

Development Management Committee
9 September 2021

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the DEVELOPMENT MANAGEMENT COMMITTEE held on Thursday 9 September 2021 at 7.30 pm in the The Theatre (Screen 3) Campus West AL8 6BX.

PRESENT: Councillors J.Boulton (Chairman)
B.Fitzsimon (Vice-Chairman)

S.Elam, C Juggins, J.Ranshaw, D.Richardson,
J.Skoczylas, T.Travell, R.Trigg, L.Chesterman,
M.Holloway, R.Lass and G.Ganney

ALSO Councillors R. Platt
PRESENT: T. Jackson-Mynott

OFFICIALS C. Dale (Head of Planning)
PRESENT: D. Elmore (Principal Major Development Officer)
D. Lawrence (Development Management Services Manager)
S. Tiley (Planning & Policy Implementation Manager)
J. Hollingsworth-Biggs (Team Leader Environmental Health)
R. Walker (Trowers, Legal Advisors)
M. Olive (Aspinall Verdi Viability Consultants)
P. Dosanjh (Aspinall Verdi Viability Consultants)
A. Proietti (Growth and Place Services, Hertfordshire County Council)
S. Tearle (Highways Development Management, Hertfordshire County Council)
P. Dawson (Place Services)
J. Anthony (Principal Governance Officer)

26. SUBSTITUTIONS

The following substitution of a Committee Members had been made in accordance with Council Procedure Rules:

Councillor L. Chestermann for Councillor P. Shah
Councillor G. Ganney for Councillor N. Pace
Councillor L. M. Holloway for Councillor J. Weston
Councillor R. Lass for Councillor S.Tunstall

27. APOLOGIES

Apologies for absence was received from Councillors Pace, Shah, Tunstall and Weston.

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28. MINUTES

The Minutes of meeting held on 12 August 2021 were approved as a correct record and noted by the Chair.

29. BIOPARK BROADWATER ROAD WELWYN GARDEN CITY AL7 3AX - 6/2020/3420/MAJ - DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF 289 RESIDENTIAL UNITS (USE CLASS C3) AND COMMUNITY HUB (USE CLASS E/F.2), WITH PUBLIC REALM AND OPEN SPACE, LANDSCAPING, ACCESS, ASSOCIATED CAR AND CYCLE PARKING, REFUSE AND RECYCLING STORAGE AND SUPPORTING INFRASTRUCTURE

Report of the Corporate Director (Public Protection, Planning and Governance) on the planning permission to demolish the former BioPark buildings and erect 6 apartment blocks (Blocks A&B, C&D, E and F) and 8 townhouses ranging from 2 storeys to 9 storeys. This would consist of 289 residential units and 112.4 square meters of community use. 10% of the units would meet wheelchair user standards. The site is approximately 1.24 hectares in size and located to the south east of Welwyn Garden City town centre and train station. The irregular shaped parcel of land comprised a Research and Development (B1b use) complex comprising of laboratory and associated office space.

There was only one vehicular entrance to the site which was via the existing access road (BioPark Drive). The proposal includes improvements to BioPark Drive, including a 4.8m carriageway and 3.1m wide footpath/cycleway. There would be a 197 parking spaces for the residential properties (168 standard and 29 disabled) and 22 visitor spaces. The community hub would have 6 associated parking spaces (5 standard and 1 disabled). Over 20% of spaces would have electric vehicle charging provisions and there would be 1 car club bay with active electric vehicle charging.

Outdoor amenity space would be provided in a number of different locations across the site. This included a community lawn area, orchard hideaway, outdoor dining area with edible planting, amphitheatre feature with dual attenuation drainage basin use; three doorstep play spaces, communal roof terraces, formal play areas and green and brown roofs. In total 3,023sqm of public open space was proposed. Each residential unit would also have access to public amenity space.

This application was presented to the Development Management Committee because the application was called-in by the former Councillor Malcolm Cowan in January 2021. Whilst it is noted that Malcolm Cowan was no longer a councillor, the current Ward Councillor had confirmed this call-in. Furthermore, the application is referred to the committee given the strategic importance of the development proposal.

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Mr M. Westcott (on behalf of the applicant) spoke in favour of the application. It was noted that the proposals had gone through three rounds of pre-application cycles as well as a public engagement exercise. This had resulted in a well-considered planning proposal in response to the urban context and brown field site circumstances. The proposal would also make a significant contribution to the council's proposed housing target. No objections to planning permission being granted had been raised by any of the experts employed to review the proposal.

Mr M Norman (Keep the G in WGC) and Mr C Wilson (Welwyn Garden City Society) spoke against the application. It was noted that the proposal included buildings which be more than the 5 storeys height suggested in the 2008 Broadwater Road West Supplementary Planning Document as being generally suitable for the area. Concerns were expressed on the density of the proposal, absence of private gardens, the ratio of parking spaces to the number of dwellings, impact on views from protected areas and sustainability measures. Ms J Watson (resident) spoke in support of the application. Concerns were expressed on the impact any rejection of the application would have on villages and green belt in the borough which may have to accommodate additional housing.

Ward councillors, Councillor Russ Platt and Councillor Tamsin Jackson-Mynott, spoke against the application. Additional concerns were expressed about potential overlooking of existing housing and that only two years' worth of funding would be provided under a Section 106 agreement to support the local bus network.

Members discussed the fact that this was a semi derelict brown field site which the Planning Inspectorate had found as being sound for residential development. It was noted that the Council did not have a 5-year housing supply, and that Welwyn Hatfield's lack of housing supply is deemed to be considerable. Members were advised that they would need to give substantial weight to market housing, and significant weight to the affordable housing proposals which had been brought forward. The inability of Welwyn Hatfield to demonstrate a 5-year housing supply meant there must be a presumption in favour of sustainable and this means granting planning permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Furthermore Officers confirmed that the impact on local amenity would not be at harmful levels.

Whilst the proposal would result in the loss of employment land, it had been accepted that the existing employment use was no longer required. The previous planning application granted for the Wheat Quarter would also need to be considered. Members noted that there would be an impact on views, including from Hatfield House. However Historic England and the council's own Heritage consultant had not objected to the application.

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Height, scale and massing was deemed by officers to be appropriate in the context of the site, in accordance with relevant design policy and guidance. Officers also confirmed that they were satisfied that the design was of a high-quality design. The proposal conformed to the national space standards. The proposal also included private balconies for each property and three play areas. Whilst there were concerns about a lack of garden space, officers confirmed that the design proposed acceptable amenity space for each dwelling. It was noted that the proposed housing mix did not comply with the council's objectively assessed housing need (OAN).

Members expressed concerns on the impact new residents would have on the local health and education services. Members noted that there would be NHS and Hertfordshire County Council contributions made towards a number of services aimed at avoiding placing an additional burden on the existing community.

Members discussed affordable housing and viability. It was noted that the council's own experts had reviewed the viability assessment and agreed that the proposal would not be viable with affordable housing. It was noted that the developers had included ten percent affordable housing as part of their proposals.

Members discussed parking facilities. Officers advised that parking guidance sets out a maximum, whilst the national planning policy framework encouraged flexibility with high density development which were adjacent to transport hubs. Experts at both borough and county level considered this to be a sustainable location with regards to transport provisions, subject to the Section 106 contributions being made. Officers advised that conditions could be attached to any planning permission granted to ensure appropriate cycle security and electric charging spaces for disabled parking spaces would be included in the proposed development.

With regards to Climate Change Members noted that there was a significant biodiversity gain of 700% from the proposal. There would also be renewable energy and water saving design features in the development which exceeded expectation set out in the 2008 Broadwater Road West Supplementary Planning Document. Officers also confirmed that recycling facilities had been proposed within the development, and Members would be able to seek additional comfort by including this in any conditions attached to permission being granted.

The Chair gave an overview of the main points raised throughout the discussion. Officers confirmed their assessment that the proposal met relevant policies.

Following discussion, it was proposed and seconded by Councillors S. Elam and L. Chesterman.

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RESOLVED:
(10 in favour, 3 against, 0 abstentions)

That planning permission be REJECTED due to the following reasons:

- The proposal is contrary to policy SP7 of the emerging local plan as the proposal does not reflect the Council's latest evidence of housing need and market demand including the need for affordable housing

- The proposal is contrary to Policy H2 of the District Plan and the Council's Parking Guidance SPG in that the parking provision is lower than the number of residents and local public transport is not good enough to justify deviating from this guidance. In addition, the proposed transport mitigation proposed through the section 106 agreement shall not achieve sustainable transport objectives.

- The proposal is contrary to District Plan Policies D1 and D2 which aim to ensure high quality of design and ensure that development respects and relates to the character and context of the locality maintaining and where possible enhancing the character of the existing area.

Meeting ended at 9.52 pm
JA