

Development Management Committee
14 January 2025

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Tuesday 14 January 2025 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors J.Skoczylas (Chairman)
P.Shah (Vice-Chairman)

D.Panter, R.Trigg, C.Watson, A.Chesterman,
B.Fitzsimon, K.Gardner, M.Short, T.Skottowe, D.Jones
and L.Musk

ALSO J. Backhaus, Trowers & Hamlins LLP
PRESENT:

OFFICIALS G.Gnanamoorthy, Assistant Director, Planning
PRESENT: E.Stainer, Assistant Planning & Enforcement Officer
B.Compton, Democratic Services Officer
Z.AI-Jawad, Executive Director (Place)

195. APOLOGIES & SUBSTITUTIONS

Apologies for absence were received from Cllr Goldwater with Cllr Jones substituting and from Cllr Walsh with Cllr Musk substituting.

196. MINUTES

The minutes of the meeting held on 19 December 2024 were approved as a correct record.

197. NOTIFICATION OF URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 9 AND ANY ITEMS WITHDRAWN FROM THE AGENDA

No notifications for urgent business were received.

198. DECLARATIONS OF INTEREST BY MEMBERS

There were no declarations of interest

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199. 6/2023/2483/FULL 38 NEW ROAD

The Principal Development Management Officer introduced the application which sought full planning permission for the erection of a detached two storey building with accommodation at lower ground level comprising 9 apartments following demolition of existing property with associated bin and cycle storage and car parking provision. The reason for committee consideration was because Welwyn Parish Council raised a major objection to the application on the following grounds:

1. The proposal represents over-development of the site.
2. Inadequate parking spaces.
3. Development does not respect neighbourhood buildings and surrounding context in terms of height, mass and scale.

Hayden Dicker, agent for the applicant, addressed the Committee as follows:

The application site currently contains a single dwelling on an oversized plot. The application seeks its demolition for the erection of nine flats built within a structure that has an external appearance for large dwelling that sits more comfortably within the plot and the street scene. Something which has already been approved and built on a number of different sites at New Road, specifically at Numbers 40, 52, 59, 61 and 63. It must be noted that for half of these applications they had received an objection from the parish council resulting at them being heard at this committee and all of these were subsequently approved by this committee.

This is the same case for this application as despite the officer recommendation for approval the objection from the parish is the same reason for being discussed here tonight. I will consider each of their objections in turn below.

In terms of the masking character the parish considered the proposals as an overdevelopment of the plot impacting the character of the area. This isn't the case however, with the officer's report citing the other similar approvals along New Road, stating that these applications have been approved on the basis that the large, detached buildings which house the flats generally appear as detached dwellings, which preserve the character of the area. As such, the principle of a flatter development of this density is established in the area and the proposal would be compatible with the surrounding residential area. This led to the conclusion of the officer that the development would be in keeping with the overall visual character of the area and would be of a good standard of design.

The second point raised by the parish related to inadequate parking standards. The application provides 15 parking spaces, a figure that exceeds the 13.5 spaces required and is therefore fully in accordance with the council's parking standards. Please also note that there were no objections raised by Hertfordshire County Council in relation to the highway aspects of the application including the new access which has improved visibility for the site.

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The third objection from the parish relates to how accessible the site is. Being located within the village of Digswell the site is only a four-minute walk away from a general store and from Welwyn North railway station. This led to the officer concluding that the site would be reasonably accessible to services and facilities by transport modes other than private motor vehicle and concluded it is therefore considered to be acceptable in sustainability terms.

In summary, the officers concluded that the proposed redevelopment of the site would be a suitable development on the plot, would have an acceptable amount of parking provision and would be in keeping with the character of the local area. As per the multiple other examples of similar approvals on the road, the site is in a sustainable location for housing which will benefit the council who are currently not meeting their five -year land supply delivery. For those reasons I hope you're able to support the application. The technical consultees raise no objections and the officer's recommendation for approval. Thank you for your time.

Roger Adey of Digswell Residents Association against the application, addressed the Committee as follows:

I'm speaking on behalf of the residents who are increasingly appalled at the rapid transformation of New Road with yet more blocks of flats replacing family houses. Paragraph 19.2 of the local plan states that planning objectives should maintain the character and widen the choice of housing available in Digswell. Building endless blocks of flats is reducing the availability of family homes, destroying the wildlife habitat, overloading the infrastructure, and eroding the character of the village. Some flats and two previous similar developments are still for sale 12 months after marketing. This suggests that the saturation point of flats has now been reached.

The site of this proposed development is located on the inside of a sharply curved and sloping section of New Road with very limited visibility. The visibility spray for the suggested access point gives only a view of only 42 meters. The developers traffic survey revealed that 40 % of vehicles traveling up New Road and 47 % of vehicles traveling down New Road exceeded the 30 mile an hour speed limit. Given that the visibility spray is entirely dependent on maintenance of the hedge at the neighbouring property it cannot be guaranteed safe even at 30 miles per hour. New Road records about 21,600 vehicle movements per week. This figure will increase substantially as more and more flats are built and occupied on the upper section of New Road. Combine this with a high volume of traffic going in and out of a large block of flats compared to one house, accidents are inevitable.

The proposal suggests that the sighting of two speed indicator signs prior to the curve on the downward slope might mitigate this risk. However, there's already an existing indicator speed sign on the downward slope beyond the bend provided by the Digswell Residence Association. When considering options for locating this sign, the location of the proposed new signs was reportedly rejected

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because of obstruction by tree cover. In any case, the existing speed indicator sign does not deter 47 % of drivers from speeding downhill. No mitigation is proposed for uphill drivers.

The bend has double white lines. This does not deter vehicles from parking on the upside verge contrary to the Highway Code. The police have put up temporarily no parking side to try and avoid a head -on collision at this location. Further up the road there is the occasional overflow parking from partially occupied blocks of flats which have the maximum council parking allowance. There is no on -street parking at this location. Cars are an essential part of village life in Digswell with one circular bus route at 10.55 only three days a week. Alternative routes can only be reached by walking to Bessemer Road in Welwyn Garden City which exceeds the distance guidelines of the Planning Inspectorate. We strongly urge councillors to refuse this application so that this section of road does not become a hotspot for further road traffic accidents. Thank you for listening.

Cllr Graham Baskerville, Welwyn Parish Council against the application addressed the Committee as follows:

Good evening. First time I've been here, so it's nice to see all these faces that I hear about. Anyway, yes, we've looked at this, and we have obviously put forward a major objection.

Objection one is mass. We believe the proposed represents overdevelopment of the plot, although the plot is large but typical of those of the New Road area, proposed development nearly fills the plot of the expense of car parking spaces. This is where I think there is the issue that we were most concerned about. For nine two -bedroom flats the proposal is to provide 15 on -site parking spaces which is within the guidelines. The proposed provision fails to take into account the top floor flat although two -bed on the plan is generally proportioned and easily capable of modification to support a third bedroom, which would raise the parking space requirement to 13 .75 encroaching on to what little headroom is apparent. The type and quantum of vehicle and cycle parking provided within development proposals will be informed by the standards set out in the council's parking standard, taking account of the site's location and accessibility to public transport services and facilities, the nature and degree of parking demand likely to be associated with the development of opportunities of shared parking and the need to promote more sustainable forms of travel within the Borough. The road carries considerable traffic through from Burnham Green and the provision of the 0.25 visitor places per property is reasonable, making a further two and a half, three spaces required. Residents of these dwellings will rely heavily on their own transport, i.e. as will their visitors, thus there is an overall shortfall if parking of this element is to be contained within the cartilage. There is no public transport along the New Road. This has already been covered by John Adey.

The building will dominate both the site and the area being three stories. Nothing

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else that part of New Road has more than two stories and therefore be out of keeping with the area. Although the Digswell Character Appraisal of 2003 is some years old, it is still considering development proposals in Digswell. The council will take the following local objectives into account alongside the Borough-wide objectives, review and continue to use the Digswell Character Appraisal in decision making, maintain the character and widen the choice of housing available in Digswell, preserve the setting of the Grade 2 listed Digswell viaduct.

We consider the proposal to be a conflict with local plan policies, the location development not compatible with the scale and character of the village, development in the green belt, on -plot parking provision under circumstances in adequate and on -road parking is unacceptable on road safety grounds. It does not respect neighbouring buildings and surrounding context and terms and height, weight and scale.

During the discussion, the following points were raised:

- A member asked for confirmation regarding public transport
- The officer confirmed there is a bus stop near the Welwyn North railway station which is quite close to the site. Due to this close proximity to the railway station and bus stops, although the bus is not as frequent, officers do not consider this a justifiable reason for refusal.
- A member asked if a traffic survey had been carried out since the addition of the other flats in the road to see the sort of traffic movements in the area and on this specific road.
- The Assistant Director for Planning confirmed that a transport assessment was undertaken and submitted. They do consider the cumulative impact of development. They will look at other provisions that have been granted. Those that have been built but also those that have just got consent and those that haven't and will take into account that sort of cumulative impact. With all the applications seen there will be transport statements that would indicate what the likely trip generation for each would be and factored into the considerations of the Highways Authority.
- A Member raised a concern regarding the issue of speeding and reckless and dangerous driving on a downhill route and there needs to be some sort of traffic calming measures addressed here. This road sounds dangerous before adding anything else and Highways should have done something more before now. Highways need to take more of a step rather than leaving it to the applicant or the residents.
- The Assistant Director for Planning responded saying that the Highways Authority have rigorously tested this. They've objected to the scheme on three occasions requesting additional or amended information from the

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applicant before they've been satisfied that it is safe. One thing they have recommended is a condition which requires a section 278 agreement between the Highways Authority and the applicant to implement various things to make it a safer environment. The applicant originally included a proposal which included the speed hump and also a kind of signalized sign. Highways have said that they don't normally support a single speed bump but there is a condition that allows for a plan to be worked up of what the exact measures will be that can be put in place. But from a highway's perspective they are happy that there is a set of solutions and mitigation measures that will make this acceptable from a highway safety impact. In terms of the data that's been submitted as part of the transport assessment, there's not a significant amount of data that suggests that this is a super unsafe road.

- A member commented that having lived in Welwyn Garden City a long time he has seen how developments begin to change the character of where you live if you allow it to. He asked that at what point do these flats or apartments become overdeveloped. He stated he sympathised with the Digswell residents, however, in the circumstances the damage this might inflict within Digswell is less than the potential damage that would happen within an already crowded town like Welwyn Garden City.
- A member mentioned the cost of the speed humps and radar activated speed signs that the applicant proposed and asked if Herts County Council would have the money to provide this.
- The Assistant Director for planning confirmed that it would be up to the applicant to fund this.
- A member mentioned the issue of the sign and the fact that the trees would make it ineffective and asked if there will be a condition that the trees are cut regularly.
- The Assistant Director for Planning responded that under section 278 the highways authority will ascertain what the optimal position for any sign is and then when it is decided where that sign should be located they will need to make measures to ensure it is made viewable from people at all times.
- A member commented regarding the report talking about the applicant not putting in provision for disabled access and there should be a condition at the end to cover this but it they hadn't seen it.
- The office responded that condition 16 in the report covers this area which states that the applicant would submit information to satisfy the requirements of a percentage of the units to be accessible.

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- A member commented that this is coming forward as a part of Windfall site and there is a requirement for one and two bed dwellings. Similar applications in the past have been approved and he could not see a problem with this application and would be going with the officers to support the application.

RESOLVED:

(For 10, Against 2, Abstain 0)

That planning permission be granted subject to the conditions set out in the report.

200. DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

The Assistant Director, Planning introduced the report relating to the performance of the Development Management Service over the last two quarters, July to December 2024.

During the discussion, the following points were raised:

- A member asked what a career grade planner is.
- The Assistant Director for Planning explained that a career grade planner goes from entry level planner up to a top end senior. Planner level one, planner level two, senior level one senior level two in a career grade will take you through those ranks.

RESOLVED:

Members noted the content of this report.

201. APPEAL DECISIONS 10/23/2024 TO 03/01/2025

The Assistant Director, Planning introduced the report.

RESOLVED:

The Committee noted the report.

202. FUTURE PLANNING APPLICATIONS

The Assistant Director, Planning introduced the report.

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During the discussion, the following points were raised:

- A member noted there were a couple more applications from New Road coming through.
- A Member asked what stage the Shredded Wheat factory was at.
- The Assistant Director for Planning confirmed there had been significant progress on North site and developer has been going through a pre application process with officers. They had intended to submit an application just before Christmas which hasn't happened and is expected this month or next.
- A member commented that Thundridge Yard appeared on the list twice with two different call ins and queried the call-in dates of 2016 and how quickly they would be taken off the books.
- The Assistant Director for Planning responded that the ones that have been on there for a substantially long time relate generally to gypsy and traveller pitches. At the time these applications were submitted there wasn't an adopted local plan and the view was to wait until there was one. Now we are working with the applicants to align what is on the site and what the proposals are they are in and then to make them align to what the local plan allocations are.
- A member brought up Oak Site and informed that they've moved into the highways next door, taken down trees, cleared it and there's a digger on there today. It's not just the planning application, it's the taking of other people's land.
- The Assistant Director for planning confirmed that he had been out to visit the site with Cllr Kingsbury and with highways. There is a bit of ongoing work there investigating what's going on but also there's quite a complex situation with land ownerships and looking at who owns what bit of land because it's not neat, tidy, rectangular parcels of land.

RESOLVED:

The Committee noted the report.

Meeting ended at 8.10 pm