies and, in this case planning permission should be granted unless:

“(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

In terms of adverse impacts, conflict with Policy SP7 of the Local Plan has been identified in terms of housing mix as it is considered that the submitted evidence has not had sufficient regard to the Council's latest evidence of housing need and market demand. The weight attached to the conflict with Policy SP7 of the Local Plan is however considered **limited** as it is acknowledged that the proposal would contribute, in part, toward meeting the varied needs of different households and the site lends itself to higher density scheme.

END.