

**WELWYN HATFIELD COUNCIL**  
**PLANNING CONTROL BOARD**  
**9th DECEMBER 1999**  
**REPORT OF THE CHIEF PLANNING OFFICER**

**PCB 09.12.99**  
**PART I**  
**ITEM NO**  
**FOR DECISION**  
**CPO**

**S6/0662/98/FP**  
**ERECTION OF TEMPLE (REVISION TO PLANNING PERMISSION**  
**S6/0226/95/FP TO INCORPORATE 11.5 M<sup>2</sup> OF ADDITIONAL FLOOR AREA AND**  
**REVISED ELEVATIONS) OSHWAL CENTRE, COOPERS LANE ROAD,**  
**NORTHAW**

**APPLICANT: OSHWAL ASSOCIATION OF UK**

(Northaw)

**1.0 INTRODUCTION AND HISTORY**

- 1.1 The Oshwal Centre is based at the former Hook House (a Grade II Listed Building), which is set back some 200m from the north side of Coopers Lane Road and served by a private drive which leaves the road about 100m east of the residential road Firs Wood Close. Between the road and the house is an extensive parking area and adjoining the house is an Assembly Hall building constructed in the latter part of the 1980's.
- 1.2 In 1980 planning permission was granted for a Temple at the site and in 1985 a further permission was granted for the Temple in a revised position about 80m south of the house and to the east of the car park, in an adjacent field. Work did not commence during the lifetime of the 1985 permission and accordingly renewals of the permission were sought and obtained in 1988, 1992 and 1995 (Ref: S6/0226/95/FP). Work on the project commenced in 1998 prior to the expiry of the three year time limit imposed on the 1995 permission, and that permission therefore remains valid in perpetuity. The permitted Temple has a maximum height of 14.1m above finished floor level, a maximum length of 21.4m, and a maximum width of 10.7m
- 1.3 During 1998 the applicants proposed certain alterations to the design and external appearance of the Temple and submitted the current application with the intention of gaining approval for these alterations. As originally submitted, the alterations included the addition of ornate domes of increased height to those approved under S6/0226/95/FP, but these have been deleted on officer's advice, and the changes for which the revised application seeks approval are now: an increase in overall length of the building (including projecting porch element) from 21.4m to 22.1m to allow for an additional 11.5m<sup>2</sup> internal floorspace; the addition of two open sided porches, one on each of the long elevations, each covering an area of 3.5 by 1.5m with a flat roof at 4.9m high, and the addition of a flagpole projecting 2.4m above the top of the

Temple. There are also detailed design changes to the elevations, though the maximum width and height above finished floor level remain the same as in the permitted scheme.

## 2.0 **RELEVANT POLICIES**

- 2.1 - Welwyn Hatfield District Plan Alterations No 1, 1998
- Policy GB3 (Green Belt), Appendix A
- Standards & Criteria

## 3.0 **REPRESENTATIONS RECEIVED**

- 3.1 The application has been advertised by site notice and in the local press. Neighbouring residents in Firs Wood Close and Hook Lane have been notified by letter.
- 3.2 Eight letters of objection have been received from residents, including two from the Potters Bar Society and the Northaw and Cuffley Residents Association. These objections are on various grounds, including encroachment of built development into the Green Belt, overdevelopment of the site, disturbance and hazard from increased traffic generation and noise from Temple activities.
- 3.3 The Northaw and Cuffley Parish Council strongly objects to the application due to the height, mass, bulk and general appearance of the proposals.

## 4.0 **DISCUSSION**

- 4.1 The development of a Temple in a Green Belt location would normally constitute inappropriate development, contrary to Policy GB3 of the District Plan. In this case, however, very special circumstances exist in the form of the existing planning permission S6/0226/95/FP which has been commenced and could be fully implemented at any time. This permission followed a series of earlier permissions for the Temple dating back to 1980, and constitutes a material consideration of sufficient weight to overcome the presumption against inappropriate development in the Green Belt. The key issue in dealing with the current application, therefore, is to what extent the proposed alterations would give rise to additional harm to the Green Belt (or to any other interest such as residential amenity or highway safety) above and beyond that arising from the implementation of the existing permission.
- 4.2 Having carefully considered the proposals, I am of the view that the small increase in length of the building, the addition of the side porches and flagpole would have no material additional impact on the openness of the Green Belt. In reaching this conclusion I take into account the location of the Temple against the backdrop of the Oshwal Centre complex and its setback from Coopers Lane Road, the principal public viewpoint, alongside which there is a substantial hedge and tree screen. Given the distance of the Temple from the former Hook House and from the nearest residential properties in First Wood Close (approximately 150m) the proposed alterations would have no additional impact on residential amenity or the setting of the listed building. Although several of

the letters of objection express concern over traffic and associated disturbance connected with the use of the Temple, there is no reason to suppose that these effects would be worse as a result of the minor alterations now proposed than would be the case with the approved Temple which can be constructed at any time.

- 4.3 In the light of the above I consider that there are no grounds for resisting the current application, subject to conditions being imposed (as with the existing approval) to provide an element of control over parking arrangements, external public address systems, and lighting.

## 5.0 **RECOMMENDATION**

5.1 I recommend that planning permission is granted subject to the following conditions:

1. The development to which this permission relates shall be begun within a period of two years commencing on the date of this notice

*Reason*

*To comply with the requirements of Section 73 of the Town and Country Planning Act 1990.*

2. SC09 - Landscaping Scheme - Full Permission
3. SC25 - Levels
4. Prior to the first use of the development hereby permitted details of the arrangements to be made within the existing car parking area for the parking of vehicles in connection with the use of the Temple shall be submitted to and approved in writing by the Local Planning Authority. The areas approved for parking shall be kept available for that purpose at all times.

*Reason*

*To ensure adequate on-site parking facilities in the interests of highway safety.*

5. The development hereby permitted shall only be used for purposes connected with and ancillary to the use of the Oshwal Centre by the Oshwal Association of the UK for religious and community purposes.

*Reason*

*The development has been permitted as an exception to Green Belt policy given the very special circumstances relating to the history of occupation of the site by the Oshwal Association.*

6. No microphones, amplifiers or any form of public address system shall be installed on the Temple structure or used in connection with the use of the Temple without the prior written approval of the Local Planning Authority.

*Reason*

*In the interests of the residential amenity of neighbouring properties*

7. No external lighting of the Temple shall be installed without the prior written approval of the Local Planning Authority

*Reason*

*In the interests of visual amenity in this rural area*

## **BACKGROUND PAPERS**

Planning applications S6/0226/95/FP, S6/0662/98/FP

544/25.11.99