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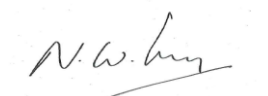
Please ask for:  
Marie Lowe

21 February 2018

Dear Councillor

You are requested to attend a meeting of the WELWYN HATFIELD BOROUGH COUNCIL DEVELOPMENT MANAGEMENT COMMITTEE to be held on Thursday 1 March 2018 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE

Yours faithfully



Executive Director  
Public Protection, Planning and Governance

**A G E N D A  
PART 1**

1. SUBSTITUTIONS:

To note any substitution of Members made in accordance with Council Procedure Rules 19-22.

2. APOLOGIES:

3. MINUTES:

To confirm as a correct record the Minutes of the meeting held on 1 February 2018 (previously circulated).

4. NOTIFICATION OF URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 13 AND ANY ITEMS WITHDRAWN FROM THE AGENDA:

5. DECLARATIONS OF INTEREST BY MEMBERS:

To note declarations of Members' disclosable pecuniary interests, non-disclosable pecuniary interests and non-pecuniary interests in respect of items on the Agenda.

6. 36 SALISBURY SQUARE, HATFIELD, AL9 5AF - 6/2017/1902/FULL - CHANGE OF USE OF GROUND FLOOR FROM SUI-GENERIS TO RESIDENTIAL (C3) TO INCLUDE THE CREATION OF 2NO 1-BEDROOM AND 3NO 2-BEDROOM FLATS WITH EXTERNAL ALTERATIONS INCLUDING NEW FENESTRATIONS, ASSOCIATED CYCLE AND BIN STORE, CAR PARKING AND LANDSCAPING: (Pages 5 - 20)

Report of the Executive Director (Public Protection, Planning and Governance).

7. 36 SALISBURY SQUARE, HATFIELD, AL9 5AF - 6/2017/1903/FULL - ERECTION OF 4NO FRONT, 4NO REAR AND 2NO SIDE DORMER WINDOWS, 5NO FRONT AND 5NO REAR ROOF-LIGHTS TO FACILITATE CONVERSION OF ROOF, TO INCLUDE THE CREATION OF 2NO 1-BEDROOM AND 2NO 2-BEDROOM FLATS WITH ASSOCIATED PARKING, CYCLE STORE AND LANDSCAPING: (Pages 21 - 36)

Report of the Executive Director (Public Protection, Planning and Governance).

8. 124 LEMSFORD LANE, WELWYN GAREN CITY AL8 6YP - 6/2018/0094/HOUSE - GARAGE CONVERSION TO INCLUDE REPLACEMENT OF EXISTING GARAGE ROOF: (Pages 37 - 42)

Report of the Executive Director (Public Protection, Planning and Governance).

9. 18 APPLECROFT ROAD, WELWYN GARDEN CITY AL8 6LA - 6/2017/2802/TPO - REDUCE LEYLAND CYPRESS HEDGE BY 5-6M IN HEIGHT: (Pages 43 - 46)

Report of the Executive Director (Public Protection, Planning and Governance).

10. APPEAL DECISIONS: (Pages 47 - 50)

Report of the Executive Director (Public Protection, Planning and Governance).

11. PLANNING UPDATE - FUTURE PLANNING APPLICATIONS: (Pages 51 - 64)

Report of the Executive Director (Public Protection, Planning and Governance).

12. DEVELOPMENT MANAGEMENT PERFORMANCE REPORT - OCTOBER-DECEMBER 2017: (Pages 65 - 74)

Report of the Executive Director (Public Protection, Planning and Governance).

13. SUCH OTHER BUSINESS AS, IN THE OPINION OF THE CHAIRMAN, IS OF SUFFICIENT URGENCY TO WARRANT IMMEDIATE CONSIDERATION:

14. EXCLUSION OF PRESS AND PUBLIC:

The Committee is asked to resolve:

That under Section 100(A)(2) and (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for item 15 (if any) on the grounds that it involves the likely disclosure of confidential or exempt information as defined in Section 100(A)(3) and Paragraphs 2 (Information likely to reveal the identity of an individual), and 6 (Statutory notice or order) of Part 1 of Schedule 12A of the said Act (as amended).

In resolving to exclude the public in respect of the exempt information, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**PART II**

15. ANY OTHER BUSINESS OF AN EXEMPT NATURE AT THE DISCRETION OF THE CHAIRMAN:

<u>Circulation:</u>	Councillors	S.Boulton (Chairman)	M.Larkins
		N.Pace (Vice-Chairman)	T.Lyons
		S.Elam	T.Mitchinson
		J.Beckerman	P.Shah
		D.Bennett	F.Thomson
		A.Chesterman	J.Weston
		I.Dean	P.Zukowskyj
		B.Fitzsimon	

M.Perkins (Executive Member for Planning, Housing and Community)

Executive Board  
Press and Public (except Part II Items)

**If you require any further information about this Agenda please contact Marie Lowe  
Governance Services Unit on 01707 357443 [democracy@welhat.gov.uk](mailto:democracy@welhat.gov.uk)**

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## Part I

Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 01 MARCH 2018  
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING  
AND GOVERNANCE)

6/2017/1902/FULL

36 SALISBURY SQUARE, HATFIELD, AL9 5AF

CHANGE OF USE OF GROUND FLOOR FROM SUI-GENERIS TO RESIDENTIAL  
(C3) TO INCLUDE THE CREATION OF 2NO 1-BEDROOM AND 3NO 2-BEDROOM  
FLATS WITH EXTERNAL ALTERATIONS INCLUDING NEW FENESTRATIONS,  
ASSOCIATED CYCLE AND BIN STORE, CAR PARKING AND LANDSCAPING.

APPLICANT: Templewood Securities Ltd

AGENT: DLA Town Planning Ltd

(Hatfield East)

### **1 Site Description**

- 1.1 The application site is situated to the western side of Salisbury Square, Old Hatfield and comprises a 3-storey building with associated car parking on a 0.16ha plot.
- 1.2 The site lies within the Old Hatfield Conservation Area. Many of the buildings and public spaces within and around the site date from the comprehensive redevelopment of the area in the 1970s and 1980s. The resulting character and quality of the built environment in this area contrasts markedly with the more historic parts of Old Hatfield.
- 1.3 To the immediate west of the site is the elevated Great North Road and embankment running along the site boundary and the railway line to the west of this, separating the site (and Old Hatfield generally) from Hatfield. The east (front elevation) of the building faces the main Salisbury Square area. While much of Old Hatfield is now in residential use, Salisbury Square stands out as an exception, with none of the buildings which surround it in residential use at ground floor level, and only around half of them in residential use on their upper floor, in the form of flats above shops. However, many of the shop units are now in A3 (restaurants & cafés), A4 (drinking establishments) or A5 (hot food takeaway) use. There are now very few shop units remaining in A1 retail use and these consist of a newsagent, a hairdresser and a small supermarket. Old Hatfield contains a number of offices, both surrounding Salisbury Square and along the southern end of Park Street.

- 1.4 The site is accessed to the south of the building from Batterdale, which terminates at a public car park adjoining the site, to the south and west and is adjoined by access to the site car park. Direct pedestrian access can be gained from Salisbury Square.
- 1.5 The building is currently in use as a 'Jobcentre Plus' on the ground floor with offices above. The principle of residential development has recently been established on the first and second floors of this building through prior approval (Ref: 6/2017/1176/PN11). This permission has not been implemented.

## **2 The Proposal**

- 2.1 Planning permission is sought for the change of use of the ground floor from a Job Centre (Sui-Generis) to residential (C3) to include the creation of 2no 1-bedroom flats and 3no 2-bedroom flats with external alterations including new fenestrations, associated cycle and bin stores, car parking and landscaping.
- 2.2 External alterations to the building comprise:
- Extension of existing windows at ground floor level to create floor-to-ceiling openings;
  - Infilling of existing undercroft with windows to match those proposed. All new fenestration and brickwork would match existing, and;
  - Existing external staircase adapted to provide a cycle store.
- 2.3 Although the site is limited with regards to space, new planters would be provided to the front boundary of the site fronting the main square.
- 2.4 Vehicular access to the site from Batterdale would remain. The proposal would result in 25 parking spaces in total to serve the entire building. Secure storage would also be provided for 28 cycles. This level and type of provision is replicated in a concurrent application at this site for the conversion of the roofspace for residential flats ref: 6/2017/1903/FULL (this associated application is the next item on this Committee agenda). Whilst all of these applications have been submitted individually, they are material considerations to each other and, as such, should not be considered in isolation.

## **3 Reason for Committee Consideration**

- 3.1 This application is presented to the Development Management Committee because Hatfield Town Council have objected.

## **4 Relevant Planning History**

- 4.1 Application number: 6/2017/1903/FULL  
Decision: Under Consideration

Proposal: Erection of 4 front, 4 rear and 2 side dormer windows, 5 front and 5 rear roof-lights to facilitate conversion of roof, to include the creation of 2no 1-bedroom and 2no 2-bedroom flats with associated parking, cycle store and landscaping

- 4.2 Application number: 6/2017/1176/PN11  
Decision: Prior approval required and granted  
Decision date: 31/08/2017  
Proposal: Prior approval for the change of use from Office (B1a) to a dwellinghouse (C3) to include the creation of 16no 1-bedroom flats
- 4.3 Application number: S6/2005/0912/FP  
Decision: Granted  
Decision date: 14/09/2005  
Proposal: Installation of 2no condenser units to (rear) west elevation and 3no condenser units to exit stair at north side
- 4.4 Application number: S6/2004/1341/FP  
Decision: Granted  
Decision date: 29/10/2004  
Proposal: Construction of new disabled access and egress door to new office, including two wheel chair ramps
- 4.5 Application number: S6/2004/0720/GD  
Decision: Granted  
Decision date: 02/08/2004  
Proposal: Proposed change of use to Jobcentre (Circular 18-84 consultation)

## **5 Relevant Planning Policy**

- 5.1 National Planning Policy Framework 2012 (NPPF)
- 5.2 Welwyn Hatfield District Plan 2005 (Local Plan)
- 5.3 Draft Local Plan Proposed Submission 2016 (emerging Local Plan 2016)
- 5.4 Supplementary Design Guidance 2005 (SDG)
- 5.5 Supplementary Planning Guidance, Parking Standards 2004 (SPG)
- 5.6 Interim Policy for Car Parking Standards and Garage Sizes 2014 (Interim Car Parking Policy)

## **6 Site Designation**

- 6.1 The site lies within the town of Hatfield as designated with the Local Plan.

## **7 Representations Received**

- 7.1 The application have been advertised by neighbour notification letters, site notice and press notice.

7.2 The Old Hatfield Residents' Association objects to the proposed development on the following grounds, summarised below:

- Detrimental impact on vitality and viability of Old Hatfield as a Neighbourhood Centre
- Not clear what impact this proposal will have on the main regeneration project in Old Hatfield
- Detailed landscaping proposal essential
- Lack of housing mix
- Noise conflict between new development and public house

## **8 Consultations Received**

- 8.1 No objections have been received in principle from statutory consultees, subject to conditions. The consultation responses received are summarised below, and where appropriate expanded upon in later sections of this report.
- 8.2 Hertfordshire County Council Transport Programmes and Strategy (HCCTPS) – No objection subject to informative regarding storage of materials.
- 8.3 **Welwyn Hatfield Borough Council Public Health and Protection Team (EH)** – No objection subject to SAP Regulations condition regarding thermal comfort.
- 8.4 **Welwyn Hatfield Borough Council Landscaping and Ecology Team** – No objection subject to precise soft landscaping details.
- 8.5 **Welwyn Hatfield Borough Council Client Services Team** – The developer will need to provide clear, unrestricted even access path from the bin store to the freighter collection point in the car park with no barriers etc. Bins would be provided FOC and be emptied on the existing fortnightly collection service. Please confirm that the route from bin store to freighter will be as described here.

## **9 Town/Parish Council Representations**

- 9.1 Hatfield Town Council objected to the application as follows:

*“Members were not aware that the Job Centre in Hatfield was targeted for closure. They do not see in the application details of where it will be relocated. They wish to raise concerns regarding parking, loss of more commercial space in Old Hatfield to residential units and lack of any amenity area for the new residential units.”*



## 10 **Analysis**

10.1 The main planning issues to be considered are:

1. **The principle of the development (NPPF; Policies SD1, GBSP2, R1 and H2 of the Local Plan, and Policies SP1, SP2, SADM4 of the emerging Local Plan 2016).**
2. **Whether or not the scheme incorporates high quality design in accordance and relates to the character and context of the area (NPPF; Policies D1, D2, D8, GBSP2 & SDG of the Local Plan).**
3. **Impact on significance of designated heritage assets (NPPF)**
4. **Impact on living conditions and residential amenity of future occupiers and neighbouring properties (NPPF, Policies D1, R19 and SDG of the Local Plan, and Policy SADM11 of the emerging Local Plan 2016)**
5. **Access, impact on the highway and parking (NPPF; Policies M14, SPG and Interim Car Parking Policy)**
6. **Other considerations**

### **1. The principle of the development**

10.2 The main issues in this case relate to the acceptability of the proposal in the light of the policies contained in the adopted Local Plan and the emerging Local Plan.

10.3 Local Plan Policy SD1 states that development will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they will accord with the objectives and policies of the Local Plan. Policy R1 states that in order to make the best use of land in the district, the Council will require development to take place on land which has been previously used or developed. Policy GBSP2 directs new development into the existing towns and specified settlements within the district, providing that it will be limited to that which is compatible with the maintenance and enhancement of their character and the maintenance of their Green Belt boundaries. These objectives are consistent with the NPPF which encourages the provision of more housing and the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking.

10.4 The site has not been allocated in the Local Plan for additional housing supply and as such comes forward as a windfall residential site where Policy H2 applies. This policy states that all applications for windfall residential development will be assessed for potential and suitability against the following criteria:

- i. The availability of previously-developed sites and/or buildings;

- ii. The location and accessibility of the site to services and facilities by transport modes other than the car;
  - iii. The capacity of existing and potential infrastructure to absorb further development;
  - iv. The ability to build new communities to support infrastructure and provide demand for services and facilities;
  - v. The physical and environmental constraints on development of land.
- 10.5 The application site is previously developed and is located within an existing residential area where the infrastructure has capacity to absorb further development. The application site is also located within an area which is accessible by non-car modes of transport and where there are services and facilities available within walking distance of the site. Furthermore, there are no known physical or environmental constraints at this site.
- 10.6 The Policies Map for the emerging Local Plan 2016 shows the site to be within a Large Neighbourhood Centre. However, the site does not form part of a protected shopping frontage, nor does the building serve a retail function. Policy SADM 4 of the Emerging Local Plan 2016 states that the Council will support change of use applications in the designated centres provided they would not have a detrimental impact on vitality and viability. The proposal would generate additional potential users of the local shops and services which would help to increase both vitality and viability.
- 10.7 It is also noted that the principle of residential development has recently been established on the first and second floors of this building through prior approval (Ref: 6/2017/1176/PN11). Whilst this application relates to the ground floor of this building, the loss of this existing use is not restricted in the borough.
- 10.8 Hatfield Town Council have objected to this proposal on a number of grounds. One of these grounds is concern over the loss of more commercial space in Old Hatfield. However, having taking account of the above, the loss of the existing Job Centre (sui-generis use) to a residential use in this location would not be contrary to relevant land use planning policies in the current Local Plan, the emerging Local Plan or the NPPF.
- 10.9 Subject to an assessment of the scheme against the principles of sustainable development and saved policies governing residential development, which are considered below, the principle of residential use in this location is supported.

## **2. Whether or not the scheme incorporates high quality design and relates to the character and context of the area**

- 10.10 Policies D1 and D2 of the Local Plan respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location, maintaining and where possible enhancing the character of the existing area. Policy GBSP2 directs new

development into the existing towns and specified settlements within the district, providing that it will be limited to that which is compatible with the maintenance and enhancement of their character. These policies are expanded upon in the Council's SDG which emphasises that extensions should complement and reflect the design and character of the dwelling and be subordinate in scale. Additionally, extensions should respect existing spacing and not appear cramped on the site and the locality in general. These policies are consistent with the NPPF as a whole, and in particular, paragraph 17 which requires, amongst other things, that decision taking should always seek to secure high quality design.

- 10.11 The proposal seeks to extend the cills of the existing windows at ground floor level of building to create floor-to-ceiling openings; to infill the existing undercroft and insert new windows to match those proposed, and; alterations to the existing external staircase.
- 10.12 In terms of the fenestrations changes and infilling of the existing undercroft, the alterations would be read as part of the existing building and would also formalise the east and west elevations, which is considered a positive enhancement.
- 10.13 The external staircase to the north-end of the building would be adapted to provide a cycle and bin store. This would be facilitated by enclosing the existing staircase opening in louvres and adding a pitched roof. Whilst there would be a new roof, the height of the existing staircase structure would be retained. These alterations would result in a minimal alteration to the massing of the building and would not detract from the character and design of the building nor its locality.
- 10.14 Having regard to the sensitive location of this building in the conservation area, it is necessary and reasonable for precise details of external materials to be submitted and agreed prior to commencement. This can be secured through a planning condition.
- 10.15 Overall, the proposed alterations would represent an acceptable standard of design, in accordance with Local Plan Policies D1, D2, GBSP2, the SDG and provisions of the NPPF.

### **3. Impact on significance of designated heritage asset**

- 10.16 The application building is situated within Hatfield Conservation Area and in proximity to a number of listed buildings and non-designated heritage assets, including the Grade 1 Listed Hatfield House, as well as Hatfield House Registered Park and Garden. The nearest listed buildings are two storey buildings situated along Park Street (Nos. 1-11 Park Street). These buildings are not considered to be seen in the same context as the application building given the presence of buildings in-between and their separation distance from the subject building by at least 72 metres.
- 10.17 Section 16 of the Listed Buildings and Conservation Areas Act states that the local planning authority shall have "*special regard to the desirability of*

*preserving the building or its setting or any features of special architectural or historic interest which it possesses".* The specific historic environment policies within the NPPF are contained within paragraphs 126-141. Paragraph 131 of the NPPF states, *'In determining planning applications, local planning authorities should take account of:*

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- The desirability of new development making a positive contribution to local character and distinctiveness.*

10.18 Paragraph 132 of the NPPF outlines that, when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight' should be given to the asset's conservation and the more important the asset the greater the weight it should be given. Paragraph 133 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial Paragraph 134 states that this should be weighed against the public benefits of the proposal. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances.

10.19 The Council's Historic Building Advisor has been consulted for this application and outlines that, overall, the proposed works would result in a minimal change that would not adversely impact upon the special interest of the conservation area or on the setting of nearby heritage assets. No objection to the proposal is presented from a conservation perspective.

10.20 Taking account of the above, subject to external materials being agreed, it is considered that that the proposal would not cause any harm to the significance of designated heritage assets.

#### **4. Impact on living conditions and residential amenity of future occupiers and neighbouring properties**

10.21 Policy D1 of the Local Plan requires the standard of design in all new development to be of a high quality. This is expanded upon in the Council's SDG which sets out the guidelines with regard to residential development for the provision of adequate amenity for future occupants and the protection of neighbouring residential amenity. This is consistent with the NPPF, which in Paragraph 17, outlines that planning should always seeks to secure high quality design and good standards of amenity for all existing and future occupiers of land and buildings.

- 10.22 Policy SADM11 (Amenity and layout) of the Council's Draft Local Plan Proposed Submission (now afforded significant weight in general terms) is consistent with the above and also sets out that as a minimum, all proposals for C3 dwellings will be required to meet the Nationally Described Space Standards, unless it can be robustly demonstrated that this would not be feasible or viable.

*Living conditions of future occupiers*

- 10.23 All habitable rooms would be well served by either existing or proposed windows and therefore would receive good levels of sunlight and daylight. Furthermore, the floor-space of the proposed flats and the individual bedroom sizes would meet the Nationally Described Space Standards.
- 10.24 The proposed defensive planting in metal planters running along the front boundary would effectively mitigate any adverse overlooking or privacy concerns from the adjacent pedestrian footpath within Salisbury Square toward the front floor-to-ceiling habitable rooms. The implementation and retention of such boundary treatment can be secured through planning conditions.
- 10.25 As the proposal is for the conversion of an existing building there is limited scope to provide outdoor amenity space. The lack of any amenity space forms a ground for objection from Hatfield Town Council. There is however public open space within 300m of the site (accessed off both Old French Horn Lane and St Albans Road East which future occupiers would have access to. Additionally, future occupiers would qualify for year round access to Hatfield House Parks and Gardens. It is considered that the close proximity of the site to public open spaces, together with the benefit of town centre living, excellent access to shops, leisure facilities and employment opportunities would outweigh any disadvantage caused by the limited private amenity space.

*Living conditions of neighbouring residents*

- 10.26 The nearest residential properties are well separated from the application site and located at first floor level. Therefore, the proposal would not result in any harm in this respect.

**5. Access, impact on the highway and parking**

- 10.27 Access would be taken from Arm and Sword lane, adopted only at the junction with the A1000, with all other areas of the un-adopted highway. The existing area for car parking to the northern-side of the site would be retained to accommodate a total of 25 spaces (including 2no disabled spaces).
- 10.28 The proposed 26 space car parking area is planned to serve residential flats on all floor levels of this building (including roof space). Prior approval has already been granted for 16no 1-bedroom flats on the first and second floor of the building (Ref: 6/2017/1176/PN11) and a planning application for the use of the roof space for 2no 1-bed and 2no 2-bed and roof alterations to facilitate this use is currently under consideration (Ref: 6/2017/1903/FULL).

- 10.29 This development, together with that approved and under consideration (as outlined above), would require a cumulative provision of 21 car parking spaces. The level of parking provision for the whole building would therefore exceed the Council's SPG by 5 spaces.
- 10.30 Notwithstanding the overall over-provision of car parking, it is reasonable and necessary in this case for the Local Planning Authority to exercise control over the allocation of car parking through a planning condition. Such a condition will ensure that a sensible level of parking provision is achieved for the flats proposed under this application.
- 10.31 Hertfordshire Highways have been consulted for this application and consider that the proposal is unlikely to have a severe impact to highway capacity, nor a detrimental impact to highway safety. Subsequently, no objection is presented.
- 10.32 In terms of cycle provision, the location, type and number of cycle storage spaces are acceptable.

## **6. Other considerations**

### *Landscaping*

- 10.33 As this application is for a change in the use of part of the existing building, the potential for additional soft landscaping is limited. The proposal will introduce defensive planting in metal planters to run along the front elevation to demarcate the ground floor units and for privacy reasons. Whilst this is acceptable in principle, no details of the type of defensive planting have been provided alongside this application. The defensive planting must be of sufficient height in order to serve its function. Details of this planting can however be suitably secured through an appropriately worded planning condition.

### *Waste & recycling*

- 10.34 Part of the existing service/plant area would be adapted into an enclosed bin store. This location of this bin store is acceptable.
- 10.35 The Council's Client Services Department have been consulted for this application and suggest 360 litre shared refuse containers rather than large 1100 litre container as managing an 1100 bin will prove more difficult as bins will have to be collected from Batterdale Car Park.
- 10.36 The intention is for this building to be fully residential over all floors. Prior approval has recently been granted for 16no 1-bed flats on the first and second floor (ref: 6/2017/1176/PN11) and a concurrent application to 6/2017/1902/FULL is also under consideration for the use of the 3rd floor (loft space) for 2no 1-bed and 2no 2-bed flats (ref: 6/2017/1903/FULL). The bin store is the exactly the same in applications: 6/2017/1902/FULL & 6/2017/1903/FULL. Whilst all of these applications have been submitted individually, they are material considerations to each other and, as such,

should not be considered in isolation. In essence, in building as a whole would serve 20no 1-bed and 6no 2-bed flats. Therefore, the local planning authority must ensure that bin provision would meet the demands of the 26 flats.

- 10.37 On the basis of this 26 flat development, the Council's Client Services Department have recommended 9no 360 litre refuse bins. The quantity and size of refuse bins could be accommodated in the proposed bin store in a practical and convenient arrangement.

#### *Public Health and Protection*

- 10.38 The Council's Public Health and Protection Department have been consulted for this application. The submitted Noise Mitigation Strategy is deemed to be acceptable however the applicant needs to ensure that either a cooling/air-conditioning system is installed or demonstrate that levels of thermal comfort can be achieved in accordance with The Government's Standard Assessment Procedure for Energy Rating of Dwellings. It has been agreed that this can be secured through a prior to commencement planning condition.

#### **Conditions**

- 10.39 The National Planning Policy Guidance governs the use of conditions in planning and the power to impose conditions when granting planning permission is very wide. If used properly, conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. The objectives of planning, however, are best served when that power is exercised in such a way that conditions are clearly seen to be fair, reasonable and practicable. Conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. In considering whether a particular condition is necessary, both officers and members should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. If it would not, then the condition needs special and precise justification.

### **11 Conclusion**

- 11.1 In principle, the proposed change of use from a sui-generis use to C3 residential at this location is acceptable, in accordance with Local Plan Policies SD1, GBSP2, R1 and H2; the emerging Local Plan 2016; and the NPPF.
- 11.2 The impacts of the proposal have been considered in terms of the visual amenity of the site, its surrounding area, together with the living conditions of future occupiers and neighbouring residents. It has been concluded in these respects that the proposal would maintain and enhance the subject building, a good standard of living conditions would be created and there would not be any adverse impacts on the living conditions of neighbouring residents. As such, the proposal is in accordance with Policies GBSP2, D1, D2, D8 & R19

of the Welwyn Hatfield District Plan, the SDG, Policy SADM11 of the emerging Local Plan 2016 and the NPPF.

- 11.3 The proposal has also been considered with regard to access, parking, refuse provision and highway safety, also having regard to the recent planning permission and concurrent planning application at the site for residential change of use, which are material considerations. It has been concluded that the proposed development would meet the Council's Car Parking Standards, acceptable refuse provision would be provided and there would not be any material impact on highway safety/capacity. The proposal is therefore in accordance with Policies M14, the SPG Car Parking Standards and the Council's Interim Policy for Car Parking Standards and Garage Sizes and the relevant parts of the NPPF.
- 11.4 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF outlines, in its introduction, three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. Of particular relevance to this application is an economic role, among others, to ensure land is available in the right places to support growth; a social role to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; as well as an environmental role which includes protecting and enhancing the built environment.
- 11.5 The proposal would have an economic benefit during the construction phase and a limited social benefit through the provision of 5 windfall residential units making a small but valuable contribution to local housing supply; this is a clear benefit as it reduces pressure on housing land take elsewhere.
- 11.6 Subject to planning conditions it is considered that the design of the development would adequately respect and relate to the character of the area. Giving consideration to the scale of the proposal and its setting, it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level. Consequently, it is considered that the proposal affords benefits in all areas of sustainability and is in accordance with the aims and objectives of saved policies of the Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guidance and the relevant chapters of the National Planning Policy Framework.

## **12 Recommendation**

- 12.1 It is recommended that planning permission be granted subject to the following conditions:
  - 1. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the works hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development must not be carried out other than in accordance with the approved details.



REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. Prior to the commencement of the development the applicant must submit to, for approval by the Local Planning Authority details of the glazing scheme and ventilation systems required to be installed to meet the internal noise levels within BS8233:2014. The mechanical ventilation system must provide adequate ventilation rate to maintain thermal comfort. The applicant must either install a cooling/air conditioning system or undertake a SAP 2012 Appendix P assessment of the internal temperature in summer demonstrating that the windows can be kept shut and that the ventilation alone is capable of keeping the room at a temperature which provides thermal comfort (standards described in SAP). The development must not be carried out other than in accordance with the approved details.

REASON: To protect the residential amenity and living conditions of future occupier in accordance with Local Plan Policy R19 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2012.

3. The residential development hereby approved must not be occupied until a scheme which shows the spaces allocated to each flat, including visitor parking, has been submitted to and agreed in writing by the Local Planning Authority. The car parking layout as shown on drawing number: 1702\_00\_105 Revision PL01 and agreed parking allocation must be retained permanently and shall not be used for any other purpose.

REASON: To ensure that the car parking spaces are provided prior to the occupation of the units in the interests of highway safety and the number of spaces to serve each flat complies with Policy M14 of the Welwyn Hatfield District Plan 2005, Supplementary Planning Guidance - Parking Standards 2004, Interim Policy for Car Parking Standards and Garage Sizes 2014 and the National Planning Policy Framework 2012.

4. The development hereby approved must not be occupied until details of the defensive planting in planters have been submitted to and agreed in writing by the Local Planning Authority. Details must include: species, size and numbers/planting densities. The approved defensive planting in planters must be sited in the locations as shown in drawing number: 1702\_00\_100 PL03 prior to occupation, and permanently maintain in these locations thereafter.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area, reduce the visual and environmental impacts of the development hereby permitted, and to protect the living conditions of its future occupiers, in accordance with Policies GBSP2, D1, D2 and D8 of the Welwyn Hatfield District Plan 2005 and National Planning Policy Framework 2012.

## DRAWING NUMBERS

5. The development/works shall not be started and completed other than in accordance with the approved plans and details:

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
1702_03_001	PL02	Site Location Plan	06 September 2017
1702_03_002	PL01	Block Site Plan	06 September 2017
1702_01_100	PL01	Existing Plan Ground Floor Plan	06 September 2017
1702_01_101	PL01	Existing Plan First Floor Plan	06 September 2017
1702_01_102	PL01	Existing Plan Second Floor Plan	06 September 2017
1702_01_103	PL01	Existing Plan Third Floor Plan	06 September 2017
1702_01_104	PL01	Existing Plan Third Floor Roof Plan	06 September 2017
1702_01_201	PL01	Existing Front/East Elevation View from Salisbury Square	06 September 2017
1702_01_200	PL01	Existing Rear/West Elevation View from Great North Road	06 September 2017
1702_01_202	PL01	Existing Side Elevations	06 September 2017
1702_01_211	PL01	Existing Cross Section	06 September 2017
1702_01_210	PL01	Existing Long Section	06 September 2017
1702_00_100_A	PL04	Proposed Ground Floor Plan	15 February 2018
1702_04_101_A	PL03	Front/East Elevation View from Salisbury Square	15 February 2018
1702_04_100_A	PL02	Rear/West Elevation View from Great North Road	15 February 2018
1702_04_102_A	PL03	Side Elevations North and South	15 February 2018
1702_05_101_A	PL03	Cross Sections	15 February 2018
1702_05_100_A	PL03	Long Section	15 February 2018
1702_00_105_A	PL02	Car Parking Layout	06 September 2017

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

## 1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision

contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

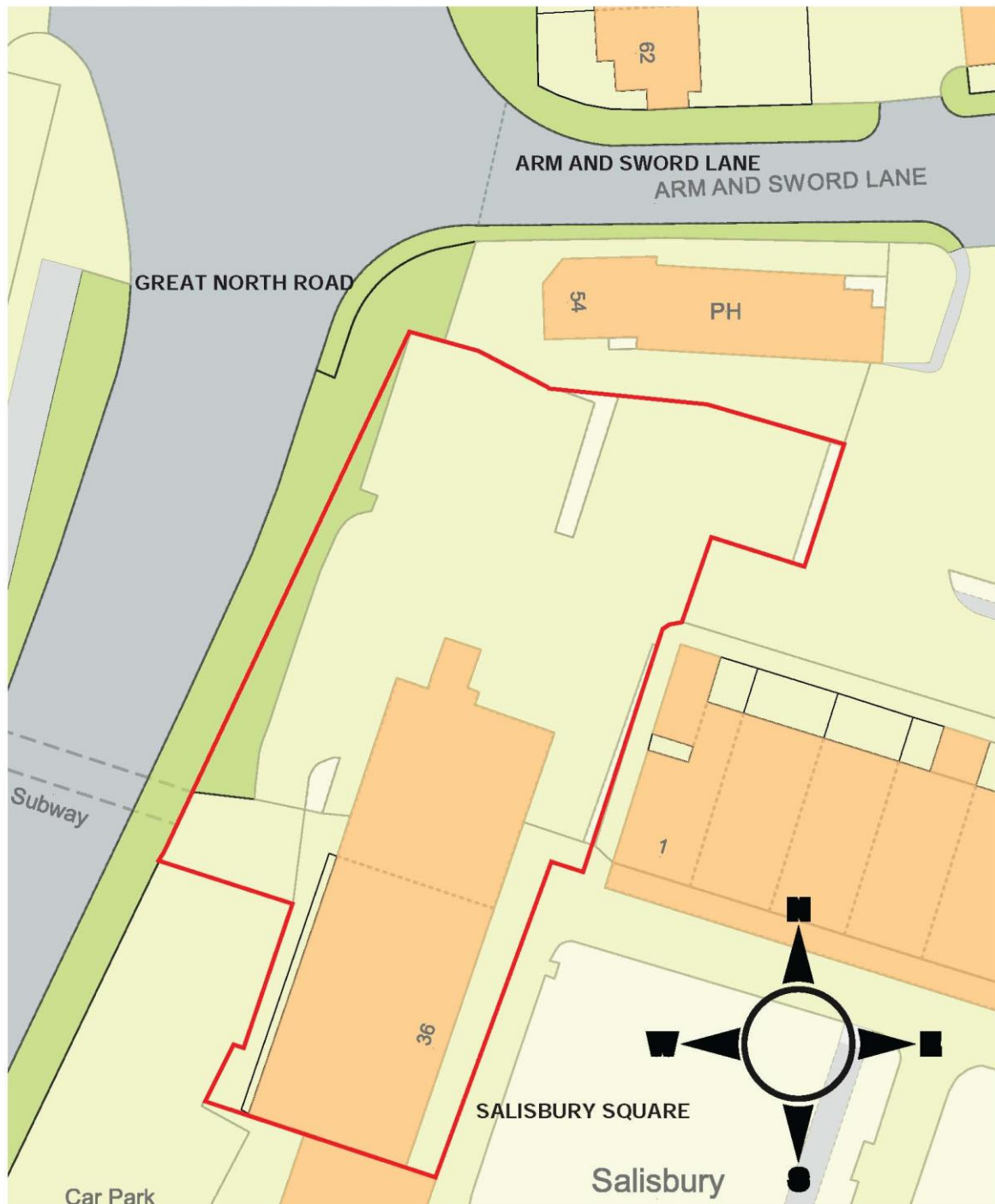
**Informatives:**


1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.
2. The development will involve the numbering of properties. The applicant MUST contact Welwyn Hatfield Borough Council, Transportation (Lorraine Davis 01707 357546 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.
3. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

David Elmore (Development Management)

Date: 06/02/2018

Expiry date: 02/03/2018



 <p><b>WELWYN HATFIELD</b></p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title: 36 Salisbury Square Hatfield		Scale: DNS
	Project: DMC Committee		Date: 2018
	Drawing Number: 6/2017/1902/FULL		Drawn: Ida Moesner
	© Crown Copyright. All rights reserved Welwyn Hatfield Borough Council LA100019547 2017		

## Part I

Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 01 MARCH 2018  
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING  
AND GOVERNANCE)

6/2017/1903/FULL

36 SALISBURY SQUARE, HATFIELD, AL9 5AF

ERECTION OF 4NO FRONT, 4NO REAR AND 2NO SIDE DORMER WINDOWS,  
5NO FRONT AND 5NO REAR ROOF-LIGHTS TO FACILITATE CONVERSION OF  
ROOF, TO INCLUDE THE CREATION OF 2NO 1-BEDROOM AND 2NO 2-  
BEDROOM FLATS WITH ASSOCIATED PARKING, CYCLE STORE AND  
LANDSCAPING

APPLICANT: Templewood Securities Ltd

AGENT: DLA Town Planning Ltd

(Hatfield East)

### **1 Site Description**

- 1.1 The application site is situated to the western side of Salisbury Square, Old Hatfield and comprises a 3-storey building with associated car parking on a 0.16ha plot.
- 1.2 The site lies within the Old Hatfield Conservation Area. Many of the buildings and public spaces within and around the site date from the comprehensive redevelopment area in the 1970s and 1980s. The resulting character and quality of the built environment in this area contrasts markedly with the more historic parts of Old Hatfield.
- 1.3 To the immediate west of the site is the elevated Great North Road and embankment running along the site boundary and the railway line to the west of this, separating the site (and Old Hatfield generally) from Hatfield. The east (front elevation) of the building faces the main Salisbury Square area. While much of Old Hatfield is now in residential use, Salisbury Square stands out as an exception, with none of the buildings which surround it in residential use at ground floor level, and only around half of them in residential use on their upper floor, in the form of flats above shops. However, many of the shop units are now in A3 (restaurants & cafés), A4 (drinking establishments) or A5 (hot food takeaway) use. There are now very few shop units remaining in A1 retail use and these consist of a newsagent, a hairdresser and a small supermarket. Old Hatfield contains a number of offices, both surrounding Salisbury Square and along the southern end of Park Street.

- 1.4 The site is accessed to the south of the building from Batterdale, which terminates at a public car park adjoining the site, to the south and west and is adjoined by access to the site car park. Direct pedestrian access can be gained from Salisbury Square.
- 1.5 The building is currently in use as a 'Jobcentre Plus' on the ground floor with offices above. The principle of residential development has recently been established on the first and second floors of this building through prior approval (Ref: 6/2017/1176/PN11). This permission has not been implemented.

## **2 The Proposal**

- 2.1 Planning permission is sought for the creation of 2no 1-bedroom & 2no 2-bedroom flats in the roof-space of the building, facilitated by the installation of a series of dormer windows and roof-lights. Also included in this application is associated parking, a cycle store and landscaping.
- 2.2 Vehicular access to the site from Batterdale would remain. The proposal would result in 25 parking spaces in total to serve the entire building. Secure storage would also be provided for 28 cycles. This level and type of provision is replicated in a concurrent application at this site for the use its ground floor for residential flats ref: 6/2017/1902/FULL.

## **3 Reason for Committee Consideration**

- 3.1 This application is presented to the Development Management Committee because Hatfield Town Council have objected.

## **4 Relevant Planning History**

- 4.1 Application number: 6/2017/1902/FULL  
Decision: Under Consideration  
Proposal: Change of use of ground floor from sui-generis to residential (C3) to include the creation of 2 x 1-bedroom and 3 x 2-bedroom flats with external alterations including new fenestration, associated cycle & bin stores, car parking and landscaping
- 4.2 Application number: 6/2017/1176/PN11  
Decision: Prior approval required and granted  
Decision date: 31/08/2017  
Proposal: Prior approval for the change of use from Office (B1a) to a dwellinghouse (C3) to include the creation of 16no 1-bedroom flats
- 4.3 Application number: S6/2005/0912/FP  
Decision: Granted  
Decision date: 14/09/2005  
Proposal: Installation of 2no condenser units to (rear) west elevation and 3no condenser units to exit stair at north side

- 4.4 Application number: S6/2004/1341/FP  
Decision: Granted  
Decision date: 29/10/2004  
Proposal: Construction of new disabled access and egress door to new office, including two wheel chair ramps
- 4.5 Application number: S6/2004/0720/GD  
Decision: Granted  
Decision date: 02/08/2004  
Proposal: Proposed change of use to Jobcentre (Circular 18-84 consultation)

## **5 Relevant Planning Policy**

- 5.1 National Planning Policy Framework 2012 (NPPF)
- 5.2 Welwyn Hatfield District Plan 2005 (Local Plan)
- 5.3 Draft Local Plan Proposed Submission 2016 (emerging Local Plan 2016)
- 5.4 Supplementary Design Guidance 2005 (SDG)
- 5.5 Supplementary Planning Guidance, Parking Standards 2004 (SPG)
- 5.6 Interim Policy for Car Parking Standards and Garage Sizes 2014 (Interim Car Parking Policy)

## **6 Site Designation**

- 6.1 The site lies within the town of Hatfield as designated with the Local Plan.

## **7 Representations Received**

- 7.1 The application have been advertised by neighbour notification letters, site notice and press notice. No representations have been received.

## **8 Consultations Received**

- 8.1 No objections have been received in principle from statutory consultees, subject to conditions. The consultation responses received are summarised below, and where appropriate expanded upon in later sections of this report.
- 8.2 **Hertfordshire County Council Transport Programmes and Strategy (HCCTPS)** – No objection subject to informative regarding storage of materials.
- 8.3 **Welwyn Hatfield Borough Council Public Health and Protection Team (EH)** – No objection subject to SAP Regulations condition regarding thermal comfort.
- 8.4 **Welwyn Hatfield Borough Council Landscaping and Ecology Team** – No objection subject to precise soft landscaping details.

- 8.5 **Welwyn Hatfield Borough Council Client Services Team** –The developer will need to provide clear, unrestricted even access path from the bin store to the freighter collection point in the car park with no barriers etc. Bins would be provided FOC and be emptied on the existing fortnightly collection service. Please confirm that the route from bin store to freighter will be as described here.

## **9 Town/Parish Council Representations**

- 9.1 Hatfield Town Council objected to the application as follows:

*“Members were not aware that the Job Centre in Hatfield was targeted for closure. They do not see in the application details of where it will be relocated. They wish to raise concerns regarding parking, loss of more commercial space in Old Hatfield to residential units and lack of any amenity area for the new residential units.”*

## **10 Analysis**

- 10.1 The main planning issues to be considered are:

1. **The principle of the development (NPPF; Policies SD1, GBSP2, R1 and H2 of the Local Plan, and Policies SP1, SP2, SADM4 of the emerging Local Plan 2016).**
2. **Whether or not the scheme incorporates high quality design in accordance and relates to the character and context of the area (NPPF; Policies D1, D2, D8, GBSP2 & SDG of the Local Plan).**
3. **Impact on significance of designated heritage assets (NPPF)**
4. **Impact on living conditions and residential amenity of future occupiers and neighbouring properties (NPPF; Policies D1, R19 and SDG of the Local Plan, and Policy SADM11 of the emerging Local Plan 2016)**
5. **Access, impact on the highway and parking (NPPF; Policies M14, SPG and Interim Car Parking Policy)**
6. **Other considerations**

### **1. The principle of the development**

- 10.2 The main issues in this case relate to the acceptability of the proposal in the light of the policies contained in the adopted Local Plan and the emerging Local Plan.
- 10.3 Local Plan Policy SD1 states that development will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they will accord with the objectives and policies of the Local Plan. Policy R1 states that in order to make the best use of land in the district, the Council will require development to take place on land which has been previously used or developed. Policy GBSP2 directs new development into the existing towns and specified settlements within the district, providing that it



will be limited to that which is compatible with the maintenance and enhancement of their character and the maintenance of their Green Belt boundaries. These objectives are consistent with the NPPF which encourages the provision of more housing and the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking.

- 10.4 The site has not been allocated in the Local Plan for additional housing supply and as such comes forward as a windfall residential site where Policy H2 applies. This policy states that all applications for windfall residential development will be assessed for potential and suitability against the following criteria:
- i. The availability of previously-developed sites and/or buildings;
  - ii. The location and accessibility of the site to services and facilities by transport modes other than the car;
  - iii. The capacity of existing and potential infrastructure to absorb further development;
  - iv. The ability to build new communities to support infrastructure and provide demand for services and facilities;
  - v. The physical and environmental constraints on development of land.
- 10.5 The application site previously developed and is located within an existing residential area where the infrastructure has capacity to absorb further development. The application site is also located within an area which is accessible by non-car modes of transport and where there are services and facilities available within walking distance of the site. Furthermore, there are no known physical or environmental constraints at this site.
- 10.6 The Policies Map for the emerging Local Plan 2016 shows the site to be within a Large Neighbourhood Centre. However, the site does not form part of a protected shopping frontage, nor does the building serve a retail function. Policy SADM 4 of the Emerging Local Plan 2016 states that the Council will support change of use applications in the designated centres provided they would not have a detrimental impact on vitality and viability. The proposal would generate additional potential users of the local shops and services which would help to increase both vitality and viability.
- 10.7 It is also noted that the principle of residential development has recently been established on the first and second floors of this building through prior approval (Ref: 6/2017/1176/PN11).
- 10.8 Hatfield Town Council have objected to this proposal on a number of grounds. One of these grounds is concern over the loss of more commercial space in Old Hatfield. However, taking account of the above, the principal of a

residential use in this location would not be contrary to relevant land use planning policies in the current Local Plan, the emerging Local Plan or the NPPF.

- 10.9 Subject to an assessment of the scheme against the principles of sustainable development and saved policies governing residential development, which are considered below, the principle of residential use in this location is supported.

**2. Whether or not the scheme incorporates high quality design and relates to the character and context of the area**

- 10.10 Policies D1 and D2 of the Local Plan respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location, maintaining and where possible enhancing the character of the existing area. Policy GBSP2 directs new development into the existing towns and specified settlements within the district, providing that it will be limited to that which is compatible with the maintenance and enhancement of their character. These policies are expanded upon in the Council's SDG which emphasises that extensions should complement and reflect the design and character of the dwelling and be subordinate in scale. Additionally, extensions should respect existing spacing and not appear cramped on the site and the locality in general. These policies are consistent with the NPPF as a whole, and in particular, paragraph 17 which requires, amongst other things, that decision taking should always seek to secure high quality design.
- 10.11 It is proposed to erect four dormer windows and five conservation roof-lights to both the east and west elevations, and two dormer windows to the north elevation. The design and scale of the proposed dormer windows have been amended during the course of this application following negotiations with Officers. The result are dormer additions which would be subservient to the roof of the building and be in proportion to the existing fenestrations of the building. The dormer windows would also break up the large expanse of roof that already exists and their reduced scale would be reflective of others witnessed on nearby properties within the immediate area. The proposed roof-lights are modest in scale and conservation style which is a requirement for this area. Subject to precise details of materials being agreed, the proposed roof alterations would complement and reflect the design and character of the building and maintain the local distinctiveness of the area, in accordance with Local Plan Policies D1 and D2, the SPG and NPPF. The external staircase to the north-end of the building would be adapted to provide a cycle and bin store. This would be facilitated by enclosing the existing staircase opening in louvres and adding a pitched roof. Whilst there would be a new roof, the height of the existing staircase structure would be retained. These alterations would result in a minimal alteration to the massing of the building and would not detract from the character and design of the building nor its locality.
- 10.12 Overall, the proposed alterations would represent an acceptable standard of design, in accordance with Local Plan Policies D1, D2, GBSP2, the SDG and provisions of the NPPF.

### 3. Impact on significance of designated heritage asset

- 10.13 The application building is situated within Hatfield Conservation Area and in proximity to a number of listed buildings and non-designated heritage assets, including the Grade 1 Listed Hatfield House, as well as Hatfield House Registered Park and Garden. The nearest listed buildings are two storey buildings situated along Park Street (Nos. 1-11 Park Street). These buildings are not considered to be seen in the same context as the application building given the presence of buildings in-between and their separation distance from the subject building by at least 72 metres.
- 10.14 Section 16 of the Listed Buildings and Conservation Areas Act states that the local planning authority shall have “*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”. The specific historic environment policies within the NPPF are contained within paragraphs 126-141. Paragraph 131 of the NPPF states, ‘*In determining planning applications, local planning authorities should take account of:*
- *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
  - *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
  - *The desirability of new development making a positive contribution to local character and distinctiveness.*
- 10.15 Paragraph 132 of the NPPF outlines that, when considering the impact of a proposed development on the significance of a designated heritage asset, ‘great weight’ should be given to the asset’s conservation and the more important the asset the greater the weight it should be given. Paragraph 133 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial Paragraph 134 states that this should be weighed against the public benefits of the proposal. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances.
- 10.16 The Council’s Historic Building Advisor has been consulted for this application, and following a revised scheme, outlines that the proposed design is considered to be in keeping with the character and appearance of the conservation area. Consequently, the proposal would not adversely impact upon the significance of the conservation area or on the setting of nearby heritage assets.

- 10.17 Taking account of the above, subject to external materials being agreed, it is considered that that the proposal would not cause any harm to the significance of designated heritage assets.

#### **4. Impact on living conditions and residential amenity of future occupiers and neighbouring properties**

- 10.18 Policy D1 of the Local Plan requires the standard of design in all new development to be of a high quality. This is expanded upon in the Council's SDG which sets out the guidelines with regard to residential development for the provision of adequate amenity for future occupants and the protection of neighbouring residential amenity. This is consistent with the NPPF, which in Paragraph 17, outlines that planning should always seeks to secure high quality design and good standards of amenity for all existing and future occupiers of land and buildings.
- 10.19 Policy SADM11 (Amenity and layout) of the Council's Draft Local Plan Proposed Submission (now afforded significant weight in general terms) is consistent with the above and also sets out that as a minimum, all proposals for C3 dwellings will be required to meet the Nationally Described Space Standards, unless it can be robustly demonstrated that this would not be feasible or viable.

##### *Living conditions of future occupiers*

- 10.20 All habitable rooms would be well served by either existing or proposed windows and therefore would receive good levels of sunlight and daylight. Furthermore, the floor-space of the proposed flats and the individual bedroom sizes would meet the Nationally Described Space Standards.
- 10.21 As the proposal is for the conversion of an existing building there is limited scope to provide outdoor amenity space. The lack of any amenity space forms a ground for objection from Hatfield Town Council. There is however public open space within 300m of the site (accessed off both Old French Horn Lane and St Albans Road East which future occupiers would have access to. Additionally, future occupiers would qualify for year round access to Hatfield House Parks and Gardens. It is considered that the close proximity of the site to public open space, together with the benefit of town centre living, excellent access to shops, leisure facilities and employment opportunities would outweigh any disadvantage caused by the limited private amenity space.

##### *Living conditions of neighbouring residents*

- 10.22 The nearest residential properties are well separated from the application site and located at first floor level. Therefore, the proposal would not result in any harm in this respect.

#### **5. Access, impact on the highway and parking**

- 10.23 Access would be taken from Arm and Sword lane, adopted only at the junction with the A1000, with all other areas of then-adopted highway. The

existing area for car parking to the northern side of the site would be retained to accommodate a total of 25 spaces (including 2no disabled spaces).

- 10.24 The proposed 25 space car parking area is planned to serve residential flats on all floor levels of this building (including roof space). Prior approval has already been granted for 16no 1-bedroom flats on the first and second floor of the building (Ref: 6/2017/1176/PN11) and a planning application for the use of the roof space for 2no 1-bed and 2no 2-bed and roof alterations to facilitate this use is currently under consideration (Ref: 6/2017/1902/FULL).
- 10.25 This development, together with that approved and under consideration (as outlined above), would require a cumulative provision of 21 car parking spaces. The level of parking provision for the whole building would therefore exceed the Council's SPG by 5 spaces.
- 10.26 Notwithstanding the overall over-provision of car parking, it is reasonable and necessary in this case for the Local Planning Authority to exercise control over the allocation of car parking through a planning condition. Such a condition will ensure that a sensible level of parking provision is achieved for the flats proposed under this application.
- 10.27 Hertfordshire Highways have been consulted for this application and consider that the proposal is unlikely to have a severe impact to highway capacity, nor a detrimental impact to highway safety. Subsequently, no objection is presented.
- 10.28 In terms of cycle provision, the location, type and number of cycle storage spaces are acceptable.

## **6. Other considerations**

### *Waste & recycling*

- 10.29 Part of the existing service/plant area would be adapted into an enclosed bin store. This location of this bin store is acceptable.
- 10.30 The Council's Client Services Department have been consulted for this application and suggest 360 litre shared refuse containers rather than large 1100 litre container as managing an 1100 bin will prove more difficult as bins will have to be collected from Batterdale Car Park.
- 10.31 The intention is for this building to be fully residential over all floors. Prior approval has recently been granted for 16no 1-bed flats on the first and second floor (ref: 6/2017/1176/PN11) and a concurrent application is under consideration for the use of the ground floor of this building for 2no 1-bed & 3no 2-bed flats (ref: 6/2017/1902/FULL). The bin store is the exactly the same in applications: 6/2017/1903/FULL & 6/2017/1902/FULL. Whilst all of these applications have been submitted individually, they are material considerations to each other and, as such, should not be considered in isolation. In essence, in building as a whole would serve 20no 1-bed and 6no

2-bed flats. Therefore, the local planning authority must ensure that bin provision would meet the demands of the 26 flats.

- 10.32 On the basis of this 26 flat development, the Council's Client Services Department have recommended 9no 360 litre refuse bins. The quantity and size of refuse bins could be accommodated in the proposed bin store in a practical and convenient arrangement.

#### *Public Health and Protection*

- 10.33 The Council's Public Health and Protection Department have been consulted for this application. The submitted Noise Mitigation Strategy is deemed to be acceptable however the applicant needs to ensure that either a cooling/air-conditioning system is installed or demonstrate that levels of thermal comfort can be achieved in accordance with The Government's Standard Assessment Procedure for Energy Rating of Dwellings. It has been agreed that this can be secured through a prior to commencement planning condition.

#### **Conditions**

- 10.34 The National Planning Policy Guidance governs the use of conditions in planning and the power to impose conditions when granting planning permission is very wide. If used properly, conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. The objectives of planning, however, are best served when that power is exercised in such a way that conditions are clearly seen to be fair, reasonable and practicable. Conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. In considering whether a particular condition is necessary, both officers and members should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. If it would not, then the condition needs special and precise justification.

### **11 Conclusion**

- 11.1 In principle, the proposed residential use of the roof-space is acceptable, in accordance with Local Plan Policies SD1, GBSP2, R1 and H2; the emerging Local Plan 2016; and the NPPF.
- 11.2 The impacts of the proposal have been considered in terms of the visual amenity of the site, its surrounding area, together with the living conditions of future occupiers and neighbouring residents. It has been concluded in these respects that the proposal would maintain and enhance the subject building, a good standard of living conditions would be created and there would not be any adverse impacts on the living conditions of neighbouring residents. As such, the proposal is in accordance with Policies GBSP2, D1, D2, D8 & R19 of the Welwyn Hatfield District Plan, the SDG, Policy SADM11 of the emerging Local Plan 2016 and the NPPF.

- 11.3 The proposal has also been considered with regard to access, parking, refuse provision and highway safety, also having regard to the recent planning permission and concurrent planning application at the site for residential change of use, which are material considerations. It has been concluded that the proposed development would meet the Council's Car Parking Standards, acceptable refuse provision would be provided and there would not be any material impact on highway safety/capacity. The proposal is therefore in accordance with Policies M14, the SPG Car Parking Standards and the Council's Interim Policy for Car Parking Standards and Garage Sizes and the relevant parts of the NPPF.
- 11.4 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF outlines, in its introduction, three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. Of particular relevance to this application is an economic role, among others, to ensure land is available in the right places to support growth; a social role to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; as well as an environmental role which includes protecting and enhancing the built environment.
- 11.5 The NPPF does not require development to jointly and simultaneously achieve planning gain in each of the three considerations. It is sufficient for all three to be considered and for a balance between benefit and adverse effects to be achieved across those three areas. In this instance, the proposal makes effective and efficient use of a previously developed site, the location of the development would be highly accessible for local amenities and public transport, and would provide additional accommodation in the area to support local shops and services, all in line with Paragraphs 30, 37, 58 and 70 of the NPPF.
- 11.6 The proposal would have an economic benefit during the construction phase and a limited social benefit through the provision of 4 windfall residential units making a small but valuable contribution to local housing supply; this is a clear benefit as it reduces pressure on housing land take elsewhere.
- 11.7 Subject to planning conditions it is considered that the design of the development would adequately respect and relate to the character of the area. Giving consideration to the scale of the proposal and its setting, it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level. Consequently, it is considered that the proposal affords benefits in all areas of sustainability and is in accordance with the aims and objectives of saved policies of the Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guidance and the relevant chapters of the National Planning Policy Framework.

## **12     Recommendation**

12.1 It is recommended that planning permission be granted subject to the following conditions:

1. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the works hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development must not be carried out other than in accordance with the approved details.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. Prior to the commencement of the development the applicant must submit to, for approval by the Local Planning Authority details of the glazing scheme and ventilation systems required to be installed to meet the internal noise levels within BS8233:2014. The mechanical ventilation system must provide adequate ventilation rate to maintain thermal comfort. The applicant must either install a cooling/air conditioning system or undertake a SAP 2012 Appendix P assessment of the internal temperature in summer demonstrating that the windows can be kept shut and that the ventilation alone is capable of keeping the room at a temperature which provides thermal comfort (standards described in SAP). The development must not be carried out other than in accordance with the approved details.

REASON: To protect the residential amenity and living conditions of future occupier in accordance with Local Plan Policy R19 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2012.

3. The residential development hereby approved must not be occupied until a scheme which shows the spaces allocated to each flat, including visitor parking, has been submitted to and agreed in writing by the Local Planning Authority. The car parking layout as shown on drawing number: 1702\_00\_105 Revision PL01 and agreed parking allocation must be retained permanently and shall not be used for any other purpose.

REASON: To ensure that the car parking spaces are provided prior to the occupation of the units in the interests of highway safety and the number of spaces to serve each flat complies with Policy M14 of the Welwyn Hatfield District Plan 2005, Supplementary Planning Guidance - Parking Standards 2004, Interim Policy for Car Parking Standards and Garage Sizes 2014 and the National Planning Policy Framework 2012.



## DRAWING NUMBERS

4. The development/works shall not be started and completed other than in accordance with the approved plans and details:

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
1702_03_001	PL02	Site Location Plan	06 September 2017
1702_03_002	PL01	Block Site Plan	06 September 2017
1702_01_100	PL01	Existing Plan Ground Floor Plan	06 September 2017
1702_01_101	PL01	Existing Plan First Floor Plan	06 September 2017
1702_01_102	PL01	Existing Plan Second Floor Plan	06 September 2017
1702_01_103	PL01	Existing Plan Third Floor Plan	06 September 2017
1702_01_104	PL01	Existing Plan Third Floor Roof Plan	06 September 2017
1702_01_201	PL01	Existing Front/East Elevation View from Salisbury Square	06 September 2017
1702_01_200	PL01	Existing Rear/West Elevation View from Great North Road	06 September 2017
1702_01_202	PL01	Existing Side Elevations	06 September 2017
1702_01_211	PL01	Existing Cross Section	06 September 2017
1702_01_210	PL01	Existing Long Section	06 September 2017
1702_00_103	PL04	Proposed Third Floor Plan	15 February 2018
1702_00_104	PL03	General Arrangement Plan Third Floor	15 February 2018
1702_04_101	PL03	Front/East Elevation View from Salisbury Square	15 February 2018
1702_04_100	PL03	Rear/West Elevation View from Great North Road	15 February 2018
1702_04_102	PL03	Side Elevations North and South	15 February 2018
1702_05_101	PL03	Cross Sections	15 February 2018
1702_05_100	PL03	Long Section	15 February 2018
1702_00_105	PL01	Car Parking Layout	06 September 2017

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

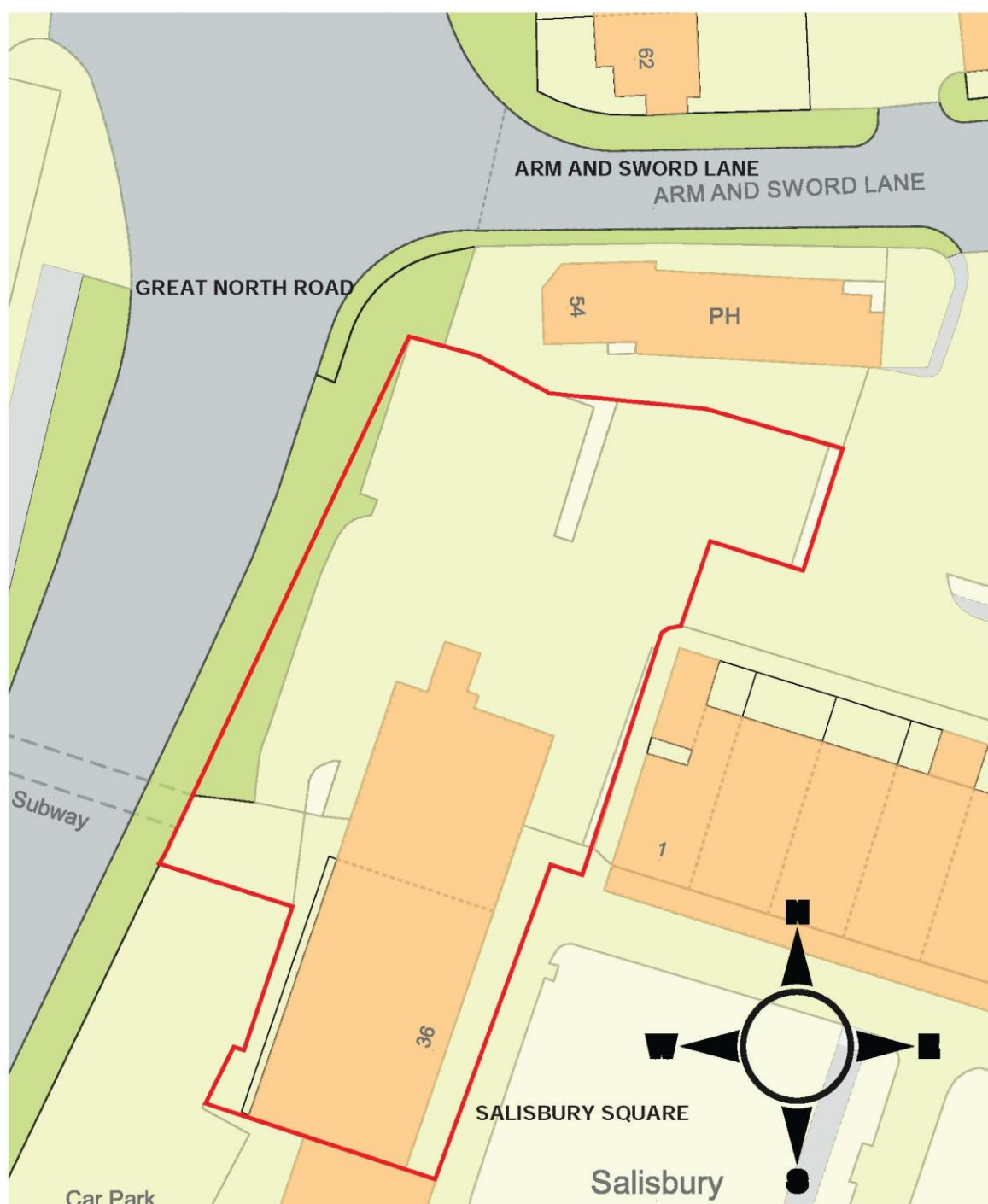
**Informatives:**


1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.
2. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
3. The development will involve the numbering of properties. The applicant MUST contact Welwyn Hatfield Borough Council, Transportation (Lorraine Davis 01707 357546 before any name or number is proposed. This is a requirement of the Public Health Act 1875 and Public Health (Amendment) Act 1907.

David Elmore (Development Management)

Date: 06/02/2018

Expiry date: 02/03/2018



 <p><b>WELWYN HATFIELD</b></p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title: 36 Salisbury Square Hatfield		Scale: DNS
	Project: DMC Committee		Date: 2018
	Drawing Number: 6/2017/1903/FULL		Drawn: Ida Moesner
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## Part I

Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 1 MARCH 2018  
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

6/2018/0094/HOUSE

124 LEMS福德 LANE, WELWYN GAREN CITY AL8 6YP

GARAGE CONVERSION TO INCLUDE REPLACEMENT OF EXISTING GARAGE ROOF

APPLICANT: Mrs P Mabbott

(Handside)

### **1 Site Description**

- 1.1 The application site is located within Lemsford Lane and set back approximately 18 metres from the highway.
- 1.2 The site consists of a two storey semi-detached/link attached dwelling with garage.
- 1.3 The sites' frontage consists of a block paved driveway and is part soft landscaped.

### **2 The Proposal**

- 2.1 Planning permission is sought to convert the garage into habitable accommodation and raise the height of the garage roof so it is of the same height of the link to the main dwelling. Internally the floor level would rise also.
- 2.2 The added height to the garage will be approximately 0.70 metres and it will retain its flat roof.

### **3 Reason for Committee Consideration**

- 3.1 This application is presented to the Development Management Committee because the applicant is a Councillor for Welwyn Hatfield Borough Council.

### **4 Relevant Planning History**

- 4.1 None

### **5 Relevant Planning Policy**

- 5.1 National Planning Policy Framework 2012 (NPPF)
- 5.2 Welwyn Hatfield District Plan 2005 (Local Plan)

- 5.3 Draft Local Plan Proposed Submission 2016
- 5.4 Supplementary Design Guidance 2005 (Statement of Council Policy) (SDG)
- 5.5 Supplementary Planning Guidance, Parking Standards, January 2004 (SPG)
- 5.6 Interim Policy for Car Parking Standards and Garage Sizes, August 2014 (Interim Car Parking Policy)

## **6 Site Designation**

- 6.1 The site lies within the settlement of Welwyn Garden City and within the Conservation Area as designated in the Welwyn Hatfield District Plan 2005.

## **7 Representations Received**

- 7.1 The application was advertised by means of neighbour notification letters and within the Welwyn Hatfield Times. No responses were received.

## **8 Consultations Received**

- 8.1 None received

## **9 Analysis**

- 9.1 The main planning issues to be considered are:
  1. **Whether or not the proposal is of high quality design in accordance with the principles of the Welwyn Hatfield District Plan (2005) and will preserve or enhance the character of the Conservation Area (D1, D2, D3, Supplementary Design Guidance (SDG) and National Planning Policy Framework (NPPF)**
  2. **The impact of the proposal on the residential amenity of the adjoining properties and future occupants (D1 and Supplementary Design Guidance (SDG)**
  3. **Other considerations, The impact on Parking (M14 and SPG), Interim Car Parking Standards**

### **1. Quality of design and impact on character and context of the area**

- 9.2 The Government attaches great importance to the design of the built environment. The National Planning Policy Framework (NPPF) notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments add to the overall quality of the area; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.
- 9.3 Section 72 of the Listed Buildings and Conservations Areas Act (1990) states that 'special attention shall be paid to the desirability of preserving or enhancing the character or the appearance of that area'. Furthermore, saved Policy D1 requires the standard of design in all new development to be of a high quality and

Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area. Policy GBSP2 requires that 'within specified settlements development will be limited to that which is compatible with the maintenance and enhancement of their character'. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan.

- 9.4 This application seeks planning permission to convert the garage into habitable accommodation and raise the height of the garage roof.
- 9.5 The height of the garage will be raised by approximately 0.70 metres. The garage will then be the same overall height as the existing side extension which links the main dwelling to the garage. The roof will remain flat.
- 9.6 Whilst, the proposed development would be visible within the streetscene, it is not considered that the works would be overly prominent as the roof will be of the same height as the existing link extension from the main dwelling.
- 9.7 It is recommended that a condition is included to ensure that the materials proposed will match those within the existing dwelling, which would respect and preserve the character and appearance of the Welwyn Garden City Conservation Area. Both are considered acceptable in this regard, however if permitted, it would be reasonable to request a sample of the materials to be agreed in writing given the prominence of the site and setting within a Conservation Area.
- 9.8 The proposed development would adequately respect and relate to the existing dwelling, by virtue of its proposed scale, design and architectural form and detailing and would not result in harm to the character and appearance of the streetscene. Furthermore, the proposed extension would preserve the character and heritage of the Welwyn Garden City Conservation Area in accordance with the National Planning Policy Framework; Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance.

## **2. Impact on Neighbours**

- 9.9 Policy D1 and the SDG 2005 requires developments to maintain the residential amenity of neighbouring occupiers. These are assessed in terms of overbearing impact, loss of day or sunlight and overlooking /loss of privacy.
- 9.10 This development would not be unduly dominant or result in any adverse loss of light from any neighbouring properties, having regard to both its scale and location. As such, it is considered that the living conditions of neighbouring occupiers would be maintained.

## **3. The Impact on Parking**

- 9.11 The impact on parking has been taking into consideration as the development will involve the loss of a parking space within the garage.
- 9.12 The site lies within Zone 4. The garage conversion would increase the number of bedrooms to three. The parking requirements for a three bedroom dwelling would be 2.25 spaces per dwelling.

- 9.13 The site can accommodate two vehicles on the driveway, potentially a third or on-street parking is available if necessary. Therefore it is considered that sufficient parking would still be maintained on site relative to the size of the resultant building in accordance with Policy M14 of the District Plan, the SPG Parking Standards and the Council's Interim Policy for Car Parking Standards.

## **10 Conclusion**

- 10.1 The proposed development would complement and reflect the design and character of the existing dwelling and would appear subordinate in scale. The proposed extension would therefore adequately respect and relate to the existing dwelling, representing a high standard of design that would sufficiently maintain and preserve the character, appearance and heritage of the Welwyn Garden City Conservation Area. Furthermore, the proposed extension would not result in any significantly detrimental impacts on the residential amenity of neighbouring properties. The proposal is therefore considered acceptable and is in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guide and the National Planning Policy Framework.

## **11 Recommendation**

- 11.1 It is recommended that planning permission be GRANTED subject to the following conditions:

1. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. The development/works shall not be started or completed other than in accordance with the approved plans and details:

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
4329-OS2		Block Plan	11/01/2018
4329-OE1		Plans and Elevations as Existing	11/01/2018
4329-P01		Plans and Elevations as Proposed	11/01/2018
4329-OS1		Location Plan	11/01/2018

### **1. POSITIVE AND PROACTIVE STATEMENT**

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).



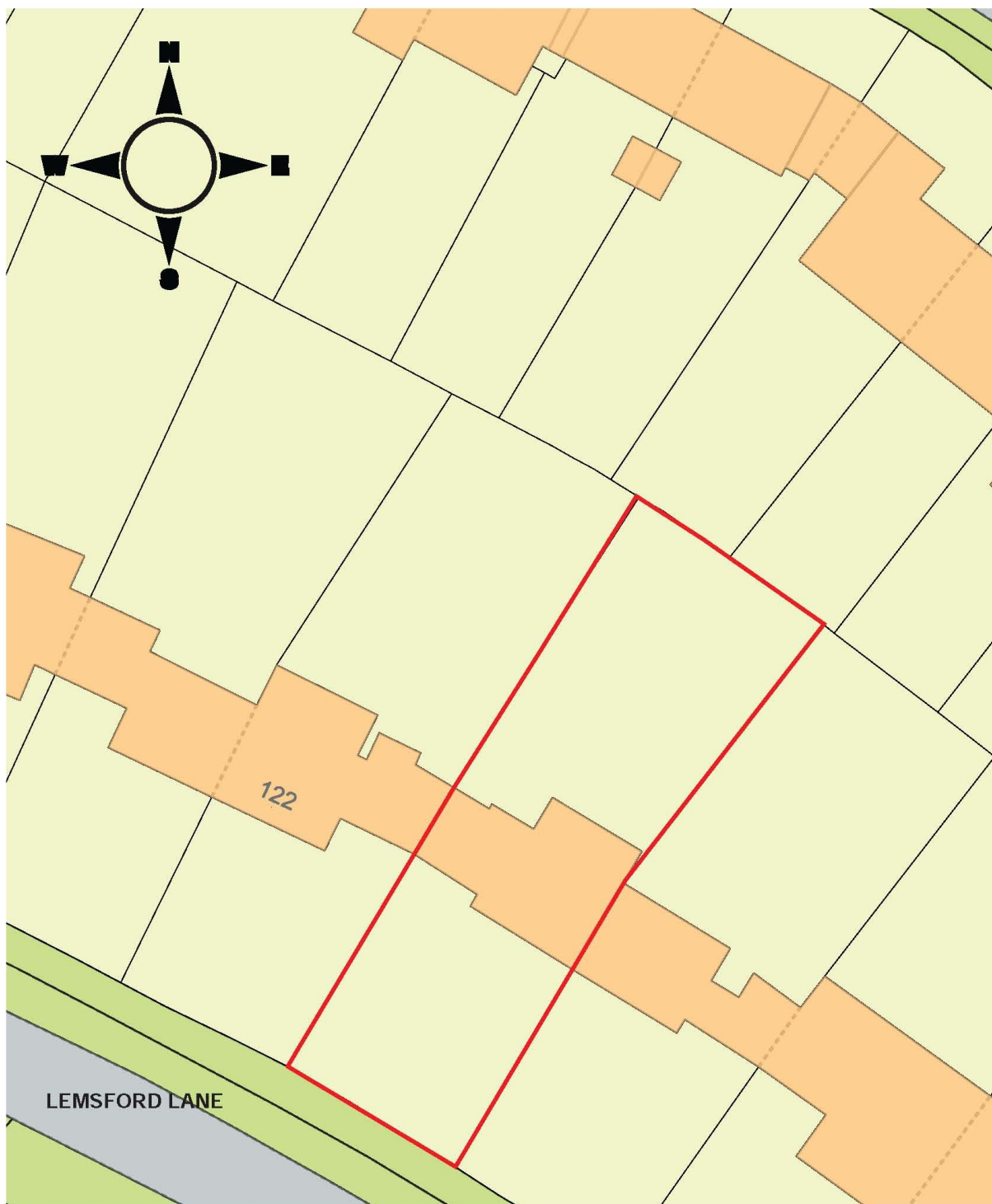
## INFORMATIVES


This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.

Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.

The applicant is advised to take account the provisions of The Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to a shared boundary.

Kerrie Charles (Development Management)  
Date 05 02 2018



 <b>WELWYN HATFIELD</b>  Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE	Title: 124 Lemsford Lane Welwyn Garden City		Scale: DNS
			Date: 2018
	Project: DMC Committee	Drawing Number: 6/2018/0094/HOUSE	Drawn: Ida Moesner
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## Part I

Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 1 MARCH 2018  
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING  
AND GOVERNANCE

6/2017/2802/TPO

18 APPECROFT ROAD, WELWYN GARDEN CITY AL86LA

REDUCE LEYLAND CYPRESS HEDGE BY 5-6M IN HEIGHT

APPLICANT: Ms R Legood

AGENT: Evoke Tree Services Ltd

Handside

### **1 Site Description**

- 1.1 The site is in question encompasses two residential gardens within the Conservation Area of Welwyn Garden City.

### **2 The Proposal**

- 2.1 The applicant is proposing to reduce the height of a conifer hedge located within the rear garden of 6 Meadow Green that abuts the rear garden boundary of 18 Applecroft Road. The hedge is in excess of 9m and the applicant is proposing to reduce the hedge by up to 5-6m.

### **3 Reason for Committee Consideration**

- 3.1 This application is presented to the Development Management Committee because the applicant is a member of staff within the planning department at Welwyn Hatfield Borough Council

### **4 Relevant Planning History**

- 4.1 None relevant

### **5 Planning Policy**

- 5.1 None applicable

### **6 Site Designation**

- 6.1 The site lies within Conservation Area as designated in the Welwyn Hatfield District Plan 2005.

## **7     Representations Received**

7.1    No representations received.

## **8     Consultations Received**

8.1    No consultation responses received

## **9     Analysis**

9.1    The main planning issues to be considered in the determination of this application are:

### **1.     Whether or not the proposed works are considered appropriate within the Conservation Area**

9.1.1   An assessment is required of the amenity value of the trees that comprise the hedge and whether they help to preserve the character or appearance of the conservation area.

9.1.2   The assessment considers the condition of the trees, their retention span, relative public visibility and other factors – such as, but not limited to, whether they are part of a group, have historical importance and, have good form.

9.1.3   The condition and suitability of the Leyland Cypress trees that form the hedge is considered to be fair with a remaining useful life expectancy of approximately 20-40 years. The overall size of the trees can be classed as medium with some visibility to the public.

## **10    Conclusion**

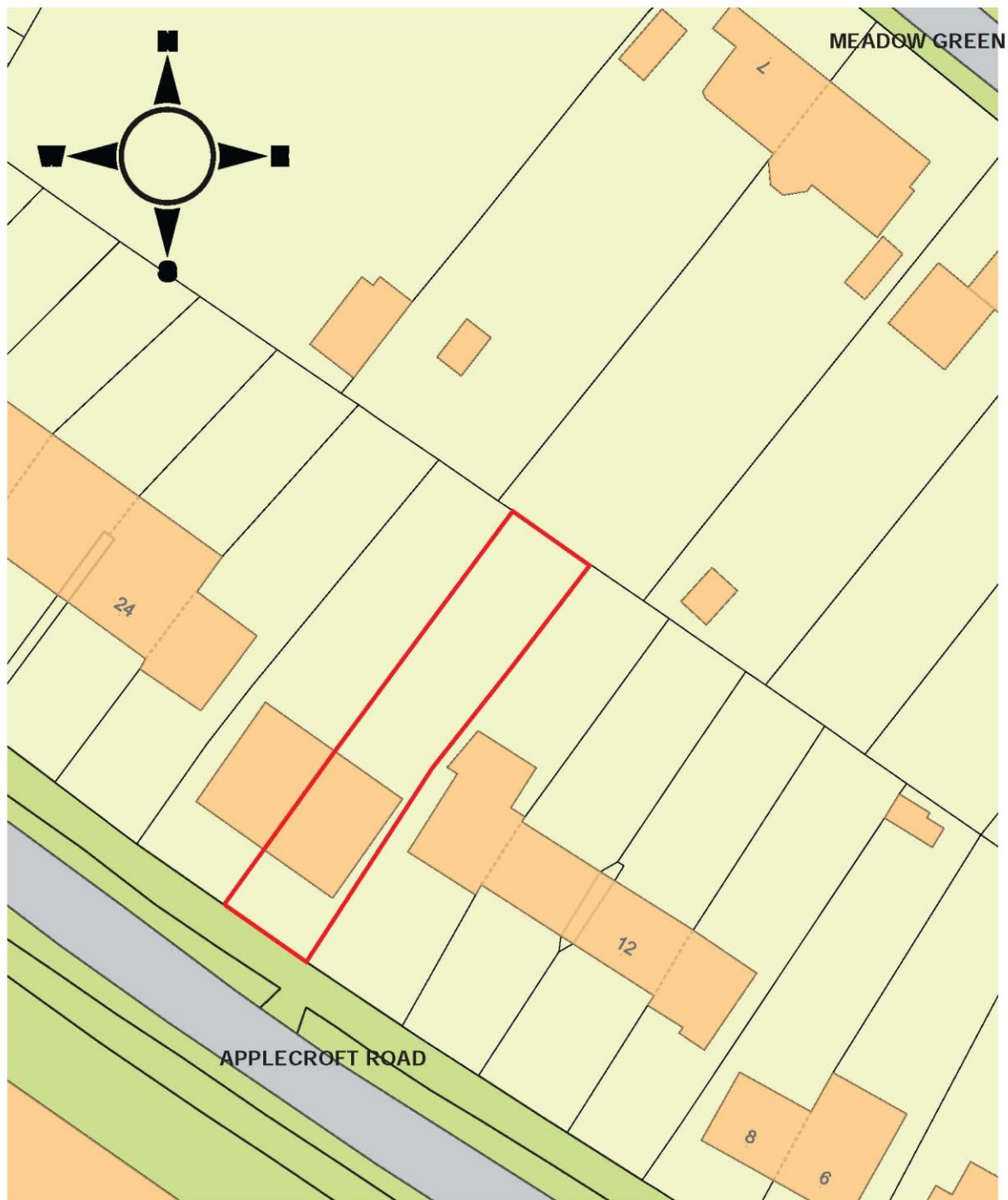
10.1    The proposed work to reduce the hedge by 5-6 m is considered appropriate and will not have an adverse effect on the character of the Conservation Area.


## **11    Recommendation**

11.1    It is recommended that the application be approved.

*Oliver Waring, (Tree Officer)*

Date: 08 February 2018



 <p><b>WELWYN HATFIELD</b></p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title: 18 Applecroft Road Welwyn Garden City		Scale: DNS
	Project: DMC Committee		Date: 2018
	Drawing Number: 6/2017/2802/TPO		Drawn: Ida Moesner
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WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 1 MARCH 2018  
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

## Appeal Decisions 19/01/2018 to 15/02/2018

6/2017/2025/HOUSE	
<b>DCLG No:</b>	APP/C1950/D/17/3190742
<b>Appeal By:</b>	Mr & Mrs B Wiper
<b>Site:</b>	5 Mary Proud Court Oak Piece Welwyn AL6 0XG
<b>Proposal:</b>	Erection of a part first floor rear extension, raising of existing roof structure, installation of rear window and 1 x front rooflight to facilitate conversion of loft to habitable space.
<b>Decision:</b>	Appeal Dismissed
<b>Decision Date:</b>	05/02/2018
<b>Delegated or DMC Decision:</b>	Delegated
<b>Summary:</b>	The Inspector noted that the main issues were the effect of the proposal on the host dwelling and the character and appearance of the surrounding area. The proposal would involve raising the roof of the property and extending over an existing single storey structure to create accommodation in the roof space. It was noted that the rear of the property faces towards Great North Road and that the substantial increase in the height of the single storey element of the dwelling would be visually obtrusive and prominent in those views, notwithstanding the substantial boundary fence. Therefore the proposal would harm the character and appearance of the surrounding area. The design of the proposed extension, and in particular the courses of bricks above the first floor windows, was found to be unacceptable and detrimental to the appearance of the host dwelling.
6/2017/1653/HOUSE	
<b>DCLG No:</b>	APP/C1950/D/17/3190049
<b>Appeal By:</b>	Mr & Mrs Knight
<b>Site:</b>	5 Elmoor Avenue Welwyn AL6 9PG
<b>Proposal:</b>	Erection of a two storey side, single storey front and single storey rear extension
<b>Decision:</b>	Appeal Dismissed
<b>Decision Date:</b>	08/02/2018
<b>Delegated or DMC Decision:</b>	Delegated
<b>Summary:</b>	The Inspector identified the main issues as being the effect of the proposal on the appearance of the host dwelling and the character and appearance of the

	<p>surrounding area. The proposal would involve the demolition of an existing single storey side extension and its replacement with a two storey side extension. The extension would be 3.6m wide and between 14.2 and 10.9 metres long at ground and first floor levels. It was noted that a number of properties in the road had been extended to the side, but that these properties were at a similar level to one another. The appeal site is located at a bend in the road and in an elevated position when compared to the neighbouring property making it highly visible in the streetscene. Whilst the Inspector did not object to the principle of a two storey side extension, the substantial scale and bulk along with the elevated position when compared to the neighbouring property was found to be visually prominent and obtrusive. Similar concerns were found in respect of the single storey front and rear extensions. Overall, the Inspector concluded that the proposals would harm the character and appearance of the host property and the local area.</p>
<b>6/2017/1991/HOUSE</b>	
<b>DCLG No:</b>	APP/C1950/D/17/3191539
<b>Appeal By:</b>	Mr & Mrs P Groves
<b>Site:</b>	9 Youngs Rise Welwyn Garden City AL8 6RT
<b>Proposal:</b>	Erection of single storey rear/side infill extension and part single storey, part two storey side extension. Removal of trees, increased fencing and creation of a driveway
<b>Decision:</b>	Appeal Dismissed
<b>Decision Date:</b>	08/02/2018
<b>Delegated or DMC Decision:</b>	Delegated
<b>Summary:</b>	<p>The Inspector identified the main issues as being the effect of the proposals on the host dwelling, the character and appearance of the Welwyn Garden City Conservation Area, and the existing trees at the site. The Inspector noted that the previously refused, and dismissed at appeal, proposal for a similar form of development. The Inspector noted the changes that had been made in this latest proposal in order to try and overcome the previous reasons for refusal. With regard to effect on the conservation area, the Inspector commented on the core planning principle of conserving heritage assets in a manner appropriate to their significance. The proposed reductions in the size of the extensions were noted, however the Inspector found that the height, width and depth of the side extension would be appear prominent and visually intrusive in the streetscene and reduce the space about the dwelling to the detriment of the character and appearance of the surrounding area. In respect of the proposed removal of 4 no. Lime trees, the Inspector noted that replacement planting had been proposed, however this was not found to be sufficient to outweigh the harm that the removal of the trees would cause. In conclusion, the proposed extensions were found to fail to preserve the character and appearance of the conservation area and that they would harm the appearance of the host property.</p>
<b>6/2017/0725/HOUSE</b>	
<b>DCLG No:</b>	APP/C1950/D/17/3184091
<b>Appeal By:</b>	Mr & Mrs Stringer
<b>Site:</b>	1 Longcroft Lane Welwyn Garden City AL8 6EB



<b>Proposal:</b>	Erection of first floor side extension
<b>Decision:</b>	Appeal Allowed with Conditions
<b>Decision Date:</b>	08/02/2018
<b>Delegated or DMC Decision:</b>	Committee
<b>Summary:</b>	The Inspector identified the main issues as being the effect of the development on the appearance of the host dwelling and on the character and appearance of the Welwyn Garden City Conservation Area. It was found that the first floor side extension would be set in significantly from the front and rear walls and so would have a subservient appearance. The appeal dwelling was found to make a positive contribution to the character and appearance of the conservation area. The proposed extension was considered sympathetic and not to harm the 'book-end' role of the host dwelling, along with No. 11, the opposite end of the terrace. The Inspector noted that the extension would be prominent in some views from both Longcroft Lane and Church Road, and the Council's concern that the original profile of the house would be lost. Nonetheless, the Inspector found that the proposal would respect the architectural detailing and would have an acceptable appearance. The proposal was found to have a neutral effect on the conservation area and would preserve its character and appearance.
<b>6/2017/0420/FULL</b>	
<b>DCLG No:</b>	APP/C1950/W/17/3186766
<b>Appeal By:</b>	Mr & Mrs Jones
<b>Site:</b>	10 Hawkshead Lane, North Mymms, Hatfield, AL9 7TB
<b>Proposal:</b>	Subdivision of existing single dwelling into two dwellings and erection of two porches following partial demolition of existing porch.
<b>Decision:</b>	Appeal Withdrawn
<b>Decision Date:</b>	12/02/2018
<b>Delegated or DMC Decision:</b>	Delegated
<b>Summary:</b>	This appeal has been withdrawn

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## Part I

Main author: Chris Carter

Executive Member: Councillor Perkins

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
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 x2298
Title	Development Management Service Manager

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

<b>6/2016/0270/VAR</b>	
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

<b>6/2016/1375/FULL</b>	
Address	51 Roe Green Close, Hatfield, AL10 9PF
Proposal	Erection of chalet type bungalow
Applicant	Mr A Miller
Ward	Hatfield South West

Agent	Mr C Bailey
Call-In/Objection from	Carrie Lloyd, Hatfield Town Council
Reason for Committee Decision	Further to our objection the details are; The committee raises objections to this planning application regarding proximity to chalk mines, vehicular access, refuse and emergency vehicle access and the number local residents objections for such an isolated area.
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	<p>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.</p> <p>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.</p> <p>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.</p>

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	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 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

#### 6/2017/2513/FULL

Address 33-34 Salisbury Square Hatfield AL9 5AF

Proposal Conversion of existing ground floor (Class A3) restaurant to form two (2xbed) flats (Class C3) including part demolition and extension at ground and first floor (rear) with associated external alterations.

Applicant Mr M A Hussain-Hiam

Ward Hatfield East

Agent Mr R Morton

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

Reason for Committee Decision 23/11/2017 10:18 - Hatfield Town Council Planning Committee wished to make a major objection to this application due to a loss of retail/restaurant unit, lack of parking and not in keeping with the neighbourhood with Old Hatfield

Case Officer Mrs June Pagdin

#### 6/2017/2659/FULL

Address 33 Brookside Crescent Cuffley Potters Bar EN6 4QW

Proposal Erection of a new building to accommodate cats on a short term basis including change of use to mixed residential and cattery

Applicant Mr & Mrs G & A Watkins

Ward Northaw and Cuffley

Agent Ms A Purser

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

Reason for Committee Decision 14/12/2017 17:51 - There are a number of issues which require further examination including:-  
There are no storage areas shown. It is not clear where solid waste will be stored or how it will be collected/ disposed of. It is not clear how foul water (from cleaning etc) will be dealt with. Car access to premises and impact on street parking.

Case Officer Mrs June Pagdin

#### 6/2017/2900/HOUSE

Address 28 King James Avenue Cuffley Potters Bar EN6 4LR

Proposal Erection of first floor loft conversion and installation of three dormers to front elevation.

Applicant Mr L Francischelli

Ward Northaw and Cuffley

Agent Mrs M Christodoulou

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

Reason for Committee Decision 3/01/2018 16:52 - The Parish Council has a major objection for the following reasons:- The nature of the development is the construction of a two storey house, not a traditional style loft conversion and it is out of character with the surrounding properties which are single storey bungalows.  
The development represents over development of the site.  
The Juliet balconies to the rear have implications for the privacy of neighbouring properties.

Case Officer Mr Tom Gabriel

**6/2017/2976/HOUSE**

Address 6 The Links Welwyn Garden City AL8 7DS  
Proposal Erection of a detached, part single, part two storey, two-bedroom dwelling  
Applicant Mr L Martin  
Ward Handside  
Agent Mrs Nancy Covello  
Call-In/Objection Councillor Helen Bromley, Welwyn Hatfield Borough Council  
from  
Reason for 05/02/18  
Committee The application is called in due to concerns regarding the potential over  
Decision development of the plot and the impact that it may have on the character  
and appearance of the Welwyn Garden City Conservation Area  
  
02/02/18  
Due to the over development of this site I would like to call this in, if officers  
are minded to accept.  
This is a call in for planning and the resulting change to amenity affecting all  
in the EMS area.  
Kind Regards  
Helen

Case Officer Mr Richard Sakyi

**6/2018/0043/FULL**

Address Maran House 56 Hertford Road Digswell Welwyn AL6 0BX  
Proposal Conversion of existing garage to an independent residential dwelling unit  
including the insertion of 3 x rear dormer windows, new windows and doors  
and alterations and erection of single attached garage.  
Applicant Mr & Mrs P Kasperczak  
Ward Welwyn East  
Agent Mr D Goodman  
Call-In/Objection Caroline Williams, Welwyn Parish Council  
from  
Reason for 30/01/2018 20:56 - Welwyn Parish Council at it's Planning and Licensing  
Committee Committee meeting of the 30th January 2018 unanimously agreed to submit  
Decision the following:  
  
Major Objection:  
Welwyn Parish Council feel this is of poor quality design that will lead to a  
cramped residence and would be unsuitable for permanent occupation. We  
note that this an application for an additional dwelling house in the green belt

which we believe is an inappropriate development of the site, no very special circumstances apply which would clearly outweigh the harm to the green belt by reason of inappropriateness or any other harm.

Case Officer Ms Louise Sahlke

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 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.</li> <li>• The narrow plots have large houses from 235 to 325 m2 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</li> <li>• The contemporary style of the houses is completely alien to the mixed styles of existing houses along The Ridgeway</li> <li>• The small garden areas for each property, largely decking and patio, would provide a lack of amenity for the occupants</li> <li>• The proximity of the house fronting the Ridgeway to the road will expose it to high noise levels</li> </ul>

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

**6/2018/0194/OUTLINE**

Address	48 Brookside Crescent Cuffley Potters Bar EN6 4QN
Proposal	Outline application for the erection of a two-storey dwelling on land adjacent to 48 Brookside Crescent, with all matters reserved
Applicant	Mr R Marshall
Ward	Northaw and Cuffley
Agent	Mr R Marshall
Call-In/Objection from	Jason Grocock, Northaw & Cuffley Parish Council
Reason for Committee Decision	13/02/2018 18:12 - Our view is that this is over development of the site. The plan is out of character with the surrounding properties. The development would result in little amenity space for the new house and the existing house. We are concerned about overlooking as there are no side elevations shown.
Case Officer	Mr David Elmore

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## **Appendix 2 - All other applications not comprising call-ins or objections**

<b>6/2017/0606/MAJ</b>	
Address	1-9 Town Centre Hatfield AL10 0JZ
Proposal	Erection of 2 buildings to provide 1,194m <sup>2</sup> (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
Reason for Committee Decision	The applicant is Welwyn Hatfield Borough Council and the proposal is major development which should be considered by the Committee.
Case Officer	Mr Mark Peacock
<b>6/2017/2104/MAJ</b>	
Address	51 Bridge Road East Welwyn Garden City AL7 1JR
Proposal	Redevelopment comprising of 13 x 1-bedroom and 32 x 2-bedroom flats, 6 x 1-bedroom and 3 x 2-bedroom flats (C3) with associated access, car parking, amenity space and landscaping, following demolition of existing office building (Class B1).
Applicant	Taylor Wimpey North Thames
Ward	Peartree
Agent	Mrs A Herrick
Reason for Committee Decision	The application represents a departure from the development plan and so should be considered by Development Management Committee in accordance with the Council constitution.
Case Officer	Ms Louise Sahlke
<b>S6/2015/1342/PP</b>	
Address	Land to the north east of King George V Playing Fields, Northaw Road East, Cuffley, Hertfordshire, EN6 4RD
Proposal	Outline planning application for residential development of up to 121 dwellings, associated infrastructure and a change of use from agricultural land to an extension of the King George V playing field. All matters reserved except for new vehicular access to serve the site, the provision of surface water discharge points and the levels of development platforms
Applicant	Lands Improvement Holdings Landmatch

Ward	Northaw and Cuffley
Agent	Mr M Smith
Reason for Committee Decision	The application is of a scale, sensitive nature or is controversial and officer's consider that in accordance with the Council's constitution, it should be determined by the Development Management Committee. Additionally, the application is a departure from the provisions of the appropriate development plan, other policy guidance or supplementary planning guidance.
Case Officer	Mr Mark Peacock



WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 1 MARCH 2018  
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

## DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

OCTOBER – DECEMBER 2017

(All wards)

### **1 Introduction**

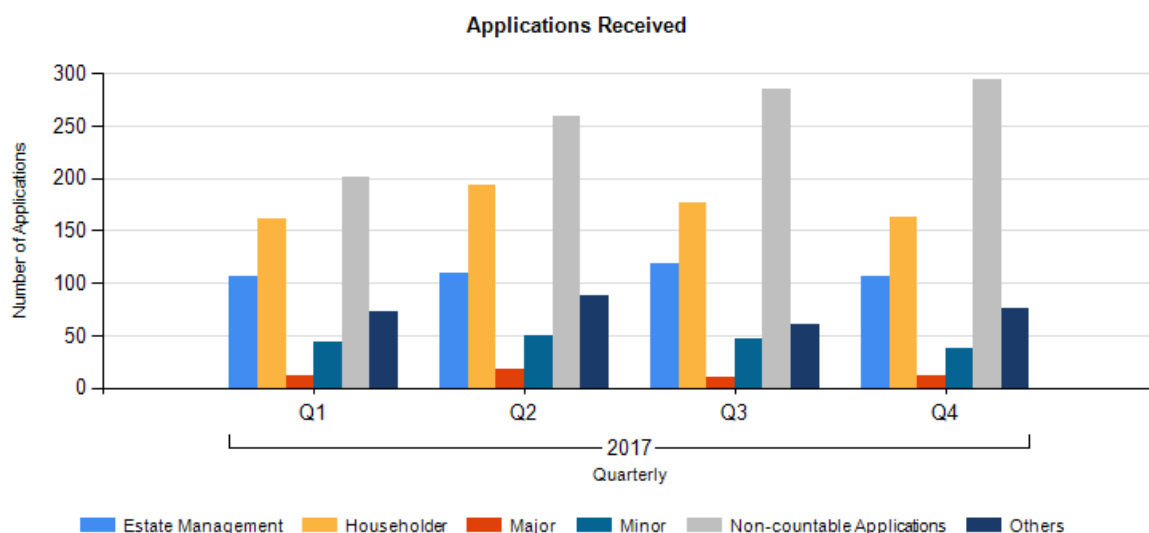
- 1.1 This report relates to the performance of the Development Management Service over the three month period October to December 2017.
- 1.2 Members note that, whilst this quarter is traditionally considered to be quarter three, the planning department software considers this to be quarter four, as with the calendar year. Therefore Members will see that some of the graphs reflect both of these approaches.

### **2 Recommendation**

- 2.1 That Members note the content of this report.

### **3 Application Numbers**

- 3.1 The graphs below show the number of applications that have been received during 2017. In summary in the first quarter 651 applications were received, 756 in quarter 2, 750 in quarter 3 and 733 in the fourth quarter.



Major applications are those with 10 or more dwellings, sites of 1 hectare or more, or provision of 1,000m<sup>2</sup> new floor area or more.

Minor applications include (but are not limited to) up to 9 dwellings, gypsy and traveller sites and commercial proposals not falling within the major category.

Others include (but are not limited to) householder, advertisements and listed building applications.

The 'non countable' category are those applications which are not reported to the Department for Communities and Local Government (DCLG). Such applications include, but are not limited to: prior approvals, discharge of conditions, etc.

Estate Management applications are not planning applications and therefore are subject to different policies and regulations compared to planning. However, they comprise a significant amount of the department's work and have therefore been reported separately for information. These applications include proposals for both built development and for landscaping (tree/hedge removal) proposals.

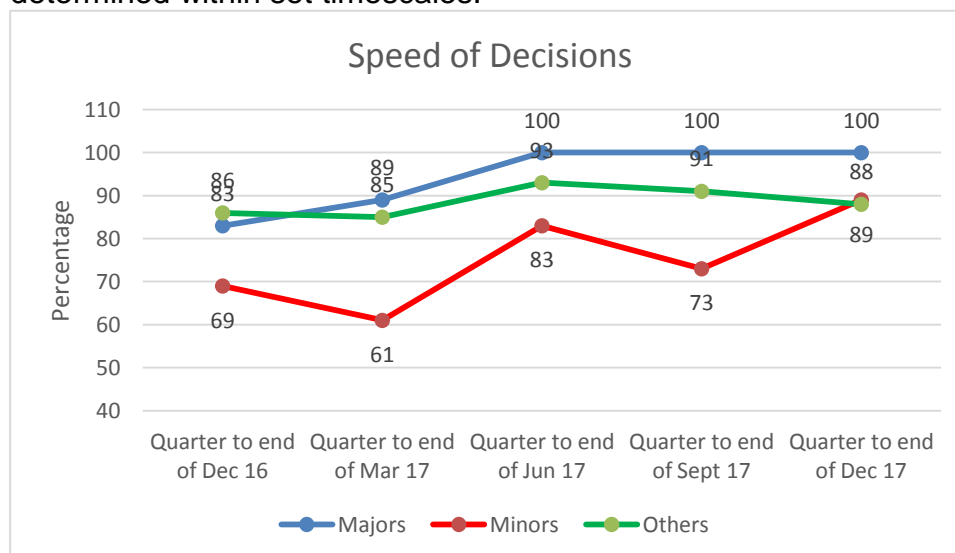
- 3.2 From the graph above, it can be seen that Estate Management, Non-countable and Householders remain the greatest number submitted. There has been a slight reduction in the overall number of applications received compared to the previous quarter although workloads remain high.

## 4 Performance

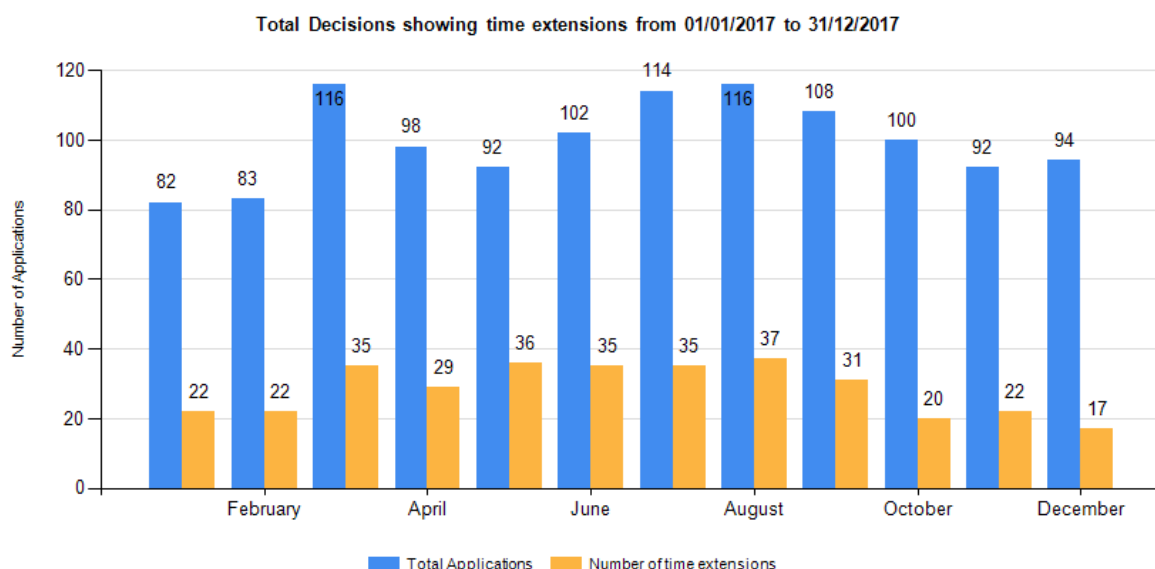
### Applications

- 4.1 Government (DCLG) monitor planning authorities on their speed of making decisions in relation to major and non-major applications. The target at national level is to determine 60% of major applications within the statutory period of 13 weeks or subject to the agreement of a time extension over a rolling two-year period. In addition, the Council has a local performance indicator for majors of 70%. For non-majors, it is 65% over a two-year period rising to 70% for October 2015 to September 2017 period. For authorities who under-perform against this target, they will be classed as 'poorly performing' and applications for major development may be made by developers directly to the Planning Inspectorate should the target be missed. The Council would not receive the fees for these but would be expected to deal with all of the associated administration.

The following graph relates to the percentage of planning applications determined within set timescales.

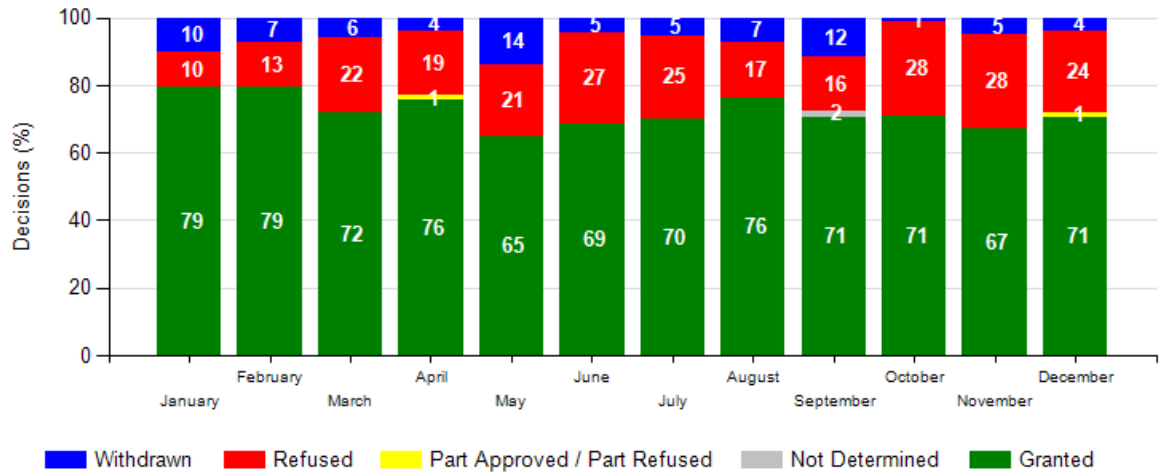


- 4.2 Over the last quarter performance for majors has been maintained, others has dropped by 2% and minors has increased significantly by 15% to 88%. The reason for this is thought to be the change in approach to negotiation on applications which are found to be unacceptable with these applications being determined as submitted, rather than officers entering into lengthy negotiations. Decisions are still being made within both statutory and local targets.
- 4.3 These targets have however been achieved due to seeking time extensions for dealing with the applications beyond their statutory time period from applicants. Time extensions might be sought for a variety of reasons but might include seeking negotiations, complex and/or controversial proposals and items presented to Committee. Time extensions do not go against the authority in terms of speed of decision making when reporting to the government. The graph below shows the total number of applications determined each month in blue and alongside this in yellow are the number of applications where time extensions have been sought on those determined. Seeking time extensions means that case officers workloads overall increase which makes dealing with newer applications on time more difficult. Approximately 25% of all applications determined are subject to a time extension. On average, each full time equivalent case officer has approximately 83 cases on hand, slightly up from the previous quarter and equating to approximately 380 per annum.

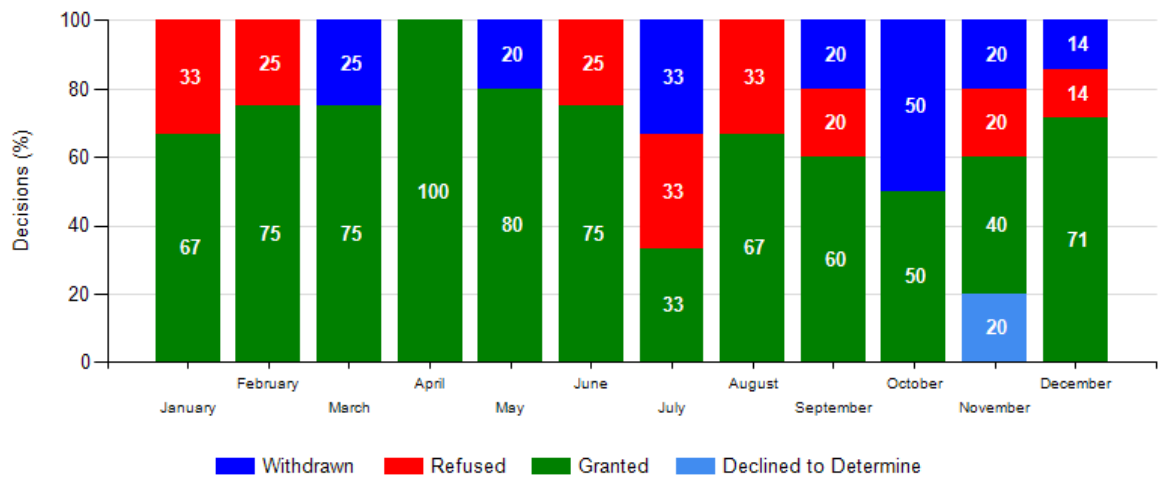


- 4.4 Of the decisions reported above, the following graphs show the number of decisions that were granted, refused, split (i.e. part granted and part refused) and withdrawn across the major, minor and other categories. All three graphs with the exception of July and October for majors and December for minors show the majority of applications are granted. With regard to the spike in minor applications being refused in December, this is thought to be as a result of the change in approach to negotiation for these types of application. Withdrawals are not reported as part of our overall performance to government but still will have involved a significant amount of work by the case officers. These applications are frequently resubmitted often as a 'free go'.

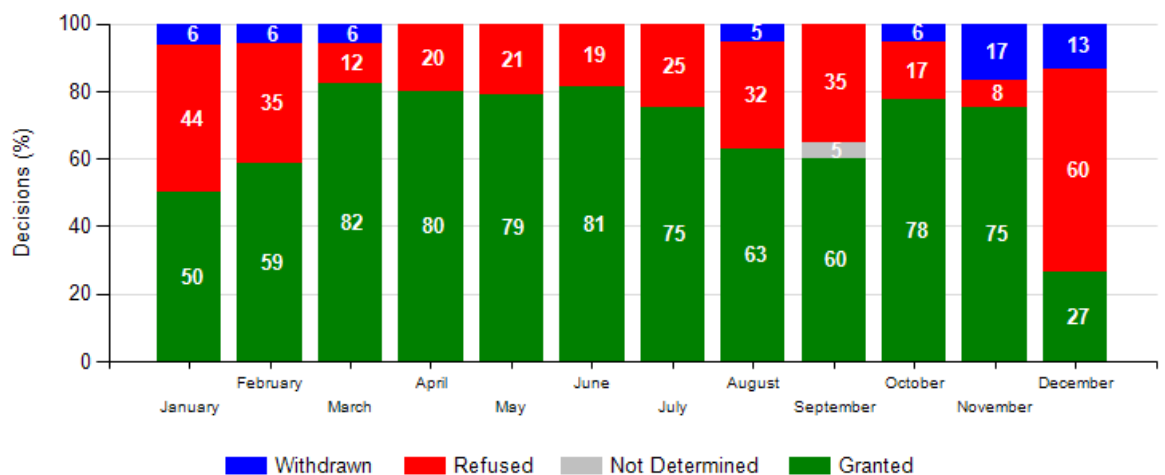
**Other Applications - Decisions from 01/01/2017 to 31/12/2017**



**Major Applications - Decisions from 01/01/2017 to 31/12/2017**



**Minor Applications - Decisions from 01/01/2017 to 31/12/2017**

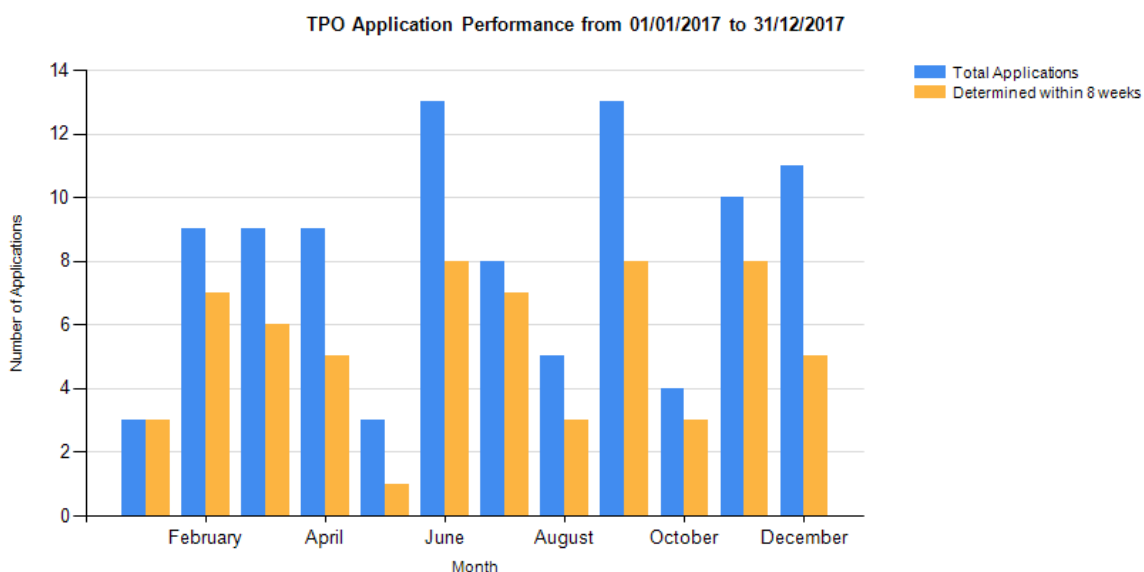


## Landscaping

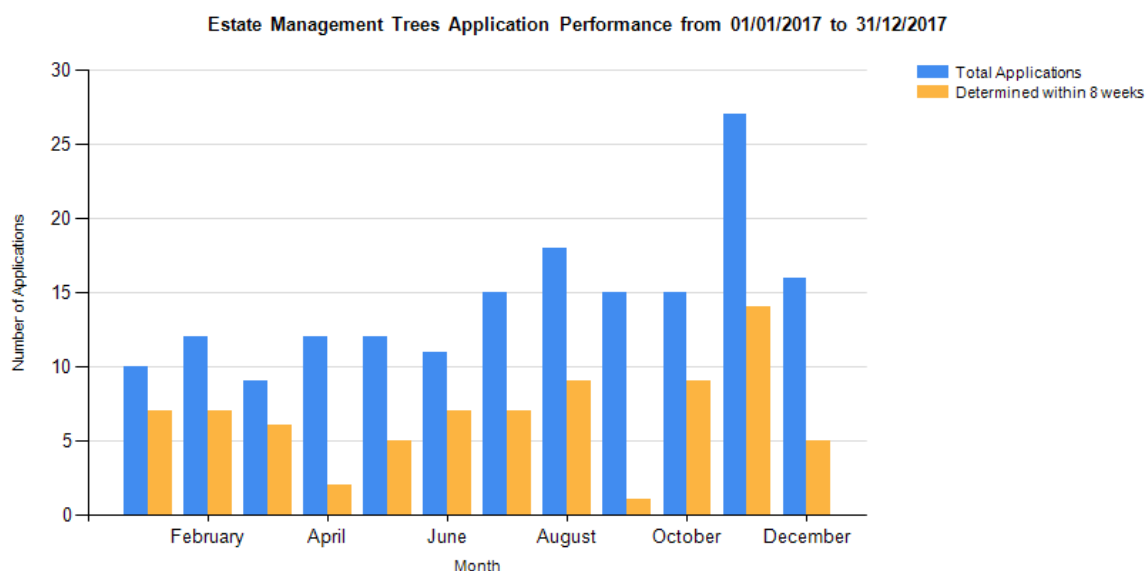
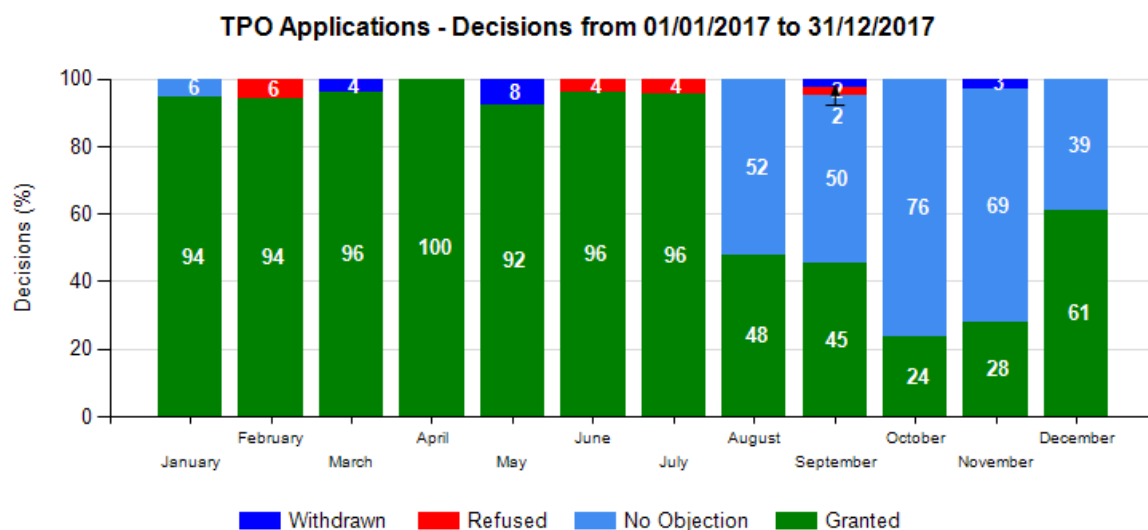
- 4.5 As in the previous quarter, the performance of the landscaping team is being reported to enable Members to understand some of the work undertaken by

landscape and tree officers which is not already reported to other committees such as the Environment Overview and Scrutiny Committee.

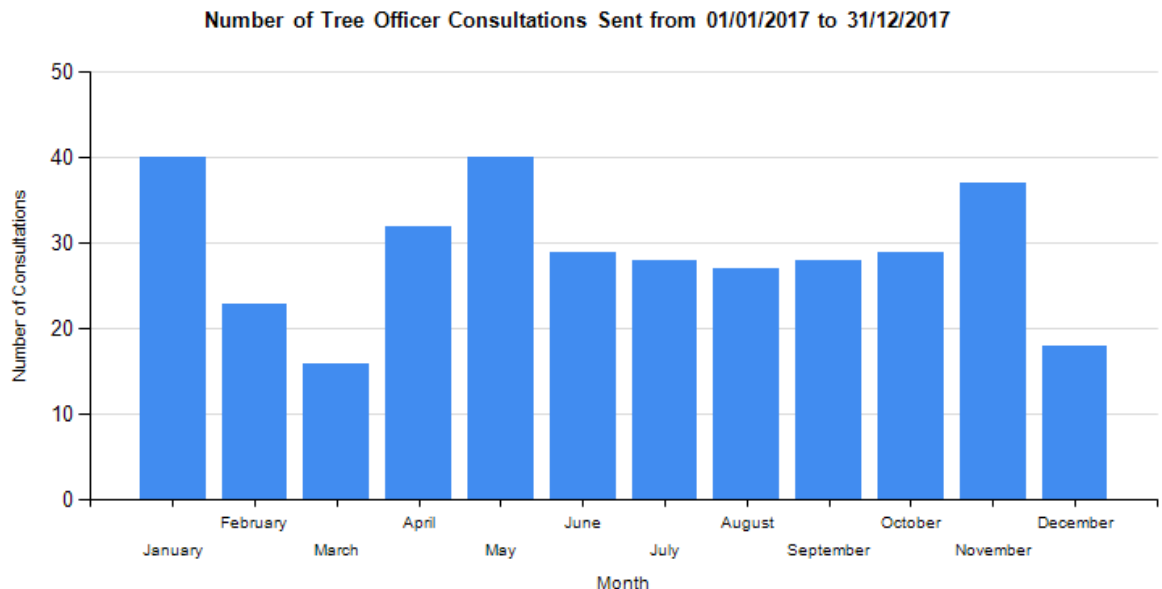
- 4.6 The landscaping team is responsible for dealing with applications relating to Tree Preservation Orders (TPOs), applications for works to trees in Conservation Areas and Estate Management applications where works are proposed to trees or hedges. They are also involved in masterplanning for strategic sites to advise on landscaping and planting plans.
- 4.7 In the region of 200 applications per annum are received which are Estate Management and 300 TPO and works to trees in Conservation Area applications. Applications for works to trees in Conservation Areas require the Council to determine whether or not the tree should be protected by a TPO. Decisions must be made within 6-weeks and the Order issued within this timescale. If a decision is not made on the first day of the 7<sup>th</sup> week, the applicant may undertake the works that they were seeking consent for.
- 4.8 The following graphs show the number of TPO applications determined each month and whether they were determined within the statutory timescales. This shows little consistency with the number of applications received each month making resourcing more difficult. However, overall a performance of approximately 50% has been achieved in the last quarter.



- 4.9 The graph below shows the number of decisions made on TPO's and Trees in Conservation Areas since the beginning of the year. The Landscape Officer tries to negotiate acceptable schemes, hence a high approval or no objection rate.

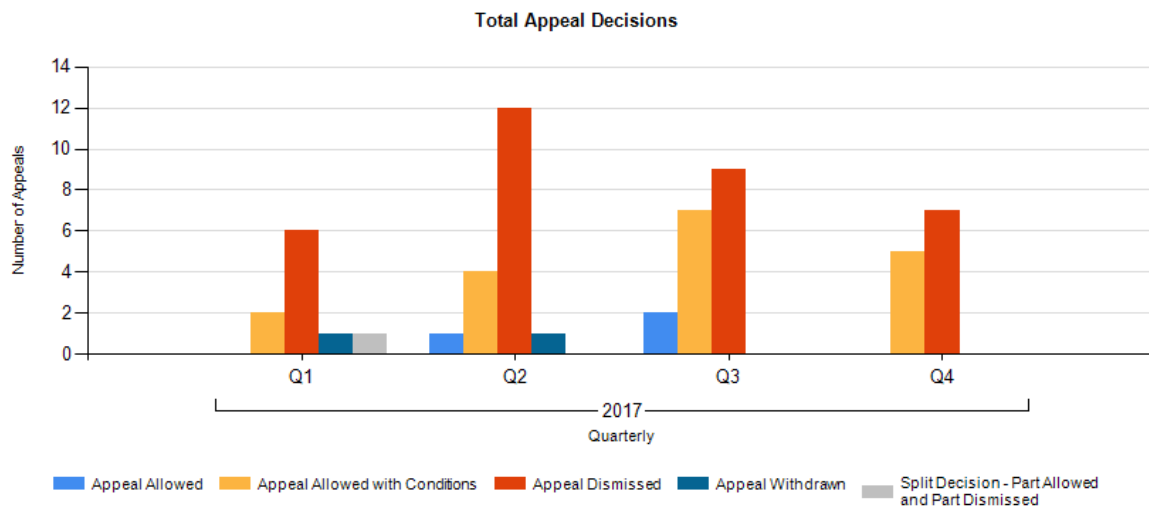


- 4.10 The graph above show the number of applications for works to trees within the Estate Management area. The overall number has continued to increase across the quarter whilst the number determined within 8 weeks has also risen.
- 4.11 In addition to dealing with applications, Members will be aware from reports presented to Committee that the landscaping officer will comment on proposals that might have an impact on either existing landscaping or will provide an opinion on proposed landscaping. The following graphs show the average number of consultations per month is approximately 30, although this did drop a little in December. This will be across all types of applications from Majors to Others.



## Appeals

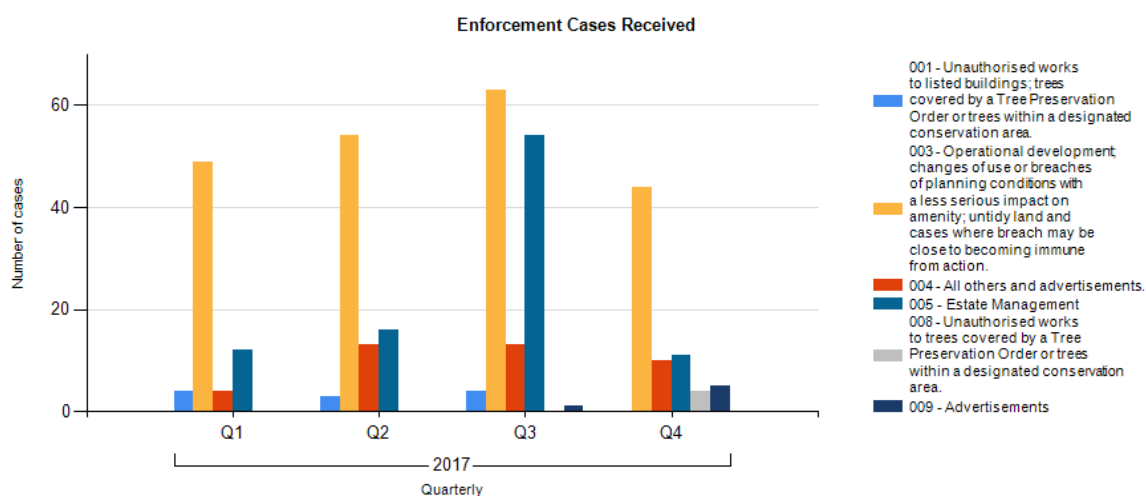
- 4.12 The chart below shows the number of applications and enforcement notices that have been allowed, allowed with conditions, dismissed, split decisions (part allowed and part refused) and withdrawn at appeal. This quarter has seen a small reduction in the number of decisions compared to the previous, from 18 to 13. There continues to be a trend towards appeals being allowed or allowed with conditions by the Planning Inspectorate resulting in 38% allowed, an improvement from the 50% in the previous quarter. This does however mean that the Council has therefore failed to meet its local target for this quarter, albeit by a much smaller margin than in quarter 3.
- 4.13 As well as the Government monitoring authorities in relation to performance for determining applications, it also monitors quality in relation to the number of major and non-major applications overturned (i.e. allowed) at appeal. The threshold is for fewer than 20% of major applications overturned at appeal over a rolling two-year period. For authorities who exceed this target, they will be classed as 'poorly performing' and applications for major developments may be made by developers directly to the Planning Inspectorate. The last major application overturned at appeal was over two years ago and therefore the Council is meeting the Government's target. It is worth highlighting that very few major applications have historically been refused by the Council and thus very few can be appealed.
- 4.14 DCLG has recently proposed that the threshold for quality of decisions for non-major applications will be amended to 10% and will be introduced for 2018-2019 onwards. For clarification, this is 10% of all non-major (i.e. minor and others) decisions refused by the Council and subsequently overturned at appeal over a rolling two-year period. The statistics collated by DCLG have not been updated to that reported last quarter. They relate to April 2016-March 2017, with a total of 33 applications having been determined of which 6 were allowed. Over the same time period 170 applications have been refused. The percentage is therefore 3.5% (6 divided by 170). The Council is therefore significantly within government's target and not at risk of being classed as poorly performing.



## 5 **Enforcement**

### Number of cases received

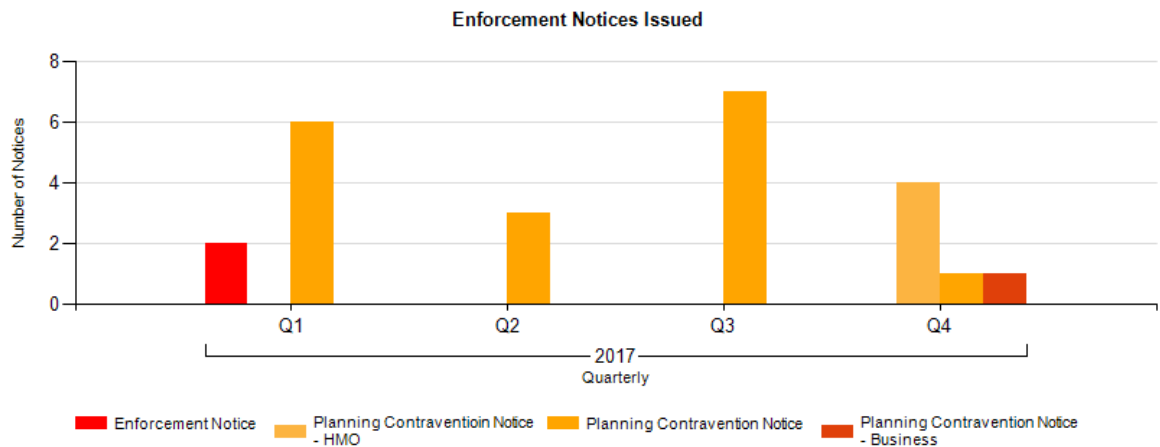
- 5.1 Enforcement continues to be very busy. However there has been a slight decline in the number of new cases being registered in the last quarter.
- 5.2 As with previous quarters, a lot of cases reported are those with a less serious impact upon amenity, shown in orange.



### Notices Issued

- 5.3 The chart below shows the number of notices issued. The issuing of an enforcement notice is the last resort for the Council. Government guidance requires local planning authorities to try to negotiate with a contravener to find alternative means by which an unacceptable development may be made acceptable. A significant amount of time is spent by the enforcement officers in negotiation.





5.4 Since the last performance report was presented to Committee, the enforcement team have continued to be busy with, amongst other matters, the issuing of a further six Planning Contravention Notices. Planning Contravention Notices are used to establish the use of a site and to find out ownership and other details. They may only be used by the Council when a breach of planning control is suspected. They cannot be used as a ‘fishing exercise’. There were no Enforcement Notices served during the quarter.

5.5 There are currently 536 outstanding enforcement cases (both planning and Estate Management), some of which are awaiting prosecution, notices to be served or in the case of estate management for arbitration. Others are being investigated with the aim to find an acceptable resolution for all. A report providing an update on enforcement action taken (i.e. notices issued) will be presented to the next DMC meeting as a Part II (confidential) item.

## **6 Updates**

6.1 As noted within this report, the number of planning applications received has remained high following the trend from the previous quarter. At the same time, performance has continued to be met and the overall number of applications awaiting a decision slowly reducing.

6.3 Since the last report, there have been a number of changes within the Planning team including the departure of Lisa Hughes as Development Management Service Manager and her replacement with Chris Carter. Further recruitment is underway in the Officer team for permanent replacements for Rachael Collard and the vacancy created by Mark Peacock’s promotion.

## **7 Conclusion**

7.1 All areas continue to be busy, however performance has seen an overall improvement compared to the previous quarter. Recruitment continues to be challenging and further adverts will be posted over the coming months.

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Date: 16 February 2018

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