

Development Management Committee
21 July 2016

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday, 21st July, 2016 at 7.30 pm in the Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE

PRESENT: Councillors S Boulton (Chairman)
N Pace (Vice-Chairman)

R Basch, J Beckerman (substituting for D Bennett),
M Birleson, A Chesterman, I Dean, C Gillett, M Larkins,
S Markiewicz, H Morgan, P Shah, F Thomson,
J Weston and P Zukowskyj

ALSO PRESENT: Councillors J Broach
M Perkins (Executive Member for Planning, Housing
and Community)

OFFICIALS PRESENT: Head of Planning (C Haigh)
Development Management Service Manager (L Hughes)
Principal Major Projects Officer (C Carter)
Principal Development Management Officer (S Smith)Senior
Development Management Officer (M Peacock)
Governance Services Officer (R Burbidge)
Governance Services Officer (S Hulks)

22. SUBSTITUTIONS:

The following substitution of a Committee Member had been made in accordance with Council Procedure Rules 19-22.

Councillor J Beckerman for D Bennett.

23. APOLOGIES:

An apology for absence was received from Councillor D.Bennett.

24. MINUTES:

The Minutes of the meeting held on 16 June 2016 were approved as a correct record and signed by the Chairman.

25. DECLARATIONS OF INTEREST BY MEMBERS:

Councillor S Boulton declared an interest in items on the agenda as appropriate by virtue of being a member of North Mymms Parish Council.

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Councillor H Morgan declared an interest in items on the agenda as appropriate by virtue of being a member of Hatfield Town Council.

Councillor P Shah declared an interest in item 15 – 1 Mulberry Mead (6/2016/0878) by virtue of being an acquaintance of the applicant.

Councillor P Zukowskyj declared an interest in items on the agenda as appropriate by virtue of being a member of Hertfordshire County Council.

26. 18 GEORGES WOOD ROAD, BROOKMANS PARK, HATFIELD, AL9 7BT - 6/2016/0610/HOUSE - ERECTION OF TWO STOREY FRONT, TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS, INCORPORATING THREE DORMERS TO THE FRONT AND FOUR DORMERS TO THE REAR:

The report of the Director (Governance) set out an application seeking householder permission for first floor accommodation above the existing garage and single storey front projection. Two additional dormer windows in the front elevation and three additional dormers to the rear within a 1 ½ storey rear extension were proposed. The overall height of the dwelling would not alter and the roofs of the side elevations would hip away from the adjoining boundaries. Materials indicated would match the existing dwelling.

Members were reminded that the application had been deferred at the meeting of the Committee on 16 June (vide Minute 16) for a site visit which had taken place on 4 July. The report had been updated in sections 8.2, 10.4-6 and 10.12 to take account of late representations previously reported and to clarify the relationship between numbers 18 and 20 Georges Wood Road.

Mrs Safaoglu (applicant) spoke in favour of the proposal.

Georgina Curran (objector) spoke against the proposal.

Members were of the view that having regard to Policy D1 and the Supplementary Design Guidance and, in addition, guidance in paragraph 17 of the NPPF the proposal would not preserve a good standard of amenity for all neighbouring properties.

It was moved by Councillor F Thomson, seconded by Councillor N Pace and

RESOLVED
(9 voting for and 5 against)

That, notwithstanding the officer recommendation for approval, application 6/2016/0610/HOUSE be refused for the following reason -

‘The proposed development by reason of the height of the wall at first floor, adjacent to number 20 Georges Wood Road, would have a substantial detrimental impact upon the living conditions of occupiers of the adjoining dwelling. As such, the proposal is contrary to the National Planning Policy

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Framework which requires good design, Policy D1 of the Welwyn Hatfield District Plan 2005 and Section 5 of the Supplementary Design Guidance, 2005 (Statement of Council Policy).'

Refused Drawing Numbers: Site Location Plan 1:2500 & GW-2016/001 Existing Plans and Elevations & GW-2016/001 rev 1 Proposed Plans and Elevations

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 including the previous approved replacement dwelling under application S6/2015/0001/FP. The proposal does not justify a decision contrary to the development plan which for the above reason is considered to not comply'.

27. LAND TO THE REAR OF 29 TURPINS RIDE, WELWYN, AL6 0QU - 6/2016/0158/FULL - ERECTION OF 1 FOUR BEDROOM DWELLING HOUSE:

The report of the Director (Governance) set out an application seeking full planning permission for the erection of a four bedroom detached dwelling at land at the rear of No.29 Turpins Ride. The proposed dwelling would be one and a half storeys with the first floor accommodated within the roof structure, which would be complemented with two rear dormer windows and a series of rooflights to all four elevations. The proposed dwelling would be of an 'L' shaped footprint and would include a single integral garage within the forward projecting element of the house. The property would have the front elevation facing eastwards and so would address the existing private drive serving No.3 Turpins Chase. The dwelling would be accessed from the private drive and would be set back, with a relatively large front access drive. The proposed dwelling would therefore be back-to-back with the existing dwelling at No.29 Turpins Ride.

The proposed dwelling would comprise of a kitchen/ diner, WC lounge, study and utility room at ground floor and four bedrooms, two with en-suites and a family bathroom at first floor. The 'L' shaped footprint would have a maximum depth of 12 metres and a maximum width of 12 metres and would have a height of 2.6 metres to eaves level and a maximum height of approximately 6.85 metres to the roof ridge. The proposal would be of a brickwork finish and a tile roof.

Mrs. B Littlefair (Objector) spoke against the application.

Welwyn Parish Councillor Colin Hukin spoke against the applicant.

It was proposed by Councillor J Beckerman, seconded by Councillor H Morgan and

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RESOLVED:
(14 voting for and 1 against)

That planning permission for application 6/2016/0158/FULL be approved subject to the conditions set out in the report of the Director (Governance).

28. LAND ACCESSED FROM GREEN CLOSE, BROOKMANS PARK, HATFIELD, AL9 7ST - 6/2016/0192 - ERECTION OF 12 RESIDENTIAL UNITS COMPRISING 3 NO. 1-BED AND 9 NO. 2-BED FLATS WITH ASSOCIATED CAR PARKING, CYCLE STORE, REFUSE STORE AND LANDSCAPING:

The report of the Director (Governance) set out an application seeking full planning permission for the erection of 12 residential units comprising 3 x 1-bed and 9 x 2-bed flats with 12 car parking, 12 cycle spaces, a refuse store and landscaping.

Members noted that it was intended that this proposal reflected the local vernacular, complementing the neighbouring development within Green Close. A simple palette of materials was proposed, two different tones of brickwork were used to break down the scale, with deep reveals to add depth and shadow to the facades. Pitched roofs created a string form and rhythm, reflecting the character of the local area. Materials would comprise dark buff/brown multi stock facing brickwork with a lighter colour brick on the recessed second floor level and recessed false window detail. Roof tiles would also be brown roof with photovoltaic panels positioned on the west facing elevation. The glazed entrance lobbies and windows would be framed on dark grey brushed metal.

Alan Evans (Agent) spoke in support of the application.

North Mymms Parish Councillor Tony Ginsberg spoke against the proposal.

It was proposed by Councillor J Beckerman, seconded by Councillor F Thomson and

RESOLVED:
(9 voting for and 5 against)

That planning permission for application 6/2016/0192 be approved subject to the conditions set out in the report of the Director (Governance) and to the satisfactory completion of a Section 106 Legal Agreement on or before the 30 September 2016 to secure the following obligations:

£8,675 – Sustainable Transport
£1,392 – Library Services
£1,608 – Refuse and Recycling Facilities
£1,263 – Green Space
£3,312 – Play Facilities
£812.50 – Monitoring Fee
Fire hydrants

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29. LAND AT GREEN CLOSE, BROOKMANS PARK, HATFIELD, AL9 7ST - 6/2016/0683/FULL - FORMATION OF TWO STOREY DWELLING HOUSE WITH GARAGE AND ASSOCIATED LANDSCAPING FOLLOWING DEMOLITION OF EXISTING GREENHOUSE:

The report of the Director (Governance) set out an application seeking full planning permission for alterations to the existing garage block to create a single dwelling with garaging, together with the demolition of the existing greenhouse.

A first floor would be provided above the existing garages and would provide habitable accommodation for the dwelling – 2 bedrooms, bathroom and en-suite. A small entrance porch would be provided at the ‘junction’ of the L. The workshop and one of the garages would provide for kitchen, dining, living and garden room. The garden room would be provided with patio style doors which would lead out to the south facing garden.

Within the first floor five small dormers would be provided overlooking the entrance and to the rear two rooflights to the bathroom and en-suite. At ground floor to the rear, three windows would be provided to the kitchen and staircase.

Three garages would be retained, two of which would have the internal wall removed to provide for a double garage.

Materials would comprise facing brickwork and dark stained timber boarding with plain clay tiles to the pitched roof. Windows would be provided in grey uPVC.

David Morgan (Agent) spoke in support of the application.

It was proposed by Councillor N Pace, seconded by Councillor S Markiewicz and

RESOLVED
(Unanimously)

That planning permission for application 6/2016/0683/FULL be approved subject to the conditions set out in the report of the Director (Governance).

30. WARRENWOOD MANOR, HORNBEAM LANE, BROOKMANS PARK, HATFIELD, AL9 6JF - S6/2015/1105/FP - RETENTION OF SINGLE STOREY STORAGE BARN, OPEN HORSE WALKER AND ASSOCIATED FENCING:

The report of the Director (Governance) set out an application seeking planning permission for the retention of the single storey storage barn and open horse walker and its associated fencing. The proposed storage barn was located to the front of the existing 16 box stable building, which did not form part of this application. It had a maximum height of approximately 5 metres, a width of approximately 12 metres and a maximum depth of approximately 6 metres. The barn was required to accommodate straw, hay, sawdust and manège and

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together with tractors and equipment associated with the equestrian use of the land and stables.

The open horse walker was to the rear of the stable building and was circular with a post and rail fence 1.65 metres in height. Fencing was proposed that linked the horse walker to the stables.

Nigel Brunt (Applicant) spoke in support of the application.

RESOLVED

That consideration of the application be deferred to enable a site visit to be arranged.

31. WARRENWOOD MANOR, HORNBEAM LANE, BROOKMANS PARK, HATFIELD, AL9 6JF - S6/2015/1106/FP - RETENTION OF PARKING AREA FOR CARS AND HORSEBOXES, HORSE HOLDING AREA AND MANEGE AREA WITH ASSOCIATED FENCING AND LIGHTING:

RESOLVED

That consideration of the application be deferred to enable a site visit to be arranged.

32. WARRENWOOD MANOR, HORNBEAM LANE, BROOKMANS PARK, HATFIELD, AL9 6JF - S6/2015/1107/MA - RETENTION OF MODIFIED LAND LEVELS AND FURTHER LAND REMODELLING TO AGREED CONTOURS:

RESOLVED

That consideration of the application be deferred to enable a site visit to be arranged.

33. SWAN LODGE, BELL LANE, BROOKMANS PARK, HATFIELD, AL9 7AY - 6/2016/0168/FULL - ERECTION OF 8 NO. ONE AND TWO BEDROOM APARTMENTS, CAR PORT, REFUSE AND RECYCLING STORE AND ASSOCIATED WORKS FOLLOWING DEMOLITION OF EXISTING BUILDINGS:

The report of the Director (Governance) set out an application seeking full planning permission to demolish the existing building and outbuildings and replace them with a new building of eight flats (6 x 2 bedroom and 2 x 1 bedroom) and a carport/bicycle store.

The new dwelling would be L-shaped with a feature corner facing the junction but positioned 3.5 metres from the footway (5 metres from the road). The footprint would be 235 square metres measuring 16 metres wide by 16 metres deep (excluding the bay windows at ground floor). The building would be two storeys high with accommodation in the roof.

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The roof would be pitched with a central crown, dormers to the rear and roof-lights to the front. Amended plans showed the roof would be 8 metres high with 5 metres high eaves, hipped to the ends and on the corner feature facing the junction.

The external walls would be finished in white render with a natural stone band between ground and first floor. The roof would be tiled in materials and style to be agreed with the Local Planning Authority. The window frames and door frames would be upvc.

The existing vehicle access would be retained. A driveway would provide access to parking for 12 cars: 9 open spaces at the rear of the site and 3 within a repositioned garage/carport. A cycle store would be provided within the garage. A refuse bin store would be provided on the western boundary; 23 metres from the road.

The site boundary to Bell Lane would consist of 1 metre high post and rail fencing with evergreen hedging behind to 1.5 metres. The vehicle access would have 2 metres high timber gates set 6 metres back from the footway.

Stuart Rackham (Agent) spoke in support of the application.

Peter Miller (North Mymms District Green Belt Society) spoke against the application.

It was proposed by Councillor J Beckerman, seconded by Councillor A Chesterman and

RESOLVED
(12 voting for and 3 against)

That planning permission for application 6/2016/0168/FULL be approved subject to the amendment of condition 1 as set out below, the deletion of condition 12 and the following amendment to condition 11 as well as the other conditions set out in the report of the Director (Governance) –

Condition 1:

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

PSL01 & PSL02 & PSL03 received and dated 2.2.2016 and Landscape Masterplan received 1.6.2016 (and dated 24.5.2016) and PSL05/RevA & PSL07/RevA & PSL10 received and dated 23.6.2016 & PSL08 & PSL09 received and dated 26.6.2016 and PSL04/RevB & PSL06/RevB received and dated 6.7.2016.

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

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Condition 11:

Notwithstanding the approved plans, the areas set aside for car parking shown on Plan Number PSL04/RevB shall be laid out, surfaced and marked out in accordance with a scheme which has been submitted to and agreed in writing by the Local Planning Authority before the buildings hereby permitted are first occupied and shall be retained permanently thereafter for the free parking of vehicles for residents/occupiers of the flatted development permitted and shall not be used for any other purpose.

The parking scheme shall include the following:

- (a) details of the car port (plans, elevations and materials);
- (b) layout of car parking including two disabled parking spaces with wheelchair accessible routes to the entrance of the building; and
- (c) secure cycle parking for 8 bicycles.

REASON: To ensure that the spaces are provided prior to the occupation of the units in the interests of highway safety in accordance with the National Planning Policy Framework.

34. 37 PINE GROVE, BROOKMANS PARK, HATFIELD. AL9 7BL - 6/2015/2361/HOUSE - DEMOLITION OF EXISTING FRONT PORCH AND SIDE EXTENSION, ERECTION OF PART SINGLE, PART TWO STOREY FRONT EXTENSIONS, SINGLE STOREY SIDE EXTENSION, PART SINGLE STOREY/PART TWO STOREY REAR EXTENSIONS, EXISTING GARAGE CONVERSION:

The Chairman reported that consequent on the withdrawal by North Mymms Parish Council of their objection this item had been withdrawn from the agenda.

35. 1 MULBERRY MEAD, HATFIELD, AL10 9EH - 6/2016/0878 - FIRST FLOOR SIDE EXTENSION, LOFT CONVERSION INCLUDING ROOF LIGHTS, CONVERSION OF GARAGE AND ERECTION OF A GARDEN SHED:

The report of the Director (Governance) set out an application seeking planning permission for the addition of a first floor side extension above the existing garage; which would be set in 1 metre from the neighbouring property. The first floor element would host brickwork to match the existing dwelling and the tiles within the new roof would match those used in the construction of the existing roof.

The proposal also included the conversion of the garage to a habitable living space with the insertion of a upvc window on the front elevation and infill

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brickwork to match the existing dwelling, and the conversion of the loft with two roof lights to the front and two roof lights to the rear.

The application was also seeking permission for the erection of a garden shed which would measure approximately 3 metres deep by 2.4 metres wide with a maximum height of 3 metres. The shed incorporating brickwork and tiles that would match the host dwelling, will be sited in the rear garden on the properties boundary.

Mrs Islam (Applicant) spoke in support of the application.

Councillor J Broach (Hatfield Town Council) spoke against the application.

Members having commended officers for the approach adopted towards the application, it was proposed by Councillor S Markiewicz, seconded by Councillor H Morgan and

RESOLVED
(Unanimously)

That planning permission for application 6/2016/0878/FULL be approved subject to the conditions set out in the report of the Director (Governance).

(Note: Councillor P Shah had declared an interest in respect of this item. Minute 25 refers.)

36. 12 CLOVERLAND, HATFIELD, AL10 9ED - S6/2016/0240/HOUSE - ERECTION OF SINGLE STOREY SIDE EXTENSION (INCLUDING PRIOR REMOVAL OF THE PREVIOUS ALTERATION), ADDITION OF A FRONT ENTRANCE LOBBY AND ERECTION OF SINGLE-STOREY GARDEN SHED FOR STORAGE PURPOSES:

The report of the Director (Governance) set out an application seeking planning permission for the erection of a ground floor side extension to replace the existing one, a porch and a triangular shaped front/shed in the side garden.

The ground floor side extension would be flat-roofed with a maximum height of approximately 2.8 metres and would extend 4.4 metres to the side and align with the front and rear elevations of the host dwelling. The walls would be finished in brick to match the existing house and topped with concrete coping stones. There would be one door in the side elevation and a window in the side and rear elevations. The doors and windows would be white upvc.

The proposed porch would be positioned to the front of the house. It would project 1metre forward of the front wall of the house. The roof of the porch would be shallow-pitched with a gable end to the front, a maximum height of 2.6 metres and eaves height of 2.25 metres. It would be built of brick with white upvc door and window in the front elevation and have a tiled roof.

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The proposed shed would be positioned forward of the existing front elevation of the house. It would be located in the side garden and had been designed to fit into the corner of the site abutting the boundaries with No's 10 Cloverland and 68-72 Hazel Grove. It would have a flat roof and a height of approximately 2.5 metres. It would measure 6 metres by 7 metres by 8 metres and cover an area of approximately 21square metres. It would be built of reclaimed timber and finished to a high standard. A door would face into the garden with no windows in the elevations facing the site boundaries.

Councillor J Broach (Hatfield Town Council) spoke against the application.

It was proposed by Councillor J Beckerman, seconded by Councillor S Markiewicz and

RESOLVED
(Unanimously)

That planning permission for application 6/2016/0240/HOUSE be approved subject to the conditions set out in the report of the Director (Governance) with the following amendment to condition 1:

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

Site Location Plan @scale 1:1250 & 2016-001 & 2016-002 & 2016-003 & 2016-004 & 2016-005 & 2016-006 & 2016-101 & 2016-102 & 2016-103 & 2016-104 & 2016-105 & 2016-106 received and dated 15.2.2016 and 2016-107 received and dated 20.7.2016.

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

37. 1 TOWN CENTRE, HATFIELD, AL10 0JZ - 6/2016/0363/DC3 - TEMPORARY CHANGE OF USE FOR 12 MONTHS FROM COMMUNITY RESOURCE CENTRE (SUI-GENERIS) TO B1A NEIGHBOURHOOD HOUSING OFFICE:

The report of the Director (Governance) set out an application seeking temporary planning permission for the change of use of a ground floor unit in Hatfield Town centre (302 square metres) from a temporary Community Resource Centre to a temporary Neighbourhood Housing Office.

Councillor J Broach (Hatfield Town Council) spoke against the application.

It was proposed by Councillor N Pace, seconded by Councillor F Thomson and

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RESOLVED
(Unanimously)

That planning permission for application 6/2016/0363/DC3 be approved subject to the conditions set out in the report of the Director (Governance).

38. APPEAL DECISIONS:

The report of the Director (Governance) detailed recent appeal decisions.

RESOLVED:

That the decisions be noted.

39. PLANNING UPDATE - FUTURE PLANNING APPLICATIONS:

The report of the Director (Governance) provided Members with a summary of applications that might be presented to the Committee over the next one or two months. If a call-in or application was withdrawn, the item would not be presented.

RESOLVED:

That the summary of future planning applications be noted.

40. SECTION 106 REPORT:

The report of the Director (Governance) advised the Committee that Section 106 (s.106) of the Town and Planning Country Act 1990 (as amended) allowed landowners to enter into planning obligations, the purpose of which was to make development acceptable that would otherwise be unacceptable in planning terms. Planning obligations were legally binding covenants and compromise both planning agreements and unilateral undertakings. A s.106 agreement was an agreement between a local planning authority and a landowner, whereas a unilateral undertaking was an obligation offered by an applicant in support of a planning application or planning appeal.

Members noted that planning obligations were an effective tool to secure the necessary infrastructure and services required as a result of development and to also ensure that the negative impacts of a development could be adequately mitigated, for example by increasing/improving public transport provision, increasing school capacity, enhancing open spaces, requiring that a given portion of housing was affordable, etc. However, it was important to note that they could not be used to mitigate the impact of any shortfall in existing infrastructure.

Central Government had introduced the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) which had come into force in April 2010 as a

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more transparent way of securing contributions from developers via a tariff for each square metre of new residential, industrial, commercial, etc. development. The Council was working towards the introduction of a CIL charging schedule. The first stage of this process would be to publish a Preliminary Draft Charging Schedule for consultation and this was currently intended to take place towards the end of 2016 following consultation on the Local Plan. After this a Draft Charging Schedule would be prepared and submitted for examination later in 2017 with a view to adopting CIL at the end of 2017 or early 2018.

RESOLVED

That the explanation of the Section 106 and Community Infrastructure Levy process as set out in the report of the Director (Governance) and the monies currently held by the Council be noted.

Meeting ended at 9.55 pm
RB