

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

**DELEGATED APPLICATION**

**Application No:** 6/2019/3116/FULL  
**Location:** Cuffley Gate Sopers Road Cuffley Potters Bar EN6 4RY  
**Proposal:** Retention of rear and side steel canopy structures  
**Officer:** Mr Antoine Commenville

**Recommendation:** Granted

6/2019/3116/FULL

<b>Context</b>	
<b>Site and Application description</b>	<p>The application site comprises a large detached two storey warehouse located to the east of Cuffley in a designated employment area, to the end of Sopers Road. There is a large parking area in between the two main building on site. Vehicular access is taken directly from Sopers Road via a private road onto the site.</p> <p>Retrospective planning permission is sought for the retention of rear and side steel canopy structures and proposed erection of side canopy structure that are used for ventilation and storing goods prior to production.</p> <p>The site is within the Sopers Road Employment Area. Beyond the rear boundary to the south of the application site is open green belt land.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>EMPL - EA9 (Sopers Road) - Distance: 0            GB - Greenbelt - Distance: 0            PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0            Wards - Northaw &amp; Cuffley - Distance: 0            ALA - Broxbourne - Distance: 0            A4D - ARTICLE 4 DIRECTION - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1889561) - Distance: 0            FM30 - Flood Zone Surface Water 30mm (1889569) - Distance: 0            FM10 - Flood Zone Surface Water 100mm (2748014) - Distance: 0            FM10 - Flood Zone Surface Water 100mm (2747730) - Distance: 0            FM10 - Flood Zone Surface Water 100mm (2747742) - Distance: 0            FM10 - Flood Zone Surface Water 100mm (2747746) - Distance: 0            FM10 - Flood Zone Surface Water 100mm (2747756) - Distance: 0            FM10 - Flood Zone Surface Water 100mm (2747911) - Distance: 0            FM00 - Flood Zone Surface Water 1000mm (18092) - Distance: 0            FM00 - Flood Zone Surface Water 1000mm (7633051) - Distance: 0            FM00 - Flood Zone Surface Water 1000mm (7632853) - Distance: 0            FM00 - Flood Zone Surface Water 1000mm (7632523) - Distance: 0            HEN - No known habitats present (high priority for habitat creation) - Distance: 0            HEN - No known habitats present (medium priority for habitat creation) - Distance: 0            SAGB - Sand and Gravel Belt - Distance: 0</p>

<b>Relevant planning history</b>	<p>Application Number: S6/1979/0392/ Decision: Granted Decision Date: 12 June 1979 Proposal: Extension to house equipment for servicing sawmilling equipment</p> <p>Application Number: S6/1979/0391/ Decision: Granted Decision Date: 12 July 1979 Proposal: Site for re-organisation of yard</p> <p>Application Number: S6/1979/0486/ Decision: Granted Decision Date: 06 September 1979 Proposal: Change of use of part of building from manufacturing to showroom</p> <p>Application Number: S6/1980/0840/ Decision: Granted Decision Date: 19 February 1981 Proposal: Change of use from showroom to office and provision of mobile temporary office</p> <p>Application Number: S6/1988/0799/FP Decision: Granted Decision Date: 21 November 1988 Proposal: Single storey side extension to factory</p> <p>Application Number: S6/1990/0673/FP Decision: Granted Decision Date: 25 September 1990 Proposal: Non-compliance with condition of Planning Permission 1561/61, that limits the occupation of the building to a local user</p> <p>Application Number: S6/2013/0710/FP Decision: Granted Decision Date: 12 June 2013 Proposal: Installation of two gas tanks and erection of an enclosure</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Site Notice Display Date: 4 February 2020 Site Notice Expiry Date: 25 February 2020		
<b>Summary of neighbour responses</b>	No representations have been received.		
<b>Consultees and responses</b>	WHBC Public Health and Protection – No objection Northaw & Cuffley Parish Council – No objection		
<b>Relevant Policies</b>			
<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 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes			

**Others:**

Policy SD1 – Sustainable Development  
Policy EMP1 – Employment Areas  
EMP2 – Acceptable Uses in Employment Areas  
D7 – Safety by Design  
D8 – Landscaping

Draft Local Plan Proposed Submission August 2016

SP1 – Delivering Sustainable Development  
SADM2 – Highway Network and Safety  
SADM3 – Sustainable Travel for All  
SADM10 – Employment Development  
SADM11 – Amenity and Layout  
SADM12 – Parking, Servicing and Refuse

**Main Issues**

**Principle of development**

Sopers Road is designated in the Welwyn Hatfield District Plan 2005 (District Plan) as Employment Area EA9. Policy EMP2 of the District Plan states that in designated employment areas, proposals for development within Use Classes B1, B2 and B8 will be permitted, subject to the following criteria:

- i. The proposal would not, due to the scale of employment generated, have an unacceptable impact on the demand for housing in the travel to work area;
- ii. The proposal would not have an unacceptable impact on the local and/or strategic transport infrastructure;
- iii. The proposal would not harm the amenities of any nearby residential properties;
- iv. The development would provide adequate parking, servicing and access;
- v. Any retail element of the development would clearly be ancillary to the main business use.

It is noted that at some points the developed area to the side and rear of the building were used as parking spaces. However the applicant has stated within the design and access statement that the areas proposed to be covered have been hosting storage of materials for some time now. The issue is whether or not this is a significant reduction in long-term car parking provisions in the vicinity such that it would be contrary to the Policies EMP1 and EMP2 of the District Plan and SADM 10 and SP8 of the Proposed Submission 2016. Having regard to the statement of the applicant and in considering that the covered areas have been used for some time as storage, it is overall not considered likely that the proposed canopy structure would give rise to a significant parking shortage in the vicinity of the site such that it would cause additional inconvenience to people wishing to park within the Employment Area, give rise to overspill parking and congestion on surrounding roads or create inconvenience to other road users. Consequently, the proposed development would not have a significant impact on Employment Area or on the local and strategic transport infrastructure.

The issues relating to criteria (iii) and (iv) are considered below under the relevant sections of this report.

Subject to other planning considerations of design, impact on character of the area, impact on neighbouring occupiers and drainage, the proposal is, considered to be acceptable with regard to Policies EMP1 and EMP2 of the Welwyn Hatfield District Plan 2005 and also Policies SADM10 and SP8 of the emerging local plan.

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

Yes  No

**Comment** (if applicable): The employment area has an industrial appearance with several large warehouse buildings which vary in design. While the design of existing and proposed canopy is not

ideal, they are set to the side and rear of the building and not highly visible from public vantage points and overall appears in keeping with regard to the site and the immediate surroundings, and the wider character of the area. The proposed retention and erection of steel canopy structures by virtue of the scale, location and design is overall considered acceptable.

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

Yes  No  N/A

**Comment** (if applicable): The nearest neighbouring occupier within the employment site is an office building and there are no residential properties within close proximity. The proposal would be sited a sufficient distance from the adjacent occupiers to prevent any significant loss of amenity. The proposal would therefore comply with the requirements of Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

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

Yes  No  N/A

**Comment** (if applicable): The proposal would cover approximately 610m<sup>2</sup> of floor space that have been used for Class B8 storage ancillary to the production activity of the site. Access into the site is via a private road off Sopers Road and would remain the same, as existing. The site currently provides a significant amount of car parking spaces in between the two main buildings within the application site and it is proposed to remain the same.

The use of this area for storage and erection of canopy lead to a loss of approximately 10 parking spaces, however, the site is within industrial area and in a sustainable location. It is within 4 minutes walking time to Cuffley Train Station. Bus stops are also within walking distance. Furthermore, there is a public car park in close proximity of the site and parking controls exist locally to control and deter inappropriate parking.

Overall, it is considered that the proposed development would not significantly increase traffic movements and therefore the proposal is unlikely to result in a significant impact on the safety and operation of the surrounding highway network.

**Any other issues** | None.

**Conclusion**

The impacts of the proposal have been considered on the visual amenity of the site and surrounding area and on the amenity of neighbouring dwellings. It has been concluded that the proposal would sufficiently maintain the character and appearance of the property and surrounding area and that it would not have any significantly adverse impact on the residential amenity of neighbouring dwellings. As a result, the proposal is in accordance with Policies of the adopted Welwyn Hatfield District Plan 2005, the adopted Supplementary Design Guide, the emerging Local Plan and with the National Planning Policy Framework.

**Conditions:**

1. The cladding of the approved extension must match the existing building in relation to colour and texture.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

## DRAWING NUMBERS

2. 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>
02	A	Existing Ground Floor	9 December 2019
03	A	Proposed Ground Floor	9 December 2019
04	A	Existing and Proposed Elevations	9 December 2019
05	A	Existing and Proposed Elevations	9 December 2019
06	A	Existing and Proposed Right Side Elevation	9 December 2019
07	A	Existing and Proposed left side Elevations	9 December 2019
Site Location Plan		Site Location Plan	20 January 2020
01	A	Ground Floor Plan	9 December 2019
OS12		Block Plan	15 January 2020

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 paragraph 38 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).

### **Informatives:**

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.
2. 1. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of :  
8.00am and 6.00pm on Mondays to Fridays  
8.00am and 1.00pm Saturdays

- and at no time on Sundays and Bank Holidays
2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
  3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions
  4. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.
  5. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
  6. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.
  7. All pile driving shall be carried out by a recognised noise reducing system.
  8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
  9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
  10. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.
  11. Any emergency deviation from these conditions shall be notified to the Council without delay
  12. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.
  13. Permissible noise levels are not specified at this stage.
3. 1. All efforts shall be made to reduce dust generation to a minimum.
2. Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.
  3. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.

**Determined By:**

Mr Mark Peacock  
16 March 2020