

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

**DELEGATED APPLICATION**

**Application No:** 6/2017/2030/FULL  
**Location:** Unit 132 The Galleria Comet Way Hatfield AL10 0XR  
**Proposal:** Change of use of existing retail unit (A1) to Sui-Generis for use as a car rental (office) facility.  
**Officer:** Mr R Adenegan

**Recommendation:** Granted

6/2017/2030/FULL

<b>Context</b>	
<b>Site and Application description</b>	<p>The Galleria is a major shopping and leisure facility located between junctions 3 and 4 of the A1(M) motorway situated in Hatfield Town but not in a Primary or Secondary shopping frontage as designated in the Welwyn Hatfield District Plan 2005. The Galleria was constructed between 1988 and 1991 on top of the motorway tunnel and adjacent to Comet Way (A1001) which provides access to the site. The application site is located at the northern end of the Galleria beneath a first floor cinema complex. This northern end of the Galleria comprises mainly restaurants and cafes in the lower level with cinema complex on the upper floor. The application unit is a 40sq.m retail shop currently occupied by Shake 'A' Shake, a Milkshake shop.</p> <p>Full planning permission is sought for the change of use of the existing retail unit (A1 use) to Sui Generis for use as a car rental (office) facility. This facility will be open in nature within the mall, and will not be enclosed within a unit.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>PAR - PARISH (HATFIELD)  Wards - Hatfield Central  A4D - Article 4 HMO Direction</p>
<b>Relevant planning history</b>	<p>Planning</p> <p>S6/2008/1128/FP - Infill Beneath Galleria North Building (Cinema) to Provide New A3/A5 Restaurant Units - Granted</p> <p>S6/1987/0075/FP - Retail development with associated leisure - Granted</p> <p>S6/2007/0795/FP – Amendment to reserved matters approval ref  S6/2005/675/DE (For mixed use development of district centre) to allow for the relocation/swap of class A1 (shop) and class A3 (restaurant, bars and cafes) uses within the scheme.</p> <p>S/6/1996/0427/FP – Infill of space under the UCI cinema to form amusement centre and restaurant. (Minor variation to floorspace shown in previous Planning Application S6/0462/95/FP)</p>

	S6/1995/0462/FP – Formation of new covered mall and infill of space under UCI Cinema with new restaurant and amusement centre		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Neighbours consultation letters were posted		
<b>Summary of neighbour responses</b>	53 adjoining and neighbouring occupiers/businesses were consulted. No response has been received.		
<b>Consultees and responses</b>	<ol style="list-style-type: none"> <li>1. Councillor Glyn Hayes – No objection received</li> <li>2. Councillor Pankit Shah – No objection received</li> <li>3. Council - Councillor Maureen Cook – No objection received</li> <li>4. WHBC - Parking Services - Parking Services do not foresee any parking implication as a result of this development. As all associated parking is contained within the Galleria car park.</li> <li>5. Hatfield Town Council – No comment received</li> </ol>		
<b>Relevant Policies</b>			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input type="checkbox"/> GBSP2 <input type="checkbox"/> M14 Others TCR3 (Out of Centre Retail Development) M14 (Requires developments increasing or changing parking requirements to meet the Council's standards. SADM5 Emerging Local Plan 2016 Supplementary Design Guidance, February 2005 Section 7 (Shopfronts) Supplementary Planning Guidance, Parking Standards, January 2004			
<b>Main Issues</b>			
<b>Is the development within a conservation area?</b>			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>Would the significance of the designated heritage asset be conserved or enhanced?</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Comment (if applicable):</b>			
<b>Would the development reflect the character of the area?</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Comment (if applicable):</b> Criteria (ii) of Policy SADM5 of the emerging Local Plan states: the Council will resist proposal which result in the loss of individual convenience shops outside designated centres, even where ancillary to another uses (such as petrol stations) and will only be granted in the case where alternative convenience retail provision is available within an 800m walking distance (not straight line distance).  A key part of the original planning permission for the Galleria restricted the amount of retail floor-space in order to limit competition with Hatfield Town Centre and other shopping parades in the town's retail hierarchy. The proposed change of use would result in a reduction in retail floor-space at the Galleria and replace it with Sui-generis (Car hire office). The car rental firm currently has a mobile office sited in the car park area of the shopping complex. It is proposed to relocate the office in the application unit. Whilst this would reduce the level of retail outlet in the complex, it is considered that due to its small size and as the northern wing of the Galleria, with the exception of the subject unit, consists mainly of restaurants / cafes, the proposed change of use would not			

undermine the retail function of the shopping centre as there are alternative convenience retail units within the complex. The proposal would not undermine the retail hierarchy in the town and would not be contrary to the current planning policies in the local and national level.

It is considered that the proposal will complement existing uses within the Galleria and would enable the current car hire business use to operate from a larger, more appropriate facility for the office and customer-focused area.

**Would the development reflect the character of the dwelling?**

Yes  No  N/A

**Comment** (if applicable):

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

Yes  No  N/A

**Comment** (if applicable): Due to the proposed use as an office, the nature of use and the high level of footfall from the existing restaurant and café uses and by virtue of the location of the application site within the confines of the Galleria, the proposed change of use would not be likely to have any significant impact on the residential amenity of neighbouring occupiers nor have any negative impact on the neighbouring shop units.

**Would the development provide / retain sufficient parking?**

Yes  No  N/A

**Comment** (if applicable): The applicant currently operates from within the shopping centre albeit in an allocated and designated parking area in the context of the overall parking spaces. As such the proposal would not give rise to additional parking requirements. All associated parking is contained within the Galleria car park. There is shared, on-site parking for all the retail and leisure units at the Galleria and the Council's Parking Services has advised it does not foresee any parking implication as a result of this development.

**Any other issues**

**Conclusion**

The proposed use would serve a complementary role to the prevailing uses in the Galleria, utilising a unit within the lower mall to provide a car rental facility for residents and visitors to the area. Its small size, is considered, would not adversely affect the viability and viability of the Galleria or the town centres.

Overall, the proposed use will generate a new functional use within existing space in the Galleria, providing a complementary use to existing units within the mall. The proposal will add to the visitor experience of the Galleria and provide positive socio-economic and sustainability benefits. Therefore, the proposed use would not undermine the retail hierarchy of Welwyn Hatfield. The proposal complies with relevant national and plan policies. As such, planning permission is recommended.

**DRAWING NUMBERS**

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

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
2173 SK02	P01	Block Plan	12 September 2017
2173 SK03	P01	Proposed Car Parking Plan	12 September 2017
1668 SK01	P01	Existing Surface Car Park Plan	12 September 2017

2140 SK06	P04	Floor Plan	12 September 2017
2173 SK01	P01	Location Plan	12 September 2017

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  
7 November 2017