

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No:	S6/2013/1915/FP
APPLICATION Site:	Tesco Express, 59 Station Rd

NOTATION:

The site lies within the specified settlement of Cuffley as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF PROPOSAL:

This application seeks full planning permission the installation of ATM pod and erection of 7x security bollards.

PLANNING HISTORY:

Relevant planning history:

S6/2013/0238/AD – Installation of 1 non illuminated fascia sign and graphics panel surround to ATM, 1 internally illuminated projecting sign, click and collect/welcome vinyls to glazing, new graphic vinyls to glazing and 1 internally suspended Click & Collect signage (Granted 27/03/2013)

S6/2007/1721/FP – Conversion of existing first floor to three self-contained flats, erection of a two storey rear extension and various external works associated with the proposed residential use including provision of four designated parking spaces, amenity space and landscaping (Granted 07/01/2008)

S6/2007/0955/FP – Various applications for alterations to the building to provide accommodation for retail use (Granted August 2007)

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Planning Policy Framework 2012

Circular 03/09: Costs Awards in Appeals and Other Planning Proceedings

Welwyn Hatfield District Plan 2005:

GBSP2 Towns and Specified Settlements

SD1 Sustainable Development

R3 Energy Efficiency

D1 Quality of Design

D2 Character and Context

D7 Safety by Design

TCR26 Large Village Centres

M14 Parking Standards for New Development

CONSULTATIONS:

Hertfordshire County Council Transportation Planning and Policy – Does not wish to restrict the grant of planning permission.

Hertfordshire Constabulary – No objection. Suggested that the two bollards in front of the ATM installed to a creditable security standard (PAS68/69). This standard relates to a small vehicle (car) travelling at a low speed (20MPH) and is suitable in this instance. Additionally the maximum gap between all installed bollards should be 1.2 M.

TOWN/PARISH COUNCIL COMMENTS:

Northaw and Cuffley Parish Council – *“The PC feel that the re-location of this ATM will place it in a position where it will be less safe for users.”*

REPRESENTATIONS:

This application was advertised by site notice and neighbour notification letters. One representation was received which commented on access to the site and parking for delivery vehicles and that the site was over developed.

Welwyn Hatfield Access Group did not submit any representation directly to the Council but in a letter addressed directly to the applicant’s agent and copied to the Council, they questioned requested confirmation that the ATM would comply with Building Regulations and that the bollards would not impair access.

DISCUSSION:

The main issues are:

1. The impact of the proposal on the character and appearance of the area
2. The impact of the proposal on the residential amenity of neighbouring properties
3. Parking provision and impact on the highway
4. Other material considerations

1. The impact of the proposal on the character and appearance of the area

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. These policies are expanded upon in the Council’s Supplementary Design Guidance (SDG).

The application site lies within the retail core within the centre of Cuffley. The application building is two storeys in height with a single storey side extension to the east which contains an ATM. This application proposes the installation of a replacement ATM pod and erection of 7x security bollards. The new ATM pod would be detached from the application building and situated approximately 5m to the east of its current location. Two security bollards are proposed in front of the ATM and a further five bollards are proposed between the car park and the shopfront. Although the ATM pod is functional in design, it would be positioned behind a new wall constructed from bricks that match the main building. It is considered that the design adequately respects the character of application building and would not appear unduly prominent. Subject to planning condition requiring matching materials, the

proposal is considered to be in accordance with the design quality aims of saved Policy D1 and D2 of the Local Plan

2. The impact of the proposal on the residential amenity of neighbouring properties

The application site is a sufficient distance from the nearest residential properties to avoid any impact on residential amenity. No objections were received from neighbours on the grounds of amenity issues. Taking into consideration the above, the proposal is considered to be in accordance with the design quality aims of saved Policy D1 of the Welwyn Hatfield District Plan 2005.

3. Parking provision and impact on the highway

Whilst the concern of a local resident is noted in respect of access to the site, parking for delivery vehicles and it being overdevelopment, the access/delivery arrangements would remain unchanged and as such the development would not have an unreasonable impact on the safety and operation of the adjoining highway. Furthermore, the proposal would not result in an increase in retail floor area and would not impact on parking provision at the site. The proposal complies with Policy M14 of the Welwyn Hatfield District Plan 2005 and there are no grounds for rejecting the application on the concerns highlighted.

4. Other material considerations

Protected Species: The presence of protected species is a material consideration, in accordance with 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 and amended 2012 Regulations further.

CONCLUSION:

The proposals comply with the relevant national policies and guidance, policies within 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
2. C.13.1 – The development/works shall not be started and completed other than in accordance with the approved plans and details F9D12-161 A(00)100A & F9D12-161 A(00)111 B & F9D12-161 A(00)112A & F9D12-161 A(00)113A & F9D12-161 A(00)114A received and dated 4 October 2013
3. C.5.2 – Matching Materials

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

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 (see Officer's report which can be viewed on the Councils website or inspected at these offices).

INFORMATIVES: None

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