

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No: S6/2014/0421/FP

SITE ADDRESS: Public Area adjacent Unit 129, Level 1, The Galleria

DESCRIPTION OF DEVELOPMENT: Erection of a coffee kiosk together with a seating area

RECOMMENDATION: Approval

1. SITE AND APPLICATION DESCRIPTION:

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 a motorway tunnel and adjacent to Comet Way (A1001) which provides access to the site.

This application seeks full planning permission for the erection of a coffee kiosk together with a seating area adjacent Unit 129 which is located on Level 1 within The Galleria shopping mall. The proposed kiosk would share the various facilities within The Galleria in terms of servicing, fire escapes, access via stairs, escalators and lifts, car and cycle parking and other amenities associated with the Centre.

2. SITE DESIGNATION: The site lies within the town of Hatfield as designated in the Welwyn Hatfield District Plan 2005.

3. RELEVANT PLANNING HISTORY:

Planning applications relevant to the current planning application:

S6/2012/0083/FP – Use of the existing exhibition area (use class D1) as either an exhibition area or children's play area (use class D1) (Granted 07/03/2012)

S6/2008/0866/FP – Change of Use from Exhibition Space to Retail Use (A1) (Withdrawn 14/11/2008)

S6/87/0075/FP – Retail Development with Associated Leisure Facilities (Granted 06/04/1987)

4. CONSULTATIONS:

No objections have been received in principle from Welwyn Hatfield Borough's Environmental Health team or Corporate Property team.

5. NEIGHBOUR REPRESENTATIONS:

No representations have been received from the public.

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 stated a preference for complete separation of the play area and the coffee kiosk.

6. TOWN/PARISH COUNCIL REPRESENTATIONS

No representations have been received from the town council.

7. MAIN PLANNING ISSUES AND RELEVANT PLANNING POLICIES:

The main planning issues with this application are:

- a) Whether the proposed use is acceptable in principle (Policy SD1, GBSP2, TCR3 and NPPF)
- b) Impact on the residential amenity of adjoining occupiers (D1, SDG and NPPF)
- c) Impact on highways and parking provision (M14, SPG and NPPF)

8. ANALYSIS:

- a) Whether the proposed use is acceptable in principle

The application site is situated on Level 1 within The Galleria shopping centre. Although an out of town location, the Galleria is Hatfield's main comparison goods and leisure offer. The Local Plan has no specific policies in regards to the Galleria Outlet Centre only District wide policy TCR3 which sets out the criteria for new retail development in out of centre locations.

A key part of the original planning permission for the Galleria restricted the amount of retail floorspace (Use Class A1). The proposed coffee kiosk (Use Class A3) would not result in an increase in retail floorspace. In addition, due to its limited scale, it is considered that the kiosk would serve a complementary role to the prevailing uses within the centre and is unlikely that separate additional trips would be made to use the kiosk alone. On this basis it is considered that the proposed coffee kiosk would not prejudice the vitality or viability of Hatfield town centre.

Change of use from A3 to A1 would normally be permitted development under The Town and Country Planning (Use Classes) Order 1987, therefore, to ensure the vitality and viability of the existing Hatfield town centre is not prejudiced, it would be reasonable to restrict the use of the site to Class A3. Subject to the suggested condition, the proposed development is considered to be in accordance with the National Planning Policy Framework; the Welwyn Hatfield District Plan 2005.

- b) Impact on the residential amenity of adjoining occupiers

The proposed change of use would have no significant impact on the residential amenity of neighbouring occupiers by virtue of the location of the application site within The Galleria centre. No representations have been received from the occupiers of neighbouring properties of Hatfield Town Council.

- c) Impact on highways and parking provision

The site is located within the Galleria retail development which has approximately 1,700 off street parking spaces to cater for all the units within the centre. Many trips are multipurpose making use of both the leisure and retail aspects of the centre. No change is proposed to existing access and parking arrangements and the amount of floorspace would not increase or decrease. The proposed change of use is therefore unlikely to lead to any significant increase in trip generation or parking requirements.

9. CONCLUSION:

The proposed development is considered to be in accordance with the National Planning Policy Framework; the Welwyn Hatfield District Plan 2005.

10. CONDITIONS:

1. C.2.1 Time limit for commencement of development
2. C.13.1 Development in accordance with approved plans/details 1950/LOC1 P02 & 1950/SK01 P01 & 1950/SK02 P02 & 1825/SK03 P02 received and dated 26 February 2014
3. Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (and any order revoking or re-enacting that order with or without modification), the permitted use of the application site 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 Policy TCR3 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

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 inspected at these offices).

INFORMATIVES: None

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