

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No: S6/2013/2276/LUP

SITE ADDRESS: Twelve Apostles Church, Kentish Lane, Brookmans Park

DESCRIPTION OF DEVELOPMENT: Certificate of lawfulness for the proposed replacement pitched roofs, gutters, downpipes and stone work repairs

RECOMMENDATION: REFUSED

1. SITE AND APPLICATION DESCRIPTION:

The Twelve Apostles Church is situated 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.

This application for a certification of lawfulness proposes repairs to the church that include: The replacement of the roof tiles, battens, ridge tiles, felt, flashings, hoppers, rainwater pipes and gutters.

2. SITE DESIGNATION: The site lies within Brookmans Park and the Metropolitan Green Belt as designated in the Welwyn Hatfield District Plan 2005.

3. RELEVANT PLANNING HISTORY:

S6/2012/1635/FP - Retention of Change of Use of land to create extension to existing car park and associated landscaping and vehicle crossover (existing access to Kentish Lane) – approved 10/10/2012

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

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

S6/2008/0819/FP – Installation of sewage works –approved 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 – approved 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 –approved 22/10/99.

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

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

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

4. CONSULTATIONS:

N/A

5. NEIGHBOUR REPRESENTATIONS:

N/A

6. TOWN/PARISH COUNCIL REPRESENTATIONS

N/A

7. MAIN PLANNING ISSUES

1. Whether the proposed alterations/repairs are permitted development

Development is defined in Section 55 of The Town and Country Planning Act 1990. Sub-section (2), (a), (ii) states that the carrying out of work to a building for its maintenance, improvement or other alteration shall not be considered development providing that the works do not materially affect the external appearance of the building.

The Church does not have permitted development rights under the The Town and Country Planning (General Permitted Development) Order and the building, which is not listed, is not classed under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994. Accordingly the application must be assessed to ascertain if the works proposed are operational development, or not.

The applicant has submitted documents and materials to demonstrate that they consider that the works that they wish to carry out are repairs rather than development requiring planning permission.

The proposed works, include:-

- the replacement of cast iron rain water pipes, hoppers and gutters with mid-grey powder coated aluminum units;
- the cutting back of decayed stone to be restored with stainless steel fixings (where required) with a finish of lime based stone mortar;
- the removal and replacement of all roof tiles and roof battens;
- the replacement of (stone) coping stones and detail;
- the renewal of the 'fleur de lysés' apex stone to the bell tower;
- the 'defrassing' (or cutting back) of bell tower stones;
- The removal of cross features, replacement of stone and replacement on a like for like basis;
- The raking out of open and defective joints in the flintwork and brickwork.

The above list is not exhaustive.

It is considered that the totality of the works would materially affect the external appearance of the Church and, therefore, that the works would represent development as defined in Section 55 of The Town and Country Planning Act 1990. Accordingly planning permission is required for the works.

CONCLUSION:

The proposed repairs, in their totality, constitute operational development for which planning permission is required. It is therefore recommended that a certificate of lawfulness be REFUSED for this development.

RECOMMENDATION:

1. The proposal will materially affect the external appearance of the Church and accordingly it would constitute operational development for which planning permission is required.

REFUSED DRAWING NUMBERS:

PH1 Rev A & 09 Rev A & 10 Rev A & 11 Rev A & 12 Rev A & 13 Rev A & 14 Rev A & 15 Rev A received and dated 6 November 2013.

INFORMATIVES: N/A

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