

WELWYN HATFIELD COUNCIL
PLANNING CONTROL COMMITTEE – 28 SEPTEMBER 2006
REPORT OF THE CHIEF PLANNING AND ENVIRONMENTAL HEALTH OFFICER

S6/2006/0365/FP and S6/2006/0425/LB

CONVERSION OF LISTED BUILDING INTO 17 APARTMENTS AND DEMOLITION OF MODERN 1980'S EXTENSIONS; 14 NEW BUILD DWELLINGS AND 28 GARAGE COURTYARD BLOCKS, TOGETHER WITH 40 PARKING SPACES ACROSS THE SITE INCORPORATING NEW BUILD TENNIS COURT HOUSE AND INTEGRAL GARAGE, PROPOSED WALLED GARDEN DWELLING AND GARAGING; CONVERSION AND EXTENSIONS TO EASTERN AND WESTERN WALLED GARDEN BUILDINGS TO FORM SWIMMING POOL AND STORAGE/GREENHOUSE BUILDING, PLUS ASSOCIATED LANDSCAPING BEDWELL PARK, CUCUMBER LANE, ESSENDON

APPLICANT: P.J. LIVESEY GROUP LTD & MILLGATE HOMES

(Hatfield East)

1 Site Description

- 1.1 The application site, with an area of approximately 5.3 hectares, until recently formed part of the London Hatfield Golf and Country Club with its two 18-hole golf courses (one pay and play at the Old Course and the other a relatively recently constructed Members course) and Old and New Clubhouses. The Club continues to operate and maintain the two courses from the New Clubhouse constructed during the 1990's, on the site of the former Bedwell Park Farm to the north of the application site.
- 1.2 The site is irregular in shape and extends from Berkhamsted Lane in the south to just north of a range of buildings adjacent to the principal Grade II Listed building, formerly the Old Clubhouse. Other than a private residential property in separate ownership, known as Little Bedwell to the west, the application site is surrounded to the north, east and west by the Golf and Country Club.
- 1.3 The site is accessed via a private driveway from the eastern side of Cucumber Lane, close to the junction where the High Road and Kentish Lane (Cumcum Hill) intersect (the B158). This private driveway provides access to the relatively new Members Golf Club as well as providing access for the application site.
- 1.4 The principal building is a Grade II listed country mansion house dating from several periods but mainly the 1860's. The building is of 2-3 storeys; with the entrance (west) elevation dominated by a four-storey tower porch with crenallated parapet and corbelled stone eaves. The building comprises red brick with contrast red brick diaper work, stone windows and cills, below a machine-tiled roof, which has many gables and gabled projections.
- 1.5 To the north of this building lies a courtyard area and the existing East Cottage, linking to a fairly dilapidated buggy store and tractor shed, plus a more modern detached dwelling known as North Cottage. To the south and

west of the principal listed building lies part of the hard surfaced car park that previously served the Old Clubhouse, four hard surfaced tennis courts and associated landscaped gardens and paths linking all parts of the site.

- 1.6 To the south of this lies the former walled garden, largely separated from the main part of the site by a Pulhamite wall rockery and hermitage area. Within this walled former kitchen garden is a two storey Victorian cottage, now referred to as the Walled Garden Cottage, which is enveloped by a substantial single storey extension dating from the 1970's. This property is curtilage listed. This property and the walled garden are also reached via a separate access on Cucumber Lane, which is shared with Little Bedwell.

2 The Proposal

- 2.1 This application is an revision to a previous approval for full planning permission and listed building consent, granted subject to a Section 106 agreement by the Planning Control Committee in 2004. The previous applications were for a total of 25 units and comprised conversion of the main listed building into ten apartments, conversion of the courtyard buildings into four dwellings, retention of the existing east cottage, nine new dwellings adjacent to the main house, new dwelling within the walled garden with garaging, staff flat as well as demolition of various modern extensions.
- 2.2 The site can be regarded as being in two parts: the main northern part which comprises the listed building, courtyard buildings and East Cottage all of which are reached from the main entrance and accessed from internal drives and pathways and the Walled Garden and Cottage part of the site, accessed separately from Cucumber Lane. Planning permission and listed building consent are sought for the following works:

Principal Listed Building and Main Northern Part of the Site

- 2.3 Conversion, change of use and refurbishment of the principal Grade II listed building to form six courtyard dwellinghouses and eleven apartments within the main listed building with communal landscaped gardens to the east and south. The apartments would be accessed via the main entrance door on the western elevation with the other remaining apartment accessed slightly further north of the main entrance. The additional three residential units compared to the previous approval would be provided by utilising the roofspace and involves the provision of two dormer windows as well as a number of rooflights. The majority of these rooflights would be provided to either the rear elevation or would be accommodated within the internal roof structure. Other new build includes provision of an orangery to the north-eastern boundary, raising of two parapet wall to provide balcony areas, provision of a terrace within the roofline and amendments to two existing gables to the southern and eastern elevation. Additionally, demolition is also involved and includes:
- The demolition of the former men's changing room, a large flat-roofed structure on the front (western) elevation;
 - Partial removal of a ground floor flat roof which would create a courtyard between the original building and an 1850's wing, which would restore the small internal courtyard area;
 - Partial demolition of a mono-pitch roof extension to the north-western courtyard building to create a porch:

- The Green Keepers House, further north of this courtyard building which comprises a 1970's three-bedroom dwelling. This dwelling was also proposed for demolition with the previous application.
 - To the west of the Green Keepers House, are a series of small predominantly brick buildings with slate roofs linked to a car port type structure with a meal roof. All of these buildings were proposed for demolition with the previous application and also with this application.
- 2.4 Parking in the form of garages would be provided to the west of the listed building on part of the existing open tarmac-surfaced car park. The garages would provide 28 spaces, within a walled courtyard enclosure and cut into the slope of the land by 1500 and 1800mm. Additional parking spaces would be provided to the front of 18 of the garages within the enclosed courtyard. Plans show that soft landscaping would be provided on the remaining existing hard surfaced car park.
- 2.5 The existing courtyard buildings adjoining the northern end of the principal building would be converted into six dwellinghouses. These buildings would form the southern and eastern sides of a courtyard. To create the courtyard to the north and western sides, new build dwellings comprise eight houses and four apartments would be built. The central area would be formally landscaped and the new-build houses would have private garden space to the rear.
- 2.6 The materials of construction have not been shown for the conversion or new build courtyard dwellings and garaging. The design statement indicates that they would match the listed building.
- 2.7 As well as the courtyard parking area, further spaces for the converted listed building and converted courtyard dwellings would be provided immediately to the front of these buildings. The applicant indicates that these would be punctuated by tree planting to maintain the formal landscaped courtyard.
- 2.8 A new detached two-and-a-half storey, six-bedroom dwelling with staff accommodation above the double garage, office and utility room is proposed on one of the two pairs of hard surfaced tennis courts, to the south west of the principal building. This dwelling, also approved as part of the previous permission has been amended in design including setting the garage block back from the main front elevation of the dwelling. The fenestration pattern has been amended from the previous application and is now symmetrical. Additionally, the design includes a front gable with recessed roof terrace, which replicates an architectural feature on the main listed building. The materials proposed would include clay tiles for the roof, stock brick, reconstituted stone window surrounds, plinths, string courses and parapets. The windows would be of a classic Georgian double-hung white sash window with matching French doors. The dormer windows would also have matching casements with the cheeks and flat top in lead. This property would be accessed by an existing drive running from the south from the main private drive.
- 2.9 New gates are proposed at the entrance to the Tennis Court House, although no details have been submitted. Landscaping improvements are proposed to restore the original gardens to their former character.

Walled Garden and Cottage

- 2.10 With regard to the Walled Garden Cottage, the somewhat unsympathetic 1970's single storey extensions would be removed and the original cottage would be reinstated. A new six-bedroom detached dwelling is proposed to the east of the original cottage, again of two-and-a-half storey appearance like the other new-build detached house, with some accommodation within the roof void. It would be linked to the original modest cottage by a single storey flat roofed glazed link. The cottage would provide ancillary residential accommodation in the form of a garden room at ground floor and study at first floor. To the west of the cottage would be a new four-bay garage with staff flat above, again linked to the cottage by a similar glazed link.
- 2.11 The design of this element is predominantly the same as that submitted and approved previously with a few minor amendments including a slight increase in the ridge of the new build dwelling of 200mm, modifications to the external design which the Applicant considered was overcomplicated in parts, the chimney stacks have now been shown externally as well as alterations to the internal layout.
- 2.12 The walled garden would be restored and the two existing outbuildings would be retained and extended. One would become a garden and equipment store, hobbies room and conservatory/greenhouse whilst the other would become a pool room with associated spa, sauna and changing room. There would also be a new uncovered pool and tennis court on part of the garden, as proposed with the previous approval. This part of the site would be conveyed to the house to ensure it would be retained in single ownership.
- 2.13 It is proposed that the existing vehicular access, for Little Bedwell, from Cucumber Lane into this part of the site would be utilised for access to the walled garden. A new accessway would then be provided within the site that would be located between the existing woodland and circle the existing pond to the south.

Supporting Documentation

- 2.14 The applications have been supported with a detailed 'Planning Statement'; Flood Risk Assessment, a Protected Species Report, Traffic Assessment and Draft S106 Agreement.
- 2.15 The applicant and their agents' are aware that as the site lies within the Metropolitan Green Belt the development proposed in relation to the new build units would normally be regarded as inappropriate development, harmful to the openness of the Green Belt. However, they are advancing an argument that the proposals are submitted as enabling development to provide for the restoration of the listed buildings and their landscaped setting and that provides the very special circumstances to justify setting aside Green Belt policy. The principal listed building on the site is in a very poor state of repair, largely as a result of the first and second floors and part of the ground floor being unused for a period in excess of 20 years and with the loss of important physical features from the main building such as the tower and the main staircase. The Walled Garden Cottage has been unsympathetically extended which detracts from its historic and architectural integrity. It is argued that the proposals have been carefully prepared in the context of the English Heritage

Policy statement “Enabling Development and the English Heritage Conservation of Heritage Assets” published in June 2001. The Policy Statement sets out practical guidance to both local authorities to assist in their assessment of applications for enabling development and also to developers on the submissions required to justify their proposals. Specifically the Policy Statement (page 13) states that:

“The essence of a scheme of ‘enabling development’ is that the public, typically the community in a particular area, accepts some disbenefit as a result of planning permission being granted for development which would not otherwise gain consent, in return for a benefit funded from the value added to the land by that consent. Such proposals are normally only entertained when the funds cannot be generated in any other way. So, unlike most planning decisions, the financial consequences of the granting of permission are not only relevant but fundamental to the decision making process.”

- 2.16 The Policy Statement sets out on page 7, seven criteria that enabling development should meet. The criteria are detailed in full later in the report under [paragraph 6.5](#). To summarise, the enabling development has to be the minimum necessary to secure the heritage asset, it must not detract from the character and setting of the asset and secure the long-term benefit of the asset.

Attached at Appendix A is a copy of the applicants financial appraisal in support of this application. The criteria used for this appraisal is the same as the previously submitted application and aims to address the seven points above.

- 2.17 In summary, the supporting argument is that:

- There is a vital and urgent need to ensure the restoration of the Bedwell Park heritage asset;
- Given the Green Belt location, enabling development is seen as the only potential route for a comprehensive restoration and the proposal put forward is the best conceivable alternative for securing its future;
- The financial appraisal is based upon sound principles and demonstrates that the redevelopment is the minimum necessary to secure the asset while ensuring that the project is wholly viable;
- The development would not give rise to any disbenefits as considered likely by the English Heritage Policy Statement, as the proposal would represent betterment over and above the proposals previously granted for the site, in terms of reducing the impact upon the listed building and traffic generation;
- The development would also secure important associated benefits that would allow for the restoration and enhancement of the landscaped grounds of the house, which although not included within English Heritages Register of Historic Parks and Gardens are of importance and would allow for the demolition of buildings and features that detract from the heritage asset.

3 Planning History

3.1 The following recent applications are of relevance.

S6/2003/941/FP AND S6/2003/942/LB

Conversion, refurbishment and change of use of former golf clubhouse to ten apartments, conversion of existing courtyard buildings to four dwellings, retention of the existing east cottage, erection of nine new dwellings adjacent to the main house erection of one new dwelling within the walled garden with new garage, staff flat plus associated garaging parking and landscaping and selected demolition of modern extensions to the walled garden cottage and main house.

- Granted

S6/2001/0208/LB and S6/2001/0210/FP

Full planning permission and listed building consent for an extension to the existing Country Club for a health and leisure facility, change of use of part of the building for nine residential units, office and conference use at the Old Clubhouse, January 2002

- Granted

S6/2001/0394/OP

Outline planning permission for the demolition of the single storey extensions, retention of the existing building as a single dwelling, with a single storey side extension on either side, plus two new dwellings and garages at the Walled Garden Cottage (then referred to as The Seminar House), August 2001.

- Refused

S6-1996/0484/FP and S6/1996/0483/LB

Full planning permission and listed building consent for single storey extension to provide new laundry, enlarged ladies locker room and removal of vent, August 1996.

- Granted

S6/1995/0414/FP and S6/1995/0539/LB

Full planning permission and listed building consent for conservatory,

- Granted

S6/1993/0709/FP and S6/1993/0710/LB

Full planning permission and listed building consent for single storey extension to golf club house, December 1993.

- Granted

S6/1990/1019/FP and S6/1990/1020/LB

Full planning permission and listed building consent for demolition of maintenance building, external

alterations and single storey extensions to enable extended building to be used for hotel, golf and country club, December 1991.

- Granted

S6/1987/0135/FP Full planning permission for 18 hole public golf course, July 1987.

- Granted

4 Planning Policy

4.1 The following policies are relevant to the determination of these applications

Hertfordshire Structure Plan Review 1991 - 2011:

Policy 1 – Sustainable Development

Policy 5 – Green Belt

Policy 6 – Settlement Patterns & Urban Concentration

Policy 25 – Car Parking

Policy 29 – Traffic and Road Safety Implications of Development Proposals

Policy 38 – Critical Capital & Other Important Environmental Assets

Policy 43 – Landscape Conservation Areas

Welwyn Hatfield District Plan 2005:

Policy SD1 – Sustainable Development

Policy GBSP1 – Definition of the Green Belt

Policy GBSP2 – Towns and Specified Settlements

Policy R15 – Wildlife Sites

Policy R16 – Protection of Species

Policy R25 – Works to Listed Buildings

Policy R26 – Alternative Uses for Listed Buildings

Policy R27 – Demolition of Listed Buildings

Policy R29 - Archaeology

Policy M2 – Transport Assessments

Policy M14 – Parking Standards for New Development

Policy D1 – Quality of Design

Policy D2 – Character and Context

Policy D5 – Design for Movement

Policy D8 – Landscaping

Policy D11 – Design Statements

Policy H2 – Location of Windfall Residential Development

Policy H5 – Conversion of Commercial or Vacant Buildings to Residential Accommodation

Policy H6 – Densities

Policy H7 – Affordable Housing

Policy H8 – Dwelling Type and Tenure

Policy OS3 – Play Space and Informal Open Space Provision in New Residential Development

Policy RA1 – Development in the Green Belt

Policy RA2 – Development in Settlements within the Green Belt

Policy RA4 – Replacement of Dwellings in the Green Belt

Policy RA10 – Landscape Regions and Character Areas

Policy RA17 – Re-use of Rural Buildings

Policy RA28 – New Development using Rural Roads

National advice

PPS1 – Delivering Sustainable Development
PPG 2 – Green Belts
PPG 3 – Housing
PPS 7 – Sustainable Development in Rural Areas
PPG 15 – Planning and the Historic Environment

Other advice

English Heritage Policy Statement “Enabling Development and the Conservation of Heritage Assets” published in June 2001

5 Representations Received

5.1 The application has been publicised by press and site notices and the direct notification of all neighbouring properties by letter. Three letters of representation have been received from Camleigh and Essenwell Cotttage, Cucumber Lane and Farmleigh, Berkhamsted Lane raising the following points:

- No problem with replacement of ‘Walled Garden’ bungalow being replaced by a large house as long as it remains one dwelling. Further development would involve too much traffic.
- Poor infrastructure in this area which cannot support such an increased housing development:
 - electricity supply is poor;
 - properties at this end of the village are not on main sewage; concerns regarding water supply;
 - Telephone connections are poor and frequently out of order.
- Dangerous exit from Bedwell Park onto Cucumber Lane – danger with increase in vehicles and narrowness and repair of Cucumber Lane and additional traffic would make this more dangerous.
- If allowed, development would become a housing estate on Green Belt land which is an area of outstanding natural beauty.

5.2 **Essendon Parish Council** support the proposal

“The committee considered that the plans submitted are an improvement on the previous application already approved. It is hoped that permission is granted and work started without delay as redevelopment of this site is overdue.

We have no objection to the plans as submitted but are conscious that residents in Cucumber Lane are concerned about their water supply which is routed through the property and trust that the developers will pay regard to their responsibilities in this respect.”

5.3 **HCC Highways** do not object to the proposal and confirm that the application does not appear to modify the means of access to the site. A financial

contribution of £9750 has been requested in relation to the whole development with the exception of the units within the converted listed building and would mitigate the sustainability issues raised by the Highway Authority. The payment should be (RPI) index linked from the date of consent of planning permission until payment, with payment being upon first occupation of any part of the development.

- 5.4 Historic Buildings Advisor of the **Hertfordshire Building Preservation Trust** (BEAMS) has submitted a detailed report on the new scheme. To summarise, they have omitted a new residence and relocated part of the residential accommodation in a form which is more sympathetic to the listed building and its setting. Above all else the proposals will return the main building to residential use and ensure its long term preservation and maintenance. Further detailed plans and information are required in connection with rooflights, windows, restoration or new build chimneys etc. and conditions should accordingly be granted to any permission. Overall, the proposals for the conversion, refurbishment and change of use of the former clubhouse and its outbuildings together with the proposals for the new development in the courtyard and grounds, including garages and car parking, to be acceptable. Subject to the conditions referred to above I would recommend approval to the applications.
- 5.5 **Thames Water** do not have any objection with regards to sewerage.
- 5.6 **Environment Agency** originally objected to the development as the application was not accompanied by a Flood Risk Assessment (FRA). Since that time, a FRA has been completed and the Environment Agency withdraw their objection and request that conditions are added to any planning permission granted.
- 5.7 **Council's Landscape Officer** - on balance does not object to the proposal. Indicates that further landscape details are required prior to commencement of works, for example method and materials planned for the Pulhamite rockery restoration, but have no objection to trees proposed for removal so far. Those trees that are to remain should be protected to BS 5837 standards and accordingly conditions attached for this work as well as other matters including full detailed design plans of proposed landscaping works.
- 5.8 **The Garden History Society** advise the site is not a registered park but could be a candidate for inclusion and they would be seeking the opinion of English Heritage's opinion. Objections were raised in relation to the Tennis Court House on the basis of siting and design, which would be in competition with main dwelling and the Walled Garden House. The design was considered inappropriate for a building connected with essentially a subsidiary and working area of the landscape. The link to the Gardener's Cottage would be uncomfortable and degrading. The renaming of the development to Essendon Hall would be unsatisfactory. The restoration of the gardens should be secured through S106.
- 5.9 **Hertfordshire Biological Records Centre** advise further to their letter of 3rd May 2006 in which they advised of discrepancies between the two bat surveys submitted with the planning application that Hertfordshire & Middlesex Bat Group have undertaken a 'neutral' survey. The Bat Group's findings more closely resembled the study completed by Steve Laurence and they have based their comments on these findings. Conditions have been

recommended in respect to bat mitigation, nesting birds and other protected species.

5.10 **County Archaeology** – The site lies within an Area of Archaeological Significance (68) with the manor of Bedwell Park dating back to at least 1388. The Pulhamite wall is considered to be one of their (James Pulham and Son) finest pieces of landscaping to survive in the county. The proposed development would be likely to have an impact on significant archaeological remains (industrial age structures 1760-1960 having been identified in regional archaeological research agendas as being of particular interest and facing a high rate of loss) and therefore a condition requiring a programme of archaeological assessment, investigation and recording is suggested that would then enable mitigation and monitoring.

5.11 The **Hertfordshire Gardens Trust** advise the garden is on the Welwyn Hatfield Council list of historic parks and gardens. The site is of potential historic interest with designed landscape dating back to the 18th century. They raise a number of concerns which are summarised as:

- The effect on mature trees in the vicinity of the car park due to raised ground;
- Upper Courtyard –
 - Car parking spaces to north-eastern corner will compromise views across estate towards mansion;
 - Proposed planting would not screen the new buildings from the landscape;
 - Division of land into individual garden plots with residential paraphernalia would severely compromise the historical character of views to the mansion;
 - Orangery is out of scale and over large – amount of glazing to brickwork suggests modern conservatory type of structure which would be inappropriate;
 - Development of nearly all the area inside the walled garden would preclude the previously proposed restoration of the northern half of the walled garden. The trust consider that the retention of the northern part of the walled garden would place the Pulhamite wall in context and preserve to a degree the historical meaning of this part of the site.

5.12 **Welwyn Hatfield Access Group** request that the application is considered subject to the standards and criteria outlined in the current District Plan (Policy D3d, Policy D5).

5.13 **English Heritage** - Only the elements of demolition require notification to English Heritage. The proposals would have a significant and detrimental effect on the character of the house and its setting. Conversion of the building into multiple units and construction of new housing within its setting would impair the character. It may be that the enabling development would justify such development and unless the scheme satisfies all seven tests (these are detailed earlier in the report within [paragraph 2.16](#)) should not be approved.

The supporting statements indicate the internal character of the building has been seriously compromised. Conversion, notwithstanding any previous alterations, should be planned to respect the historic plan of the building and

fitting and historic finishes survive. Internal works such as creating sufficient separation between floors entailing laying of new floors over historic floors and fixing of new ceilings below existing lath and plaster ceilings is disturbing.

The new houses arranged around courtyards would impair the historic character of the house's setting. However, the proposed are smaller than that previously approved and are to be welcomed. The two larger houses to the south of the house are less satisfactory – the proposed scale and character of these buildings would be inappropriate in the setting of the house.

5.14 **Environmental Health** recommends a condition to enable identification of possible contamination.

6 Discussion

6.1 The principle of conversion of the main listed building and new build residential accommodation on the site has already been accepted. This application needs to determine whether the further proposed alterations to the listed building and additional accommodation within the roofspace would still maintain the character and setting of the listed building and whether the proposed enabling development is the minimum required to enable the restoration works to be undertaken to the listed building.

6.2 The determining issues in this case relate to:-

- Whether the proposal is acceptable in Green Belt terms and if not, whether the amount and nature of the enabling development proposed provides the very special circumstances to justify an exception to policy with reference to financial and other considerations to determine whether the proposals are the minimum necessary to ensure the retention of the historic asset;
- The impact of the detailed works of conversion, refurbishment and alteration on the character, appearance, architectural and historic integrity of the Grade II listed principal building and curtilage listed Walled Garden Cottage and wall;
- The impact of the size, scale, design and external appearance of the amount of enabling development on the setting of the Grade II Listed Buildings;
- The impact on the landscape setting of the site, within the Landscape Character Area and nature conservation interests;
- The implications of the proposed development in relation to the extant planning permission and listed building consent for extension to the existing Country Club for a health and leisure facility, change of use of part of the building for nine residential units, office and conference use at the Old Clubhouse, reference S6/2001/0208/LB and S6/2001/0210/FP and planning applications reference S6/2003/0941/FP and S6/2003/0942/LB for conversion, refurbishment and change of use of former golf clubhouse to ten apartments, conversion of existing courtyard buildings to four dwellings, retention of the existing east cottage, erection of nine new dwellings adjacent to the main house erection of one new dwelling within the walled garden with new garage, staff flat plus associated garaging parking and landscaping and selected demolition of modern extensions to the walled garden cottage and main house.
- Highway and car parking considerations;

- Archaeology;
- Provision of open space and play space within the scheme and commuted sums;
- Matters relating to drainage and the implications of the development for the capacity of the existing services network;
- Impact on the amenity of neighbouring residential occupiers.

Green Belt and Very Special Circumstances

- 6.3 Policies 5 of the Structure Plan, RA1 of the Welwyn Hatfield District Plan 2005 and PPG2 identify those forms of development that are considered appropriate in the Green Belt. New residential development is not normally considered to be appropriate unless it is for agriculture or forestry. The new build dwellings are not required in connection with agriculture or forestry and it therefore, constitutes inappropriate development and is thereby contrary to PPG2 and the relevant Structure Plan and District Plan policies. It is therefore, necessary to consider whether there are any very special circumstances of sufficient weight to overcome the presumption against inappropriate development in the Green Belt.
- 6.4 The applicants have put forward a case for very special circumstances based upon an argument for enabling development to provide for the restoration of the listed buildings - the main Grade II listed former Old Clubhouse and the curtilage listed Walled Garden Cottage and wall and their landscaped setting and that provides the very special circumstances to justify setting aside Green Belt policy. These same considerations were also applicable with the previous application.
- 6.5 In order to assess this, The English Heritage Policy Statement “Enabling Development and the Conservation of Heritage Assets” published in June 2001 advises that there are seven criteria that enabling development should meet:-
1. The enabling development will not materially detract from the archaeological, architectural, historic, landscape or biodiversity interest of the asset, or materially harm its setting;
 2. The proposal avoids detrimental fragmentation of management of the heritage asset;
 3. The enabling development will secure the long term future of the heritage asset, and where applicable, its continued use for a sympathetic purpose;
 4. The problem arises from the inherent needs of the heritage asset, rather than the circumstances of the present owner or the purchase price paid;
 5. Sufficient financial assistance is not available from any other source;
 6. It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the heritage asset, and that its form minimises disbenefits;
 7. The value or benefit of the survival or enhancement of the heritage asset outweighs the long-term cost to the community (i.e. the disbenefits) of providing the enabling development.

6.6 The English Heritage Policy Statement also advises:-

“It is of the essence of proposals for enabling development that a scheme which would otherwise be unacceptable in planning terms, is the only practicable means of generating the funds needed to secure the future of the heritage asset in question. It is entirely appropriate, therefore, to require applicants to provide evidence to the local planning authority in support of such a claim, particularly financial evidence.”

6.7 The Policy Statement also suggests that specialist expertise is required to judge whether the extent of works proposed, the costs, the profit levels, and the anticipated final values are fair and reasonable in all the circumstances.

“It is important that the financial justification submitted, and the assessment of the needs of the asset which underlies it, are subject to a proper critical assessment by an appropriate professional team. If a local planning authority does not have the full range of expertise in house, it will clearly be necessary to involve external consultants.”

6.8 All of this advice will help the Council to properly assess whether Criterion 6 is satisfied: that the amount of enabling development proposed is the minimum necessary to secure the future of the heritage asset. In order to be consistent with the previous approved permission and to enable an assessment of the financial appraisal to be carried out, two independent consultancies were appointed. One Press and Starkey, Chartered Quantity Surveyors, to assess whether the costs of carrying out the scheme are realistic and the other Bryan Bishop and Partners with valuation expertise in this form of development and the local property market who could assess whether the anticipated final values were achievable. A copy of each of the reports is attached at Appendix B and C of this report.

6.9 With regard to financial matters, the costs of the scheme had to take account of the following factors: Site costs (open market value of the property in its current condition and other costs incidental to acquisition); Design and Construction (surveys, historic asset repair, historic asset conversion, landscaping costs, professional fees and contingency); Statutory and Other Charges (Planning and Building Control Fees, Legal costs as part of a Section 106 Agreement); Interest; Letting and Sales Costs; VAT on all of the above and Developers Profit. Taking all of these into account, the total costs are shown by the applicants to be £27,133,043 as set out in the table below.

| EXPENDITURE | £ |
|-----------------------------|-------------------|
| Site Costs | 9,203,000 |
| Design & Construction Costs | 11,187,736 |
| Statutory & Other Charges | 63,000 |
| Interest | 1,895,000 |
| Letting & Sales Costs | 994,657 |
| VAT | 237,158 |
| Developer’s Profit | 3,552,492 |
| TOTAL | 27,133,043 |

6.10 With regard to costs, the appraisal undertaken by Press & Starkey indicates the estimated costs to be reasonable and the amounts indicated for fees to be

competitive. Overall, the amount of enabling development is necessary to secure the future of the historic asset.

6.11 The following table sets out the anticipated income from the scheme.

| INCOME | Units No. | GIA sq.ft | Conversion £ | New Works £ |
|--|------------------|------------------|---------------------|--------------------|
| Sales (1) | | | | |
| Main House Conversion | 11 | 22,318 | 9,195,016 | |
| Courtyard Conversion - Houses | 6 | 11,069 | 4,560,428 | |
| Courtyard – New Buildings | 12 | 16,267 | | 6,864,674 |
| Tennis Court House | 1 | 5,220 | | 2,505,600 |
| Walled Garden House & Cottage Conversion | 1 | 7,633 | | 4,007,325 |
| | | | | |
| Sub-totals | 31 | 62,507 | 13,755,444 | 13,377,599 |
| | | | | |
| TOTAL | | | 27,133,043 | |

GIA – Gross Internal Area

6.12 With regards to income and expenditure, the applicants have stated that this scheme does not significantly increase the saleable floor area compared to the previously approved scheme. The saleable floor area across the listed buildings has increased by 1860 square feet with a decrease of 50 square feet across the new build scheme. They consider the financial position remains neutral and will result in no more impact on the Metropolitan Green Belt than the already approved scheme. The applicants show within the financial appraisal that the proposed development is the minimum necessary to achieve the satisfactory restoration of the listed building and grounds.

6.13 This information was considered by Martin Bishop of Bryan Bishop who advised that he considered that the overall income likely to be realised by the development would be £23.2 million. The valuation by Martin Bishop indicates a lower income per square foot GIA than that indicated within the applicant's financial appraisal.

6.14 The applicant's have responded to the appraisal by Martin Bishop advising that

“...they regularly find professional Surveyors are naturally cautious in valuing future development as they are often advising lending institutions for security purposes and only have historic comparables as evidence. In this instance we are creating a unique development in an outstanding setting, with an extremely high value area of Hertfordshire. There are no direct comparable schemes that provide evidence.”

They have also submitted an appraisal by Statons Estate Agents who will be likely to be marketing the development on behalf. Statons have also financially appraised the future development arriving at an estimated income figure of £27,116,000. The applicants have stated that they are confident that

the scheme is financially viable. As the applicants are confident that their predicted income is achievable, it is considered that they have demonstrated that the amount of development proposed is the minimum necessary to secure the future survival of the heritage asset.

- 6.15 With regard to the other six criteria set out in the Policy Statement Criteria 1 and 7 will be addressed in the following sections. In respect of Criterion 2, in most cases the enabling development leads to the sub-division of the larger usually single ownership of the property into smaller multiple ownerships. The sub-division should not be to the detriment of the management of the whole asset. The applicant's have sought to address this by having new external partitioning kept to a minimum and where it does have to take place in relation to the courtyard dwellings in the northern part of the site it would have only a limited impact and in relation to the Walled Garden house there would be no difference to the current situation. A Management Company would be formed which would be responsible for the maintenance of the landscape setting of the listed buildings and the grounds. The way in which this would be operated can be covered in an Agreement under Section 106 of the 1990 Act. The proposed residential use would be sympathetic to the original use of the property, which was as a single residential dwelling and would ensure the appropriate re-use of the whole of the building as required by Criterion 3. The Financial Appraisal demonstrates that the problem facing the heritage asset has arisen from the inherent needs of the asset itself rather than the circumstances of the owner or the purchase price paid as required by Criterion 4. Criterion 5 requires that there are no other opportunities for financial assistance from other sources and that is the situation in this case.

Impact of the detailed works of conversion, refurbishment and alteration on the character, appearance, architectural and historic integrity of the Grade II Listed principal building and curtilage listed Walled Garden Cottage and wall

- 6.16 The Council's Historic Buildings Advisor advises that the applicants have adopted many of the previously agreed principles for the redevelopment of the site and the refurbishment of the existing mansion and outbuildings. They have gone further and introduced several changes particularly to the sub division of the main house and the former service wing, which are a considerable improvement on the approved scheme. Rooflights, generally would not appear on the principal elevation and are discreetly provided elsewhere. The two rooflights at very high level on the right hand side of the front elevation should if possible be omitted. Those shown should be of a size to not detract from the listed building. The high standard of the survey drawings are welcomed showing the existing plans and elevations together with general notes on each of the relevant drawings pertaining to the retention of windows: the cleaning of the facades; facing materials; roofing tiles and slates. With regards to the conversion of the clock tower, there has been little information, on both this application and the previously approved in respect to what is intended with the clock and its winding gear. Subject to conditions covering the above matters and all other details is satisfied that there would be no adverse effect on the character, appearance, architectural integrity of the Grade II principal listed building and curtilage listed buildings. The Local Planning Authority concurs with this view and considers that the scheme is acceptable in these respects and complies with the appropriate Structure and District Plan policies.

Impact of the size, scale, design and external appearance of the amount of enabling development on the setting of the Grade II Listed Buildings

- 6.17 Given that the case for the minimum amount of development to secure the future of the heritage asset has been accepted in terms of the amount of floorspace needed, the Council's Historic Buildings Advisor is satisfied that the amount of new build development in the main part of the site would not have any harmful effect on the setting of this building. The omission of the new build dwelling approved in the previous scheme would enhance the character and setting of the mansion and the conversion, refurbishment and change of use of the former clubhouse and its outbuildings together with the proposals for the new development in the courtyard and grounds, including garages and car parking, are considered acceptable.
- 6.18 The selected demolition of the modern North Cottage, golf trolley and buggy store, small office extension in the northern part of the principal building and modern front extension to the building will also improve the setting of this building.
- 6.19 A 2½ storey replacement dwelling at the Walled Garden Cottage has been accepted in principle with the previously approved scheme. The removal of the substantial single storey extensions, also proposed for removal with the previous application, granted in the 1970's, that are now acknowledged as being unsympathetic to the character and appearance and setting of the curtilage listed modest Gardener's Cottage are welcomed. The existing property is mostly single storey save for the former Gardener's Cottage element and there is also the garage accommodation with the staff flat above. The floorspace of this dwelling at 688 square metres exceeds that of the existing building on the site and has a proposed additional floorspace of a very modest 4.5 square metres compared to the previously approved scheme.
- 6.20 Given the previously approved scheme and the enabling development argument, which was accepted by the Council, there is justification for permitting a substantial replacement dwelling in this location, which may not fully comply with replacement dwelling policies. In keeping with the previously approved scheme, this element of the scheme seeks to distance the bulk of this dwelling from the retained cottage and kitchen garden wall by moving it 2.0m away from these structures. This allows the former Gardener's Cottage and kitchen garden wall to be viewed in their original context.
- 6.21 In line with the previous application, the developer envisages that the replacement dwelling and former kitchen garden and surrounding wall, including the Pulhamite Rockery and hermitage will form a substantial property in single ownership, as this is the most appropriate way to ensure its restoration, maintenance and long-term future. It is considered that this approach and in view of the advice of the Historic Buildings Advisor, this part of the scheme is integral to the enabling development argument and that there would be no adverse effect upon the character appearance and setting of the former Gardener's Cottage and kitchen garden wall that would warrant a refusal of permission.
- 6.22 In relation to Criterion 7 of the Policy Statement, the disbenefits associated with the scheme relate to the provision of new build development in the Green Belt that does not form one of the exceptions to the restrictions on development. Any form of new building reduces the openness of the Green

Belt. However, the benefits of the scheme in relation to securing the appropriate repair, refurbishment and restoration of the principal listed building and walled garden area to secure their long-term survival are considered to outweigh the disbenefits.

- 6.23 On balance, given the supporting case postulated by the applicants, advice from specialist consultees on financial matters and the advice from the Historic Buildings Advisor that the enabling development argument has been satisfactorily made and the seven criteria set out in the English Heritage Policy Statement have been met and that this constitutes the very special circumstances to permit the development, contrary to Green Belt policy.

Impact on the landscape setting of the site, within the Landscape Region and Conservation Area and nature conservation interests

- 6.24 The location of the new build elements of the scheme have been located in such a way that makes good use of existing landscape features within the site. Consequently, there would be no significant visual intrusion in the landscape from the proposals. The amount of tree removal is to be kept to a minimum and includes specimens in poor health and those that are not normally associated with a Victorian Garden. The Council's Landscape officer's have indicated they do not have any objections to the proposal, but advise that further details are required prior to the commencement of works and a condition has accordingly been attached.
- 6.25 A bat survey was submitted with the application and Hertfordshire Biological Records Centre advise that their independent assessment complies with the findings of Steve Laurence. There are outstanding matters in relation to (i) a comprehensive bat mitigation has not been produced for the proposal; (ii) no mention has been made of scheduling works to avoid disturbance to nesting birds; and (iii) English Nature have advised that the site is suitable for reptiles and this needs investigating further. Conditions have therefore been attached in respect to these outstanding matters.

Implications of the two extant permissions and listed building consents

- 6.26 The previous applications (S6/2003/941/FP and S6/2003/942/LB) for the conversion, change of use and new build dwellings considered the implications of the extant permissions in respect to the health and leisure facility (planning reference S6/2001/0208/LB and S6/2006/0210/FP). The permission in respect of the conversion to residential and new build residential was granted on the basis of there being very special circumstances for the development. This scheme sought to secure the long term future of the listed building which was sufficient to outweigh the limited harmful impact that an additional amount of new building would cause to the Green Belt.
- 6.27 Even though the leisure permission remains extant (permission expires January 2007) there is no realistic likelihood of it going ahead. As the new built development associated with it is in the same location, as the new courtyard dwellings, if this permission is granted and implemented it would supersede the leisure permission. There is no prospect of both permissions being capable of implementation simultaneously, so there is no need to seek to revoke the earlier permission to protect the openness of the Green Belt. The same principles apply equally with this proposal compared to the previously

approved applications (S6/2003/941/FP and S6/2003/942/LB) with both developments also not being capable of being implemented simultaneously.

Highway and car parking considerations

- 6.28 HCC Highways advise that the transport assessment suggests that traffic generation between the current application and that previously approved shows no significant difference. Additionally, the access points proposed with this application are the same as those with the previous applications. Transport policies and issues have changed since the previous approval with greater emphasis on promoting alternative modes of transport to the car.
- 6.29 Circular 05/05 encourages pooling of financial contributions to develop sustainable transport strategies where developments are not large enough to provide a bus service or improve cycle and footway links (this development falls into the former category). Highway contributions were not attached to the previous approved scheme and it has been agreed between HCC Highways and the developers that the contributions will not apply to the units in the converted listed building. The contribution will help to mitigate the sustainability issues resulting from the new development, which if left unaddressed, would have resulted in a recommendation by HCC Highways to refuse on sustainability grounds and will be used within the vicinity of the site. HCC Highways advise the funds could be used for improvements to cycle/footway improvements or pooled with other S106 monies to improve the bus service. The contribution would achieve £9750 (which would be RPI index linked) and is arrived at using HCC Highways standards of:
- 2-bed house - £500
 - 3-bed house - £1000
 - 4-bed house - £1250
 - 5/6-bed house - £2500
 - 2-bed apartments - £500

This would be secured through the S106 Legal agreement.

Archaeology

- 6.30 Policies 38 of the Structure Plan and R27 of the District Plan seek to ensure that proposals for development within or adjacent to areas of archaeological significance do not adversely affect known archaeological remains. In this case, the areas of proposed new build largely coincide with existing buildings to be demolished, other than in the case of the twelve courtyard dwellings and apartments and Tennis Court dwelling, which are within existing hard surfaced areas. It is considered that the position with regard to archaeology can be satisfactorily addressed by a standard condition to require no development or demolition to take place until the implementation of a programme of archaeological investigation is carried out.

Provision of open space and play space within the scheme and commuted financial sums

- 6.31 Adopted plan policies provide for contributions towards and/or the provision of social infrastructure, play space and informal open space for new residential development on a site of this size. There is adequate space both communally

for the occupiers of the apartments and courtyard dwellings and in private gardens for the single detached units and some of the courtyard dwellings to meet the needs of this policy. Any financial contributions for schemes off-site, even if the development did not provide for adequate play and open space on site, would lead to the requirement to provide more floor space within the site to fund this. Referring back to Criterion 6 of the English Heritage Policy Statement, if the enabling argument is accepted, then it must be the minimum necessary to secure the heritage asset. The Policy Statement also suggests that enabling schemes should not be expected to comply with such policies.

Provision of affordable housing, density of development and dwelling type and tenure

- 6.32 Adopted plan policies provide for affordable housing in sites of 1 hectare or more or with 25 units or more. Referring back to Criterion 6 of the English Heritage Policy Statement, if the enabling argument is accepted, then it must be the minimum necessary to secure the heritage asset. The Policy Statement also suggests that enabling schemes should not be expected to comply with such policies.
- 6.33 The density of the development is below that required by local plan policy H6. This requires dwellings to be built at densities of 30 to 50 dwellings, whereas the density proposed with this application falls at approximately 6 dwellings per hectare. Although this is below that required, due to its location in the Green Belt and the very special circumstances put forwards for this development, it is not appropriate to request development at a higher density. The dwelling type across the site will be mixed with both apartments and smaller and larger dwellinghouses.

Impact on the amenity of neighbouring residential occupiers

- 6.34 The property closest to the development is Little Bedwell at the southern end of the site. There would be no adverse effect on the amenities that occupiers of this property could reasonably expect to enjoy in terms of loss of sunlight, daylight, privacy or overbearing effect from wither the development around the main building, Tennis Court House or Walled Garden House due to the distances involved, orientation of properties and existing boundary treatments and landscaping.

7 Conclusion

- 7.1 Having carefully considered the enabling development argument put forward by the applicant to justify the development proposed, which would normally be considered inappropriate in the Green Belt. It is concurred that the enabling development argument has been justified and that the scheme will secure the long term future of the listed building and that this constitutes very special circumstances which are sufficient to outweigh the limited harmful impact that an additional amount of new building would cause to the Green Belt. This proposal would compared to the previously approved scheme enhance the character and setting of the listed buildings.

8 Recommendation

- 8.1 It is recommended that planning permission be granted in respect of application reference no. S6/2006/0365/FP subject to the referral of the

scheme to the First Secretary of State as a departure from the development plan, the competition of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the matters set out below and the following conditions:-

- ensure that the restoration works to the principal listed building, the former Old Clubhouse, commence at the same time as the commencement of the new build dwellings and to be completed prior to the first occupation of the 12 units comprising the new build courtyard development, and the single detached dwellings on the Tennis Court site and in the case of the walled garden, the walled garden cottage and wall shall be restored prior to the occupation of the new-build Walled Garden House;
 - to secure the non-severance of the land shown to be in private ownership in relation to the Walled Garden house and walled garden as shown on Plan 1 outlined in blue;
 - to secure the non-severance of the former Clubhouse land as shown on Plan 2 outlined in orange to secure its appropriate maintenance;
 - to secure the financial contribution of £9750, which will be RPI index linked, towards sustainable highway matters.
1. SCO1- Time limit
 2. SC19 – Materials
 3. SC09 – Landscaping scheme – full permission
 4. SC10 – Landscaping – tree protection
 5. SC12 – No tree felling or lopping
 6. Notwithstanding any details submitted with the application, prior to the commencement of the development hereby permitted a Schedule of Works and Repair for the principal listed building, former gardener's cottage, wall surrounding the walled garden, boundary wall in front of the principal listed building, Pulhamite rockery as well as all historic brick and stonework including any piers and gates within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme as may be approved shall be completed prior to the occupation of any part of the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

REASON

To safeguard the historic and architectural integrity of the Grade II listed building in accordance with policy R25 of the Welwyn Hatfield District Plan 2005.

7. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking, re-enacting or modifying that Order), no development falling within Classes A, B, C, D, E, F, or H of Part 1 or Class A of Part 2 of Schedule 2 to that Order shall take

place without the prior written permission of the Local Planning Authority granted on application.

REASON

To enable the Local Planning Authority to exercise control over the siting and size of any future buildings or structures on the site in the interests of safeguarding the openness of the Green Belt.

8. Notwithstanding the any details submitted with the application, details of all new means of enclosure to be erected within the site or along its boundaries shall be submitted to the Local Planning Authority for its prior approval in writing. The scheme as may be approved shall be completed prior to the occupation of any of the units hereby permitted and retained thereafter, unless otherwise agreed in writing with the Local Planning Authority.

REASON

In the interests of visual amenity.

9. Details of any external lighting to be erected within the site shall be submitted to the Local Planning Authority for its prior written approval.

REASON

To avoid any potential for light pollution, in the interests of visual amenity.

10. No demolition or development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

REASON

To ensure that remains of archaeological importance likely to be disturbed in the course of development are adequately recorded in accordance with policy R29 of the Welwyn Hatfield District Plan 2005.

11. Before any development commences, details of existing and proposed ground levels, finished floor levels of the dwellings and garages, driveways, pathways and parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and completed thereafter in accordance with the approved details.

REASON

In the interests of existing trees and the appearance of the development in the Green Belt.

12. SC26 – Setting Out

13. Before any development commences, full details of the proposed demarcation and extent of the associated individual curtilages of the six courtyard conversion dwellings, the twelve new courtyard buildings and the detached dwellings on the Tennis Court and Walled Garden shall be

submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.

REASON

To enable the Local Planning Authority to have control over the development of the land having regard to the Green Belt location of the site and in accordance with policies RA1, D1 and D2 of the Welwyn Hatfield District Plan 2005.

14. Before any development commences, full details including levels, sections, constructional and surfacing treatment of the proposed access drives, vehicle parking and turning areas, all pedestrian paths and any means of illumination thereto shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.

REASON

To ensure a satisfactory standard of development in the vicinity of Grade II Listed Buildings and to protect important trees to be retained as part of the development.

15. Prior to the commencement of the development hereby permitted details of foul and surface water drainage shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall thereafter be carried out, completed and retained in accordance with the approved details prior to the occupation of the development unless otherwise agreed in writing with the Local Planning Authority

REASON

To ensure the satisfactory drainage of the site

16. Details of bin stores shall be submitted to and approved in writing by the Local Planning Authority and shall be provided prior to first occupation of the units that they will serve and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority

REASON

To prevent the maximum refuse carrying distance being exceeded

17. No works of site clearance, demolition or construction shall take place until (a) details of bat mitigation (as for a DEFRA licence Method Statement) and (b) details of a reptile survey (including mitigation if required) have been submitted to and approved in writing by the Local Planning Authority

REASON

To protect the habitats of birds and reptiles which are protected species under the Wildlife and Countryside Act 1981, and in accordance with policy R16 of the Welwyn Hatfield District Plan 2005.

18. Before the development is commenced an investigation of the site shall be carried out in accordance with BS 10175:2001 British Standards Institution Code of Practice, "The Investigation of Potentially Contaminated Sites" to identify possible contamination, and to assess the degree and nature of

any contamination present. If a hazard or hazards are identified on the site from any form of contamination the results of the investigation shall be utilised to carry out a site specific risk assessment to consider risks to future users of the site, water resources, surrounding land and property, wildlife, cultivated trees and plants, building materials, and any other persons who may be affected. If the risk assessment identifies unacceptable risk or risks, a detailed remediation strategy containing measures necessary to remove, neutralise or isolate the contamination shall be provided. Details of such investigation, assessment and remediation measures shall be submitted to and agreed in writing with the Local Planning Authority before development commences and the development shall thereafter proceed and be completed in accordance with the approved details prior to occupation of any of the dwellings unless otherwise agreed in writing with the Local Planning Authority. The presence of any significant unsuspected contamination, which becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority as soon as it is discovered.

REASON

To ensure that any site contamination is dealt with safely in the interests of preventing pollution of the environment, the health and safety of the public and users of the development.

19. All new or replacement rainwater goods shall be in black painted cast iron.

REASON

To ensure the special historic and architectural character and setting of the building is properly maintained, in accordance with policy R25 of the Welwyn Hatfield District Plan 2005.

20. Prior to any building works being first commenced, detailed drawings showing the new brickwork and a precise specification and description of the brick – or a sample of 4 bricks to provide a representative range of the colour and texture of the brick- together with a specification of the mortar mix, pointing profile and finish, jointing width and the bond of the brickwork, shall be submitted to and approved in writing by the Local Planning Authority. Where required, a sample panel of the brickwork using the bond, mortar and jointing/pointing proposed, shall be provided and retained during building works as a reference for the new brickwork.

REASON

To ensure the historic and architectural character and setting of the building is properly maintained, in accordance with policy R25 of the Welwyn Hatfield District Plan 2005.

21. Prior to the commencement of the development hereby permitted all materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas shall be approved in writing by the Local Planning Authority.

REASON

To ensure that the development does not detract from the appearance of the locality and to ensure the historic and architectural character and

setting of the building is properly maintained, in accordance with policies D1 and R25 of the Welwyn Hatfield District Plan 2005.

8.2 The reason for the grant of planning permission is:

It is considered that the proposed development, by reason of the case made for enabling development, constitutes very special circumstances, that justifies a departure to established Green Belt policy, does not have an unacceptably harmful visual impact on the character and appearance of the Green Belt, setting of the listed building, landscape, rural character of the area in which it is located or residential amenity as the development proposed has a limited visual impact on the openness of the Green Belt, landscape and rural character of the site, is acceptable in terms of scale and design and respects the setting of the Grade II Listed Buildings, does not result in unacceptable overlooking or loss of privacy and does not have any unacceptably dominating impact with regard to neighbouring uses.

INFORMATIVE

1. Your attention is drawn to the need to obtain a Habitats Regulations licence from DEFRA.

8.3 I recommend that listed building consent be granted in respect of application reference no. S6/2006/0425/LB subject to the following conditions:-

1. SC02 - Time limit listed buildings
2. SC19 – Materials
3. Prior to any building works being first commenced, detailed drawings showing the new brickwork and a precise specification and description of the brick – or a sample of 4 bricks to provide a representative range of the colour and texture of the brick- together with a specification of the mortar mix, pointing profile and finish, jointing width and the bond of the brickwork, shall be submitted to and approved in writing by the Local Planning Authority. Where required, a sample panel of the brickwork using the bond, mortar and jointing/pointing proposed, shall be provided and retained during building works as a reference for the new brickwork.

REASON

To ensure the historic and architectural character and setting of the building is properly maintained, in accordance with policy R25 of the Welwyn Hatfield District Plan 2005.

4. Notwithstanding any details submitted with the application, prior to the commencement of the development hereby permitted a Schedule of Works and Repair for the principal listed building, former gardener's cottage, wall surrounding the walled garden and boundary wall in front of the principal listed building, Pulhamite rockery as well as all historic brick and stonework including any piers and gates within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme as may be approved shall be completed prior to the occupation of any part of the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

REASON

To safeguard the historic and architectural integrity of the Grade II listed building in accordance with policy R25 of the Welwyn Hatfield District Plan 2005.

5. All new or replacement rain water goods shall be in black painted cast iron

REASON

To ensure the special historic and architectural character and setting of the building is properly maintained, in accordance with policy R25 of the Welwyn Hatfield District Plan 2005.

6. No demolition or development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

REASON

To ensure that remains of archaeological importance likely to be disturbed in the course of development are adequately recorded in accordance with policy R29.

7. Prior to any building works being first commenced, detailed drawings of the new and/or replacement windows and rooflights including a section of the glazed bars and frame moulding (if applicable), which it is proposed to install, clearly showing the position of the window frame in relation to the face of the wall, depth of reveal, arch and sill detail shall be submitted to, and approved in writing by the Local Planning Authority.

REASON

To ensure the historic and architectural character of the listed buildings are properly maintained and in accordance with Policy R25 of the Welwyn Hatfield District Plan 2005.

8. Notwithstanding the consent hereby granted, none of the timbers forming the structural frame of the building shall be cut, removed or otherwise altered without the prior consent in writing of the Local Planning Authority.

REASON

To ensure the historic and architectural character of the listed building is properly maintained and in accordance with Policy R25 of the Welwyn Hatfield District Plan 2005.

9. Prior to any building works being first commenced, detailed drawings including sections, showing the new and/or replacement doors which it is proposed to install, together with a detailed description or specification, shall be submitted to, and approved in writing by the Local Planning Authority.

REASON

To ensure the historic and architectural character of the listed building is properly maintained and in accordance with Policy R25 of the Welwyn Hatfield District Plan 2005.

10. Prior to any building works being first commenced in respect to the converted listed building, detailed drawings, including sections, detailed description or specification where applicable, shall be submitted to, and approved in writing by the Local Planning Authority in respect to the following matters:
 - The raised parapet as shown on East Elevation D as shown on plan number 069/1310;
 - Porches and canopies;
 - Method of cleaning the facades (abrasives would not be permitted);
 - Chimneys to be rebuilt or restored;
 - The weather vane on the clock tower should be carefully removed, repaired and reinstated.

REASON

To ensure the historic and architectural character of the listed building is properly maintained and in accordance with Policy R25 of the Welwyn Hatfield District Plan 2005.

11. Notwithstanding condition 4 (Schedule of Works) (a) historic doors which are proposed to be removed should be reused where possible or set aside for future use and (b) existing skirtings, architraves, decorative ceilings and ceiling cornices should, where possible be retained, and any new work should match the existing patterns, sizes and profiles.

REASON

To ensure the historic and architectural character of the listed building is properly maintained and in accordance with Policy R25 of the Welwyn Hatfield District Plan 2005.

12. Prior to any building works being first commenced, detailed drawings of all new staircases, together with a detailed description or specification, shall be submitted to, and approved in writing by the Local Planning Authority.

REASON

To ensure the historic and architectural character of the listed building is properly maintained and in accordance with Policy R25 of the Welwyn Hatfield District Plan 2005.

13. Prior to the commencement of the development hereby permitted all materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas shall be approved in writing by the Local Planning Authority.

REASON

To ensure that the development does not detract from the appearance of the locality and to ensure the historic and architectural character and setting of the building is properly maintained, in accordance with policy R25 of the Welwyn Hatfield District Plan 2005.

14. Prior to the commencement of the development hereby permitted, detailed drawings of the proposed Orangery, together with a detailed description or specification, shall be submitted to, and approved in writing by the Local Planning Authority.

REASON

To ensure the historic and architectural character of the listed building is properly maintained and in accordance with Policy R25 of the Welwyn Hatfield District Plan 2005.

INFORMATIVE

1. In the event of the clock not being retained the clock face and its associated winding gear should be carefully dismantled and set aside for use elsewhere or donated to an organisation such as the HBPT (Hertfordshire Building Preservation Trust).

Chris Conway, Chief Planning and Environmental Health Officer

Date 11 September 2006

Background papers to be listed (if applicable)

Hertfordshire Structure Plan Review 1991- 2011

Welwyn Hatfield Review Local Plan 2005

English Heritage Policy Statement "Enabling Development and the Conservation of Heritage Assets" published in June 2001

Application file(s) S6/2003/0941/FP; S6/2003/0942/LB, S6/2001/0208/LB;
S6/2001/0210/FP; S6/2001/0209/OP; S6/2001/0211/OP; S6/2001/0394/OP;
S5/2003/0941/FP; S6/2006/0942/LB

