

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	<u>N6/2007/412/MA</u>
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NOTATION:

The site is located within the WGC Employment Area (EA1) as designated by the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE: The site is currently a vacant plot located on the eastern side of Broadwater Road, WGC. The site includes the northern access road to Broad Court and current access is from two existing vehicular points, one to the north of the site via Broad Court, the other to the south west corner from Broadwater Road. The site is characterised by hardstandings and an area of open space which is classed as UOL72 under the ADP. The site is also defined at its perimeter by an existing palisade fence, walling and a landscaped frontage to Broadwater Road. There are areas of the site covered by TPO's. Immediately to the south of the site is an office building housing an architect's practice which fronts onto Broadwater Road and is 3 storeys in height. Behind the architects practice is the playing field to Peartree Primary School. Residential units and a YMCA hostel two stories in height adjoin the eastern boundary of the site. The site lies opposite Broadwater Road West which is subject to proposals in the ADP for regeneration in the form of a mixed use scheme and contains a number of derelict industrial and office buildings.

DESCRIPTION OF PROPOSAL: The proposal details the erection of 20 B1 (Business) units and associated access, car parking and landscaping

PLANNING HISTORY: None of relevance

SUMMARY OF DEVELOPMENT PLAN POLICIES:

Hertfordshire Structure Plan Review 1991 – 2011:

Welwyn Hatfield District Plan 2005:

SD1 Sustainable Development
GBSP2 – Towns and Specified Settlements
D1 - Quality of design
D2 - Character and context
R3 – Energy Efficiency
R5 – Waste Management
M14 - Parking standards for new developments
R2 – Contaminated Land
R17 – Trees, Woodland and Hedgerows
EMP1 – Employment Areas
EMP2 – Acceptable uses in employment areas
Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005
Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

CONSULTATIONS:

HCC County Development Unit

Requests that consideration be given to management of waste if the application is approved

HCC Transportation Planning and Policy

Does not wish to restrict the grant of planning permission subject to conditions relating to parking areas, formation of access, surface details and wheel cleaning apparatus

Landscaping

No objections to the proposal as it has been discussed on site with the applicant and subject to conditions, Landscaping issues have been addressed.

Environment Agency

No objections following receipt of a satisfactory Flood Risk Assessment

Thames Waters

It is the responsibility of the developer to provide proper provision for drainage to ground, water courses or a suitable sewer. Prior approval for discharge into the main sewer will be required from Thames Water. Petrol/Oil interceptors should be fitted in all car parking/washing/repair facilities.

TOWN/PARISH COUNCIL COMMENTS: Not applicable

REPRESENTATIONS: This application has been advertised and 1 representation has been received. Period expired 6 April 2007.

Summary – Standard comments in relation to access from Welwyn Hatfield Access Group

DISCUSSION:

The main issues are

- 1) **Whether the proposal is acceptable in principle and whether the design and layout of the units is acceptable with regards to EMP2, D1, GBSP2 and D2**
- 2) **Whether the proposal would have an impact on the safe and efficient operation of the highway**
- 3) **Whether the proposal makes adequate provision for the prevention of contamination in accordance with Policy R2.**
- 4) **Other material planning considerations.**

- 1) The site lies within a designated employment area (EA1) where Policy EMP2 allows development subject to the following criteria:
 1. The proposal would not; due to scale of employment generated have an unacceptable impact on the demand for housing in the travel to work area.
 2. The proposal would not have an unacceptable impact on the local and/or strategic transport infrastructure
 3. The proposal would not harm the amenities of any nearby residential properties
 4. The development would provide adequate parking, servicing and access
 5. Any retail element of the development would clearly be ancillary to the main business use.

The proposal is for the creation of 20 B1 office units with a total floorspace of 5834sqm within a designated employment area. Specific details of the amount of employees has not been provided with the application because the tenants have yet to be selected but in any event the demand for housing that this proposal would create would not be unacceptable and given the sites location within a highly accessible area of the town it would not generate a need for housing that could not be met within the existing area.

Turning to point 2, the site is located within a highly accessible area of the town and would not adversely affect the surrounding transport infrastructure as a result of trip generation and in this respect it accords with part (2) of EMP2. Turning to part (3), because of the location of the site within a designated employment area that is in relatively close proximity to the dwellings of Peartree Close and the Peartree YMCA, there is a possibility that these residents may be affected by noise and accordingly it is recommended that a noise attenuation condition be attached to any approval to limit the impact of noise from eth units on adjoining residents. Parking, servicing and access of the development are dealt with below. As there is no retail element of the proposal, part 5 is not considered to be relevant. Accordingly, subject to the detailed considerations given below, the proposal would be in accordance with Policy EMP2 of the ADP.

Turning to the layout and design of the units and the impact on the character and appearance of the area, the application proposes a one way system from Broadwater Road that leads into a linear form of development comprising six units and seven units running north east to south west with parking, access and servicing located in a forecourt between the two buildings. A courtyard style layout has been utilised for the front part of the site that fronts onto Broadwater Road. This comprises seven units, four on the frontage, with a parking court and access to the rear and then a rectangular block of three units that faces the rear elevations of the units at they rear. The one way circulation system runs to the south of these units. There is no doubt that this is an intensive form of development within the employment area that seeks to maximise the amount of floorspace for office and hi tech industrial uses. The area is characterised by a mix of layouts, styles and designs of industrial buildings with different height, scale, materials and external appearance. The proposed office units would create a continuous frontage along the development site and would be two storeys with a part brick and part render

with a slate grey roof. The building would leave a 4m deep frontage onto Broadwater Road, which although slightly forward of the existing building line, this is on balance a sufficient depth to enable the area to be landscaped which is consistent with the frontages on this side of Broadwater Road, thereby maintaining the character and appearance of the streetscene. The width of the office units on the frontage of Broadwater Road at 37m does fill the width of the frontage more than is desirable but the height of the units at 8.6m would not be so visually dominant within the streetscene, given the variety of different sized buildings along Broadwater Road that they would appear visually over dominant and out of keeping with the character of the area.

The visual appearance of the units is typical of modern office architecture with a variety of materials and a uniform arrangement of the fenestration. The front elevation (and other elevations) to the office units does however include two balconies which do little to improve the external appearance of this elevation and it would be preferable if this was a normal window as per the ground floor which can be conditioned. In addition, a brick wall with piers and railings is shown to the side of the units fronting the street which is unacceptable as the frontage should remain open to be consistent with the overall appearance of the buildings on this side of Broadwater Road. Again this can be achieved by condition.

The form and design of the hi-tech light industrial units directly relates to the function of the building and the space and internal layouts that are required for such units. The units would have a long frontage and would be built to a height of 6m to the eaves with a shallow ridged roof resulting in an overall height that would not result in a visually over dominant development that is detrimental to the character and appearance of the area. As stated the design and visual appearance of the units is fairly standard given their function but they have been designed in a typical modern manner using modern materials and whilst some of the units, notably N10, N11 would be viewed from the street and units N1-N7 would be visible from the rear gardens of residential properties in Peartree Close, the design of the units is considered to be acceptable.

Turning to the provision of car parking spaces, the proposal details the erection of both light industrial/R and D units (class B1 (b) (c) and B1 offices (B1 (a)). In relation to the office use, a total of 1728sqm of floorspace is applied for with a provision of 50 spaces and 18 long and short term cycle spaces. This results in an average provision of 1 space per 35sqm, which is slightly under providing by seven spaces. The B1 (b) and (c) units totals 3916sqm of floorspace and provides 89 spaces, including 13 disabled spaces, 18 cycle spaces and four motorcycle spaces. This results in a provision of 1 space per 44 sqm and a shortfall of 22 spaces (total ADP requirement is 111). This could be viewed as over provision of car parking given that the site lies within zone 2 where parking can be provided at 25-50% of the maximum standards. However, given the type of units proposed, the potential type and levels of trip generation to such units justifies a slightly higher provision that is still within the maximum allowed that would prevent parking along Broad Court or Braodwater Road which would be to the detriment of the safe and efficient operation of the highway.

Turning to the impact on the residential amenity of neighbouring occupiers, the occupiers of the industrial units are not known and as a result there could be some users that have more of an impact on the amenity of the occupiers of Peartree Court and the YMCA Hostel than could be reasonable envisaged given that this is a B1 use. Accordingly, a condition has been included requesting that details of noise attenuation measures be incorporated into the development be submitted and approved prior to occupation of the units. This is considered to be achievable and the impact not material given that the hours of operation will also be restricted.

- 2) The proposal is to construct 20 units of B1 on the site in Broadwater Road which is currently vacant but was used for car parking. The highway authority has no objection to the principle of redevelopment of this site for industrial units. The level of trip generation is not greater than that from the car park use.

It is intended that the southern access will provide access to the site for both the offices and the light industrial units. This access has been provided with increased radii to allow access by hgv's both in and out from both directions along Broadwater Road. Once inside the site the road will narrow to 3.8m and will operate as one way. It is intended that all vehicles from the industrial units will exit the site via Broad Court. Broad Court is a private two way road. As Broad Court is a two way road, vehicles will be stopped from entering the site at the northern entrance by barrier.

The layout shown on drawing 06617[1] T3 addresses the concerns raised by the highway authority previously and therefore the Hertfordshire County Council as highway authority as objection to the grant of permission subject to the appropriate conditions and informatives. Given the previous use of the site, HCC has not considered it necessary to require a financial contribution to sustainable transport measures.

- 3) The site lies within an area that has historically suffered from contamination as a result of adjoining land uses and the applicant has carried out extensive work on the source of any possible contaminants within the site. Full details of which have been submitted with the application. The Council's Land and Air Quality Management officer has been involved in the negotiations with the applicant and is satisfied that subject to the standard condition relating to contaminated land, much of which has already been satisfied and accordingly there are no objections in this respect.
- 4) In relation to the energy efficiency of the units, the applicant states that the overall design of the buildings is being considered in consultation with an energy consultant and the construction of the building fabric together with the building services will be designed to be compliant with Part L of the building regulations. In relation to waste management, the waste bin enclosures are being provided in a number of locations on the site and different bins will be considered to enable different types of waste to be stored, details of which will be required by condition. In addition concrete and tarmac will be ground up and re-used on site as infill. The applicant is proposing that the material excavated from the site for the new build would be deposited in the depression in the area of urban open land. Policy dictates that permission should not be given unless it assists in the maintenance and reinforcement of their function or will be of a scale which does not compromise its value and in this respect the applicant is proposing both the enhancement of the existing space through

a detailed and substantial scheme of landscaping and the storage of materials arising from construction on the UOL. The material to be placed on the UOL is not concrete or tarmac which is to be ground up on site and used as fill but it would fill a natural 'dell' in the UOL which would then be seeded, so in essence the area would be usable and would maintain the function of the space. However given that the extent of excavations is unclear and also it is unclear exactly how much of the material will be clean enough to deposit onto the UOL. The applicant has informally requested that the ground level of the units is increased by 800mm and this would reduce the amount of material that is stored on the UOL although this would be by way of an amendment. In any event, whilst these details are unclear it is considered necessary to require further information by way of condition but it is considered that the proposal would not have a detrimental effect on the usability or character of the UOL to such an extent as to warrant refusal. There are a number of trees on site that are subject to a group TPO and the applicant has met on site with the Council's Arborist and agreed a detailed landscape scheme. The applicant has submitted a GTP although this is initial as the occupiers of the units are not known; the GTP is considered to be acceptable and would need to be conditioned to ensure implementation.

CONCLUSION: The proposal is acceptable in principal as the site lies within a designated employment area and satisfies the criteria of EMP1. The design, layout and form of the units are acceptable in this context and the proposal, subject to conditions would not have a detrimental impact on the UOL. In addition, the parking is considered to be appropriate but could be viewed as an overprovision given the zonal approach, however the need for the parking in my opinion outweighs such things as the grass crete spaces on the fringes of the UOL and is considered to be an acceptable configuration and number of spaces. Turning to the impact on the residential amenity of neighbouring occupiers, the occupiers of the industrial units are not known and as a result there could be some users that have more of an impact on the amenity of the occupiers of Peartree Court than could be reasonable envisaged given that this is a B1 use. Accordingly, a condition has been included requesting that details of noise attenuation measures be incorporated into the development be submitted and approved prior to occupation.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

- C.2.1 – Time limit for commencement of development
- C.4.1 – Submission of landscaping scheme
- C.4.2 – Implementation of landscaping
- C.4.5 – Retention and protection of trees for duration of development
- C.4.8 – Landscape management and maintenance plan
- C.5.1 – Samples of materials
- C.6.9 – Removal of PD rights for industrial premises
- C.7.1 – No open storage

C.7.3 – Hours of operation

C.7.7 – Hours of construction

C.7.12 – Restriction on change of use

C.7.13 – Bin stores

C.7.14 – Contaminated land survey

C.7.15 – Energy efficient construction

C.7.17 – Contractors parking

Non standard condition – Noise attenuation

Prior to the occupation of the units hereby permitted, a noise attenuation scheme showing how the impact of noise from the development on the surrounding residential occupiers shall be submitted to and approved in writing by the local planning authority. Subsequently, the development shall be implemented in accordance with the approved scheme unless otherwise agreed in writing by the local planning authority.

Reason – To reduce the impact of the development on the residential amenity of surrounding occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

C.8.11 – No occupation of buildings until roads, access constructed and surfaced

C.8.13 – Unbound material/surface dressing

C.8.5 – Wheel washing equipment

C.9.6 – Design amendments

C.9.13 – Details of drainage

None standard condition 2 – Submission of green travel plan

Two months prior to the first use of the development hereby approved, a Green Travel Plan shall be submitted to and approved in writing by the local planning and highway authority with the object of reducing the number of staff and visitors travelling to the site by private car and to promote sustainable transport measures. Subsequently the development shall be implemented in accordance with the approved scheme unless otherwise agreed in writing by the local planning authority.

REASON: To promote sustainable transport measures to the development in line with national and local planning policies

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against development plan policies (Hertfordshire Structure Plan 29 Welwyn Hatfield District Plan 2005 EMP2, GBSP2, D1, D2, M14, R2, R5, R3, R17, EMP1), in addition to the Human Rights Act 1998, which 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: To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the public highway. All works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication "Roads in Hertfordshire - A Guide for New Developments". Before proceeding with the proposed development, the applicant should contact the Mid West Hertfordshire Area Office (01727 816025) to obtain their permission and requirements.

DRAWING NUMBERS:

489/07, 06617 (PL) 05, 06617 (PL) 04, 06617 (PL) 02, 06617 (PL) 03, 06617 (PL) 11, 06617 (PL) 01, S06147/2 Rev A, 06617 (PL) 09, 06617 (PL) T2, 06617 (S) 01, 06617 (PL) 08, 06617 (PL) 07, 06617 (PL) 06, S0614/1, all date stamped 12 March 2007 in addition to 06617 (I) T3 Rev 1 date stamped 25 May 2007

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