

**WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT  
DELEGATED REPORT**

<b>APPLICATION No:</b>	<b>S/2012/1346/FP</b>
<b>APPLICATION SITE:</b>	<b>University of Herts – Bus Depot, Gypsy Moth Avenue, Hatfield</b>

**NOTATION:**

The site lies within the Hatfield Aerodrome Business Park as shown on the Hatfield Aerodrome Inset 3 as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:** The site comprises a gravel and grassed area of soft landscaping adjacent to a 6m high tree belt adjacent to the site boundary in the south-western corner of the Bus Depot site next to the bus parking area to the rear of the garage building which lies to the east. The south-western boundary is marked by fencing adjacent to the lorry parking area serving the TK Maxx site adjacent and by the landscaped belt and service road and roundabout adjacent to the Computer centre offices to the west. The site is accessed from a dedicated service road off Gypsy Moth Avenue.

**DESCRIPTION OF PROPOSAL:** The full planning application seeks permission for an extension to the bus depot compound through the formation of an area of hardstanding and the provision of associated drainage and landscaping, and the relocation of existing outdoor spot-lighting. The site area measures approximately 524 m<sup>2</sup>. This will provide parking space for 8 additional buses. The proposals also involve the removal and relocation of existing spotlights. There would be no change to the number of employees or to the existing hours of operation arising from the proposals.

**PLANNING HISTORY:** None recorded.

**SUMMARY OF POLICIES:**

National Planning Policy Framework

East of England Plan 2008 Policies:

SS1: Achieving Sustainable Development

ENV7: Quality in the Built Environment

Hertfordshire Structure Plan Review 1991 – 2011: None

Welwyn Hatfield District Plan 2005

SD1: Sustainable Development  
GBSP2: Towns and Specified Settlements  
M9: Bus and taxi Facilities  
D1: Quality of Design  
D2: Character and Context  
D8: Landscaping  
R20: Light Pollution  
RA10 Landscape Conservation Areas

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

**CONSULTATIONS: Herts CC as Highway Authority** – No objection.

**TOWN/PARISH COUNCIL COMMENTS:** None

**REPRESENTATIONS:**

None, period expired on 3 September, 2012.

**DISCUSSION:**

The main issues are:

- 1. The principle of development.**
- 2. The visual impact of the development on the character of the site and surroundings**
- 3. Impact on neighbours amenities**
- 4. Other material considerations**

**The principle of development**

The application site is part of an existing bus depot and forms an area of gravel/grassed structural landscaping. The bus depot is operated by University Bus – known as ‘Uno’ - and was set up in 1992 to provide transport to the University campuses located across Hertfordshire. It provides links across the County and from North London. Local Plan Policy SD1 seeks to secure sustainable proposals for new development throughout the Borough, whilst Policy M9 supports the improvement of Passenger transport facilities throughout the district particularly in relation to improved public transport provision. Policies D1 and D2 require new development to be of a high standard of design, and to respect and relate to the character and context of the surroundings. In principle, the extension of the present hardstanding area at the bus depot is considered to be acceptable in accordance with the provision of the above policies.

**The visual impact of the development on the character of the site and surroundings**

The site of the extension to the present bus hardstanding area is well-related to the existing bus parking area. It is currently an area of grass/gravel and forms soft

landscaping adjacent to a 6m high shrub tree belt which abuts the sites boundaries in this area. The proposed installation of the hardstanding with associated drainage channels and the re-location of the existing outdoor spot-lighting are considered to be acceptable. The lighting is unlikely to detract from the character of the site and the hardstanding would be well-screened by the bus garage and adjoining buildings and also by the good quality boundary screening.

### **Impact on neighbours amenities**

There are no nearby residential properties. The adjoining Computer company offices are set sufficient distance away from the site of the proposed development for occupants not to be affected by any additional noise and fumes from bus movements, or by the re-sighted spot-lighting. It is considered that the proposal accords with the provisions of Local Plan Policies D1 and D2.

### **Other Material Planning Considerations**

**Protected Species** The presence of protected species is a material consideration, in accordance with the National Planning Policy, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05.

Protected species such as great crested newts, otters, dormice and bats benefit from the strictest legal protection. These species are known as European Protected Species ('EPS') and the protection afforded to them derives from the EU Habitats Directive, in addition to the above legislation. Water voles, badgers, reptiles, all wild birds, invertebrates and certain rare plants are protected to a lesser extent under UK domestic law (NERC Act and Wildlife and Countryside Act 1981).

The existing site and development is such that there is not a reasonable likelihood of EPS being present on site nor would a 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 Act. 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 to extend the hardstanding area and re-locate the spotlighting at the Uno Bus depot is considered to be acceptable. The proposal represents sustainable development that would be well-screened in relation to its surroundings and would have a minimal impact on the amenities of occupiers of any neighbouring properties.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

**CONDITIONS:**

1. C.2.1 Time limit for commencement of development.
2. C.13.1 Development in accordance with approved plans/details contained in Drawing Nos. L-EX-01.02 & L-EX-01.03 received & dated 17 July 2012.

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.

3. The re-located spotlights approved by this planning permission shall be directed onto the site only and shall not result in glare or light spill that would have an adverse impact on users of the adjoining service road to the west of the site.

REASON: To ensure that the amenities of adjoining occupiers are protected and in the interests of highway safety as outlined in Policy R20 of the Welwyn Hatfield District Plan 2005.

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

The proposal has been considered against the National Planning Policy, East of England Plan 2008 policies SS1 and ENV7 and development plan policies SD1, D1, D2, D8, M9, RA10 and R20 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which, at the time of this decision 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.....**