

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 8 JANUARY 2015
REPORT OF THE DIRECTOR (STRATEGY AND DEVELOPMENT)

S6/2014/1443/MA

LAND OFF COMET WAY, HATFIELD, AL10 0XY

ERECTION OF NEW PUBLIC HOUSE AND ASSOCIATED WORKS

APPLICANT: J D WEATHERSPOON

(Hatfield Villages)

1. Site Description

- 1.1 The application site is located on the northern side of Comet Way, within an area comprised of a range of properties of a variety of uses. To the west of the site lies the Beales Hotel and to the north lies a block of flats incorporating commercial premises at ground floor. Car parking associated with these residential and commercial units to the north lies immediately to the north east of the site. Facing the site, approximately 35m away, lies the outlet shopping centre 'The Galleria'.
- 1.2 The site is relatively level, is approximately 1503m² in area and previously comprised 6 protected trees fronting Comet Way. However, during clearing the site, these trees have recently been removed. There are no other constraints affecting the site.

2. The Proposal

- 2.1 This application seeks full planning permission for the erection of a new public house. The development would have a ground floor area of approximately 695m² and a first floor area of approximately 197m². The maximum height of the building would be approximately 8.5m, however a large amount of the bulk of the proposal is set at a height of approximately 6.5m. Fronting Comet Way, the proposal would have a maximum width of approximately 32m.
- 2.2 The proposed development also includes a beer garden with an area of approximately 619m² and incorporates solar panels positioned on the roof.

3. Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee as Officers consider it prudent to exercise delegated authority due to the nature of the development.

4. Relevant Planning History

4.1 None relevant to application site.

5. Planning Policy

5.1 National Planning Policy Framework (NPPF)

5.2 Welwyn Hatfield District Plan 2005

5.3 Supplementary Design Guidance, February 2005

5.4 Supplementary Planning Guidance, Parking Standards, January 2004

6. Site Designation

6.1 The site lies within the settlement of Hatfield, within the Hatfield Aerodrome site, as designated in the Welwyn Hatfield District Plan 2005.

7. Representations Received

7.1 The application was advertised by means of a site notice. One letter in objection to the application has been received written on behalf of the adjacent Beales Hotel. Comments are summarised as:

- Detrimental impact on the amenity of those staying within the hotel in terms of noise and disturbance from process and machinery associated with the use as a pub, those within the pub and increased vehicular movements to and from the site.
- The proposal would introduce unacceptable levels of disturbance to neighbouring amenity, in terms of odours.
- The proposal would result in an unacceptable level of car parking provision that would impact upon parking provision in the surrounding area.

7.2 The detrimental impact the proposal would have on the adjacent business has also been raised in the above objection. However, this is not considered to form a material planning consideration.

7.3 It is also noted that there has been correspondence between Welwyn Hatfield Access Group and the agent for this application.

8. Consultations Received

8.1 **Hertfordshire Constabulary** – No objection

8.2 **Environment Agency** – No comments

8.3 **Welwyn Hatfield Borough Council Client Services** – No objection

- 8.4 **Thames Water** – No objection
- 8.5 **Hertfordshire Fire and Rescue** – No objection
- 8.6 **Natural England** – No objection
- 8.7 **Welwyn Hatfield Borough Council Environmental Health** - XXXXXX
- 8.8 **Hertfordshire County Council Transport, Programs and Strategy** – No objections
- 8.9 **Hertfordshire County Council Archaeology** – No Comments
- 8.10 **Welwyn Hatfield Borough Council Landscape and Ecology** – XXX
- 8.11 **British Gas** – xxx
- 8.12 **Hertfordshire Biological Records Centre** – xxx

9. Town/Parish Council representations

- 9.1 None received

10 ANALYSIS

- 10.1 The main planning issues in the determination of this application are:

1. The principle of the development (Policy HATAER2, Section 2 of the NPPF and Hatfield Aerodrome SPG)

2. The quality of the design and the impact on the character and appearance of the area (D1 & D2 & D8, R17, SDG & NPPF)

3. Impact on the residential amenity of the occupiers of adjacent properties (NPPF, Policies D1, R19 and SDG)

4. Highway Safety and Parking Provision (M14 & NPPF)

5. Other Material Considerations

i) Protected Species (R11 & NPPF)

ii) Energy Efficiency (R3)

iii) Chalk Mining and Ground Conditions

iv) Flooding and Drainage (R7)

1. The principle of the development (HATAER2, Section 2 of the NPPF and Hatfield Aerodrome SPG)

- 10.2 The application site lies within the District Centre as defined within the Hatfield Aerodrome masterplan and the adopted Hatfield Aerodrome SPG. The aerodrome site is a local centre that, when completely developed, will provide a range of shopping and leisure facilities that will function as a large neighbourhood centre to serve residential areas provided as part of the redevelopment. The aim of the aerodrome redevelopment is to ensure that it links with the higher order shopping and leisure facilities in Hatfield Town Centre and The Galleria. Furthermore, saved Policy HATAER2 states that redevelopment of the Aerodrome Inset Site should provide for a variety of land uses and any retail and leisure development shall be limited in scale to that necessary to meeting local needs.
- 10.3 The proposed development is considered to be a 'main town centre use' with regard to 'Annex 2: Glossary' within the NPPF. Section 2 of the NPPF seeks to promote competitive town centres and paragraph 24 of the NPPF goes on to state that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan.
- 10.4 Whilst the schedule of uses proposed at paragraph 4.5 of the SPG includes restaurant and 'family entertainment centre' uses, it does not specifically include a floorspace allowance for public houses. In the area brief for the District Centre, however, at paragraph 12.6 of the SPG, reference is made to "two public houses" as part of the intended food and drink offer. There are currently no pubs within the Hatfield Aerodrome site.
- 10.5 Furthermore, the original outline planning permission for the redevelopment of the Hatfield Aerodrome site (ref: S6/1999/1064/OP) and the subsequent outline permission for development of the District Centre within that site (ref: S6/2003/1137/OP) were both subject to Section 106 agreements. The floorspace schedules within those agreements again do not specifically provide for public house floorspace. However they do provide that the written consent of the council can be obtained (such as through the grant of a planning permission) for amendments to those schedules.
- 10.6 Taking the above into account, it is considered that the proposal would not be contrary to the overarching aims of the masterplan for the Hatfield Aerodrome site. On this basis, it is considered that the development is in accordance with the up-to-date Welwyn Hatfield District Plan and, as such, a sequential test is not required, with regard to paragraph 24 of the NPPF. Furthermore, the schedules within previous Section 106 agreements can be amended upon the grant of planning permission to accommodate for the proposal.
- 10.7 Having regard to all of the above, subject to considerations relating to the size, scale, design, layout and appearance of the proposed development, which are discussed below, there is no compelling objection to the principle of the development in purely land use terms with regard to Policy HATER2, the adopted Hatfield Aerodrome SPG and section 2 of the NPPF.

2. The quality of the design and the impact on the character and appearance of the area (D1 & D2 & D8, R17, SDG & NPPF)

10.8 Local Plan Policies D1 (Quality of Design) and D2 (Character and Context) aim to ensure a high quality of design and to ensure that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing buildings and surrounding area. In addition, Chapter 7 of the NPPF emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.

10.9

Section 2 seeks...

Main tcu NPPF description – para 24

11. Conclusion

11.1 The proposal is for a new dwelling and not a replacement dwelling and is also for a change of use of the land to residential. As such the proposal represents inappropriate development in the Green Belt. Furthermore, additional harm to the Green Belt has been identified from the loss of openness and the encroachment of built form into the countryside.

11.2 The applicant, within a submitted Planning Statement, has made reference to several factors in an attempt to demonstrate very special circumstances. However, it is considered that the applicant has not sufficiently demonstrated the very special circumstances required to outweigh the above mentioned harm to the Green Belt.

12. Recommendation

12.1 It is recommended that planning permission be refused for the following reason:

1. The proposed development represents inappropriate development in the Green Belt which is by definition harmful to the Green Belt and should be afforded substantial weight. In addition the proposal would have a detrimental impact on the openness of the Green Belt and would not assist in safeguarding the countryside from encroachment. The Local Planning Authority considers that very special circumstances do not exist to outweigh the harm caused, by reason of its inappropriateness and the other harm identified. Accordingly the proposal is contrary to the National Planning Policy Framework.

SUMMARY OF REASONS FOR REFUSAL

The decision has been made taking into account material planning considerations and where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework (see Officer's report which can be inspected at these offices).

Refused Drawing Numbers:

2056/EP1 & 2056 LP2 Rev A & 2056 LP1 & 2056/P3 Rev C

Matthew Heron, (Strategy and Development)

Date 15/10/2014