

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No:	S6/2012/1635/FP
APPLICATION Site:	Twelve Apostles Church

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 building was formerly St Mark's Anglican Church that was declared redundant in 1976 and was then occupied as a chiefly residential training centre for the Roman Catholic priesthood.

The application site now comprises of a church which is used by the Greek Orthodox Community as a church following planning permission granted in 1998.

The site is located on the northeast corner of Kentish Lane and Woodfield Lane and has a vehicular entrance to an existing car park in front of the church close to this junction and also an exit from this car park at a second point further along Woodside Lane. A further car park is located behind the church to the north and extends to the east side, which has a single entrance and exit onto Kentish 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.

To the east, and adjoining the existing car park, is a new parking area, which has been created from open land and forms the application site.

THE PROPOSAL

The application seeks permission for the retention of the change of use of land to create extension to existing car park and associated landscaping and vehicle crossover (existing access to Kentish Lane) for the purpose of car parking in connection with the use of the church.

PLANNING HISTORY:

S6/2011/1617/FP - Rebuilding of existing boundary wall – granted 22/09/11

S6/2010/134/FP - Replacement fencing to boundary – refused 31/03/10

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

S6/1976/680/FP - Use of church as Christian Residential Training Centre – granted 21/02/1977

SUMMARY OF POLICIES:

National Planning Policy Framework

East of England Plan 2008 Policies:

SS1: Achieving Sustainable Development

SS2: Overall Spatial Strategy

ENV7: Quality in the Built Environment

T14: Parking

Hertfordshire Structure Plan Review 1991 – 2011:

None

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP1: Definition of Green Belt

R19: Noise and Vibration Pollution

M14: Parking Standards for New Developments

D1: Quality of Design

D2: Character and Context

D5: Design for Movement

D8: Landscaping
RA10: Landscape Regions and Character Areas
RA15 – Agricultural Land

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

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

CONSULTATIONS:

Hertfordshire (Transport Programmes and Strategy) (HTPS) - does not wish to restrict the grant of permission subject to 4 planning conditions which require the existing vehicle access onto Kentish Lane to be reconstructed to comply with the Highway Authorities specifications, for the entrance gates to be set back a minimum of 6m for the carriageway, no unbound material within 6m of the carriage way and a Travel Plan to be agreed and implemented within 4 months of any approval. The Local Highway comments are as follows:

'This application is for the change of use of land to create an extension to the existing car park and associated landscaping and vehicle crossover (existing access to Kentish Lane). The existing car park which provides 60 car parking spaces at the rear of the church is accessed from a crossover on Kentish Lane. Although the principle of an access at this location was agreed on the previous application in 2005, the access has never been constructed to the Highway Authority's standards and therefore I recommend that a condition is applied to any approval which ensures that the access is rebuilt to the appropriate standards prior to the use of any additional parking. With regard to the proposal to provide an additional 30 car parking spaces, WHBC are the parking authority and will determine the appropriate level of parking for this church, however I would point out that the highway authority are not aware of any problems being caused by excessive/bad parking on the highway. Kentish Lane, the B158 is a classified road designated as a secondary distributor road, with a speed limit of 60mph.

The NPPF states that decisions should take account of the opportunities for sustainable transport. Although this site is not well located for access by public transport, opportunities will exist for methods such as car sharing and the use of minibuses to provide alternatives to the use of individual vehicles. It would therefore be appropriate for the applicant to explore these possibilities and initiate a Green Travel Plan aimed at reducing car use to the site.'

Council Landscaping Officer – has no objection to the proposal and comments as follows:

'The landscape drawings show the area adjacent to Woodfield Lane planted as an informal shrubbery with trees, using native species. This will supplement the existing vegetation and trees. The majority of the roadside boundary will be planted as a holly hedge. This will produce a dense screen if kept clipped on a

cyclical basis. The remaining area will be planted with a mixture of shrubs and trees. The trees are native and commonly found locally. The shrubs are native, low maintenance, ornamentals which will benefit wildlife and produce a good informal screen. If left to grow they can attain heights of 3m or more.

Around the periphery of the site, adjoining the fields, oak, ash and field maple will be planted to grow as trees. These are all species of trees commonly found in hedgerows in the area. discussion, a method statement (section 5 of the Arboricultural Report) has been included. This confirms that there will be on-site supervision during works and the depth of new soil under the crowns will be a cosmetic depth of 5cm. This is a reasonable approach for this location.

The method statement referring to planting (sections 7 and 8) are sufficient for this location.

The management plan for the planting (section 9 and 10) are sufficient for this site. ‘

TOWN/PARISH COUNCIL COMMENTS: None

REPRESENTATIONS:

This application has been advertised and 2 representations have been received, raising the following comments which are summarised as:

- Impact of noise from the use of the car park which is used for numerous events outside the usual Sunday Services
- The location of the car park would have been better suited on Kentish Lane as there are no houses opposite. This would also protect the residents Green Belt view and reduce the noise of vehicles entering and exiting the car park.
- The purpose of extending the existing car park was to deal with weddings and the Easter Celebrations. The car park was finished at Easter, but still only 40% of cars have been provided for, thereby negating the purpose of the expansion. Has the Church carried out a risk assessment for the volume of people attending weekly weddings.
- There are pollution and noise issues from cars parking randomly on Woodfield Lane and Kentish Lane. There are also risks to members of the public from this parking, with lanes used by cyclists at the weekend and some people going to weddings being elderly and not very mobile. A health and safety study should be carried out.
- The Church could provide a Park and Ride Service from somewhere more suitable.
- A traffic survey should be carried to assess the danger.
- It is realised that at the two main religious festivals Easter and Christmas, then the roads and lanes will have to be used for parking
- It is noted that the car park is not always used and cars parked in the road
- It is hoped a good screen will be achieved through the proposed landscaping.

Period expired 19/9/12

DISCUSSION:

The main issues are:

- 1. Green Belt Policy**
- 2. Quality of Design and Landscaping**
- 3. Parking and Highway**
- 4. Other Material Planning Considerations**

1. Green Belt Policy

The National Planning Policy Framework (NPPF) is relevant along with Local Plan Policy GBSP1.

The NPPF states in paragraph 89 & 90 where development may be appropriate. The policy goes on to state in paragraph 88 that permission will only be given for other development in very special circumstances.

In this case the proposed development does not fall with the types of development included in paragraphs 89 & 90 and so is defined as inappropriate development in Green Belt Policy terms. This view is also accepted by the applicant in their planning statement, and so there is no disagreement between parties that the development constitutes inappropriate development in the Green Belt. As such very special circumstances will need to be demonstrated to exist by the applicant to overcome the developments harm to the Green Belt through it being an inappropriate form of development.

Very Special Circumstances

The applicant has advance the following 4 very special circumstances and each will dealt with in turn:

1. Very Special Circumstance 1 Highway Safety

The works to enlarge the car park were carried out due to the Church's great fears regarding the safety of the congregation. They were not prompted by the Council or County Council or by any complaints and have cost the Church £35,000 to implement. The growth of the church membership since 1999 has meant that the previous car parking area was insufficient. The enlargement of the car park has enabled the parking of 30 more vehicles off the road. For an average Sunday service this is sufficient to accommodate all the worshippers' cars and has removed the need to park on the narrow lanes surrounding the church.

Appendix 1 includes photographs of the parking on a normal weekend (taken on two average Sundays) before the extended car park was made available. It is clear that the surrounding roads were heavily parked on these occasions. The parking of these cars is hazardous for drivers as the width of the lanes is reduced. It is also hazardous for pedestrians. As Kentish Lane has limited footpaths, pedestrians who have parked some distance from the church (often with children) will walk in the road and are therefore at risk as they are walking to the church, particularly as other worshippers may still be arriving by car. The situation prior to the extension of the car park was hazardous to vehicle and pedestrian safety for church users and others and of great concern to the church. Policy RA28 seeks to avoid this type of hazard and Policy M5 seeks improvements in pedestrian safety. The removal of the cars from the roads on a regular weekend has therefore improved safety, a very special circumstance that outweighs the harm to the Green Belt from this development.

2. *Very Special Circumstance 2 Visual improvement to surroundings*

The removal of the parked vehicles from the surrounding roads on regular weekends has resulted in a visual improvement in the area. The vehicles parked in the car park have a less detrimental impact on the visual amenity of the area due to the landscaping detailed below. This visual improvement is a very special circumstance that outweighs the harm to the Green Belt from this development.

3. *Very Special Circumstance 3 The Mitigation Effects of Proposed Landscaping*

The Arboricultural report accompanying the application sets out the details of the new planting proposed along Woodfield Lane to replace some vegetation that was removed in error in March 2012. Evergreen Holly to a height of 2-3m is proposed along the southern edge of the site. This will give immediate all year round screening which will benefit the visual appearance of the street scene and the view from dwellings

along Woodfield Lane. Further planting is proposed to the rear and includes Hornbeam and Oak of 1.2-1.8m along with smaller specimens. This will develop into a varied landscape area and will mitigate the impact of the development on Woodfield Lane. In addition new planting of native species is proposed around eastern and northern boundaries of the car park and this will reduce the visual impact from Kentish Lane. The landscaping proposed would mitigate the impact of the development in a very real way thus counting as a very special circumstance that outweighs the harm to the Green Belt from the development.

4. *Very Special Circumstance 4 The lack of alternative transport*

The Twelve Apostles Church serves a specific community and covers a wide area as no other Greek Orthodox Churches are located within 19km. The congregation has grown and attendance is much larger than when the Church moved to the site in 1999. The available public transport is limited and may not give access to the site at a suitable time for services. The extended car park has therefore made provision for parking and has improved access to this facility and complies with Policy D5.

The Church plans to make special transport arrangements for the special services and as part of a Green Travel Plan to be submitted as required by a planning condition, the Church will detail plans to provide a park and ride service for the very important services with unusually high attendance. However it is not possible to provide alternative transport for every service all year round. The Church is encouraging members to share cars and to always park in the car park when space is available to make the best use of the existing facilities but even with these measures the previous provision was insufficient. Therefore the extension of the car park is an essential facility for this Church and a very special circumstance that outweighs the harm to the Green Belt from this development.

POINT 1

In regards to the first point, it is noted that the size of the church membership has grown since it was first established as a Greek Orthodox Church in 1999. The original car park with the church has already been extended to the rear of the church (application S6/2005/0306/FP) following planning permission being granted in the summer of 2005. However, the applicant has submitted evidence in the application of photographs showing cars parked in Kentish Lane for a normal Sunday Service earlier this year before the car park was extended. The extended car park now provides an extra 30 parking spaces which according to the applicant is sufficient to accommodate all worshippers' cars. The applicant considers that the previous situation of cars being parked on the adjoining highways was hazardous for the drivers (as the width of the roads were reduced) and also for pedestrians walking in the road to reach the church.

It is clear from the evidence that the church is very popular and has attracted more worshippers since it was first established. As such the existing car parks are no longer able to provide sufficient parking during a normal Sunday service and so worshippers are having to park in the road. Kentish Lane is a busy and fast road, and as such there is clearly a hazard for not only pedestrians, but also for other highway users with such a large number of vehicles being on the road.

The applicant has advised that in addition to the Sunday services, there are three other important dates in the Church calendar (Easter, Christmas and Twelve Apostle Day). All of these days have larger congregations than on a normal Sunday service, with Easter being the most popular. There are also weddings which can attract more visitors on a Sunday service. At these times, even with the car park extension, it is likely that cars will overflow into the adjoining roads.

Substantial weight is attached to the concerns over highway safety of other vehicles using the adjoining roads and for pedestrians that are being forced to park in the road due to the lack of on-site parking. There will be occasions where even if this development is approved, parking will still occur on the road, however, measures which reduce this number of cars and the number of occasions when this is necessary must be beneficial overall in improving safety standards.

It would, however, be reasonable to ensure through the submission of a Green Travel Plan, which includes on site traffic management measures, of making sure that where possible the number of car journeys is reduced to the site. When cars do have to be used, it is also essential to ensure that there are measures to ensure there is good on-site stewardship in terms of neat parking. These measures can include decisions on whether certain areas of the car park are used first, with say, the application site being reserved as an overspill car park when other areas are already full. It is also reasonable to ensure as part of this management measures that these car parks are always used and the entrance gates left open when required, so that any on street parking only occurs when the on-site car parks have reached maximum capacity.

For other events other than the normal Sunday services, measures in the Plan to demonstrate what arrangements will be made when it is likely that there will be an overspill of parking into the adjoining roads would be reasonable.

Currently there is no Green Travel Plan or agreed management plan for parking for this site, and this application provides an opportunity to ensure that where reasonable, the number of traffic journeys to the site is reduced, and that good management of the car parks exist to ensure the most efficient use of this facility, along with reducing the risks where possible when on-road parking becomes a necessity. These measures can be secure through a planning condition.

POINT 2

The visual improvement from the removal of parked cars on the surrounding roads carries some weight. This will be most noticeable for Sunday services as it appears that all the cars will be kept off surrounding roads, and less so at other times, when there will still be a necessity for some cars to be parked on the highway.

POINT 3

New landscaping is proposed around the perimeter of the new car park area and this also extends to the existing car park to the north of the church.

Concerns have been raised by third parties about the visual impact of the new car park, particularly when viewed from Woodfield Lane.

There is some existing landscaping along this side of the application site along Woodfield Lane, however, views into the site towards the new car park area still exist.

The application has been submitted with a detailed landscaping scheme along with an arboricultural report. The Council's Landscape Officer considers that this proposed landscaping will provide a good dense hedge of around 3m or more in time and will be in keeping with the character of the area.

There is no reason why this planting cannot be carried out in this planting season and it would be reasonable to impose this requirement in a planning condition. It is also reasonable to ensure that the landscaping is maintained in the future in such a way that plants/trees that die within a 5 year period are replaced. This is to ensure that there is an opportunity for the landscaping is fully implemented. On-going maintenance of the landscaping will be key to ensure that the height of the hedges is maintained so that the visual amenity benefits to the countryside and Green Belt are secured. A management plan for these requirements can be secured by a planning condition.

Subject to these conditions, the proposed landscaping, which also includes perimeter hedging, would significantly improve the existing character of the site, whilst also providing a natural screen when viewed from Woodfield Lane and other viewpoints outside the application site. Substantial weight is attached to these

environmental benefits which will improve the visual amenity of the Green Belt, and only have a limited impact on the openness of the Green Belt.

POINT 4

The applicant advises that there is currently limited public transport to the site which would also be suitable to coincide with services and events.

However, the applicant also accepts that through a Green travel Plan there is the opportunity to make special transport arrangements for special services and that a park and ride service will be offered for the very important services with very high attendances. Car sharing is also mentioned as already being encouraged, and this can be encouraged further with the use of a Green Travel Plan.

A planning condition can be imposed to ensure that a Green Travel Plan is agreed and this is considered to carry significant weight as part of the applicant's very special circumstances case.

VERY SPECIAL CIRCUMSTANCES - CONCLUSION

Significant weight is attached to points 1 & 3- 4 and some weight to point 2. Further weight is also attached to points where the requirements can be secured through the imposition of a planning condition. Whilst none of these four points when considered individually would carry sufficient weight to demonstrate that very special circumstances exist, when considered as a whole, the benefits would be sufficient to demonstrate that very special circumstances do exist. As such it has been shown that the harm by reason of the developments inappropriateness has been clearly outweighed by other considerations given in these four points.

As such planning permission should not be withheld solely on the grounds of Green Belt Policy.

2. Quality of Design

Local Plan Policy D1 is relevant.

The overall design of the car park is considered to be acceptable, as the surface material is shingle which is more in keeping with the wider character of the area. This does mean that parking spaces cannot be individually demarcated, however, adequate stewardship of the parking area through a management plan can overcome this.

In regards to the overall visual appearance of the site, this can be harmed if traffic cones are not properly stored on-site and so a planning condition requiring a cone store to be constructed following the approval of its design is reasonable. A requirement of storing these cones when not in use is also reasonable as part of an approved management plan.

There is also a mound of earth which has been deposited on the east boundary which has come from the application site. The applicant has confirmed that some of

this will be used for part of the landscaping and the remainder removed. It is important that this soil is removed as it impacts on the character of the site. This soil appears to be top soil and so could be re-used possibly and so it would be reasonable to simply request that it is removed to an area so it is no longer visible from the application site.

Subject to this condition, the proposal complies with D1.

3. Parking and Highway

Local Plan Policy M14 is relevant along with the NPPF.

The Highway Authority have been consulted and raise no objection to the proposal, but do require that the existing access onto Kentish Lane is revised and that the access gate is set back at least 6m from the highway and no unbound material is used within this distance.

A Green Travel Plan is also required.

All these requirements are considered to be reasonable and can be secured in Planning Conditions.

The proposal therefore complies with Local Plan Policy M14 is relevant along with the NPPF subject to these conditions.

4. Other Material Planning Considerations

Noise: Local Plan Policy R19 is relevant. Concerns have been raised by adjoining residents that the noise of car movements from the car park impacts on their residential amenity. Although it is not made entirely clear in these representations, this may have been more of a concern when there was an access from the new car park onto Woodfield Lane, which has now been closed off and does not form part of this proposal.

Although it is acknowledged that some noise will come from the new car park during events at the church, this impact is not considered to be so significant that it would unduly harm the residential amenity of adjoining residents. As such, the proposal complies with Local Plan Policy R19.

Landscape Character: In terms of Landscape Character, key character features in this area include flat-topped open narrow ridge above steeply undulating wooded valleys to north and arable slopes with dense hedgerows to the south and frequent long-distance views. Policy RA10 is also a policy consideration, and requires proposals for development in rural areas to contribute to the conservation, maintenance and enhancement of the local landscape character of the area in which they are located. The proposed landscaping measures are considered sufficient to ensure that the character of the surrounding landscape is adequately protected.

Loss of Agricultural Land : As there is a small loss of agricultural land Policy RA15 is relevant. The land in question may be Grade 3a. However, in the context of agricultural use, the site in question represents a relatively small amount of such land and furthermore there is considered special justification in terms of highway safety that overrides the need to protect such land.

Protected Species; The presence of protected species is a material consideration, in accordance with the National Planning Policy, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05.

Protected species such as great crested newts, otters, dormice and bats benefit from the strictest legal protection. These species are known as European Protected Species ('EPS') and the protection afforded to them derives from the EU Habitats Directive, in addition to the above legislation. Water voles, badgers, reptiles, all wild birds, invertebrates and certain rare plants are protected to a lesser extent under UK domestic law (NERC Act and Wildlife and Countryside Act 1981).

In the UK the requirements of the EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9(5) of the Conservation Regulations 2010, which states:

"a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions."

The Conservation Regulations 2010, (Regulation 41) contains the main offences for EPS animals. These comprise:

- "Deliberate capture or killing or injuring of an EPS"
- "Deliberate taking or destroying of EPS eggs"
- "Deliberate disturbance of a EPS" including in particular any disturbance which is likely –
 - (a) to impair their ability –
 - (i) to survive, to breed or reproduce, or to rear or nurture their young, or,
 - (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate, or
 - (b) to affect significantly the local distribution or abundance of the species to which they belong
- "Damage or destruction of a EPS breeding site or resting place" (applicable throughout the year).
 - e.g. bat maternity roost (breeding site) or hibernation or summer roost (resting place)
 - e.g. great crested newt pond (breeding site) or logpiles / piles of stones (resting place)
 - e.g. dormice nest (breeding site or resting place (where it hibernates)

In some circumstances a person is permitted to 'derogate' from this protection. The Conservation Regulations 2010 establishes a regime for dealing with such derogations via the licensing regime administered by Natural England. The approval of such a license by Natural England may only be granted if three strict "derogation" tests can be met:

- the activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;
- there must be no satisfactory alternative; and
- favourable conservation status of the species must be maintained.

Notwithstanding the licensing regime, the Council as Local Planning Authority (LPA) has a statutory duty to have regard to the requirements of the Habitat Directive and therefore should give due weight to the presence of an EPS on a development site. Therefore in deciding to grant permission for a development which could affect an EPS the LPA should:

- a) Consider whether an offence to an EPS is likely to be committed by the development proposal.
- b) If the answer is yes, consider whether the three "derogation" tests will be met.

A LPA failing to do so would be in breach of Regulation 9(5) of the Conservation Regulations 2010 which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.

The existing site and development is such that there is not a reasonable likelihood of EPS being present on site nor would a EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

East of England Plan 2008: On 10th November 2010, The High Court quashed the decision of the Secretary of State for Communities and Local Government to unilaterally revoke Regional Spatial Strategies in England on two grounds:

That he acted outside his statutory powers in circumventing the need for parliamentary scrutiny of such a fundamental change to the national planning system; and

He failed to consider the likely environmental effects of revoking Regional Strategies

However, the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Act. In the meantime, the policies in the East of England Plan are re-established and form part of the development plan again and are therefore a material consideration which can be taken into account in reaching a decision. However, the Government's intention to abolish Regional Spatial Strategies is also a material consideration that could be considered to reduce the weight to be attached to policies in Regional Spatial Strategies.

The application has been considered against policies in the East of England Plan, which at the time of this decision forms part of the development plan for the Borough

but that the weight accorded to these policies, in light of the above circumstances, has been carefully considered in reaching a decision.

CONCLUSION:

The Council is aware of a very significant pressure on local roads in the vicinity of the church caused by the parking of worshippers' vehicles and, critically, that such parking would be seriously detrimental to highway safety. This matter was also considered in the previous application for a car park for this site.

On balance, and taking into account the particular circumstances of the case (ie this Greek Orthodox Church having a wide catchment area, a great number of worshippers giving rise to very significant parking pressures) along with the four points raised in the applicant's evidence, very special circumstances are considered to exist.

Although the car park when in use by up to 30 vehicles will have some impact to some extent on the openness of rural Green Belt land it is considered that subject to the imposition of highway conditions and an appropriate landscaping condition to lessen the visual impact of the car park, this proposal represents a special case for development in the Green Belt and therefore satisfies relevant policies in the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework

RECOMMENDATION: APPROVAL WITH CONDITIONS

[NB: no time limit- this application is retrospective]

CONDITIONS:

1. C.13.1 Development in accordance with approved plans/details : 01A1 & 02A- & received and dated 15 August 2012 & 03A1 & 04A- received and dated 8 October 2012.

Post Development

2. Within 1 month of the date of this permission hereby granted, and notwithstanding the details shown on approved drawing 03A1 (Received and dated 8 October 2012) & 02A- (Received and dated 15 August 2012) full details on a suitably scaled plan of the revised existing vehicular access onto Kentish Lane are to be submitted to and approved in writing by the Local Planning Authority and Highway Authority. These details shall include the location and design of any access gates, which shall be set back a minimum of 6.0m from the edge of carriageway and designed to open inwards into the site, and the type of surface material for the first 6 metres of the vehicular access.

Within 3 months of this written approval the existing access onto Kentish Lane shall be reconstructed in accordance with these approved plans to the

specification of the Highway Authority and Local Planning Authority's satisfaction. The development shall not be carried out other than in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority. This approved vehicular access shall be retained in that form thereafter.

REASON: To ensure that the access is constructed to the current Highway Authority's specification as required by the Local Planning Authority, which includes that any vehicle entering the site may wait clear of the carriageway while the gates are being opened and closed and to prevent the tracking out of materials onto the highway in the interests of highway safety and to comply with those policies of the development plan and to comply with Local Plan Policy D1 and the Supplementary Design Guidance (February 2005) and the National Planning Policy Framework.

3. Within this current planting season (the dates of which are beginning October 2012 to end of March 2013) the soft landscape works shown on approved drawing 003 Rev A1 (Received and dated 8 October 2012) shall be fully implemented in accordance with the Method Statement contained in the Arboricultural Report by Tim Moya Associates (document reference 250616-DC-51b). The development shall not be carried out other than in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, including impacts on the visual amenity and openness of the Green Belt, and to comply with Green Belt Policy with regard to very special circumstances existing and in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

4. Within 2 months of the completion of the landscaping works approved by the Planning Condition 2 above, the excess soil not used in this approved landscaping scheme and identified on approved drawing number 03 RevA1 as "use some of the spoil for build-up to the new landscaping adjoining Woodfield Lane. Any unused spoil to be removed from site" is to be permanently removed from the application site, and also to a suitable location which is clearly out of view of the application site.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, including impacts on the visual amenity and openness of the Green Belt, and to comply with Green Belt Policy with regard to very special circumstances existing and in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

5. Within four months of the date of the grant of planning permission, a Green Travel Plan (the 'Plan') is to be submitted to and approved in writing by the Local Planning Authority and Local Highway Authority with the object of reducing the staff and visitors travelling to the development by private car and for on-site traffic management..

The approved Travel Plan shall then be implemented within 1 month of this approval. This Plan will also include the management proposals of ensuring that stewards are available at relevant times in the on-site car parks to ensure that when car journeys are unavoidable to the site, that the most efficient use of the on-site parking is made available to visitors. This is also required as, in the absence of parking spaces being demarcated on site, it is necessary to ensure that the full capacity of the car parks can be effectively achieved to prevent unnecessary overspill of parking into the adjoining public highways. In this Plan it will be required to include management details for stewards which will ensure that on-street parking is to only be allowed when all the car parks on the application site have reached full capacity. Any use of street cones as part of this site management for parking shall be in stored in the approved cone store (specified in Planning Condition 6) at all times unless being clearly used for the essential management of parking.

REASON: To promote sustainable transport measures to the development and in the interests of highway safety, and to protect the visual amenity of the area, in accordance with Green Belt Policy with regard to very special circumstances existing and in accordance with Local Plan Policy D1 and the National Planning Policy Framework.

6. Within four months of the grant of planning the applicant shall submit a Landscape Management Plan to the Local Planning Authority for approval in writing, (in addition to these requirements and the 'Aftercare and Maintenance' in the approved Method Statement contained in the Arboricultural Report by Tim Moya Associates (document reference 250616-DC-51b)), to clarify the heights at which the approved planting shall be permanently maintained to ensure that the screening achieved by this landscaping from viewpoints outside of the site is sufficiently maintained

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, including impacts on the visual amenity and openness of the Green Belt, and to comply with Green Belt Policy with regard to very special circumstances existing and in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

7. With four months of the grant of planning permission, full details on a suitably scaled plan of a proposed traffic cone store are to be submitted to and approved in writing by the Local Planning Authority. These details shall include the stores' proposed discrete location, design and materials. The cone store shall then be constructed in accordance with the approved details within 2 months carried are retained that that purpose thereafter. .

REASON: The store is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, including impacts on the visual amenity and openness of the Green Belt, and to comply with Green Belt Policy with regard to very special circumstances existing and in accordance with design requirements of Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

8. The new area of car park hereby approved, and included in the area of land on the site plan drawing 03Rev A1 received and dated 8 October 2012 shall be used for car parking purposes of worshippers and visitors attending the church only, and for no other purpose without the prior written consent of the Local Planning Authority.

REASON: To ensure that the use of the car park is restricted to that of worshippers at this church only to protect against the unacceptable intensification of a parking use which would be harmful to the openness of the Green Belt and to comply with Green Belt Policy with regard to very special circumstances existing and to comply with Local Plan Policy D1 and the National Planning Policy Framework.

9. Notwithstanding the details in the approved Method Statement contained in the Arboricultural Report by Tim Moya Associates (document reference 250616-DC-51b) and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, 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: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, including impacts on the visual amenity and openness of the Green Belt, and to comply with Green Belt Policy with regard to very special circumstances existing and in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

10. The approved vehicular access gates onto Kentish Lane shall only open inwards into the site.

Reason: In order that a vehicle may wait clear of the carriageway while the gates are being opened and closed to comply with the National Planning Policy Framework.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against the National Planning Policy Framework, East of England Plan 2008 policies SS1, SS2, ENV7 & T14 and local development plan policies SD1, GBSP1, R19, M14, D1, D2, D5, D8, RA10 & RA15 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which, at the time of this decision 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:

1. Highways: The highway authority require the construction of the vehicle cross-over to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to apply to the Mid West Highways Area Office at Hertfordshire County Council, (tel 0300 1234047) to arrange this.

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