

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2008/1653/FP
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NOTATION:

The site lies within the Green Belt, Area of Archaeological Significance and Landscape Region and Character Area as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The site is part of the wider setting of Bedwell Park which consists of a grade II listed building, currently undergoing conversion to residential accommodation.

DESCRIPTION OF PROPOSAL:

The proposal seeks retention of the current sales building as a concierge office. The building is located towards the front of the development site, to the RHS of the main access road into the site, where it forms a 'cross-roads'.

The building has a footprint of 10 x 14 metres (which includes the overhang of the verandah and maximum height of 4.8 metres. The building is finished in timber weatherboard (cream coloured) and shingle roof.

PLANNING HISTORY:

S6/2008/0557/FP Erection of tennis court changing pavilion - refused

S6/2007/1408/FP Swimming pool - allowed

S6/2007/0592/FP Swimming pool and summer house – refused – allowed on appeal

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

Although not within the defined cartilage of the Tennis Court House, the history for the Walled Garden House is relevant in that this dwelling once comprised part of the wider Bedwell Park.

S6/2007/0596/MA Carport, garaging and storage - refused, dismissed on appeal

S6/2007/1410/MA Ditto (development was slightly smaller than appeal) - refused

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy

PPS1: Delivering sustainable development

PPG2: Green Belts

PPG15: Planning and the Historic Environment

East of England Plan 2008

SS1: Achieving Sustainable Development

ENV2: Landscape Conservation

ENV8: The Historic Environment

Hertfordshire Structure Plan Review 1991 – 2011:

None

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP1: Definition of Green Belt

D1: Quality of design

D2: Character and context

D8: Landscaping

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

CONSULTATIONS

None

TOWN/PARISH COUNCIL COMMENTS

Would appear to contravene Green Belt policy. If WHBC minded to agreed it, should be subject to an agreement that it is not to be used as a dwelling.

REPRESENTATIONS

None. Period expired 26th September

DISCUSSION:

The main issues are:

1. **Impact on the Green Belt**
2. **Impact on the character and setting of the listed building / registered garden**
3. **Impact on the landscape region**
4. **Design of the development**
5. **Other Material Planning Considerations**

1. Planning Policy Guidance Note 2: Green Belts defines developments that are appropriate within the Green Belt. This development is being considered as a 'new' building due to the circumstances under which it was originally permitted to be built. Temporary buildings are permitted development under the General Permitted Development Order, Schedule 2, Part 4 when they are associated with other operations. In this case the building is permitted due to being a sales building in connection with the housing development.

Those new buildings defined as appropriate development do not include concierge offices and therefore it is for the applicant to demonstrate the very special circumstances (vsc) to outweigh the harm to the green belt (paragraph 3.12).

The applicant has submitted:

"The proposed concierge service and hence the concierge office is an integral part of the whole development. The cabin has been sited so that it is part of the wider residential development within the Green Belt and as such it does not have any detrimental effect on the Green Belt as it does not result in the spread of development within the Green Belt.

There are very special circumstances to allow this development in the Green Belt, in that the proposal does not result in the spread of development in the Green Belt, the amount of development even with the concierge's office is less than there was on site prior to the approved residential development. The concierge office is well screened and therefore not visible from the wider Green Belt."

The first paragraph has not been submitted as part of the case for vsc (the second part of the paragraph is repeated within the paragraph below it, however) and even if it had it is not considered that the issues outweigh the harm caused by the development. If the office had been considered to be an 'integral part of the whole development', it is questioned why this was not submitted with the original planning permission in 2006. Notwithstanding this, the statement is not supported as to why it is an integral part of the whole development and as such very limited weight can be attached to this claim.

PPG2 paragraph 1.4 defines the intentions of the policy – "...to prevent urban sprawl by keeping land permanently open, the most important attribute of Green Belts is their openness" and then goes further to discuss the purposes of including land and use of land within the Green Belts. The building is inappropriate, large and visible from a variety of vantage points from within the wider setting of Bedwell Park and as such is considered to '...result in the spread of development in the Green Belt...' and thus fails to keep the land open.

In relation to the claim that the amount of development 'even with the concierge's office is less than there was on site prior to the approved residential development' can only be described as ridiculous. The new build comprised the courtyard dwellings (12 new build units), garage block, tennis court house as well as alterations to the building within the Walled Garden add up to in excess of an increase in footprint of 2000m². This is taking into account the small amounts of demolition that were associated with the development and does not include the overall bulk of the development as it does not include, where applicable first floor accommodation.

Many planning applications and appeal decisions have discussed the issue of landscaping and screening that this might provide. Whether landscaping is present or not – or even further proposed, as is indicated within the Design & Access statement, this does not make a development that is inappropriate appropriate – if it were it would be an obvious route for all developers to take to ‘hide’ their developments. Furthermore, it is not agreed that the landscaping provides screening throughout the year. In summer months, with leaves on the trees the impact of the building is somewhat minimised (although still visible at the time of site visit in September), but in winter this screening would be lost. The building, as previously mentioned, is also viewable from more aspects than just the main access road and surrounding hard surfaces, so this argument is not justified.

It is also questioned as to whether the applicant/developer is referring to the correct site within the D & A statement. The conclusion refers to “...Grade II Listed Building known as The Philippines...” (para 8.4), however the building has been named as Bedwell Hall. Furthermore, paragraph 8.5 refers to planning application SE/03/00532/FUL which even considering there might be a slight typing error is nothing like the planning application number that the wider residential development was originally approved under being S6/2006/0365/FP.

2. The building, in relation to its impact on the character and setting of the listed building is set a reasonable distance away. The existing development, in the form of the garage courtyard dwellings already has some impact on the wider impact. However, the mature landscaping on the site does ensure that the main view through to the listed building is framed and that the new buildings are seen only as peripherals as part of the wider spatial impact. As such it is considered that the development does not detract to the detriment on the character and setting of the listed building.

For similar reasons, it is considered that the building does not harm the historic park and garden and does not harm the contribution the historic garden has upon the character of the area.

3. The character appraisal for this area is to ‘improve and restore’. The strategy for undertaking this aim requires woodland to be protected, areas for biodiversity to be enhanced, hedgerows to be provided. It is considered that whilst the development does not contribute to any of these aspects, it does not cause harm or interfere with the strategy aimed for and as such is not contrary to policy RA10 of Welwyn Hatfield District Plan and ENV2 of East of England Plan.

4. The design of the building for a sales building is quite attractive. It has been built in materials that are traditional and whilst the building is quite ‘twee’ when compared to the main listed building, however it is not considered to be so out of character that it fails to comply with local design policy (D1).

5. The applicant has submitted information on how the development would contribute towards sustainability which includes materials used were from a managed source, improve health and safety due to permanent presence on site and provides employment. This is fairly limited in the contribution that it provides, however it is not considered that it significantly fails to achieve sustainability and is therefore acceptable.

CONCLUSION:

The development is considered to be inappropriate due to not falling within any of the definitions of acceptable new buildings within PPG2. The very special circumstances advanced by the applicant are not considered to be adequate to outweigh the harm that this development has upon the openness of the Green Belt and as such should be refused.

RECOMMENDATION: REFUSAL AND REASON (S)

1. The change of use of the temporary sales building to a concierge office is considered to represent a new building in relation to the criteria of PPG2: Green Belts due to the building

originally being permitted by virtue of Class 4 of the Town and Country (General Permitted Development) Order 1995. The building does not fall within the definition of any the purposes described with paragraph 3.4 of PPG2 and therefore, is considered to be inappropriate development. Inappropriate development is by definition harmful to the Green Belt and it is considered that the very special circumstances advanced are not accurate in relation to the amount of development on the site being "...less than there was prior to the approved residential development". More than 2000m² footprint increase was permitted as part of the case for enabling development. Furthermore, the harm caused by the development is not outweighed by the limited screening that the landscaping provides and would be provided with the removal of car parking spaces. Therefore, no very special circumstances are apparent in this case, and the proposal would be contrary to Planning Policy Guidance Note 2: Green Belts.

INFORMATIVES:

None

DRAWING NUMBERS:

BP/MSU/CON/01 & BP/MSU/CON/02 & BP/MSU/CON/03 & BP/MSU/CON/04 & BP/MSU/CON/05 and date stamped 22nd August 2008

Signature of author.....

Date.....