

WELWYN HATFIELD COUNCIL  
PLANNING CONTROL COMMITTEE – 28 AUGUST 2008  
REPORT OF THE CHIEF PLANNING AND ENVIRONMENTAL HEALTH OFFICER

S6/2008/0690/FP

ST AUDREY'S CAR PARK, CHURCH LANE, HATFIELD, AL9 5NB

IMPROVED ENTRANCE TO HATFIELD PARK FOR COACHES AND HGV'S,  
WIDENING THE ACCESS FROM CHURCH LANE, FORMATION OF COACH  
PARKING AREA, CIRCULATION TRACKWAY AND ALL ANCILLARY WORKS

APPLICANT: The Gascoyne Cecil Estates

(Hatfield East)

**1 Site Description**

- 1.1 The site forms part of the wider Hatfield House estate and is located west of Hatfield House, south of the existing main entrance for visitors and south of St Audrey's Care Home.
- 1.2 The principal area of the site comprises an open grassed area with land levels rising gently from west to east. Trees are located primarily to the boundaries of the site but also a few are located within the site.

**2 The Proposal**

- 2.1 The proposal seeks full planning permission for the provision of a car park for the parking of coaches. The plans have been negotiated during the course of the application.
- 2.2 Access is from the A1000 Great North Road close to the roundabout which provides access to Hatfield Town Centre and Hatfield Railway Station, along Church Lane (approximately 35 metres) adjacent to and south of the access into the existing St Audrey's car park.
- 2.3 The parking area would be located south of St Audrey's Care Home. A new gated access and access road would be provided, located south of the existing car parking area. The proposed access road would split into two within the site allowing coaches to manoeuvre on an in-and-out basis.
- 2.4 The parking area would be secured by a new access gate set back by approximately 20 metres from the back edge of the highway. This would have a maximum pillar height of 2.25 metres with the main gate measuring 1.7 metres high. Details have not been submitted regarding the proposed materials.
- 2.5 Pedestrian access would be provided to the north-east of the site, south of the Hall along Church Street allowing access for visitors within relative close proximity of Hatfield House. It is proposed to enhance this walk way with the planting of trees to form a Lime Tree walk.

- 2.6 A further access point is proposed to the south-east of the site for HGV's. Associated landscaping works are proposed with the development.

### **3 Planning History**

- 3.1 None relevant to this piece of land. Relevant to the existing car park to the north of the new access drive:

S6/2005/0431/FP      Erection of 12 Garages and Reconfiguration of Car  
   Parking Layout  
   Granted

### **4 Planning Policy**

- 4.1 National Policy  
PPS1: Delivering sustainable development  
PPG2: Green Belts  
PPG13: Transport  
PPG14: Development on Unstable Land  
PPG15: Planning and the Historic Environment  
PPG24: Planning and Noise
- 4.2 East of England Plan 2008  
SS1 – Achieving Sustainable Development  
ENV1 – Green Infrastructure  
ENV2 – Landscape Conservation  
ENV6 – The Historic Environment
- 4.3 Hertfordshire Structure Plan Review 1991 – 2011:  
None
- 4.4 Welwyn Hatfield District Plan 2005:  
SD1 Sustainable Development  
GBSP1 – Definition of Green Belt  
R19 – Noise and Vibration Control  
R20 – Light pollution  
R28 – Historic Parks and Gardens  
D1 - Quality of design  
D2 - Character and context  
D5 - Design for movement  
D7 - Safety by Design  
D8 - Landscaping  
D9 - Access and Design for people with disabilities  
Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

### **5 Consultations Received**

- 5.1 **Hertfordshire County Council Highways** – have responded on the 26<sup>th</sup> May and further on the 17<sup>th</sup> June.
- 5.2 Their initial comments raised concerns regarding the location of the gate which would need to be sited 20 metres from the highway boundary to prevent

vehicles waiting on the highway. There were concerns that coaches would not be able to swing into the new access road and that if another vehicle was exiting at the same time that this would lead to a highway hazard. Further details were requested, as well as a number of conditions suggested regarding signage on the highway.

- 5.3 The latest response addresses the 'swept paths' (turning ability) for coaches accessing the site. Further plans have been submitted demonstrating that works would be needed to the highway to enable safe access and egress. Highways have responded that they have no objection to the proposal subject to suitably worded conditions.
- 5.4 **Landscaping Section** – Had strong objections to the original layout of the scheme and considered that it would have a significant detrimental impact upon the health of a number of trees within the surrounding area.
- 5.5 The new layout has been negotiated, which is more sympathetic to the trees on the site, with hard standings a reasonable distance from the trees and no parking beneath the crowns of existing trees.
- 5.6 Conditions are suggested in connection with a method statement for the building of the Lime Walk, building of the road and submission of details for the landscaping plan.
- 5.7 **Environmental Health** – responded to the first document requesting further information and clarification of the assessment of the impact of noise due to the elderly being more sensitive to low frequency noise and sleeping patterns often being different compared to younger people.
- 5.8 Further information submitted which Environmental Health advise there are still some concerns with. It is agreed that the level of noise that might affect residents of the care home might be low, however in view of the sensitive nature of residents, it is suggested that a precautionary approach is taken which would benefit residents. Accordingly, they recommend conditions: that coaches at night park in the four bays furthest from the care home, limitation of the number of coaches to four between 23:00 and midnight, restriction of the hours of use up to midnight, acoustic fencing located on the northern perimeter of each of these four parking spaces and signage is placed within the site advising visitors of being close to a residential area and to not cause a disturbance.
- 5.9 **Hyder Consulting** – Hyder were consulted in respect to the level of historic chalk mining risk associated with the development and the required geophysical survey work associated with this. They have responded with a clear opinion of the impact of any development on this site which can be summarised as follows:
- 5.10 The likelihood of a significant risk from historical chalk mining beneath the site is low. This is based on no buildings and/or no intrusive ground works being proposed. Should this not be the case then investigative work would need to be undertaken.

## **6 Representations Received**

- 6.1 The application has been advertised by means of site and press notices and neighbour notification letters. 37 letters of representation have been received. A summary of the main objections relate to:
- Vehicles would cause damage to lane
  - Noise pollution for local residents
  - Access should be made from one of the other access points in the Estates ownership
  - Within the Metropolitan Green Belt and Conservation Area
  - Increase in traffic
  - Danger to pedestrians
  - Worsen parking problems
  - Road not wide enough to accommodate large vehicles
  - Existing front gate should be re-designed
  - Loss of existing car parking for Estate tenants
  - Increase in air pollution
  - End of Church Lane will become blocked leading to congestion
- 6.2 Welwyn Hatfield Access Group request that this application is considered subject to the standards and criteria outlined in the current District Plan (Policy D3d, Policy D5).
- 6.3 The Estate additionally submitted a letter from Network Rail in connection with discussions that they had undertaken in connection with this application. Their comment can be summarised as ‘...recognise the problems that exist with damage that occurs...consider proposals to be of a benefit to traffic flow in and around the station and to the fabric of the Estate...’.

## **7 Town Council Comments**

- 7.1 Hatfield Town Council expressed concerns with the application on the following points:
- “1. All traffic leaving the site would have to turn left heading South along the A1000, a proportion of this traffic would turn back on itself at the Welham Green roundabout. The Committee wished clarification coaches and Heavy Goods Vehicles could manoeuvre the roundabout without reversing, causing traffic congestion if they did.
  2. No provision had been made to light the car park or access road. The Committee wished clarification on this point as they considered any lighting would be to the detriment of the local residents.
  3. Concern was expressed on the works required to widen the entrance from Church Lane. It appeared a substantial amount of widening would be required to allow free movement for coaches and Heavy Goods Vehicles into the proposed site. The application did not look to cover the full works.”

## **8 Discussion**

- 8.1 This application is brought to Planning Control Committee for determination due to the development being a departure from local plan policy.

## 8.2 The main issues for consideration with this development are:

1. The Impact on Highway and Parking Matters
2. The Impact on the Metropolitan Green Belt
3. The Impact on the Conservation Area and Character of the Area
4. The Impact on the Amenity of Adjoining Occupiers
5. Other Material Planning Considerations

## Background

8.3 With the majority of planning applications, it is appropriate only to consider the scheme that has been submitted and therefore alternatives are not considered. In this instance however, because the site is within the Green Belt, it is necessary to determine whether the proposed site for parking and access is the only viable option as the case submitted by the applicant relies on 'very special circumstances'. This will then form part of the overall consideration in respect to any harm that might result to the Green Belt. The impact on the Green Belt is considered within paragraphs 8.18 – 8.37.

8.4 The applicant has submitted information regarding the eight existing entrance points to the Estate which have been assessed for their suitability as potential access points to the Park. Certain access points were dismissed due to their locations. These are located some distance from the main location of Hatfield House and access via these would be more likely to have a greater impact on the Green Belt with the need to provide formal access routes, where they do not exist and, where they do the surfacing would need improving to enable coaches to pass along them. The increased usage of these access points would cause harm to the openness of the Green Belt. The entrance that is currently used by coaches and large vehicles was similarly dismissed (Station Lodge) due to the damage that is being caused to this entrance which has resulted in the submission of this application. The columns and railings are Grade II listed and hence their retention is of national importance.

8.5 The remaining lodges – West Lodge, Park Street Entrance and North Lodge were all individually considered. These have all been discounted for the following reasons:

### West Lodge

8.6 This access is directly on to the A1000. The visibility splays are poor and are considered dangerous because of the speed of vehicles travelling on this road.

### Park Street

8.7 This is a very narrow access road and is located within a residential area. There are a number of trees along the entrance which would have to be negotiated. The continuous travelling of coaches along this road would harm the amenity of adjoining residents as well as have a detrimental impact upon the trees.

### North Lodge

8.8 This access is located between two brick lodges linked by a brick arch. The height is therefore severely limited as well as the width. Furthermore, the distance between this access point, if all other considerations were

acceptable, is long and would result in greater impact on the green belt than with the proposed development.

- 8.9 It is therefore considered that the proposed access and using the land adjoining St Audreys car park is the only realistic and feasible option open to the Estate.

### **The Impact on Highway and Parking Matters**

- 8.10 Further to negotiations, the applicant has submitted plans showing junction improvements to the west of Church Lane adjacent to the Great North Road. These have been appraised by Hertfordshire Highways, who subject to suitably worded conditions being included on any grant of permission do not have objections.
- 8.11 The plans would require alterations to the existing highway network on and adjacent to the Great North Road. The improvements show that coaches are easily able to access the site from the Great North Road and that there would be sufficient space for two coaches travelling in opposite directions to pass each other. This is also an important consideration for coaches travelling along the new access road. Coaches must be able to pass each other along this road to prevent vehicles from potentially having to wait on the highway whilst the other coach leaves the site. With the works proposed, which should be completed prior to the commencement of development, Hertfordshire Highways considers this part of the development would not have a harmful impact upon highway safety and thus comply with PPG13: Transport. The conditions recommended by Hertfordshire Highways are therefore suggested.
- 8.12 The gate would be operated via an intercom system from the main gatehouse and thus there would be control over who is able to access the site and also a level of control over vehicles leaving the site.
- 8.13 Vehicles leaving the site would need to travel to the Welham Green roundabout due to no right hand turn being possible on to the Great North Road and the land leading from Church Lane northwards towards The Broadway being too narrow for coaches to pass. Although it is narrow, it might be an attractive alternative to travel along this small road and the applicant has agreed to include signage 'Not suitable for HGV/Coaches' signs at this junction with approval from Hertfordshire Highways. The applicant has also agreed for further signage which would clearly identify the direction in which drivers must take. These works would also be required prior to the commencement of the development and conditions have therefore been suggested.
- 8.14 With reference to the query raised by Hatfield Town Council (point 1), the Welham Green roundabout is in existence and located on a classified road. The use of this roundabout is therefore by all road users and there is therefore no restriction on manoeuvrability around this roundabout.
- 8.15 There is unlikely to be any increase in overall traffic within the local area. There would be increased traffic movements to the eastern part of Church Lane which have been assessed as part of the application by Hertfordshire Highways who raise no objection.

- 8.16 Pedestrian safety is unlikely to be prejudiced by the proposal. The access point is within close proximity of Great North Road and the majority of pedestrian movements are likely to be to the north of the site, towards the town centre and railway station. It is understood from the objection letters, that a majority of representations have been written on the basis that coaches would travel along the whole of Church Street which would have resulted in a problem to pedestrian safety.
- 8.17 It is therefore considered that the proposal would maintain highway safety and would therefore comply with the aims of PPG13.

### **The Impact on the Metropolitan Green Belt**

- 8.18 The site is located within the Green Belt wherein Planning Policy Guidance Note 2: Green Belts defines the types of development that are appropriate development within the Green Belt. There is a presumption against inappropriate development within them. Parking areas do not fall within the types of development that are defined as appropriate development and therefore, in accordance with paragraph 3.1, such development should not be approved, except in very special circumstances.
- 8.19 “Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations” (PPG2, 3.2).
- 8.20 The applicant has submitted a case of very special circumstances in support of the application. Their circumstances are detailed below in italics with the discussion around these after each section.
- 8.21 ***The project will assist in the long term preservation of the Hatfield Park Estate for the benefit of the public – the park being of national importance.***
- “Significant weight should be attached to the fact that the application is dealing with the Estate of two Grade 1 listed buildings (Hatfield House and The Old Palace) and its registered historic parkland gardens as a site of national interest. The Estate must continually undergo change and adapt if it is to meet the obligations placed upon it, generating income to pay for its upkeep and developing the tourism function. Coach visitors are an essential component.”*
- 8.22 The preservation of the park is an important consideration. However, in this instance, in itself the provision of parking in the area proposed is not considered to outweigh the harm to the Green Belt. Other considerations need to be taken into account such as whether there are alternative means of access to the existing parking area without encroaching on the Green Belt. This has previously been discussed within paragraphs 8.3 – 8.9 where it has been concluded that this proposed access is the only realistic and viable option available.
- 8.23 ***It will help to sustain the local economy, which is a key objective of the Council, alongside its partners in the local community.***

*Reference is made to the Council’s website headed ‘Business, Support and Advice – Economic Development Unit’. Referral is made to the number of jobs*

(100) that the Estate provide when the Park is open to the public and the support it gives to a number of other local businesses.

*“The business should be supported as stated by the Council and its partners in the local economy. The “visitor experience” must evolve in response to customer demand. The business must continually adapt to meet the upkeep requirements placed upon it. The numbers visiting the House and events in the Park are increasing and showing much promise for the future.”*

8.24 The provision of the car park would cause harm to the Green Belt by virtue of impacting upon the openness with the provision of hardstanding in addition to harm when coaches are parked on the site.

8.25 It is important that coaches have access to the Park for the benefit of group visitors. Again, however it is considered that this does not constitute, in itself, a very special circumstance to outweigh the harm to the Green Belt.

8.26 ***It will reduce the wear and tear on the listed Entrance Gates.***

*“The damage to the Grade II listed entrance gates from coaches and large vehicles can no longer be tolerated and is extremely expensive.”*

8.27 This is a key consideration for this proposal. These gates are Grade II listed in their own right. The applicant has submitted photographs showing damage to both sets of gates at the entrance. It has also been noted by officers when travelling past the entrance that damage has occurred and repair work was being undertaken. It is therefore considered that access for larger vehicles should be provided through an access point other than this one to prevent ongoing damage to these important structures.

8.28 In relation to the Green Belt, as mentioned above, it is necessary in considering the harm to ensure that the proposed access and parking area is the only viable alternative and if it is not to then appraise the implications of the alternatives in policy terms. The access implications have been discussed within paragraphs 8.10 – 8.17.

8.29 ***The proposal will help reduce vehicular congestion opposite the Station.***

*The concourse to Hatfield Station has become substantially more congested, as its importance as a rail/bus interchange has grown in recent years. The proposal to relieve this access of coaches and HGV's will help reduce traffic and vehicular activity in this presently congested area.*

8.30 The impacts of additional vehicles in this area (rail/bus concourse) would have been carefully considered with past developments within this area and have been regarded as acceptable with the existing road network. The relocation of access for coaches might assist in reducing the overall level of vehicles in this area. However, in terms of coach parking the maximum number that could be parked in this car park would be 12 and this is considered to not be a significant number when compared to the number of vehicles (car, buses, lorries etc.) driving along this part of Great North Road and utilising the station forecourt.

8.31 This is therefore considered to not represent a very special circumstance to outweigh the harm.



- 8.32 ***The proposed coach parking area and circulation route will have minimal effect on the openness of the Green Belt given that no new buildings are involved.***

*Parking areas and trackways are flat surfaces and the effect on openness is minimal. The surface treatment will be sympathetic to the rest of the Estate. The site is well contained by existing landscaping; new planting will also take place.*

- 8.33 It is acknowledged that in many instances new buildings would be more likely to have greater impact on the openness on the Green Belt than a parking area and circulation. This is not in itself reason to grant permission to development that would cause harm to the Green Belt. Should development be approved it would need to be on its own merits and not on the basis that the surface treatment would be sympathetic and new planting would take place. These measures would be expected with the development as a matter of course.

- 8.34 Landscaping to help mitigate the visual impact of a proposal has been viewed by Inspector's as not constituting a reason for approval. If it were, all developers would propose landscaping to overcome any harm.

- 8.35 ***The proposal will not detract from the visual appearance of the historic parkland setting.***

*"The application is not located within the registered park and garden of special historic interest. It is sufficiently separated from the parkland by an intervening grassed/landscaped area on the eastern side of the site."*

- 8.36 It is acknowledged that this site is not within the registered parkland setting. This is further to the east of the site. However, the existing coach and visitor parking are within the parkland setting being directly adjacent to the rear of the building. Removal of the parking from the existing location could have bearing on the assessment of this application, however it needs to be borne in mind that the existing car parking area would still be in the existing location so there would be no wider benefit to the setting. This is not considered to be a very special circumstance.

### **Summary of Impact on the Green Belt**

- 8.37 On balance it is considered that this access point is reasonably the only access that could be utilized by the Estate for coaches and other large vehicles without causing harm to the wider Green Belt or result in a highway hazard. The relocation of large vehicles away from the existing access would help to ensure that further damage does not occur to the listed gates and the harm that is caused to these structures is a key consideration in allowing permission. This consideration, together with the other very special circumstances advanced which have been accepted represent the very special circumstances that outweigh the harm to the Green Belt.

### **The Impact on the Conservation Area and Character of the Area**

- 8.38 The vast majority of the application site is outside of the conservation area, the part that is within is the access into the car park from Church Lane. However the site is directly south of the conservation area and therefore consideration

of the impact of the proposal upon the conservation area needs to be taken into account.

- 8.39 The quality and interest of the area, rather than that of the individual buildings, should be the prime consideration in the identification of conservation areas. It is the mix of uses, materials, appropriate scaling and detailing, surfaces and so forth that makes the character of an area worth of being designated as a conservation area. Trees are a valued feature of localities in general and to conservation areas in particular.
- 8.40 The impact upon the landscape with this development is therefore an important consideration in the determination of this application due to its close relationship with the designated area. The applicants have submitted amended plans, further to negotiation, which have been appraised by landscaping. They are of the opinion that the changes with the most recent set of plans are more sympathetic than the previous scheme to the landscaping on the site. Furthermore, the latest plans indicate that further tree planting is proposed and subject to a condition controlling the species and size the development would enhance the area. The relocation of the parking area and roadway away from the existing trees on the site overcomes the original objections from landscaping who raised concerns regarding the long term health of existing trees on the site. It is therefore considered, in terms of the impact on landscaping within the site that the proposal would comply with policies D8 and R17 of the Welwyn Hatfield District Plan 2005.
- 8.41 Within the wider character of the area, the car park would have impact. However, its relationship to the existing St Audrey's Car Park as well as the car park at St Audrey's Care Home which adjoins the site must be considered. Due to the close proximity of these car parks, the proposed landscaping proposed by the Estate together with the alterations of the design of the layout of the scheme, it is considered that the overall impact would be minimised and would preserve the character of the area and would not prejudice the character of the conservation area. For these reasons, the proposal complies with PPG15: Planning and the Historic Environment, policies D2, D8 and R17 of the Welwyn Hatfield District Plan 2005 and ENV1 of the East of England Plan 2008.
- 8.42 The site is located within the Hatfield Park Landscape Character Area (policy RA10) as defined within the 'Hertfordshire Landscape Strategy: Welwyn Hatfield Landscape Character Assessment, April 2005'. This defines a 'safeguard and manage' approach with the strategy for managing this including the replacement of soft woodlands with indigenous native deciduous trees and encourage new planting to maintain age diversity. As has been discussed within the previous paragraph, it is the intention of the Estate to plant new trees and the amendment to the layout of the parking area would maintain the health of existing trees. The proposal would, subject to a condition for planting, accord with policy RA10 of the local plan and ENV1 and ENV2 of the East of England Plan.

### **The Impact on the Amenity of Adjoining Occupiers**

- 8.43 The new access point would be located south of the existing access to St Audrey's car park. This would have very limited, if any at all, impact on the amenity of the wider residential public within Old Hatfield. There have been a large number of objections relating to this development and the impact that it

would have upon Church Street. However, due to the close proximity of the access to the Great North Road, vehicles would not travel along the longer length of Church Street, the objections in this regard are unfounded.

- 8.44 The occupiers of St Audrey's Care Home are the most likely to be impacted upon by this proposal. The access road runs adjacent to the southern boundary of their curtilage (15 metres away from the closest point to the building) with the car parking almost directly south of the building and almost 40 metres away. At ground floor level the closest room to the development is the lounge/day room and at first and second floors bedrooms with windows looking out towards the south and east.
- 8.45 The applicant has advised that visitors to the site by coach pre-book which enables the Estate to advise how and where coaches need to arrive and travel to. This would therefore enable the Estate to have control over the number of coaches to the site each day. The coach parking area would also be utilised at night for banqueting events and therefore lighting would also be required to ensure that passengers on the coaches could walk safely.
- 8.46 The lighting is proposed to be low level, in a similar form to that across the wider Hatfield Estate. Policy R20 seeks to minimise light pollution and identifies a number of criteria that need to be met. This includes ensuring that glare and light spillage are minimised, residential amenity is not affected, no adverse impact on the character and openness of the green belt. It is considered that if the lighting were provided in the form of bollards with the light projecting downwards, there would be limited impact upon the residents of St Audrey's Care Home and wider green belt and would thus comply with local plan policy and a condition to achieve this is suggested.
- 8.47 Noise levels also require assessment. Policy R19 identifies the criteria for assessments. It is considered that use during the day would have limited impact and an element of noise from vehicles would already be in existence with the adjoining residential area and Great North Road. It is proposed to use the coach park in the evenings for banquets at Hatfield House. It has been estimated that the number of people going to the banquets would be between 100 and 150 and the banquets generally finish at 10.30pm to 11pm at night. The impact on the amenity of the occupiers of the adjoining residential care home has been assessed by Environmental Health who consider that the residents of the care home are more likely to be sensitive to noise. Elderly typically spend a large amount of sleep in a dozing state rather than deeper state of sleep and therefore any unusual noise is likely to cause a disturbance. The concern about disturbance to these residents is from coaches revving up prior to leaving the parking area and having their engines running for any length of time and 'party goers' returning to the coaches after a banqueting event, perhaps being louder than would be normal. 19 residents of the care home are more likely to be affected due to occupier's windows facing out either towards the proposed car park or towards Lime Tree Walk, which would provide access for pedestrians.
- 8.48 The report submitted by the applicant's noise consultant has been carefully assessed by Environmental Health who have some concerns with some of the information that has been submitted. However, they conclude that the level of noise that may affect residents is likely to be low and therefore with certain mitigation measures, as a precautionary approach, including restrictions on the location of the parking of coaches, acoustic fencing and limitation on the

hours of use that the amenity currently enjoyed, would not be likely to be prejudiced.

- 8.49 The location of the parking, furthest from the care home would not impact upon the wider character of the area and this is therefore deemed acceptable. Limitation of hours, and those suggested, should ensure that both the amenity of residents are protected, whilst allowing the Estate to continue running the evening events without risk of non-compliance with the suggested conditions. The acoustic fencing is more problematic. However, Environmental Health have advised that a 2 metre high fence should provide sufficient means to ensure that amenity is preserved. Solid fencing would, undoubtedly have impact on the openness of the Green Belt by providing a solid visual barrier, where the area is currently open. This is not a 'boundary treatment' as defined by the Town and Country (General Permitted Development) Order 1995, Schedule 2, Class A which allows fencing (and other boundary treatments) up to 2 metres in height, when not adjacent to a highway. However, there are similarities and therefore it is accepted that the fencing would be acceptable.
- 8.50 Accordingly, it is recommended that conditions and informatives are attached to prevent disturbance to the residents. It is therefore considered that the proposal would comply with national and local plan policies.

## **Other Material Planning Considerations**

### Chalk Mining

- 8.51 The site is within the 100 metre buffer zone of a moderately high chalk mining risk area. The risk assessment for this development, using the tool by Hyder, indicates a moderate risk of the development likely to have impact on any mining areas within the area. However, Hyder have been consulted regarding the level of risk who advise that if no building works and no intrusive ground works are proposed, then the risk would be low which would require a desk top study to be undertaken. The standard condition for low risk sites is therefore suggested.

### Design of the Gate

- 8.52 The gate has a simple open design which would be reflective of the more rural aspect of this particular area. Details have not been submitted regarding the proposed materials for the gate, however it is anticipated that it would be finished in either timber or metal which would complement the locality. A condition is therefore suggested for submission of materials for the gate and the proposal would therefore comply with policies D1 and D2 of the local plan.

### Neighbour Representations

- 8.53 The majority of objections received have been addressed within the main body of the report. In relation to the outstanding matters the only issues are in relation to the loss of existing car parking for Estate tenants and air pollution. The proposal does not have any impact upon the existing provision of spaces within the car park and therefore this objection does not hold any weight.
- 8.54 The limited number of coaches and HGV's that are likely to visit the site compared to the number of vehicles that travel along the Great North Road is

a very tiny number. For this reason, it is considered that there would be unlikely to be any degradation to the current air quality.

## **9 Conclusion**

- 9.1 The development constitutes inappropriate development as defined within Planning Policy Guidance Note 2: Green Belts. However, the applicant has demonstrated very special circumstances that outweigh the harm to the Green Belt. The application has been negotiated during the course of the application to ensure that any prejudice to highway safety and detriment to the landscape quality of the area have been designed out of the scheme. The impact upon residential amenity of the nearby neighbours has been carefully considered and conditions suggested safeguarding amenity. The impact on any chalk mining that might be below the surface have been appraised and concluded as low risk. It is therefore considered that the development complies with local and regional policy and complies with the aims of national guidance and policies.

## **10 Recommendation**

- 10.1 It is recommended that planning application S6/2008/0690/FP is approved subject to the following conditions:

1. C.2.1 – Time Limit

2. C.13.1 – Development in Accordance with the Approved Plans

757-002D received and dated 17 June 2008. For the avoidance of doubt, the proposed gated should be at a scale of 1:25 as confirmed by drawing submitted 17<sup>th</sup> June 2008 by email

757-03 & 757-004 & 757-005 received and dated 5<sup>th</sup> April 2008

Figure 4 received and dated 17<sup>th</sup> June 2008

3. The development hereby approved allows for the parking of a maximum 12 coaches on the site only between 0800 and 2000 hours Monday to Sunday.

REASON: In the interests of the visual amenity of the area and to preserve the amenity of adjoining residents in accordance with policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

4. No more than 4 coaches shall be parked or within the site between 2000 hours and midnight hours Monday to Sunday and no coaches between the hours of midnight and 0800 hours.

REASON: In the interests of the amenity of adjoining residents in accordance with policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

5. Prior to the commencement of the development hereby permitted, details of the materials proposed for the gated entrance shall be submitted to the Local Planning Authority for approval in writing. The approved details shall subsequently be implemented in accordance with the approved details. For clarification the gate is approved at a scale of

1:25 as shown on the plan submitted 17<sup>th</sup> June 2008 and not as shown on drawing 757-002D.

REASON: In the interests of the appearance of the area and in accordance with policy D1 of the Welwyn Hatfield District Plan 2005.

6. The highway works as shown in principle in drawing 'Proposed Junction Improvements – 'Figure 4 Revision 1' shall not be commenced until detailed plans are submitted to and approved in writing by the Local Planning Authority. The approved details shall subsequently be implemented in accordance with the approved details.

REASON: To ensure that the highway is constructed to the Highway Authority's specification in accordance with Planning Policy Guidance Note 13: Transport

7. Prior to the commencement of the development hereby approved, all access and junction arrangement serving the development shall be completed in accordance with plans to be submitted to and approved in writing by the Local Planning Authority, as shown in principle in 'Proposed Junction Improvements - Figure 4 Revision 1' Subsequently the approved details shall be constructed to the Highway Authority's satisfaction.

REASON: To ensure that the access is constructed to the current Highway Authority's specification as required by the Local Planning Authority and to comply with Planning Policy Guidance Note 13: Transport

8. Construction of the development hereby approved shall not commence until details of construction vehicle movements and construction access arrangements are submitted to and approved by the Local Planning Authority. The approved details shall subsequently be implemented in accordance with the approved details.

REASON: To ensure the impact of construction vehicles on the local road network is minimised in accordance with Planning Policy Guidance Note 13: Transport

9. C.8.5 – Wheel Washing Equipment

10. C.8.10 – Gates Over Highway  
"6 metres" shall be amended to "20 metres"

11. Signage to advise drivers not to turn right down the lane between Church Lane and The Broadway and signage within the site clearly showing the route all drivers must take shall be submitted to the Local Planning Authority for approval in writing. The approved details shall then be implemented prior to the commencement of the use of the coach car park and shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that coaches leave the site in a safe manner and do not cause a highway obstruction or highway hazard in accordance with Planning Policy Guidance Note 13: Transport

12. C.4.5 – Retention and Protection of Trees and Shrubs for the Duration of the Development
13. C.4.1 – Scheme of Landscaping to be Submitted and Agreed (a, e, g and h)
14. C.4.2 – Implementation of Landscape Planting
15. Details of any external lighting proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and no external lighting shall be provided without such written permission. This lighting should be of a low level (bollard type) form with the illumination from the lights projecting downwards. The approved details shall be implemented and not altered without prior approval from the Local Planning Authority.

REASON: In the interests of the amenity of the area and in accordance with policy R20 of the Welwyn Hatfield District Plan 2005.

16. C.12.1 – Chalk Mining (Low Risk)
17. Prior to the use of the development hereby permitted, details of acoustic fencing of 2 metres in height shall be submitted to the Local Planning Authority for approval in writing. The approved details shall then be implemented on the northern perimeters of parking bays, labelled 1 – 4 as shown on drawing number 757-002 D dated 17 June 2008 and shall not be removed or altered in any way without the prior written consent of the Local Planning Authority.

REASON: In the interests of the amenity of adjoining residents in accordance with policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

18. Between the hours of 2130 and midnight coaches shall be parked in spaces labelled 1 – 4 as shown on drawing number 757-002D dated 17 June 2008 and in no other part of the site.

REASON: In the interests of the amenity of adjoining residents in accordance with policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

19. Prior to the use of the site hereby permitted, signage shall be erected within the site advising visitors to the site of being close to a residential area and to not cause a disturbance. The location of the signage shall be submitted to the Local Planning Authority for approval in writing detailing the wording on the signs, its location, the size and height of the signs and materials to be used. Once approved, the signs shall not be removed or altered without the prior written authority of the Local Planning Authority.

REASON: In the interests of the amenity of adjoining residents in accordance with policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

## **Informatives**

### 1. INF9 –Chalk Mining

#### Reason for Grant of FP:

The proposal has been considered against Planning Policy Statement/Guidance PPS1, PPG2, PPG13, PPG14, PPG15 and PPG24, East of England Plan 2008 SS1, ENV1, ENV2 and ENV6 and development plan policies SD1 GBSP1, R19, R20, R28, D1, D2, D5, D7, D8 and D9 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan (see Officer's report which can be inspected at these offices).

Chris Conway, Chief Planning and Environmental Health Officer (LAH)

Date (23 July 2008)

Background papers to be listed (if applicable)

Hertfordshire Landscape Strategy: Welwyn Hatfield Landscape Character Assessment, April 2005'