

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL  
DRAFT DELEGATED REPORT

<b>APPLICATION No:</b>	<b>S6/2012/0478/FP</b>
<b>APPLICATION Site:</b>	<b>Belgrave House, Frobisher Way</b>

**NOTATION:**

The site lies within the Hatfield Business Park, which is designated as an employment area (EA6) as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:**

The application site accommodates a detached office/warehouse building to the western side of the business park.

**DESCRIPTION OF PROPOSAL:**

The application building is currently permitted for B1/B2 use, this application seeks a change of use to allow a flexible B1, B2, B8 use to allow future occupiers to operate within any or a mix of these uses.

**PLANNING HISTORY:**

Original consent of the main Business Park adjacent to application site:

S6/1999/1064/OP – Demolition of existing (unlisted) buildings, removal of runway and other hard standing areas and redevelopment for the following purposes: as a business park comprising uses within Use Class B1, B2, B8 and Sui Generis use; housing; new university campus (Use Class D1 and D2) to include replacement De Havilland Sports and Social Club and associated playing fields; two hotels; primary school and associated facilities; district centre; works of conversion to enable recreation use existing listed hanger; Aviation Heritage Centre, together with associated highway, transport and service infrastructure (including a strategic transport corridor), landscaping and open space, diversion of Ellenbrook. Means of access to be determined. – Approved December 2000.

S6/1994/0228/FP – Erection of industrial building (B1, B2 use) reserved matters pursuant on outline permission S6/1999/223/OP – Approved 12/05/1994.

S6/1995/0859/FP – Erection of security fencing (2.4m high) and use of part of parking area for storage of forklifts – Approved 19/12/1995.

*S6/1996/0053/FP – Erection of regional distribution centre (Class B8) and vehicle repair workshop (Class B1c/B2) – Approved 17/05/1996.*

S6/1999/0184/FP – Installation of thirty three windows to existing elevation and new reception entrance – Approved 26/04/1999.

S6/1999/0472/FP – Installation of plant room to the rear and water tank – approved 16/08/1999.

S6/2002/1136/FP – Erection of thirty three units for light industrial B1(c) use, general industrial B1 use and storage and distribution B8 use – Approved 31/03/2003.

## **SUMMARY OF POLICIES:**

National Planning Policy

East of England Plan 2008

- SS1: Achieving Sustainable Development
- SS2: Overall Spatial Strategy
- E1: Job Growth
- E2: Provision of Land for Employment
- T8: Local Roads
- T14 Parking

Hertfordshire Structure Plan Review  
None.

Welwyn Hatfield District Plan 2005

- SD1 Sustainable Development
- R1 Maximising the use of previously developed land
- R3 Energy Efficiency
- R19 Noise and Vibration Pollution
- M1 Integrating Transport and Land Use
- M2 Transport Assessments
- M3 Green Travel Plans
- M4 Developer Contributions
- M5 Pedestrian Facilities
- M6 Cycle Routes and Facilities
- M14 Parking Standards for New Development
- IM2 Planning Obligations
- EMP1 Employment Areas
- EMP2 Acceptable Uses in Employment Areas
- EMP5 Mix of Unit Sizes

- HATAER1 Sustainable Development of the Site
- HATAER2 Mixed Use
- HATAER3 Requirement for a masterplan
- HATAER4 Land Use Proposals for the Hatfield Aerodrome Site

Supplementary Planning Guidance, Parking Standards, January 2004

Hatfield Aerodrome, Supplementary Planning Guidance, November 1999

**CONSULTATIONS:**

**HATFIELD TOWN COUNCIL COMMENTS:**

No comment received.

**REPRESENTATIONS:**

None, period expired \*\*\* \*\* 2012.

**DISCUSSION:**

The main issues are:

- 1. Whether the proposed potential increase in B8 floorspace on the Business Park is acceptable in principle**
- 2. The impact of the proposal on the highways network**
- 3. Compliance with the adopted Hatfield Aerodrome masterplan**
- 4. The environmental impacts of the proposal and impact on residential amenity**
- 5. The economic implications of the development**
- 6. Protected Species**
- 7. Other Material Considerations**

1. The application site was granted planning consent separately to the adjacent business park and therefore has a separate S106 agreement. The planning approval under reference S6/1999/1064/OP for the main outline planning consent covering the majority of the former aerodrome has a S106 agreement which sets maximum floorspace for different uses.

A current application unit 4000 within the business park also proposes to increase the B8 floorspace. This application seeks permission for a total of 21,886 sqm floorspace (GEA), of which 20,552 sq m will be use class B8. This application has a committee resolution to renegotiate the proposal to prevent an impact upon nearby residents, but no objection has been raised on the principle of the development or its use. The committee report for this unit 4000 application states:

Paragraph 4.139 and the corresponding table of the section 106 agreement for planning permission S6/1999/1064/OP set out the floorspace permitted for different uses on the Hatfield Business Park.

A total of 190,996 sq m of development (not including the hotel) was permitted on the Business Park, under the terms of the section 106 agreement, and to date, a total of 129,677 sq m has been developed, and is now occupied, including 38,316 sq m of B8 floorspace. This leaves 7,026 sq m of B8 floorspace remaining on this site, for development.

Therefore, the unit 4000 application would significantly exceed the maximum B8 floorspace within the previous S106 for application S6/1999/1064/OP. Although this application falls outside of the restriction on the B8 floorspace due to the proximity of the site and the purpose of having this restriction within the business park it is appropriate that the overall B8 floorspace within the locality is considered.

In comparison the amount of potential B8 floorspace the proposal would add is far smaller than the unit 4000 application, however, the issue of a cumulative impact needs to be addressed. When considering the application site would feed vehicles on to the same routes as the whole business park, the issues of requiring floorspace limits are shared by both sites.

2. The application has been assessed by Hertfordshire County Council (Transport Programmes & Strategy). After a detailed assessment and the submission of further information it was concluded that the application has been submitted with insufficient information to determine the impact of the proposal on the surrounding highway network.

Due to the size of the application site the application should have been submitted with a transport statement. Although the application has attempted to illustrate that the proposed change of use would have a reduced impact upon the highway network, too many assumptions have been made and the results have not been justified.

To determine the impact of a change of use in terms of vehicles using the site it is necessary to assess TRICS data and choose an appropriate level of vehicle movements that is comparable for the size and location of the site. Due to the fact the applicant has chosen TRICS data from a site proposing the same change of use, rather than details for a development within the specific size and location of the application site, the suggested usage is not necessarily accurate. Furthermore, the TRICS data varies so that the same change of use can result in an increase or a decrease in vehicles using the site and the specifics are necessary to prove which case is relevant.

The application site and main business park area that was approved within application S6/1999/1064/OP share the same vehicular access points. Therefore, the potential impact upon the highway network must be considered cumulatively with the whole employment area. When considering the potential increase in B8 floorspace of unit 4000, the proposal would potentially be a fairly large addition within very close proximity. Therefore, it is necessary that the application illustrates the impact of the potential B8 floorspace.

Therefore, the application has not submitted sufficient information to allow an assessment of the potential impact upon the surrounding highway network.

**East of England Plan 2008:** On 10th November 2010, The High Court quashed the decision of the Secretary of State for Communities and Local Government to unilaterally revoke Regional Spatial Strategies in England on two grounds:

That he acted outside his statutory powers in circumventing the need for parliamentary scrutiny of such a fundamental change to the national planning system; and

He failed to consider the likely environmental effects of revoking Regional Strategies

However, the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Act. In the meantime, the policies in the East of England Plan are re-established and form part of the development plan again and are therefore a material consideration which can be taken into account in reaching a decision. However, the Government's intention to abolish Regional Spatial Strategies is also a material consideration that could be considered to reduce the weight to be attached to policies in Regional Spatial Strategies.

The application has been considered against policies in the East of England Plan, which at the time of this decision forms part of the development plan for the Borough but that the weight accorded to these policies, in light of the above circumstances, has been carefully considered in reaching a decision.

**CONCLUSION:**

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

**RECOMMENDATION: REFUSAL AND REASON (S)**

**RECOMMENDATION: LISTED BUILDING CONSENT WITH CONDITIONS**

**RECOMMENDATION: GRANT EXPRESS ADVERTISEMENT CONSENT FOR \* YEARS**

**CONDITIONS:**

1. C.2.1 Time limit for commencement of development
2. C.13.1 Development in accordance with approved plans/details received and dated

**Post Development**

3. C5.2 Matching materials

**SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:**

The proposal has been considered against the National Planning Policy, East of England Plan 2008 policies xxxxx and development plan policies xxxxxxxxxxxxxxxx of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which, at the time of this decision indicate that the proposal should be approved. 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:**

**REFUSED DRAWING NUMBERS:**

Site Location Plan XX received and dated XX

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