

Development Management Committee  
27 April 2017

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 27 April 2017 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

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

R.Basch, D.Bennett, M.Birleson, A.Chesterman,  
I.Dean, M.Larkins, S.Markiewicz, P.Shah, F.Thomson,  
J.Weston and P.Zukowskyj

ALSO Councillors M.Perkins (Deputy Leader and Executive Member,  
PRESENT: Planning, Housing and Community)

OFFICIALS Head of Planning (C.Haigh)  
PRESENT: Principal Development Management Officer (A.Mangham)  
Principal Development Management Officer (M.Robinson)  
Solicitor for Development Management Committee (M.Searle)  
Parking and Cemetery Services Manager (V.Hatfield)  
Governance Services Officer (M.Lowe)  
Governance Services Officer (G.Padden)

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156. MINUTES

The Minutes of the meetings held on 2 March 2017 and 30 March 2017 were approved as correct records and signed by the Chairman.

157. DECLARATIONS OF INTEREST BY MEMBERS

Councillor P.Zukowskyj declared non-pecuniary interests in items on the agenda as appropriate by virtue of being a Member of Hertfordshire County Council.

158. 37 BROADWATER ROAD, WELWYN GARDEN CITY, AL7 3AX - 6/2016/2497/MAJ - CHANGE OF USE OF AN OFFICE BUILDING TO FORM 24 X 2 BEDROOM RESIDENTIAL APARTMENTS WITH BALCONIES, THE CONSTRUCTION OF AN ADDITIONAL TWO STOREYS AND A FOUR STOREY SIDE AND REAR EXTENSION WITH ROOF GARDEN, LAYOUT OF 26 CAR PARKING SPACES AND CYCLE PARKING, INTERNAL ACCESS ROUTES, LANDSCAPING AND SUPPORTING INFRASTRUCTURE

Report of the Executive Director (Public Protection, Planning and Governance) setting out detailed considerations for the change of use of an office building to form 24 x two bedroom residential apartments with balconies, the construction of an additional two storeys and a four storey side and rear extension with roof

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garden, layout of 26 car parking spaces and cycle parking, internal access routes, landscaping and supporting infrastructure.  
Tim Waller, (Agent) spoke in support of the application.

It was then moved by Councillor N.Pace, seconded by Councillor D.Bennett and

RESOLVED:  
(8 voting for, 5 against)

That planning permission for application 6/2016/2497/MAJ be approved as set out in the report of Officers.

159. LAND BEHIND AND ADJACENT TO 17 - 17A STATION ROAD, CUFFLEY, POTTERS BAR, EN6 4HX - 6/2016/1857/VAR - VARIATION OF CONDITION 1 (PLANS) ON PLANNING PERMISSION 6/2015/2333/FULL (FOR ERECTION OF 5 NEW DWELLINGS AND SHOP (USE CLASS A5) WITH NEW ACCESS FOLLOWING DEMOLITION OF SHED AND TWO GARAGES) DATED 4.2.2016

Report of the Executive Director (Public Protection, Planning and Governance) setting out the application of variation of condition 1 (plans) on planning permission 6/2015/2333/FULL (for erection of five new dwellings and shop (use Class A5) with new access following demolition of shed and two garages) dated 4 February 2016.

The variations to plans and drawings were as follows:

- Change in wall materials from horizontally-lapped orange/brown cladding to buff bricks matching the adjacent building. Details include two blue brick courses (between floors) and blue/grey soldier bricks above window and door openings
- Thicker walls to provide a sounder structure - includes steel frame and precast stair core.
- Repositioning of windows. At first floor in the north flank elevation facing the rear garden of Number 8 Tolmers Gardens – two fewer windows. (The remaining five windows to be obscured glazed and fixed, as previously approved). At second floor level - one fire escape window, 0.5m wide, was repositioned from the east (rear) elevation to the south.
- Ground floor flank window to have obscured glass and security bars on boundary with rear of Number 8 Tolmers Gardens as previously approved.
- Vehicle access reduced in width to 4.2m (above kerb level), carriageway to 3.8m width. The height would remain at 4m as previously approved.

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- The rear addition at second floor would be 3.7m deep rather than 2.7m.
- Shallower slope of roof over the front part of the building where it extends the terrace of shops and flats facing the public car park.
- One additional roof-light in the second floor roof.

Officers proposed that a change to Condition 3 to become part of the approved plans under Condition 11.

It was then moved by Councillor N.Pace, seconded by Councillor P.Shah and

**RESOLVED:**  
(12 voting for, 1 against)

That planning permission be approved for application 6/2016/1857/VAR subject to removing Condition 3 in the report of Officers and inserting the Construction Management Plan to the end of Condition 11 of the approved plans.

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>
0/A000/LP/001B	A	Location Plan	21 October 2016
A/A200/EX/001		Existing Elevations	21 October 2016
0/A000/LP/011	A	Parking Plan	29 October 2016
0/A200/PR/006	A	Front Elevation - Perspective	1 November 2016
0/A100/CN/001	A1	Ground Floor Plans	1 November 2016
0/A100/CN/002	A1	First Floor Plans	1 November 2016
0/A100/CN/003	A1	Second Floor Plans	1 November 2016
0/A200/CN/011	A1	SECTION A-B	1 November 2016
0/A200/CN/012	A1	SECTION C-E-F	1 November 2016
0/A200/CN/013	A1	SECTION G	1 November 2016
0/A200/PR/002	B	East Elevation (Rear)	1 November 2016
0/A200/PR/003	B	South Elevation (Side)	1 November 2016
0/A200/PR/001	B	West Elevation (Front)	1 November 2016
0/A200/PR/004	B	North Elevation (Side)	1 November 2016
0/A000/LP/004		Site Block Plan	2 February 2017
		Construction Management Plan Information.	8 March 2017

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160. LODGE FARM, HARMER GREEN LANE, BURNHAM GREEN, AL6 0ET - 6/2016/0555/HOUSE - CHANGE OF USE OF AMENITY LAND AND FORMATION OF NEW VEHICULAR ACCESS

Report of the Executive Director (Public Protection, Planning and Governance) setting out an application for the change of use of amenity land and formation of new vehicular access.

Welwyn Parish Councillor Colin Hukin spoke against the application.

It was then moved by Councillor N.Pace, seconded by Councillor A.Chesterman and

RESOLVED:  
(9 voting for, 4 against)

That planning permission be approved for application 6/2016/0555/HOUSE as set out in the report of Officers.

161. 23 PARK STREET, HATFIELD, AL9 5AT - 6/2016/2339/FULL - CHANGE OF USE FROM RESTAURANT (A3) TO RESIDENTIAL (C3) AND THE ERECTION OF SINGLE STOREY AND FIRST FLOOR REAR EXTENSION AND SUBDIVISION INTO FOUR FLATS (2 X 1 BEDROOM FLATS AND 2 X 2 BEDROOM FLATS)

Report of the Executive Director (Public Protection, Planning and Governance) setting out an application for the change of use from restaurant (A3) to residential (C3) and the erection of single storey and first floor rear extension and subdivision into four flats (2 x 1 bedroom flats and 2 x 2 bedroom flats).

**Site Description**

The application site comprised an end-of-terrace, two-storey property on the west side of Park Street in the Old Hatfield Conservation Area.

The building had been vacant for approximately a year and had previously used as a restaurant at ground floor since 1977 (S6/1977/0627/FP) and a three bedroom flat at first floor. The building faced east onto Park Street and the south side elevation abuts the pedestrian alley between Park Street and the public car park accessed from Arm and Sword Lane.

The rear yard of the site was accessed from the footpath and provided access via an external stair to the first floor flat. On the far side of the footpath was the Horse and Groom Public House. To the north side, the building adjoined a two storey residential block (Archway House). To the rear of the property was a small electricity sub-station and a single storey garage that had a commercial use and opened onto the public car park to the rear.

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### **The Proposal**

Full planning permission was being sought for the following:

- Change of use of the ground floor from restaurant to two residential units: 1 x 1 bedroom flat and 1 x 2 bedroom flat;
- Subdivision of the first floor into two residential units: 1 x 1 bedroom flat and 1 x 2 bedroom flat;
- 1.8m deep rear extension at first floor to enclose the area used as an external landing (approximately 8.5sqm). The walls would be red brick to match existing on the south elevation (facing the alley), render with horizontal timber cladding to the gable to replicate the existing rear elevation;
- Extension to deepen the rear/side extension by 1.5m. Floor-space increase (6sqm each at ground and first floors). The other elevations would be rendered to match the existing rear extension. Increase in ridge height from 5.8m to 6.4m, link into the rear main roof and be retiled to match the main roof. Increase in eaves height 0.8m;
- Replacement of side window with a door at ground floor and installation of windows in the rear elevation. Alterations to size of windows in first floor side elevation;
- Remaining rear yard area (approximately 34sqm) to provide communal amenity area, cycle parking and bin stores.

### **Reason for Committee Consideration**

The application was presented to the Development Management Committee because Councillor Broach has called it in for the following reasons:

*“The proposal has insufficient parking provision and there are too many units being cramped into too small a space. It marks a drastic change in an historic part of our Borough in what has been a retail unit for as long as most people can remember.*

*There are also often reports in the national media of complaints being levied against existing licensed premises when new build properties are built in close proximity. I would like consideration to be given to the fact that this proposal neighbours the Horse and Groom pub, which has been part of Old Hatfield for centuries, and that protection is given this premises from complaints from neighbours (were this proposal to go through) – subject, of course, to the Horse and Groom being run in accordance with its licence conditions.”*

*Officers proposed an amendment to Condition 2 to add the following words after sub point (g) “ Subsequently all activities on site shall be undertaken in*

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*accordance with the approved Construction Management Plan and Construction Traffic Management Plan”.*

Hatfield Town Council had also objected to the proposal.

Dawn Brodie, (Agent) spoke in support of the application.

John Penney, (Objector) spoke against the application on behalf of the Old Hatfield Residents' Association.

Hatfield Town Councillor James Broach spoke against the application.

Members expressed the following concerns during the discussion which ensued:-

- The proposed development would exacerbate the existing parking issues in the area and did not meet the national or local parking standards.
- Although very closely located to public transport, including a main line railway station, occupiers of the proposed properties would very likely have at least one vehicle, if not two, per property.
- There would be considerable impact on the neighbouring roads due to there being little or no parking in the immediate vicinity to the proposed development.
- Occupiers of the residential properties would be directly affected by the noise emitted from the neighbouring public house.
- Concerns were also expressed regarding the side access to the proposed development as this would lead straight on to a narrow public alleyway.
- The proposal would be an overdevelopment of the site and be detrimental to the amenity value of the area.
- The proposal would set a precedent and may be detrimental to any future development of other commercial properties. Reference was made to Salisbury Square

In summary, Members were of the view that due to the insufficient parking provision for the proposal; current parking issues and the close proximity to public transport links the possibility for the site to be a car free development should be further explored.

It was then moved by Councillor S.Markiewicz, seconded by Councillor P.Zukowskyj and

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**RESOLVED:**

(11 voting for, 1 against, 1 abstention)

That notwithstanding the Officer's recommendation for approval the application 6/2016/2339/FULL for the changed use of the property from a restaurant to residential dwellings be deferred for further consideration of the potential for it to be a car free development and to allow the opportunity for negotiation of the Heads of Terms for the proposed S106 agreement in this regard.

162. 13 DEERSWOOD AVENUE HATFIELD AL10 8RX - 6/2016/2123/FULL - ERECTION OF PORCH, SINGLE STOREY REAR EXTENSION, CONVERSION OF DWELLING HOUSE INTO 1 X 1 BEDROOM FLAT AND 1 X 2 BEDROOM FLAT INVOLVING DEMOLITION OF EXISTING GARDEN SHED AND RELOCATION OF SHARED GARDEN SHED

Report of the Executive Director (Public Protection, Planning and Governance) setting out an application for the erection of porch, single storey rear extension, conversion of dwelling house into 1 x 1 bedroom flat and 1 x 2 bedroom flat involving demolition of existing garden shed and relocation of shared garden shed

**Site Description**

The application site was located on the eastern side of Deerswood Avenue and consisted of a three bedroom two storey mid-terrace dwelling in a block of six houses with hardstanding areas to the front and a rear garden. The surrounding area and street scene were residential in character and the immediate surrounding contained dwellings similar in respect of both size and appearance while the southern side of the street contained mainly semi-detached houses. The property formed part of a planned residential area of Hatfield New Town dating from around the late 1960's. There was a set-back of approximately 9m between the highway and the front of the application dwelling.

**The Proposal**

Planning permission was being sought for the erection of a single storey rear extension and conversion of the resultant building into two self-contained flats with a two bedroom flat at ground floor and one bedroom flat at first floor level involving demolition of the existing garden shed. The rear extension would be L-shaped and would measure approximately 3m deep by 2.45m wide taken from the boundary with No. 11; it would then project outward approximately 1.2m. At this point, the extension would be approximately 2.9m wide and 4.2m long taken from the rear wall adjoining the shared access with No. 15. The proposed extension would have a flat roof with a parapet wall and would be approximately 3m high and would be set 850mm from its southern boundary with Number 15.

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### **Reason for Committee Consideration**

The application was presented to Development Management Committee because Hatfield Town Council had objected to the application.

Hatfield Town Councillor James Broach spoke against the application.

- The parking proposed was insufficient as it did not fully meet local standards.
- The width of the proposed parking spaces appeared to be too narrow and not fit for purpose.
- The proposal lacked soft landscaping which would impact further on the visual amenity of the area.
- The proposed parking arrangements might impact on the shared access which would affect the two adjoining properties.
- The proposed conversion of a house into flats, where the majority of properties were family homes, would be out of keeping and would spoil the nature of the area.

Members acknowledged that Officers has worked hard to achieve a balance between proposed development and the impact on the area.

Officers, in response to a question from Members, advised that the street light would be relocated to allow for a second car to park on the additional parking space.

It was then moved by Councillor P.Zukowskyj, seconded by Councillor A.Chesterman, that the application for a single storey rear extension, conversion of dwelling house into 1 x 1 bedroom flat and 1 x 2 bedroom flat be refused against Officers recommendation on the grounds of inadequate parking provision against the interim/maximum policy standards and

RESOLVED:  
(11 voting for, 2 against)

That notwithstanding the Officer's recommendation for approval the application 6/2016/2123/FULL be refused for the following reason:

The proposed development would result in inadequate parking provision contrary to the Policy M14 of the Welwyn Hatfield District Plan 2005 and Council's Interim Policy for Car Parking Standards and Garages Sizes, August 2014 which would result in harm to the character of the area by increasing the amount of on-street parking.

REFUSED DRAWING NUMBERS 2.



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<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
01_301	C	Proposed Site Plan	14 March 2017
02_101		Ground Floor	26 October 2016
02_102		First Floor	26 October 2016
02_103		Existing Front Drive	26 October 2016
02_301	B	Proposed Ground Floor	14 March 2017
02_302	B	Proposed First Floor	14 March 2017
03_101		Existing Section AA	26 October 2016
03_301	B	Proposed Section AA	14 March 2017
04_101		Existing Front Elevation	26 October 2016
04_102		Existing Rear Elevation	26 October 2016
04_104		Existing Garden Elevation	26 October 2016
04_301		Proposed Front Elevation	26 October 2016
04_302	A	Proposed Rear Elevation	20 February 2017
04_304	B	Proposed Garden Elevation	14 March 2017
04_310		Proposed Shed	26 October 2016
Appendix A		Public Amenity Space	5 January 2017
Appendix B		Existing & Proposed Areas	5 January 2017
01_100		Location Plan	5 January 2017
01_101		Existing Site Plan	5 January 2017
02_303	B	Proposed Front Drive	17 March 2017

#### 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.

#### 163. APPEAL DECISIONS

The report of the Executive Director detailed recent appeal decisions for the period 9 March to 6 April 2017.

#### RESOLVED:

That the appeal decisions during the period set out in the report of the Executive Director be noted.

#### 164. PLANNING UPDATE - FUTURE PLANNING APPLICATIONS

The report of the Executive Director providing Members with a summary of planning applications that might be presented to Committee over the coming months. If the call-in or application was withdrawn, the item would not be presented.

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RESOLVED:

That future planning applications which might be considered by the Committee be noted.

Meeting ended at 8.55pm  
ML