

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

<b>APPLICATION No:</b>	<b>S6/2013/1919/FP</b>
<b>APPLICATION Site:</b>	<b>Tesco Express, 59 Station Rd</b>

**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 for erection of single storey side extension and installation of new shopfront.

**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

M14 Parking Standards for New Development

TCR26 Large Village Centres

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

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

**CONSULTATIONS:** None

**TOWN/PARISH COUNCIL COMMENTS:**

Northaw and Cuffley Parish Council – *“The PC are pleased to see the re-instatement of the 3<sup>rd</sup> disabled bay, and have no objection to this application.”*

**REPRESENTATIONS:**

This application was advertised by site notice and neighbour notification letters. Two representations were received, one objecting to the proposal on due to lack of parking provision and traffic congestion. The second representation commented on the number of amended drawings received.

**DISCUSSION:**

The main issues are:

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

**1. The acceptability in principle**

The application site lies within the Large Village Centre of Cuffley as identified by Local Plan Policy TCR26. This Policy seeks to retain provision of a range of everyday convenience shopping and service facilities for local people, however, it relates to retail frontages only. More specifically, a minimum of 60% of the total frontage should remain in retail use (Class A1). This application proposes an extension to an A1 retail use. As such there would be no change in terms of the total frontages and no objection to the proposal in principal.

**2. 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 is set back from the front elevation. This application proposes a small side extension in line with the front elevation and the existing side extension which would square off the south east corner of the ground floor. The extension would be feature a lean-to hipped roof to match the existing extension. The design of the extension and the shop front adequately respect 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

**3. 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.

#### **4. Parking provision and impact on the highway**

Welwyn Hatfield District Plan 2005 Policy M14 requires parking provision for new development to accord with the standards in the Council's Supplementary Planning Guidance (SPG) on parking, which is a maximum for car parking. The maximum parking standard for a small food shop is 1 space per 30sqm gross floor area. The total gross floor area proposed measures approximately 13sqm. As a result, the SPG does not support the provision of any additional parking as a result of the proposed extension. Furthermore, the site is situated in the centre of Cuffley where there is public parking available nearby both on and off street and good access to bus and railway services. Taking into consideration the nature and scale of development, and whilst noting the concern of a local resident, the proposal would not detrimentally impact upon the current parking provision within the area. Access arrangements would remain unchanged and as such the development would not have an unreasonable impact on the safety and operation of the adjoining highway. The proposal complies with Policy M14 of the Welwyn Hatfield District Plan 2005.

#### **5. 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)100 A & F9D12-161 A(00)101C & F9D12-161 A(00)107B & F9D12-161 A(00)108C & F9D12-161 A(00)109B & F9D12-161 A(00)110B 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.....**