

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	N6/2010/2467/FP
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NOTATION:

The site lies within the WGC Employment Area as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application site is located within the main Welwyn Garden City Industrial Area, to the east of Broadwater Road and some 500 m to the east of the town centre. The application site is irregularly shaped and comprises of two main parcels of land separated by a line of trees that run north /south throughout the site.

The site currently has two point of access onto Broadwater Road located respectively at the northern and southern extremes of the site.

The site is currently open and undeveloped and was formerly owned by Roche products limited and used as a car park to serve its various premises in Broadwater Road. It is sited adjacent to an area of open land.

DESCRIPTION OF PROPOSAL:

This application seeks planning permission for the erection of a new County Library Services building.

It would be located so that it would front onto Broadwater Road and would have a width of 27 metres and depth of 72 metres and it would be two storey. It would have an internal floorspace of 4,083sqm. A staff car park is proposed that would contain 80 spaces and would be located to the north, east and south of the service yard. A visitor car park containing 20 spaces would be located to the immediate south of the proposed building.

The building would be designed with a curved appearance and would be colour coated aluminium. A silicon render is proposed for elements of the south elevation

The functions that would be accommodated by the new building would be a book warehouse ad central hub to the County Library Service. It connects mobile, branch and national library services with its own extensive reference collection. CLS also processes all new books for the library service, individual specialist books, large scale acquisitions of popular fiction and distribution of central government initiatives such as Book Start. The building replicates these functions within its School's Library Service supplying books to a majority of schools within the County. It would be accessible to the general public. The current library accommodated 50,000 visitors per year which represents approximately 175 visitors per day. However this number s envisaged to increase to around 100,000 visitors.

PLANNING HISTORY:

N6/2007/0412/FP: Erection of 20 units comprising of B1 (business) use with associated access, roads and landscaping. Approved.

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy

PPS1: Delivering sustainable development

PPS4: Planning for Sustainable Economic Development

PPS5: Planning for the Historic Environment

PPG13: Transport

Planning Policy Guidance Note 14: Development on Unstable Land

East of England Plan 2008

SS1: Achieving Sustainable Development

SS2: Overall Spatial Strategy

Hertfordshire Structure Plan Review 1991 – 2011:

None

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP2: Towns and specified settlements

EMP1: Employment Areas

EMP2: Acceptable Uses in Employment Areas

R3: Energy Efficiency

R17: Trees, Woodland and Hedgerows

R29: Archaeology

M14: Parking standards for new developments

D1: Quality of design

D2: Character and context

D5: Design for movement

D7: Safety by Design

D8: Landscaping

D9: Access and Design for people with disabilities

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

CONSULTATIONS

Environmental Health – No comments received and consultation expired on 17 November 2010.

Landscape Department – No objections however should the application be approved a condition should be attached requesting a detailed Arboricultural Method Statement. Further clarification and plans are required for the landscaping scheme.

DISCUSSION:

The main issues are:

- 1. The principle of the development;**
- 2. Impact of the development on the character and appearance of the locality;**

- 3. Contaminated land;**
- 4. Impact on trees;**
- 5. Impact to archaeology;**
- 6. Impact to Urban Open Space; and**
- 7. Other Material Planning Considerations**

1. The application site lies within a designated employment area 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 erection of a library building within a designated employment area. The proposed building would fall within a sui generis use and therefore is not an appropriate use within a designated area. As such, the principle of the proposed development does not comply with the above policy.

The applicant acknowledges this and puts forward a case. In this instance the applicant considers that the use shares many characteristics with a Class B1 and Class B8. The site has been vacant for a number of years and the relocation of the site will ensure that the employment and other economic spin off benefits of the HCLS to the local Welwyn Hatfield economy are not lost and the development will be in a more sustainable location.

Within this supporting information, the applicant does not fully describe how the use would be similar to a B1 or B8 use. In addition, whilst the site may have been granted permission in 2007 for a B1 use which has not as yet been occupied, this site is an important employment site within the District where no supporting information has been submitted to demonstrate details of the marketing of the site and any offers of interest. Therefore, it is considered that the information submitted does not provide a robust, coherent and detailed case to demonstrate that the site, which is designated as employment land, is no longer required for this purpose.

With regard to the other considerations raised in favour of the proposed development it is considered that these more positive aspects of the proposal do not outweigh the main considerations with regard to the loss of this employment site.

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

Planning permission has been granted on the site for a B1 use which could have similar rates of employment to that proposed. Therefore whilst the proposal could result in a demand for more housing in the travel to work area, it is considered it would not be any more than the existing permission on the site. Accordingly the council has no objection to the proposal in terms of the impact it would 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;

The application proposes to utilise existing accesses, which previously serves the small workshop excluded from the eastern end of the application site. This access would be directly onto Broadwater Road, which is a main road in the Employment Area.

Accordingly the Local Planning Authority considers that although there are no concerns, the county council, as highway authority should be consulted before any formal decision is made.

iii). The proposal would not harm the amenities of any nearby residential properties;

The application site is located within an employment site, away from any residential property. However the YMCA and an elderly persons housing in Peartree Close and 100m and 75m from the rear elevation of the proposed building respectively. Accordingly the Local Planning Authority has no sufficient grounds to raise an objection based on the impact on the residential amenity of adjoining occupiers. No complaints or objections have been received by the Council's Environmental Health department.

iv). The development would provide adequate parking, servicing and access;

In terms of parking, the Supplementary Planning Guidance, Parking Standards Adopted January 2008, do not provide any specific guidance for Sui Generis uses. However, given the nature of the proposed use and the amount of people envisaged to visit the building, it would be reasonable to use the standards set out for libraries and the maximum standard for a B2 use. One parking space is required per 30sqm of free standing development for libraries and for office this would be 1 space per 50sqm gfa for a B2 use.

The applicant states that the gross internal floorspace of the building would be 4,083sqm where 1,441sqm would be accessible to the public. This would equate to 48 customer parking spaces being required to be provided and 53 space for staff, equating to 101 spaces being required for the development. However the floor areas provided by the applicant are internal and all measurements should be external. The proposed development would provide 100 car parking spaces, including 80 for staff and 20 for visitors. Therefore, providing alterations are given to the split of parking, it is considered that the deficit of one space would not raise an objection.

v). Any retail element of the development would clearly be ancillary to the main business use;

No retail element is proposed.

In addition to the above PPS4 states that the policies also apply to other development which achieves at least one of the following objectives which includes employment opportunities. Therefore PPS4 is relevant in the assessment of the proposed development.

The main policies from this national guidance that would be applicable for the justification of this proposed development in the determination of this application on this site for the proposed development would be Policies EC15, EC16 and EC17.

Policy EC15 is concerned with the sequential assessments for planning applications for main town centres uses that are not in a centre and not in accordance with an up to date development plan. This Policy states that local planning authorities should:

- a) ensure that sites are assessed for their availability, suitability and viability
- b) ensure that all in-centre options have been thoroughly assessed before less central sites are considered
- c) ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge of centre locations which are well connected to the centre by means of easy pedestrian access
- d) ensure that in considering sites in or on the edge of existing centres, developers and operators have demonstrated flexibility in terms of:
 - i) scale: reducing the floorspace of their development;
 - ii) format: more innovative site layouts and store configurations such as multi-storey developments with smaller footprints;
 - iii) car parking provision: reduced or reconfigured car parking areas; and
 - iv) the scope for disaggregating specific parts of a retail or leisure development.

Policy EC16 concerns impact assessments for planning applications for main town centre uses that are not in a centre and not in accordance with an up to date development plan. It requires that such proposals for retail uses be assessed against:

- a) the impact of the proposal on existing, committed and planned public and private investment in centres in the catchment area of the proposal
- b) the impact of the proposal on town centre vitality and viability, including the range and quality of comparison and convenience offer
- c) the impact of the proposal on allocated sites outside town centres being developed in accordance with the development plan
- d) the impact of the proposal on in-centre trade / turnover and on trade in the wider area, taking account of current and future consumer expenditure capacity in the catchment area up to five years from the time the application is made
- e) if located in or on the edge of a town centre, whether the proposal is of an appropriate scale in relation to the size of the centre and its role in the hierarchy of centres
- f) Any locally important impacts on centres set out in the strategies of the regional planning board and local planning authority.

Policy EC17 is associated with the consideration of planning applications for development of main town centre uses not in a centre and not in accordance with an up to date development plan. This national planning guidance states that planning applications should be refused unless the applicant has demonstrated compliance with the sequential approach (Policy EC15) and that there is clear evidence that there are no significant adverse impacts.

The information submitted, refers to a site search that was undertaken and that the availability of town centre sites were considered. It concludes that no suitable/available sites were defined within the Welwyn Garden City or Hatfield town centres. However no information about what sites were examined have been included. Edge of centre sites were then considered with only reference made to the

Spenhill site, and then out of centre sites. It is therefore considered that this sequential assessment is not adequately robust to enable a full assessment to be made.

The proposed development is clearly contrary to District Plan Policy EMP2 of the District Plan and therefore there are fundamental concerns with the principle of the proposed development. In addition, the proposed development does not satisfactorily demonstrate compliance with PPS4.

2. With regard to the layout and design of the proposed building and the impact on the character and appearance of the area, the building would be sited on the frontage of the site that fronts Broadwater Road. The area is characterised by a mix of layouts, styles and designs of industrial buildings with different heights, scale, materials and external appearance. The proposed building would be two storey and would be in line with the neighbouring building, No. 37, along Broadwater Road creating a continuous frontage along this part of Broadwater Road. It would be slightly forward than the adjoining building to the north of the application site, however it would be set back a sufficient distance to enable an appropriate level of landscaping to the front which would be consistent with the frontage on this side of Broadwater Road. As a result it is considered that this building would not be visually prominent within the street scene. The proposed building would project deeper into the site than the surrounding buildings, however given the different sized buildings along Broadwater Road it is considered that it would not be so visually dominant in the street scene that it would appear over dominant and out of keeping with the character of the area.

In terms of the detailed design and appearance of the building it would be rectangular and would be designed with a curved roof. Its overall design and appearance is considered to be typical of modern architecture with a variety of materials and large glazed parts of the building. Given the variety of building types and modern designs along this side of Broadwater Road it is considered that that this would be acceptable and would not impinge on the UOL of the character and appearance of the locality.

The site is located opposite the Roche Building which is a Grade II Listed building. Policy HE10 of PPS5 requires when considering applications for development that affects the setting of a heritage asset, local planning authorities should consider whether the development proposal would cause any harm to the setting of the asset and if so weigh any such harm against the wider benefit.

Given the set back of the building from the road frontage along Broadwater and the variety of buildings, it is considered that this building would not unduly impact on this Listed Building.

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.

The Council's Environmental health department have been consulted on the application, however no comments have been received. Notwithstanding this, considering the history on the site. It is considered acceptable that subject to the standard condition relating to contaminated land, there would be no objection in this regard.

4. There are a number of mature trees which lie between the existing and proposed buildings where a number are subject to a TPO and would need to be removed to make way for the proposed building.

The submitted Tree Assessment and Landscape Proposals report indicate that these trees are in poor condition and are insignificant in the wider context. Their loss would be compensated for by the landscape proposals for the site which include the planting of new trees and grass over former car parking areas to the immediate east of the tree belt G2 and the provision of new trees stock and hedging in other parts of the site, including specimen trees along the site's Broadwater Road frontage and along the southern elevation of the HCLS building,

The Council's Landscaping department have provided comments on the scheme. Given the ailing condition of these trees there is no objection to their removal. Should the application be approved a condition should be attached requesting a detailed Arboroculturalist Method Statement in line with the guidelines in BS 5837:2005. This method statement should also include provision for monitoring of tree protection on a regular basis by a qualified Arboroculturalist.

With regard to the soft landscaping proposed, clarification on the boundary treatment, height of the gabion wall, mounds on site and the landscaping along the Broadwater Road frontage is required.

5. The site is located within an Area of Archaeological Importance where Policy R29 of the District Plan seeks to ensure that proposal do not affect remains of archaeological significance. It is advised that HCC Archaeology are consulted on this application.

6. There is an area of urban open land to the rear of Broadwater Road and the application site is partly within this. Policy OS1 of the District Plan applies which refers to such areas of land. It states that the areas of land vital to the form, character and quality of the built-up areas of the district in terms of the urban open land criteria and are therefore defined as Urban Open Land. Planning permission for development within these areas will not be granted unless it would:

- (i) Assist in the maintenance or reinforcement of their function as essential open areas;
- ii) Be of a scale which did not compromise the value of the Urban Open Land or use of the open space as defined in terms of its criteria; and
- (iii) Not result in the loss or reduction in size of any playing pitches, if the open land is used for formal recreation purposes, subject to the consideration set out in Policy OS2.

In this instance, as the Urban Open Land forms part of the application site, the applicant has not provided any information as to the use of this land. Therefore it is not clear from the application how criteria (i) and (ii) of Policy OS1 would be addressed and whether the development would compromise the value of this land and subsequently concerns are raised in this regard.

7. There are no other material considerations relevant.

CONCLUSION:

There is a fundamental objection to the principle of the proposal is which would be located on land allocated for a B2 use where the applicant has not provided a robust, coherent and detailed case to demonstrate that the site, which is designated as employment land, is no longer required for this purpose. In addition, information submitted with the application does not satisfactorily demonstrate compliance with PPS4

In terms of the design, layout and form of the units are acceptable in this context and would not have a detrimental impact on the UOL. In addition, the parking is considered to be appropriate but a condition requiring more of the proposed parking is given over to customers rather than staff is considered appropriate.

Turning to the impact on the residential amenity of neighbouring occupiers, it is considered that there would be no undue detrimental impact.

If permission is granted, a landscaping condition would be required requesting a detailed Arboricultural method Statement in line with the guidelines in BS 5837: 2005 which should also include provision for monitoring of tree protection on a regular basis by a qualified arboricultural.

RECOMMENDATION: OBJECTION

The application site is located within a designated employment area where the proposed change of use would be contrary to Policy EMP2 of the Local Plan which requires that in the designated employment areas, proposals for uses not within B1, B2 or B8 will be resisted. No sufficient justification has been given which addresses the objection to the principle of the development and therefore objection is raised with regard to Policy EMP2. In addition, the information submitted does not satisfactorily demonstrate compliance with PPS4.

INFORMATIVES: None

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