

**WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL**  
**DELEGATED REPORT**

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| <b>APPLICATION No:</b>   | <b>N6/2011/74/FP</b>                              |
| <b>APPLICATION Site:</b> | <b>Police Headquarters, Stanborough Road, WGC</b> |

**NOTATION:**

The site lies within Welwyn Garden City as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:**

The application site features a mixture of car parking areas and office buildings which are accessed via a controlled access barrier. Within the site there is a fenced off area that is used as an energy centre compound. The application site is located to the south - west of the town centre and on the eastern side of the highway.

**DESCRIPTION OF PROPOSAL:**

The application proposes a 120 cm dish and a 200 cm encasing dome in an existing energy centre compound within the site, which is located in excess of 50 metres from the front entrance to the site. The existing energy centre compound currently features a 1.9 metre fence that is located around its boundary and the proposed dome would be located within the fencing and would sit on a concrete slab.

**PLANNING HISTORY:**

N6/1998/0065/FP - Erection of 2.1 metre high weld mesh fence around site perimeter  
- Approved 16/03/1998

N6/1998/0066/FP - Insertion of 5 No. windows in north east elevation of stores building - Approved 09/03/1998

N6/1983/0085/CC - Replacement of existing 36 metres high tubular steel radio tower  
- Approved 17/03/1983

N6/1992/0109/FP - Erection of temporary building for use as offices - Approved  
30/03/1992

N6/1976/0263/CC- Office accommodation - Approved 19/10/1976

N6/1998/0304/FP - Installation of window - Approved 05/05/1998

N6/1999/0368/FP - Change of use of garage/workshop to office use - Approved  
28/06/1999

N6/1999/0369/FP - Change of use of first floor accommodation to office use -  
Approved 28/06/1999

N6/1998/0603/FP - Erection of 2.1m high gates and mesh fence to form compound - Approved 27/07/1998

N6/1999/0706/FP - Change of use of garage to office - Approved 27/09/1999

N6/1994/0724/FP - Change of use of 3 No. hostel blocks to offices for police use, and an additional 57 No. car parking spaces - Approved 02/02/1995

N6/1994/0781/FP - Retention of existing mobile office unit, and erection of single storey extension - Approved 17/01/1995

N6/1996/0952/FP - Provision of additional car parking and erection of 2 No. cycle sheds - Approved 21/01/1997

N6/1998/0962/CD - Proposed new classrooms, sports hall, car park, hardplay area and new vehicular access onto Lemsford Lane - Approved 04/08/1999

N6/2000/0311/FP - Installation of external disabled access chair lift - Approved 02/05/2000

N6/2000/0561/FP - Alterations to elevations - Approved 12/06/2000

N6/2000/0666/OP - Outline application for new science services building - Approved 10/07/2000

N6/2000/0450/FP - Construction of new car park and open training facility and two 8m pylons with lighting - Approved 10/07/2000

N6/2000/0751/FP - New scientific services building - Approved 17/07/2000

N6/2001/0543/FP - Conversion of part of garage block to form briefing room, locker room and ancillary accommodation - Approved 18/06/2001

N6/2001/0755/FP - Replacement of flat roofs over garage, administration / stores & vehicle maintenance building, to pitched metal sheeting roofs - Approved 23/07/2001

N6/2001/1143/FP - Change of use of dwelling to office accommodation – Approved 08/10/2001

N6/2001/1255/FP - Erection of single storey communications building with flat roof within existing retaining wall - Approved 29/10/2001

N6/2002/0752/DT - Six panel antennas, four dish antennas to existing mast, equipment cabin and associated development - Approved 01/07/2002

N6/2002/0895/FP - Retention of mobile unit - Approved 19/08/2002

N6/2003/0949/FP - Phased redevelopment of existing police authority headquarters involving partial demolition and construction of up to a total of 20,000 square metres of b1 office

N6/2004/0593/AD - Erection of 2 free standing internally illuminated totem signs - Approved 04/06/2004

N6/2005/0524/FP - Remove existing 36 metre telecoms mast & erection of a new 45 metre telecoms mast within fenced compound - Approved 20/06/2005

N6/2006/0076/FP - Installation of new petrol tank - Approved 20/03/2006

### **SUMMARY OF DEVELOPMENT PLAN POLICIES:**

National Policy

PPS1: Delivering sustainable development

PPS9: Biodiversity and Geological Conservation

East of England Plan 2008 Policies:

SS1: Achieving Sustainable Development

ENV7: Quality in the Built Environment

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP2: Towns and specified settlements

R3: Energy Efficiency

R21: Telecommunications development

D1: Quality of design

D2: Character and context

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

### **CONSULTATIONS**

Environmental Health Officer – the proposed dish is located well away from residential properties, would be fenced off and is in a site that has controlled access at its entrance point. A similar dish has been approved in Stevanage and the current proposal would be further away from any public areas than this and would also be likely to be a smaller unit than that approved in Stevanage. There are therefore no objections or conditioning recommendations to make concerning this proposal.

### **TOWN/PARISH COUNCIL COMMENTS**

None

### **REPRESENTATIONS**

The application was advertised by means of neighbour notification and a site notice and no representations were received.

### **DISCUSSION:**

- 1. The appropriateness of the proposed device and the impact of the proposal on the character and appearance of the application site and the surrounding area.**
  - 2. The impact on the amenity of adjoining neighbours.**
  - 3. Sustainable Development.**
  - 4. Other material planning considerations**
- 
- 1. The appropriateness of the proposed device and the impact of the proposal on the character and appearance of the application site and the surrounding area.**

The application proposes a satellite dish which is stated in the applicant's design and access statement as being 'essential in terms of business continuity for the force' as it would enable 'continuous service and communication between regional and local

levels of crisis coordination'. The proposed satellite dish would be located well away from any residential properties and any adjoining schools and in addition to this, the main entrance to the site is via restricted entry barriers. Furthermore, the proposed dish is located within a fenced off area with clear signage at a distance in excess of 50 metres from any adjoining schools or residential properties.

In terms of the impact of the proposed dish on the character and appearance of the application site and surrounding area, it is considered that the dish would be located within an existing fenced off area within the site and would only be partially visible above the 1.9 metre fencing that surrounds it. Given the distance that the dish would be located from the frontage entrance, which is in excess of 50 metres, it would not be visible from outside the site and would not be out of keeping with the nature of other equipment that is located within the direct vicinity of its proposed location.

Turning to the level of emissions produced by the satellite dish, it is considered that the applicant has provided details of this with the application. A consultation was arranged with a council Environmental Health Officer and the response received stated that given the distance that the proposed dish would be located well away from properties in the surrounding area that there were no concerns to raise with the proposal. It was also stated that a similar dish had been established within Stevenage and has had no adverse effects.

Given all of the above considerations it is considered that the proposed dish would form an appropriate addition to the site, would have no adverse effect from emissions and would sufficiently maintain the character and appearance of the application site and surrounding area in accordance with policy GBSP2, D1, D2 and R21 of the Welwyn Hatfield District Plan 2005.

Policies GBSP2, D1 and D2 of the adopted Welwyn Hatfield District Plan seek to provide a good standard of design in all new development and require that all new development respects and relates to the character and context of the area in which it is to be sited.

## **2. The impact on the amenity of adjoining neighbours.**

The dish is located within an existing energy compound centre in the site which is located in excess of 50 metres from any adjoining properties. The proposal is therefore not considered to impact on the amenity of any adjoining neighbouring properties and would comply with policy D1 of the Welwyn Hatfield District Plan 2005.

## **3. Sustainable development**

The applicant has submitted a statement assessing the proposals against the sustainability checklist as required by the Supplementary Design Guidance. The proposals are considered to be in accordance with policies R3 of the District Plan and SD1 of the Supplementary Design Guidance.

## **4. Other material planning considerations**

**Protected Species:** The presence of protected species is a material consideration, in accordance with PPS9 (Biodiversity and Geological Conservation), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. In the UK the requirements of the

EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9(5) of the Conservation Regulations 2010, which states: *"a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions."* The Conservation Regulations 2010, (Regulation 41) contains the main offences for EPS animals, however the existing site and development is such that there is not a reasonable likelihood of EPS being present on site nor would an EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

**East of England Plan 2008:** On 10th November 2010, The High Court quashed the decision of the Secretary of State for Communities and Local Government to unilaterally revoke Regional Spatial Strategies in England on two grounds:

- That he acted outside his statutory powers in circumventing the need for parliamentary scrutiny of such a fundamental change to the national planning system; and
- He failed to consider the likely environmental effects of revoking Regional Strategies.

However, the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Bill. In the meantime, the policies in the East of England Plan are re-established and form part of the development plan again and are therefore a material consideration which can be taken into account in reaching a decision. However, the Government's intention to abolish Regional Spatial Strategies is also a material consideration that could be considered to reduce the weight to be attached to policies in Regional Spatial Strategies.

The application has been considered against policies in the East of England Plan, which at the time of this decision forms part of the development plan for the Borough but that the weight accorded to these policies, in light of the above circumstances, has been carefully considered in reaching a decision.

#### **CONCLUSION:**

The proposed development would sufficiently maintain the character and appearance of the application site and surrounding area, would not impact on the residential amenity of neighbouring dwellings and would be sufficiently energy efficient.

#### **RECOMMENDATION: APPROVAL**

1. C.2.1 – Time limit for commencement of development - The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 91 of the Town and Country Planning Act (As amended)

2. C.13.1 – The development shall not be started and completed other than in accordance with the approved plans and details: 07908P/1 & Proposed elevation received and dated 03 February 2011 unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is carried out in accordance with the approved drawings and any changes must be agreed in advance in writing by the Local Planning Authority.

POST DEVELOPMENT

- 3. C.5.2 - Matching materials - The brickwork, bond, mortar, detailing, guttering, soffits and other external decorations of the approved alterations shall match the existing dwelling, unless otherwise approved in writing by the Local Planning Authority.

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

**SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION:**

The proposal has been considered against PPS1, PPS9, East of England Plan 2008 policies SS1, ENV7 and development plan policies GBSP2, SD1, R3, R21, D1 and D2 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which, at the time of decision indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan.

**INFORMATIVES:**

None

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