

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No: 6/2015/1960/FULL

SITE ADDRESS: Unit 13 Peartree Farm, Peartree Lane, Welwyn Garden City, AL7 3UW

DESCRIPTION OF DEVELOPMENT: Demolition of existing timber warehouse building and erection of detached brick built building for B1 use.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. SITE AND APPLICATION DESCRIPTION:

The site is located within the industrial estate Peartree Farm, which is located on the north-west side of Peartree Lane, within the town of Welwyn Garden City. The application site is at the end of the access drive to the estate and is one of the first units visitors come to when entering Peartree Farm. The site currently comprises a relatively small timber building which is a use Class B8 unit, which backs onto residential units on Peartree Lane.

This application seeks planning permission for the demolition of the existing timber built B8 unit and the erection of a larger, brick built building for B1 industrial use. The new building would be two storeys, with the first floor accommodated within the roof space. The proposed office building would measure approximately 7m in height with a maximum width of approximately 16.4m (including a single storey entrance section to the south elevation) by approximately a depth of 10.4m.

This application is a resubmission of planning permission reference N6/2008/2327/FP which was approved 26th January 2009 and which expired on 26th January 2012.

2. SITE DESIGNATION:

The site lies within the settlement of Welwyn Garden City as designated in the Welwyn Hatfield District Plan 2005

3. RELEVANT PLANNING HISTORY:

N6/2008/2327/FP – Demolition of existing timber building, erection of one and a half storey brick building for B1 use, to include strip of residential land. Approved 26/01/2009.

4. CONSULTATIONS:

- WHBC Environmental Health: No objection, subject to a condition regarding unexpected finds during construction and informatives regarding noise and dust control.

- HCC Transport, Programmes and Strategy: No objection – access and parking is the same as the previously approved 2008 application.

5. NEIGHBOUR REPRESENTATIONS:

None received.

6. TOWN/PARISH COUNCIL REPRESENTATIONS

N/A

7. MAIN PLANNING ISSUES AND RELEVANT PLANNING POLICIES:

The main planning issues with this application are:

- a) Principle of the change of use (Local plan policies EMP8 and EMP2)
- b) Impact on character and appearance of the property and the surrounding area (D1, D2, NPPF chapters 7 and 12 and SDG)
- c) Impact on neighbouring amenity (D1, NPPF and SDG)
- d) Impact on highway safety and parking

8. ANALYSIS:

a) Principle of the change of use

Much of Peartree Farm estate is located within the EA1 designated employment area, although the application site is located just outside of this. In any case, the proposal includes for the replacement of a small B8 use with a larger B1(c) use and so would remain within an employment use in accordance with Policies EMP2 and EMP8 of the district plan. The new building would provide for increased employment with a new facility in place of a small building which has become run-down. In light of these observations, it is considered that the proposal is acceptable in principle.

b) Impact on character and appearance of the property and the surrounding area

District plan policy D1 requires a high quality of design in new development whilst policy D2 requires all new development to respect and relate to the character and context of the locality, maintain and where possible enhancing the character of the existing area.

The existing building is a small timber structure which is in a poor state of repair and which is not of a suitable scale for its intended use, only capable of accommodating a relatively small B8 operation. The proposed building would be larger in scale with an increased height. However, it is considered that the proposed building would be of a scale and design comparable to and in keeping with other buildings within the surrounding area. The proposed building would match that approved in January 2009, approved under reference N6/2008/2327/FP and which found the proposed building to be acceptable. The previous permission included a condition requiring sample materials to be submitted for the Council's approval. However, this would be a relatively straight forward building of a simple design, within an industrial/ business estate and not within any designated areas (conservation area for example). As such, officers consider that sample materials would not be necessary in this instance.

c) Impact on neighbouring amenity

Policy D1 of the District Plan applies which seeks to provide a good standard of design in all new development. Policy R19, with regard to 'Noise and vibration

pollution', states that '*proposals will be refused if the development is likely: (i) to generate unacceptable noise or vibration for other land uses' and 'Planning permission will be granted where appropriate conditions may be imposed to ensure either: (iii) an adequate level of protection against noise or vibration or (iv) that the level of noise emitted can be controlled'*.

The Council's Environmental Health Officer has not raised any objections in this instance, regarding potential noise or vibration nuisance from the proposed B1 building to the adjacent residential neighbours at Nos 76 and 78 Peartree Lane. It is likely there would not be any increase in noise or vibrations, compared to the existing B8 use and other industrial uses at the remainder of Peartree Farm. Informatives seeking to reduce noise and dust during the construction phase are recommended in this instance.

Again, the proposed building is the same (same scale, height and location) as that approved in January 2009, when it was found that there would be an acceptable impact on neighbouring amenity. There have not been any material changes since this time. The building would be set in from the rear boundary of Nos 76 and 78 and would be set a significant distance from the neighbouring houses and their primary amenity space directly at the rear of the dwellings, to ensure there would not be any significantly adverse impact. A row of roof lights are proposed to the rear elevation of the office building, which would face towards these two residential properties. Whilst the lower cill of these rooflights would be at least 1.7m above the internal floor level, plans indicate that these will be obscure glazed and fixed shut in any case and so would not allow for any overlooking of the neighbouring properties. A suitable condition can be included in the event of permission being granted, requiring that these be obscure and fixed shut.

In light of the above observations, it is found that the proposed office building would be unlikely to result in any undue harm to the amenity of any residential neighbouring properties or on any other commercial neighbours.

The previous approval in January 2009 included a condition requiring that details of external lighting be submitted to the Council for approval. Although this issue has not been raised by the Councils environmental Health Officer, it is considered necessary to include this condition again, in order to ensure that there would not be a light nuisance/ pollution to nearby residential properties.

d) Impact on highway safety and parking

The proposed building would provide 132m² of B1(c) light industrial space. The HCC Highway Officer has not raised any objections with regard to access from the public highway, as this would not be altered and the access to and location of parking would also remain the same as existing.

The Councils standard and interim parking standards require a minimum of a off-street parking space per 35m² of B1(c) floor space and so the proposed building would require 4 spaces. 6 spaces are proposed immediately to the north of the building and so sufficient parking would be provided in this instance to meet the Council's requirements and so no objection is raised in this regard.

9. CONCLUSION:

The proposal would sufficiently maintain the industrial character of Peartree Farm and would fit in with the character and appearance of the area and subject to conditions, it would sufficiently maintain neighbour amenity.

10. CONDITIONS:

1. 30.1 - Development in accordance with approved plans and details: Site Location Plan (Scale 1:1250) & Existing Block Plan (1:500) & Proposed Block Plan (scale 1:500) & 08/603/01, 08/603/02, 08/603/03 received and dated 18 September 2015.

Pre-commencement

2. 17.9 - Details of external lighting to be submitted and approved
3. Unexpected finds in relation to contaminated land.

Prior to occupation

4. 15.3 - Prior to occupation car and cycle parking as show on drawing number 08/603/2 shall be laid out and provided

Post construction

5. 13.8 - Rooflights to the rear, east elevation shall be of obscure glazing and shall be fixed shut

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

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 inspected at these offices).

INFORMATIVES:

1. Noise control
 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.

2. Dust control

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.

Signature of author:



Date: 23/11/2015