

WELWYN HATFIELD COUNCIL  
PLANNING CONTROL COMMITTEE – 28 OCTOBER 2010  
REPORT OF THE DIRECTOR (STRATEGY AND DEVELOPMENT)

S6/2010/1711/FP

LAND ADJACENT TO THE VIADUCT, HATFIELD PARK, HATFIELD, AL9 5NB

FORMATION OF REPLACEMENT CAR PARK FOR BUSINESS USE INCLUDING LAYOUT OF ADDITIONAL PARKING AREA FOR RESIDENTIAL OCCUPIERS, PATHS, LANDSCAPING AND ANCILLARY WORKS. REMOVAL OF CAR PARK TO NORTH OF HATFIELD HOUSE KNOWN AS 'CRICKET PITCH' CAR PARK AND PROVISION OF SOFT LANDSCAPING

APPLICANT: Gascoyne Cecil Estate

(Hatfield East)

**1 Background**

- 1.1 The application was deferred from Planning Control Committee on 30<sup>th</sup> September to enable a site visit to be undertaken, which took place on 24<sup>th</sup> October.
- 1.2 The report has been updated, section 7, to take account of further representations made in respect to the amended plans submitted by the applicant. Additionally condition 3 has been added for an archaeological evaluation to be undertaken.

**2 Site Description**

- 2.1 The development site forms part of the wider Hatfield House (Gascoyne Cecil) Estate. It comprises an open wooded, scrub area of approximately 0.175 hectares to the north-west side of Hatfield House and near to the viaduct. This viaduct runs east to west and carries vehicular traffic from the Station Lodge entrance into the Estate.
- 2.2 The site is roughly triangular in shape with the southern boundary backing on to Estate cottages adjacent to the Melon Ground. On the western boundary is a property called Hill House (38 Park Street) which is a Grade II\* listed building and situated at a lower level to the application site.
- 2.3 The northern corner of the application site abuts the access roadway leading from the viaduct. On the eastern side is a gravel/bitumen access road lined by a hedge. Beyond this is a wooded area, which forms a screen to the more open parkland beyond. The site has a gentle slope downwards from (approximately) east to west.
- 2.4 The 'Cricket Pitch' car park provides 54 spaces and is located adjacent to the North Avenue on the north side of Hatfield House. This area is approximately 1170 square metres and finished in tarmac. A low post and rail defines the area to the northern, southern and eastern boundaries and a low hedge also bounds the northern boundary.

### **3 The Proposal**

- 3.1 The application seeks full planning permission for a replacement car park for 49 vehicles adjacent to the Viaduct. It is proposed for use by business tenants who currently use the Cricket Pitch car park and residents, whose dwellings adjoin the proposed car park.
- 3.2 The proposal has been amended during the course of the application and, following neighbour representations has removed the car parking spaces and gate to the rear of the Estate Cottages. Additionally, the amended plan shows timber bollards to each of the parking spaces along the western elevation adjacent to the wall with Hill House.
- 3.3 The existing "Cricket Pitch" car park would be removed and the land restored to grass.

### **4 Planning History**

- 4.1 S6/2010/1710/FP Formation of visitor parking area, paths, landscaping and ancillary works at land adjacent to Georges Field.  
Removal of car park north of Hatfield House and provision of soft landscaping  
  
Under Consideration
- 4.2 S6/2010/1292/PA Proposed Car Park. Advised of the constraints of the site as defined within District Plan. Landscaping should be retained where possible and additional provided to assist with softening the development.
- 4.3 S6/2008/0690/FP 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  
  
Approved 25/09/2008

### **5 Planning Policy**

- 5.1 National Policy  
  
PPS1: Delivering sustainable development  
PPG2: Green Belts  
PPS5: Planning and the Historic Environment  
PPG13: Transport  
PPG24: Planning and Noise
- 5.2 Hertfordshire Structure Plan Review 1991 – 2011:  
  
None
- 5.3 Welwyn Hatfield District Plan 2005:  
  
SD1 Sustainable Development  
GBSP1 – Definition of Green Belt  
GBSP2 – Towns and Specified Settlements  
R17 -Trees, Woodland and Hedgerows  
R19 – Noise and Vibration Control

R20 – Light Pollution  
R28 – Historic Parks and Gardens  
R29 – Archaeology  
M5 - Pedestrian Facilities  
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

5.4 Supplementary Design Guidance, February 2005

5.5 Supplementary Planning Guidance, Parking Standards, January 2004

## **6 Constraints**

6.1 The land proposed for the viaduct car park is designated as Historic Park and Garden and Area of Archaeological Significance and is also adjacent to the Old Hatfield Conservation Area and Grade 2\* listed Hill House.

6.2 The Cricket Pitch Car Park lies within the Green Belt, Landscape Character Area, Wildlife Site, Historic Park and Garden and Area of Archaeological Significance as designated in the Welwyn Hatfield District Plan 2005. Additionally, it is sited within close proximity of the setting of listed buildings including the Grade 1 listed, Hatfield House.

## **7 Representations Received**

7.1 This application has been advertised by site notice, newspaper notice and neighbour notifications. A total of 22 representations have been received from 15 respondents from Park Close, Fore Street (although the comments from this party would appear to relate to planning application S6/210/1710/FP only), Park Street, Hatfield Park, The Noke (Stevenage), Boundary Road (St Albans), St. Ethelreda's Drive as well as Welwyn Hatfield Access Group. One of the respondents now supports the application, having originally objected and a further eight letters of support have been received since the application was previously presented to committee. The objections raised may be summarised as:

- Already car park by Cricket Pitch, why not extend that?
- Believe the area is Green Belt
- Destroying Green Belt is not the answer to indiscriminate, inconvenient and uncontrolled parking
- No consideration of carbon emissions car park would create
- Retaining wall and timber fence to rear of numbers 1 – 24 Park Close would need to be strengthened
- Will access be via Fore Street?
- Will create unacceptable noise and disturbance for residents
- Statements do not fully address 'impact' upon residents in the locality
- Not clear whether replacement or additional car park
- What surface is proposed?
- Concern regarding proximity of residents parking and access road to flats in Park Close
- Why is a gate at the end of the access route proposed?
- What vehicles would be using this car park?

- Are there plans to change existing car parking arrangements for business tenants?
- Do not consider that a car park with 59 spaces is required
- Why does the cricket pitch car park need closing?
- Amendments do not overcome objections
- Why does the cricket pitch car park need closing?

7.2 The letters of support raise the following:

- Expansion and investment in these economic times should be supported
- Improvement on existing arrangements
- Relieve traffic problems at the existing entrance
- Businesses in Old Hatfield will benefit from additional custom
- Visitor facilities need to be developed
- Estate need to evolve and develop in positive and progressive ways
- Enable existing businesses within the park to be upgraded
- If permission is not granted, fewer people would be needed to be employed

7.3 Welwyn Hatfield Access Group have observed that the plans do not appear to show any parking provision for disabled users.

## **8 Consultations Received**

8.1 **Hertfordshire County Council Transportation Planning and Policy** – Does not wish to restrict the grant of permission.

8.2 **Hertfordshire Biological Records Centre** – No response (due 3<sup>rd</sup> September)

8.3 **Landscaping** – No objections

8.4 **Hertfordshire County Council Archaeology** – No objection subject to conditions.

8.5 **Historic Park and Gardens** - No response (due 3<sup>rd</sup> September)

8.6 **Hertfordshire Building Preservation Society** – No response (due 3<sup>rd</sup> September)

## **9 Discussion**

9.1 This application is presented to the Planning Control Committee because it has been called in by Councillor Tony Kingsbury on the grounds of potential noise and nuisance to neighbours in the surrounding area, particularly due to the proposed car park height compared to the buildings in Park Close.

9.2 **The main issues to be considered are:**

- 1. Impact on the Metropolitan Green Belt**
- 2. Highway and Parking Matters**
- 3. Impact on the Character of the Area and Setting of the Listed Building**

- 4. Impact on Archaeology**
- 5. Impact on the Amenity of Adjoining Occupiers**
- 6. Impact on the Wildlife Site**
- 7. Other Material Planning Considerations**

## **1. Impact on the Metropolitan Green Belt**

- 9.3 The development site is located outside of the Green Belt, although the Cricket Pitch Car Park falls within the Green Belt. Paragraph 3.15 of Planning Policy Guidance Note 2: Green Belts states:

*“The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.”*

- 9.4 It is therefore necessary to assess this development in relation to its impact upon the visual amenity of the Green Belt and to determine, if there is harm, whether this is outweighed by the removal of the Cricket Pitch Car Park.
- 9.5 The site directly abuts the Green Belt and therefore any development will have some impact upon its visual amenity. Currently the site comprises a wooded area, with a variety of trees in varying conditions. A number of these would be removed as part of the development in order to provide the parking spaces. The arboricultural implications are assessed later within the landscaping section, paragraph 8.17.
- 9.6 It is however proposed to retain a number of the better quality trees as well as provide additional landscaping within the parking area as well as to the boundaries. Surfacing proposed would be the same as that provided across the Estate and comprise gravel bonded into bitumen. The proposals have therefore taken opportunity to minimise its impact.
- 9.7 The Cricket Pitch Car Park is sited in front of, but beyond, the main visitor car park located directly in front of Hatfield House. It is within an area of grassed parkland and visible from the wider access roads providing access to the House and within the ‘northern’ grounds. The removal of this car park is therefore welcomed and is considered to be visually more intrusive than the proposed car park upon the Green Belt. It would however be necessary to, in the interests of the visual amenity and to ensure that additional parking is not created, ensure that suitably worded conditions are applied for the removal of the car park and for the area to be soft landscaped following implementation of the viaduct car park.

## **2. Highway and Parking Matters**

- 9.8 The proposal is for the provision of a new car park located on land adjacent to the viaduct to provide parking for business tenants and residential occupiers for the Gascoyne Cecil Estates. The car park would have 49 spaces and it is proposed that it will replace the 'cricket pitch' car park which has 59 spaces. Both car parks are served by Hatfield House estate road network. As this is replacement parking, Hertfordshire County Council as Highway Authority considers the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways. However to ensure that parking is not increased a condition should be added to any grant of permission to

ensure that the closure of the old car park and the opening of the new car park are linked.

- 9.9 It is therefore considered that the proposal is acceptable and would comply with local and national policies.
- 9.10 Welwyn Hatfield Access Group have queried why there is no provision for disabled users. The applicant has amended the plan to provide provision for three disabled parking spaces. The parking standards for disabled parking refers to employment generating development. This development would not be generating employment and is a swap, notwithstanding this it is considered appropriate to calculate the number required under this criteria.
- 9.11 The criteria is for 'individual space for each disabled employee plus 2 spaces or 5% of total capacity, whichever is greater. As part of the application the applicant has advised that disabled spaces are already provided within the 'Melon Ground' car park which are closer to the buildings to which they serve. As such, it provides an easier access route for disabled persons. This opinion is concurred with, especially as there is a slight incline from the viaduct car park to the business area and thus more difficult to travel. However the number of spaces proposed complies with the adopted parking standards and therefore the proposal complies with policy M14 of the Welwyn Hatfield District Plan 2005.

### **3. Impact on the Character of the Area and Setting of the Listed Building**

- 9.12 The application site is outside of the conservation area, however the development site is directly adjacent to the conservation area as well as a Grade 2\* listed building and therefore consideration of the impact of the proposal upon these.
- 9.13 The impact of the car park upon the character of the conservation area would be limited. This is due to the topography of the site. The land immediately to the west of the site is significantly lower, by approximately 7 metres, and a wall of approximately 1 metre defines the boundary between the application site and land to the west. Therefore the proposed car park would not be seen within the wider context of the conservation area and is considered acceptable.
- 9.14 Hill House, Park Street Grade 2\* directly abuts the site and is located to the west. This building is estimated to be in the region of 12 metres high and therefore its upper floors and roof are visible from the proposed car park. However, the topography ensures that the proposal would have negligible impact upon the setting of this listed building.
- 9.15 The impact upon the landscape with this development is therefore an important consideration in the determination of this application due to being designated as Historic Park and Garden, adjacent to the Conservation Area as well as being an Area of Archaeological Significance.
- 9.16 The Historic Park and Garden covers both the existing Cricket Pitch car park as well as the proposed car park. Policy R28 states that development will not be permitted if it would lead to the loss of, or cause harm to, the character, appearance or setting of a registered historic park or garden. Proposals for development will be considered in terms of their contribution to the quality and character of the historic environment.

- 9.17 A response has not been received from Hertfordshire Gardens Trust. Notwithstanding this, it is considered that the removal of the Cricket Pitch car park will enhance the landscape character of this part of the Estate. The provision of the new car park will have impact, however this is off-set by enhancements to the soft landscaping in this area and the resultant improvement to the central parkland area. It is therefore considered that the proposal would not cause harm to the character, appearance or setting of the registered garden and would positively contribute.
- 9.18 The applicant has submitted plans and arboricultural report, which have been appraised by landscaping. They agree with the Arboricultural Report and Method Statement and advise that none of the trees on the site are worthy of protection. Conditions are not suggested, however it is necessary for the works to be implemented in accordance with the report and statement and for the planting to be implemented. It is therefore suggested that conditions are attached in order to achieve this.

#### **4. Archaeology**

- 9.19 Hertfordshire County Archaeology advise that the site is recorded as a medieval settlement of Hatfield which is called Hetfelle in Domesday Book. It is also recorded in a 10th century charter of Ely Abbey. Excavations in Hatfield have found evidence of medieval occupation. Hatfield House and gardens were built in the early 17th century on the site of a 15th century palace. The gardens were redeveloped and extended during the 19<sup>th</sup> and 20<sup>th</sup> centuries.
- 9.20 The proposed development is therefore likely to have an impact on heritage assets, and a condition has accordingly been suggested. This would require an archaeological evaluation prior to development commencing as well as monitoring and any associated mitigation during construction. This requirement would comply with PPS5, policies HE7 and HE12 as well as local plan policy R29.
- 9.21 County Archaeology also advise that they would be able to provide a design brief detailing the requirements if necessary and an informative has been included for the benefit of the applicants.
- 9.22 A response has not been received from Hertfordshire Building Preservation Society. Notwithstanding this, it is considered that the development would not result in harm to the character of the adjoining conservation area and the soft landscaping of the existing car parking area would enhance the setting of Hatfield House as well as the listed buildings which are in closer proximity. As such, it is considered that the proposal would comply with policies within PPS5.

#### **5. Impact on the Amenity of Adjoining Occupiers**

- 9.23 Following neighbour representations, the plans have been amended to minimise the impact of the development upon residents within Old Hatfield. Previously the plans showed an access road to the rear of the Estate Cottages and parking area for residents within the rear gardens of those cottages. This area was adjacent to residential properties within Park Close
- 9.24 The site would be adjacent, as previously noted, to residents within Hill House, Park Street. In relation to the use of the access road to the site (across the Viaduct), this would have no change in impact, due to existing traffic movements currently using this route.

- 9.25 It is therefore necessary only to assess the impact of the usage of the car park on those residents as well as residents of the Estate cottages, directly to the south. The car park would be used by employees of the businesses within the Park, mainly during the day. Concern has however been raised by residents regarding the hours of usage and potential noise disturbance at night from the movement of vehicles as well as doors closing.
- 9.26 There would be likely to be additional noise associated with the parking of vehicles. However, against the background noise of vehicles within the area and those on Great North Road and trains, it is not considered that noise would likely to be so great that this would create a nuisance. Office workers who are working late would be likely to move their cars closer to their business premises, i.e. in the region of the 'Melon Ground' to the south of the viaduct car park site. It would not however be possible to condition the proposal to ensure that vehicles were moved.
- 9.27 An objection has been received regarding pollution from exhaust fumes. It is unlikely that the provision of the car park for 49 vehicles would add any significance to any air pollution that might already be present. It is therefore considered that this objection does not hold sufficient grounds to warrant refusal.
- 9.28 The lighting is proposed to be low level, in a similar form to that across the wider Hatfield Estate and the same as that within the coach car park. 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 and residential amenity is not affected. It is considered that the proposed lighting, in the form of bollards with the light projecting downwards, would have limited impact upon the adjoining residents and surrounding landscape and would thus comply with local plan policy, and a condition to comply with the information submitted is suggested.

## **6. Impact on the Wildlife Site**

- 9.29 A botanical and phase one habitat survey of the proposed viaduct car park has been submitted with the application. This site is outside of the designated wildlife site, however due to its proximity to the designated area and undisturbed landscaping within this area, the applicant has undertaken a survey.
- 9.30 The survey concludes that the site is of low ecological value and a car park would have minimal impact upon ecology and wildlife in this area. A response has not been received from Hertfordshire Biological Records Centre, however the information within the report would appear to be appropriate to the quality of the land. It is therefore considered that there would not be an impact on any protected species and that conditions are not required to mitigate or enhance the area further.
- 9.31 The Cricket Pitch Car Park, however is within the designated wildlife site. A survey of this area has not been undertaken. However, due to the area comprising tarmac, it is considered that the ecological value would be negligible, if there is any value at all, and as such a survey is not required. There is therefore no need to consider aspect of protected species in accordance with the Conservation Regulations 2010 or Wildlife and Countryside Act 1981 for either of these areas. The proposal would therefore also not conflict with national and local plan policies.



## **7. Other Material Planning Considerations**

- 9.32 Sustainable Development: The applicant has submitted a sustainability checklist in accordance with local plan policy SD1. There is limited, by virtue of being a car park, of measures that can be used to increase the sustainability of the development. However, the applicant has chosen an area which is shown to be low in ecological value, account has been taken of potential light pollution by using low level timber bollards, with down lighters, soft landscaping will be provided as appropriate and surface water will drain naturally.
- 9.33 Health and Safety: Concerns have been raised regarding safety of both users of the car park and Hill House should vehicles cause damage to the wall which abuts the site. Due to the difference in height, should damage occur it could result in parts of the wall falling onto the lower ground, or potentially, vehicles plunging down to the lower level. Measures have been discussed with the applicant in order to minimise the likelihood of this occurring. As a result, it has been suggested that timber bollards, similar in design to those proposed for lighting, are sited in the central areas of each parking space along this western elevation. It is considered that these would maintain the character of the area and reduce the risk of harm. Accordingly a condition is suggested for these works to be undertaken.
- 9.34 Neighbours Objections: The majority of neighbour objections have been addressed within the course of the discussion with this report. However, in response to 'why can the cricket pitch car park not be extended?' The planning authority is only able to consider a proposal that is presented to it and whether that is acceptable and complies with local plan policy. If the development is acceptable, then permission should be granted together with any necessary conditions. However, if the development is not acceptable and conditions could not make it acceptable, the only recourse would be to refuse the permission.
- 9.35 In connection with changes to existing parking arrangements for business tenants. It is understood from the applicant that there are no proposals to change existing parking arrangements, primarily within the Melon Ground for business tenants.

## **10 Conclusion**

- 10.1 The development would enhance the Green Belt by removing an existing car park which is currently situated in the central area of park land. The impact upon the residential amenity of the nearby neighbours has been carefully considered and the proposal is considered would not impact, subject to suitably worded conditions. The overall impact upon the designations (Historic Park and Gardens, Area of Archaeological Significance, Listed Buildings, Conservation Area and so forth) are considered to be either beneficial or neutral in its impact. It is therefore considered that the development complies with local and national policy.

## **11 Recommendation**

- 11.1 It is recommended that planning application S6/2010/1711/FP be approved subject to the following conditions
1. C.2.1 – Time Limit
  2. C.13.1 – Development in Accordance with the Approved Plans

PRE-DEVELOPMENT

3. C.9.3 – Full Archaeological Excavation and Evaluation

POST-DEVELOPMENT

4. C.4.5 – Retention and Protection of Trees and Shrubs for the Duration of the Development
5. The new trees as shown on drawing number 843-VC -002 B shall be Oak (*Quercus robur fastigiata koster*); heavy standard 12-14 cm girth in accordance with the details submitted within the email from JB Planning Associates received on 10<sup>th</sup> September 2010 and as shown within the Supporting Planning Statement.

REASON: In the interests of the visual amenity of the area in accordance with policy D8 of the Welwyn Hatfield District Plan 2005.

6. Following removal of the car park and associated hard surfacing, the land shall be turfed or seeded with grass. This shall be carried out in the first planting and seeding seasons following the removal of the car park and any turf/grass which within a period of five years from the completion of the development die, is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with turf or grass seed, unless the Local Planning Authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the visual amenity of the area and to ensure that the character of the area is maintained in accordance with policies D2, D8 and RA10 of the Welwyn Hatfield District Plan 2005.

7. C.4.2 – Implementation of Landscape Planting

8. The lighting bollards shall be finished in Oak or Iroko and shall measure 100mm x 100mm x 700mm (height) in accordance with details submitted within the email from JB Planning Associates received on 10<sup>th</sup> September 2010 and as shown within the Supporting Planning Statement, Appendix 8 dated 07.10.

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

9. Concurrent with the first use of the approved development, the existing car park known as the Cricket Pitch car park shall be closed as a car park.

REASON: To comply with PPG13 and ensure that additional parking is not provided.

10. The hard surfacing of the Viaduct car park shall be finished in gravel rolled into bitumen to match the adjoining access roads

REASON: IN the interests of the visual amenity of the area and in accordance with policies D1 and D2 the Welwyn Hatfield District Plan 2005

11. The wall protection bollards as shown on drawing 843-VC -002 B and annotated as 'circles' adjacent to the boundary wall with Hill House shall be finished in Oak and shall measure 200mm x 200mm x 400mm (height) in accordance with details submitted within the email from JB Planning Associates received on 10<sup>th</sup> September 2010

REASON: In the interests of the health and safety of users of the car park and residents of Hill House, to prevent damage to the wall, vehicles plunging through the wall to land at Hill House (which is at a significantly lower height) and to ensure the bollards maintain the character of the area.

12. Within 6 months of completion of the Viaduct Car Park hereby approved, all materials arising from the Cricket Pitch Car Park shall be removed from the site.

REASON: In the interests of the character of the area and impact upon the Green Belt in accordance with PPG2: Green Belts, PPS5: Planning and the Historic Environment and policies R28 and R29 of the Welwyn Hatfield District Plan 2005.

### **Summary of reasons for grant of permission (if applicable)**

The proposal has been considered against Planning Policy Statement/Guidance PPS1: Delivering sustainable development, PPG2: Green Belts, PPS5: Planning and the Historic Environment, PPG13: Transport and PPG24: Planning and Noise, and development plan policies SD1 Sustainable Development, GBSP1 – Definition of Green Belt, GBSP2 – Towns and Specified Settlements, R17 -Trees, Woodland and Hedgerows, R19 – Noise and Vibration Control, R20 – Light Pollution, R28 – Historic Parks and Gardens, R29 – Archaeology, M5 - Pedestrian Facilities, 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 and RA10 - Landscape Regions and Character Areas 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).

### **Informatives**

None

Lisa Hughes (Strategy and Development)  
Date (08 October 2010)

Background papers to be listed (if applicable)

S6/2010/1710/FP

