

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2015/2234/VAR
Location: Land off Comet Way, Hatfield, AL10 0XY
Proposal: Variation of conditions 2 (Plans) and 4 (Materials) of planning permission S6/2014/1443/FP - Erection of new public house and associated works
Officer: Mr S Dicocco

Recommendation: Granted

Context	
Site and Application description	<p>The site contains a two storey public house constructed with permission referenced S6/2014/1443/FP. This application is for the variation of conditions 2 and 4 of the original planning permission. Condition 2 of the original planning permission ensured the development shall not be started, completed or maintained other than in accordance with the plans and details submitted. Condition 4 of the original permission approved materials to be used in the construction of the development.</p> <p>In regards to condition 2, new plans and elevations have been provided showing differences from those approved. Those differences include –</p> <ul style="list-style-type: none"> - A new window at first floor level within the north west elevation - Alterations to the number, positioning, and glazing within, proposed doors - The removal of roof solar panels, vertical and horizontal external and internal lattice beams, external sun shades above glazing, steel and glass balustrades, front safety bollards and covered smoking area - New 1.1m high powder coated steel railings, retractable covered area in smoking area, ladder to access roof and further drainage downpipes - Landscaping alterations including tree specification, locations and numbers, acoustic wall, refuse store alterations and dropped kerbs <p>In relation to condition 4, a non-material amendment has previously been agreed which replaced Havwoods Composite external wall cladding with Marley Eternit Cedral Board (colour C54 – pewter). Other than this already approved alteration, the differences in materials shown on the plans to be approved only relate to the extent of use of Raj Green Indian Stone Flags throughout the beer garden and omission of Marshall Driveset Pavoirs and Resin Dega Floor.</p>
Constraints (as defined within WHDP 2005)	<p>PAR - PARISH (HATFIELD) WARD - HATFIELD VILLAGES WARD - HATFIELD CENTRAL</p>
Relevant	<p>Application Number: S6/2014/1443/FP Decision: Granted Decision</p>

planning history	Date: 18 December 2014 Proposal: Erection of new public house and associated works		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 26 April 2017 Site Notice Expiry Date: 17 May 2017		
Summary of neighbour responses	None		
Consultees and responses	<ol style="list-style-type: none"> 1. Councillor Lynne Sparks – No response 2. Councillor Howard Morgan – No response 3. Councillor Duncan Bell – No response 4. Hatfield Town Council – No response 5. Landscapes Department – No response 		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14 Others D8 – R17 – HATAER2 – R19 – R20 – R11 – R3 – R2 – Supplementary Design Guidance – Supplementary Planning Guidance on Parking Standards – Interim Car Parking Policy – Hatfield Aerodrome Supplementary Planning Guidance			
Main Issues			
Is the development within a conservation area?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Would the significance of the designated heritage asset be conserved or enhanced?			
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A			
Comment (if applicable):			
Would the principle of the development be acceptable?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Comment (if applicable): The amendments to the approved plans and materials conditions proposed within this application would not impact the previous considerations regarding the principle of the development. As such, the proposed variations would comply with policy HATAER2, the Hatfield Aerodrome Supplementary Planning Guidance and relevant parts of the National Planning Policy Framework.			
Would the development reflect the character of the area?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
Comment (if applicable): The combination of external alterations to the building and landscaping as described above and depicted within the amended plans provided does not result in the building appearing out of context with the surrounding area. The building's proportions have not changed, and the alterations in terms of omissions and additions result in only minor alterations to the visual appearance of the building. As such, the building, as built, would comply with policies D1, D2 of the Welwyn Hatfield District Plan and Supplementary Design Guidance. In regards to the alterations in the amount, distribution and tree specification, it is considered unfortunate that the number and specification of the trees has been altered. Notwithstanding this, the trees have taken well and provide some screening within their positions. It is considered that			

requiring their upheaval and movement in order to gain an additional tree as originally agreed and alternative specifications would, in this case, not be appropriate. Accordingly, on balance, it is considered that the new tree planting and positioning would be acceptable in line with policies D8 and R17 of the Welwyn Hatfield District Plan.

Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)

Yes No N/A

Comment (if applicable): The alteration which causes concern in relation to the amenity of the occupiers of adjoining premises is the installation of a first floor window serving the staff room within the north west elevation. The residential use at second and third floor level opposite this window hosts clear glazed windows. Notwithstanding this concern, the approximate 10m separation distance between the buildings, as well as the mismatch in position of the windows within the elevations would only result in oblique views from a distance between windows. Accordingly, privacy would not be unduly impacted by the window. The other alterations would have no impact on the occupiers of adjoining premises. As such, the variations accord with policy D1, R19 and R20 in this regard.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable): The alterations proposed would not impact parking requirement or provision.

Any other issues

Whilst the photovoltaic panels are proposed to be removed from the permission through this application, the building would remain designed to maximise solar gain and be insulated to a high standard, according with policy R3 of the Welwyn Hatfield District Plan.

The proposed variations would have no impact on contaminated land or protected species considerations, thereby according with policies R11 and R2 of the Welwyn Hatfield District Plan.

The conditions on the original application largely remain applicable, although will require alteration as this application is retrospective. All relevant conditions shall be transferred to any potential approval with alterations to reflect the existing built form and the variations requested within this application.

Conclusion

The building as built in line with the variations now applied for is considered acceptable and in accordance with applicable local and national planning policies and guidance.

Conditions:

1. Notwithstanding the provisions of Article 3 of the Town and Country Planning Use Classes Order 1987, and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any orders revoking or re-enacting these Orders) this permission shall only permit the use of the unit as a Public House (Class A4) and for no other use or purpose unless otherwise agreed on application to the Local Planning Authority.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by these orders, in the interests of the wider masterplanning of the Hatfield Aerodrome Site and Policy HATER2, the adopted

Hatfield Aerodrome Supplementary Planning Guidance and section 2 of the National Planning Policy Framework.

2. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

3. The noise control (physical and managerial) recommendations produced by Spectrum Acoustic Consultants in its reported dated November 2014, implemented prior to commencement of the operation of the premises, are to be maintained in accordance with the said report.

REASON: In the interests of the residential amenity of properties in the surrounding area in accordance with the National Planning Policy Framework and Policies D1, R19 and R20 of the Welwyn Hatfield District Plan 2005.

4. There shall be no deliveries or collections to or from the premises between the hours of 20.00 and 08.00 the following morning.

REASON: In the interests of the residential amenity of properties in the surrounding area in accordance with the National Planning Policy Framework and Policies D1, R19 and R20 of the Welwyn Hatfield District Plan 2005.

5. There shall be no external handling of waste bottles between the hours of 20.00-09.00.

REASON: In the interests of the residential amenity of properties in the surrounding area in accordance with the National Planning Policy Framework and Policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

6. The development hereby approved shall not be constructed and maintained other than in accordance with details within the approved Lighting Scheme as shown on plan 7127-200-I, received and dated 02 December 2014, unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interests of the residential amenity of properties in the surrounding area in accordance with the National Planning Policy Framework and Policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

DRAWING NUMBERS

7. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
7127 - 200	V	Site Location Plan and Proposed Floorplans	23 November 2015

7127 - 202	K	Proposed Elevations	23 November 2015
7127 - 433	A	Rear Gate Goal Post Detail	23 November 2015
7127 - 430	F	Landscaping and Acoustic Fence	23 November 2015
7127 - 431	—	Exterior Shelter	23 November 2015
7127 - 432	A	Boundary Wall and Railing Detail	23 November 2015
7127 - 434		Railing and gate detail between beer gardens	23 November 2015
220914/001/ SJT	B	Landscape Proposals	23 November 2015

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

1. POSITIVE AND PROACTIVE STATEMENT

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 Council's website or inspected at these offices).

Determined By:

Mr C Carter
19 May 2017