

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2008/1128/FP
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NOTATION:

This site is located within the town of Hatfield as outlined in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The Galleria is a major shopping and leisure facility located between junctions 3 and 4 of the A1(M) motorway. The Galleria was constructed between 1988 and 1991 on top of the motorway tunnel and adjacent to Comet Way (A1001) which provides access to the site. The application site is located towards the northern end of the Galleria beneath a cinema complex at first floor level and consists partly of an open undercroft and partly three existing restaurant units fronting onto the undercroft, namely McDonalds and Frankie & Benny's on the east side and Burger King at the south western corner.

DESCRIPTION OF PROPOSAL:

This application seeks full planning permission for infill beneath Galleria North building (Cinema) to create four Class A3 Restaurants & Cafés/A5 Hot Food Take-away units with a total 750sqm of additional floorspace. The proposed scheme is largely the same as planning permission S6/2008/0215/FP granted by the Planning Control Committee on the 10 April 2008, the major difference being a reconfiguration of existing cinema escape stairs to improve the internal layout and external appearance.

The scheme will follow the form and aesthetic of the existing Galleria, and in particular that of Galleria North. The proposed restaurant units 70, 71 and 72 would form the western side of an internal mall, with the existing two units (McDonalds and Frankie & Benny's) forming the opposite side.

A loading bay would be located to the rear (west) of the proposed units. A refuse area enclosed by a 2m high screen is proposed to the rear (west) of existing unit 131 (Burger King). A second refuse area would be located to the rear (west) of unit 72.

On the east side, adjacent to the existing lift, the existing 'scissor' escape stair is to be redirected to exit on the outside of the building. This alteration provides space for another small, mall facing restaurant unit (132). Unit 132 will be serviced from an existing loading bay.

The existing doors and lobby adjacent to the escalators leading up to the cinema lobby are to be removed and the area in general reconfigured to better link the cinemas with the proposed mall. Fully glazed entrances would be introduced, with automatic sliding glass doors at either end of the proposed mall. These would be contained within the new entrance portals. The proposed entrance portals would be

larger than those approved under planning application S6/2008/0215 measuring approximately 2.4m in depth x 7.4m in width x 5.8m in height.

All external signage for both the Galleria and tenant's fascia signs, etc, will be subject to a separate advertisement application as necessary.

PLANNING HISTORY:

The relevant history to this particular planning application is:

S6/2008/0215/FP - Infill Beneath Galleria North Building (Cinema) to Create Class A3/A5 Restaurant Units (Granted)

S6/1999/960/FP - Infill Beneath Pod Building (Cinema). (Renewal of Planning Permission S6/0074/95/FP) (Granted)

S6/0074/95/FP - Infill Beneath Pod Building (Cinema). Renewal of Consent Granted S6/0070/90/FP (Granted)

S6/0070/90/FP - Infilling Beneath Pod Building (Cinema) To Form 680 Sq M Retail Floorspace (Granted)

S6/87/0075/FP - Retail Development with Associated Leisure Facilities (Granted)

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Planning Guidance:

PPS1 Delivering Sustainable Development

PPS6 Planning for Town Centres

PPG13 Transport

PPG14 Development on Unstable Land

East of England Plan 2008:

SS1 Achieving Sustainable Development

SS2 Overall Spatial Strategy

T4 Urban Transport

T8 Local Roads

T9 Walking, cycling and other non-motorised transport

T14 Parking

ENV7 Quality in the Built Environment

ENG1 Carbon dioxide emissions and energy performance

WM6 Waste management in development

Hertfordshire Structure Plan 1991 – 2011:

None

Welwyn Hatfield District Plan 2005:

SD1 Sustainable Development

R1 Maximising the Use of Previously Developed Land

R3 Energy Efficiency

GBSP2 Towns and Specified Settlements

TCR 3 Out of Centre Retail Development

D1 Quality of Design

D2 Character and Context

D3 Community and Enclosure

D4 Quality of the Public Realm
D5 Design for Movement
D7 Safety by Design
M6 Cycle Routes and Facilities
M14 Parking Standards for New Developments
Supplementary Design Guidance (Statement of Council Policy) February 2005
Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

CONSULTATIONS

Hertfordshire County Council Highways – Hertfordshire County Council as Highways Authority does not wish to restrict the grant of planning permission subject to planning conditions.

Highways Agency – No objection
Environmental Health – None

TOWN/PARISH COUNCIL COMMENTS

Hatfield Town Council – None

REPRESENTATIONS

The application was advertised by site notice and neighbour notification letters.

Notification expired 18 August 2008.

No letters of representation were received.

DISCUSSION:

The main issues in the consideration of this application are:

1. Principle of Proposed Development
2. Quality of Design and Character of the Area
3. Impact on the Amenity of Adjoining Occupiers
4. Accessibility
5. Highways and Parking Issues
6. Sustainable Development
7. Chalk Mining

1. Principle of Proposed Development:

The proposed scheme is largely the same as planning permission S6/2008/0215/FP granted by the Planning Control Committee on the 10 April 2008, the major difference being a reconfiguration of existing cinema escape stairs to improve the internal layout and external appearance. With the principle of Class A3/A5 units already having been established, the major consideration here is whether the proposed amendments to the scheme would have a greater impact than the as yet unimplemented, planning permission.

2. Quality of Design and Character of the Area:

National Planning Guidance PPS1 Delivering Sustainable Development requires planning authorities to plan for high quality design which is appropriate in its context. Policies D1 and D2 of the Welwyn Hatfield District

Plan 2005 respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location. Policy D7 requires the design of new development to contribute to safer communities, to help with the reduction of the fear of crime.

The proposal aims to create an attractive north entrance to the North building. The architectural style, windows, detailing and materials are appropriate to the original building and the design of the scheme does not have an adverse visual impact upon the character and appearance of the area. The existing restaurants front onto the open undercroft which can be a windswept environment lacking in light. The proposed mall would infill the under-utilised area providing a much improved environment for visitors not only in terms of visual appearance but also improved access and security. The development of the undercroft has previously been considered desirable for these reasons. The proposed amendments to the extant scheme would improve the appearance of the northern elevation by reconfiguring the fire escape stairs to exit on the west elevation which is less prominent. The increase size of the entrance portals would have minimal impact on the overall appearance of the development. The proposal therefore complies with Policy D1 and D2 of the Welwyn Hatfield District Plan 2005 and criteria outlined in the Supplementary Design Guidance (Statement of Council Policy).

3. Impact on the Amenity of Adjoining Occupiers:

Neighbouring properties would suffer no loss of amenity in terms of overlooking, loss of privacy, daylight or overbearing effect. A planning condition would require a scheme for the extraction and filtration of cooking fumes to be implemented in accordance with details submitted to and agreed in writing by the local planning authority. There have been no objections to the proposed development from either Hatfield Town Council or neighbours. The proposal therefore complies with Policy D1 of the Welwyn Hatfield District Plan 2005 and criteria outlined in the Supplementary Design Guidance (Statement of Council Policy).

4. Accessibility:

The internal mall has been designed to secure easy access and circulation for all. Automatic entrance doors with level thresholds would accommodate wheelchair users. Internally, surfaces would be slip resistant and lighting has been designed to eliminate potential visual confusion. All proposed units would have a level or ramped approach and feature accessible toilet facilities. Existing lift access to the cinema lobby would be retained providing full access to the Galleria. The proposed internal mall will form an important circulation route, connecting the north car park with the Galleria as a whole, significantly improving the current undercroft path. The proposed scheme is therefore in accordance with Policies D1, D3, D4 and D5 of the Welwyn Hatfield District Plan 2005 and criteria outlined in the Supplementary Design Guidance (Statement of Council Policy).

5. Highways and Parking Issues:

Hertfordshire County Council as Highways Authority have confirmed that the amendments do not impact on the highway and that the comments made in relation to planning application S6/2008/0215/FP still apply. The proposal complies with Policies M6 and M14 of the Welwyn Hatfield District Plan 2005 and Supplementary Planning Guidance, Parking Standards, January 2004.

6. SD1 Sustainable Development:

The proposal does not specifically specify how the development contributes to sustainable development or energy efficiency. However, the proposal would create an additional 30-40 jobs to the local labour market. The provision of A3/A5 facilities would encourage many residents to eat locally as apposed to travelling to other centres such as St. Albans or Welwyn Garden City. The applicant, LS Galleria Ltd, is a subsidiary of Land Securities plc, advise that they have a comprehensive environment policy in place, including environmental, energy and waste management systems and policies for the reduction of CO2 emissions. In compliance with their policies the scheme will be built to the best feasible levels of sustainability and energy conservation. The new building envelope will utilise appropriate sustainable materials and achieve high levels of insulation. Additional energy needs e.g. for the mall ventilation and heating will be met by energy efficient, and if possible sustainable means. Tenants of the new units will be expected to follow the Landlord's criteria in respect of sustainability and energy conservation.

7. Chalk Mining:

The application site is located in the Hatfield chalk mining assessment area. However, as the Galleria and the entire application site were constructed above the Hatfield Tunnel, the risk from chalk mines is therefore reduced.

CONCLUSION:

The proposal complies with the relevant national policies and guidance, policies within the East of England Plan 2008, the Welwyn Hatfield District Plan 2005 and the requirements of the Supplementary Design Guidance (Statement of Council Policy).

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2. 1 – Time Limit for Commencement of Development
2. C.13.1 –The development/works shall not be started and completed other than in accordance with the approved plans and details 1407/SK00 P01 & 1407/SK01 P05 & 1407/SK02 P03 & 1407/SK03 P03 & 1407/SK04 P09 & 1407/SK05 P05 & 1407/SK06 P04 & 1407/SK10 P03 & 1407/SK15 P04 received and dated 08/07/2008
3. C.5.2 – Matching Materials
4. C.7.2 – Extraction and filtration Equipment
5. C.8.12 – No Occupation Until Spaces Laid Out (insert 'disabled' between 'the area set aside for' and 'car parking shall')
6. Before occupation of the development the footway/cycleway across this site between St Albans Road West and the A1001 as shown on the drawing No.1407/SK04 P09 shall be completed and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction.

REASON: To ensure that pedestrian and cycle access across the site is safeguarded in accordance with Policy M6.

7. No development should take place until full details on a suitably scaled plan of screening to refuse areas have been submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved.

REASON: Screening of the refuse area is required in order to protect and enhance the visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

8. Notwithstanding the provisions of The Town and Country Planning (Use Class) Order 1995 (and any order revoking or re-enacting that order with or without modification), the permitted use of the buildings hereby approved shall be for Use Class A3 and A5 and for no other use within Class A.

REASON: To enable the Local Planning Authority to fully consider any change of use to ensure the vitality and viability of the existing Town Centre (Hatfield) is not prejudiced in accordance with PPS6 and Policy TCR 3 of the Welwyn Hatfield District Plan 2005.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against National Planning Policy PPS1, PPG6, PPG13, PPG14 and Policy SS1, SS2, T14, T4, T8, T9, WM6, ENG1 and ENV7 and ENG1 of the East of England Plan 2008 and development plan policies (i.e. Welwyn Hatfield District Plan 2005 GBSP2, D1, D2, M6, M14, SD1, R3 and Supplementary Design Guidance), in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan (see Officer's report which can be inspected at these offices).

INFORMATIVES:

None

Signature of author **Date.....**