

**WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL**  
**DELEGATED REPORT**

<b>APPLICATION No:</b>	<b>S6/2010/134/FP</b>
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**NOTATION:**

The site lies within the Metropolitan Green Belt and Landscape Character Area 51 as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:**

The application property comprises of a church, which was formerly known as St Mark's Church, and is now used by the Greek Orthodox Community as a church following planning permission granted in 1998.

It is located on the northeast corner of Kentish Lane and Woodfield Lane and is accessed from this junction and also from a second point further along Woodside Lane.

The church is not a Listed Building, but probably dates from the Victorian era and is an attractive flint finished building with red brick and stone detailing under a plain tile pitched roof. The church is set back from the highway with parking to the front.

The location of the proposal is the boundary which adjoins Woodfield Lane and is close to the junction with Kentish Lane. This boundary of the application site is set back from the edge of the highway and currently has a flint wall which adjoins the parking area. There exists no pavement along this section of the highway as there is only a soft verge, with mature trees spaced along its length and in front of the existing subject wall.

This existing wall has collapsed in a couple of locations and a close boarded fence has been constructed to close the gaps.

**DESCRIPTION OF PROPOSAL:**

The application seeks full planning permission for a new boundary treatment along Woodfield Lane which borders the existing car parking area to Twelve Apostles Church.

The existing boundary treatment comprises of a flint wall with a red brick wall which is approximately 1.3m high.

It is proposed to demolish this and replace it with a railings which are approximately 45m long made up of open metal bars which would be approximately 2m high. These would be located between the existing brick piers which support the current metal entrance gates.

There are 15 metal bar supporting columns which support these railings which also have a lantern style feature above.

### **PLANNING HISTORY:**

S6/2008/0819/FP – Installation of sewage works – granted 17/7/08

S6/2006/0054/FP - Erection of single storey extension to priests office – Refused 13/03/06

S6/2005/0306/FP – Retention of Land to use as car parking – granted 11/05/05

S6/2001/1520/FP – Erection of Outbuilding After Demolition of Existing Shed - granted 14/1/02

S6/1999/490-/FP – Extension to form kitchen and toilets –granted 22/10/99.

S6/1998/917/FP – Extension to existing church – granted 11/12/98

S6/1998/419/FP - Change of use from residential training centre to church use, and construction of 27 car parking spaces – granted 28/8/98

### **SUMMARY OF DEVELOPMENT PLAN POLICIES:**

National Planning Policy:

PPS1 Delivering Sustainable Communities  
PPG2 Green Belts  
PPG13: Transport

East of England Plan 2008:

SS1 Achieving Sustainable Development  
ENV7 Quality in the Built Environment

Hertfordshire Structure Plan Review 1991 – 2011:

None

Welwyn Hatfield District Plan 2005:

SD1 Sustainable Development  
GBSP1 Definition of the Green Belt  
RA10 Landscape Regions and Character Areas  
D1 Quality of Design  
D2 Character and Context

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005  
Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

## CONSULTATIONS

None

## TOWN COUNCIL COMMENTS

**Hatfield Town Council:** advise: object to the application considering the wall should be reinstated and not replaced with a rail fence that would be totally out of keeping with the existing church and churchyard.

## REPRESENTATIONS

This application has been advertised and 4 representations have been received. Period expired 30/03/10.

All these object to the proposal and these can be summarised as follows:

- There are trees adjoining the site, which is not shown on QS16 of the application form.
- The removal of the exiting wall will remove the visual screening provided to the car parking area.
- The proposed railings are out of keeping with the rural setting of the site and the materials do not relate to the church building
- The lanterns will be intrusive by night and are unnecessary and could create a traffic hazard.

## DISCUSSION:

The main issues are:

1. **Green Belt Policy**
2. **The impact of the proposal on the character of the existing church and surrounding area.**

### 1. **Green Belt Policy**

Planning Policy Guidance Note 2 (Green Belts) is relevant.

Paragraphs 1.4 & 3.1 of PPG2 indicate that the most important attribute of the green belt is its openness and that there is a general presumption against inappropriate development in the green Belt. Such development should not be approved except in very special circumstances. Paragraph 3.4 of PPG2 points out that the construction of new buildings inside a green belt is inappropriate, subject to particular exceptions.

Guidance to whether a new boundary treatment can be considered to be a new building in PPG2 does not exist within this policy document, and so it is up to the decision maker to make a planning judgement. In previous appeal decisions, a view has been taken that boundary treatments can be considered to represent new buildings and although the particular circumstances of each case must be taken individually, the size of the proposed railings at a length of around 45m is such that it would be reasonable to consider it to be a new building also in this case.

Paragraph 3.4 of PPG2 lists a number of purposes where development is not inappropriate, however, the proposal does not fall within any of these exceptions and so the development would be inappropriate by definition in the Green Belt.

In regards to paragraph 3.15 it is also necessary to consider the impact on the Visual Amenity of the Green Belt.

Due to the location of the proposed railings being very close to the highway and the substantial increase in height, it is considered that the impact on the visual amenity of the Green Belt would be harmful as it would be visually intrusive. Although the new proposal would allow views through the railings to the church beyond, which is an improvement on the perceived openness of the Green Belt, these benefits are then lost due to the substantial increase in height which would make it much more conspicuous and harmful to the visual amenity of the area.

In summary, the proposal is considered to represent inappropriate development by definition and would also be detrimental to the visual amenity of the Green Belt by reason of its unacceptable siting, materials and design.

### Very Special Circumstances

Paragraph 3.2 indicates that, in the case of inappropriate development, it is for the applicant to show why permission is granted, and that 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.

The design and access statement advises that the wall is in poor condition and is falling over in places and could be considered to be a health and safety hazard.

It is accepted that the existing wall is in need of repair and has collapsed in a couple of places. Notwithstanding this, the wall could be repaired and that some of the materials could be salvaged or good matches could be made if new materials had to be obtained.

Although the stability of the existing wall should be monitored, these combined concerns do not represent very special circumstance which would outweigh the harm to the openness and visual amenity of the green belt.

No very special circumstances therefore exist.

## **2. The impact of the proposal on the character of the existing church and surrounding area.**

Policy D1 & D2 re relevant along with Policy RA10.

Policy D1 requires an assessment of the quality of the design to be made. If the design of the railings are taken in isolation of their context and setting, then the appearance of these would be acceptable. Some detailed thought has gone into the design of these which shows an ecclesiastical reference with the columns show a cross like feature.

In this respect the proposal complies with Policy D1.

In regards to Policy D2, the proposal also has to relate to its immediate context and surrounding area.

Concerns have already been made in regards to the impact on the visual amenity of the area in Green Belt terms, particularly due to the proposed height.

These concerns along with the proposed design and appearance are also relevant in regards to Policy D2. The current boundary treatment is made up of broken flint, with a red brick shaped copping. These materials replicate that used on the church building and both may have been constructed at the same time. These materials form part of the important character of this immediate locality and although black painted metal gates already exist, the size of these do not overwhelm this established character.

The proposed extensive use of railings would be alien in this context to this site and their significant height would particularly harm the character of this site which currently benefits from being open and so allowing unobstructed views to the church behind.

The proposed lanterns (the application form does not refer to lighting and so it is assumed they are not lit), also gives a very urban character to these railings. The overall result would be an alien feature in this rural location.

It is unfortunate that the existing wall has to be removed, as this is a particularly attractive feature in this location, and although it is not listed, the retention of this would be very desirable to maintaining the appealing character this location exhibits and which contributes significantly to the character of the wider area.

## **Conclusion**

The proposal is considered to represent inappropriate development in Green Belt Policy and would harm the visual amenity of the Green Belt.

The proposal would also fail to comply with Policy D2 and RA10 as it would be out of character with the surrounding area and landscape.

It is appreciated that the existing wall is in a poor state and needs attention. It is also acknowledged that considerable thought has been given to the detailed design of the railings, unfortunately however this design would not be appropriate for this location.

## **RECOMMENDATION: REFUSAL AND REASONS**

1. The proposed development would represent inappropriate development in the Green Belt which would be harmful to the openness of the Green Belt and detrimental to its visual amenity by virtue of its height, siting, materials and design contrary to the requirements of Planning Policy Guidance Note 2 (Green Belt). There are no very special circumstances which have been advanced to justify a departure from the Green Belt Policies of restraint.
2. The proposed design of the railings would fail to relate and respect the character and context of this rural locality and landscape due to the excessive height, design and proposed use of materials and so would be contrary to the requirements of Policy D2 & RA10 of the Welwyn Hatfield District Plan 2005.

**REFUSED DRAWING NUMBERS:**

01 Rev A (Including Site Location Plan) and date stamped 04 FEB 2010

**Signature of author..... Date.....**