

**WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT**  
**DELEGATED REPORT**

**APPLICATION No:** 6/2015/1920/LAWP

**SITE ADDRESS:** The Twelve Apostles Church, Kentish Lane, Brookmans Park Hatfield, AL9 6NG

**DESCRIPTION OF DEVELOPMENT:** Certificate of proposed lawfulness for the rebuilding of boundary wall

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**RECOMMENDATION:** Refusal

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**1. SITE AND APPLICATION DESCRIPTION:**

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 application is for a certificate of lawful development to rebuild the wall along the boundary which adjoins Woodfield Lane and is close to the junction with Kentish Lane. The wall was previously given planning permission under planning application referenced S6/2011/1617/FP.

**2. SITE DESIGNATION:**

The site lies within the Metropolitan Greenbelt and Landscape Character Area (North Mymms Common and Newgate Street Farmed Plateau) as designated in the Welwyn Hatfield District Plan 2005.

**3. RELEVANT PLANNING HISTORY:**

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

**4. CONSULTATIONS:**

None

**5. NEIGHBOUR REPRESENTATIONS:**

None

**6. TOWN/PARISH COUNCIL REPRESENTATIONS**

None

**7. DISCUSSION:**

The wall in question was given planning permission on 22<sup>nd</sup> September 2011 under application referenced S6/2011/1617/FP. The permission was granted subject to conditions, condition 1 states that "The development hereby permitted shall be begun before the expiration of three years from the date of this permission" (22<sup>nd</sup>

September 2014). There is no evidence to suggest the development was implemented in accordance with the details provided. The site photos taken in the assessment of this application when compared with the site photos taken for the purposes of the above mentioned original application evidence that the permission was never implemented.

**8. CONCLUSION:**

Having regard to the above, it is considered, on the balance of probability, that the permission was not “begun” in accordance with conditions of the approval under application referenced S6/2011/1617/FP, and accordingly, the rebuilding of the boundary wall in accordance with the details submitted will require planning permission.

**10. RECOMMENDATION: REFUSE**

The permission referenced S6/2011/1617/FP was never implemented, and has since expired. Accordingly, planning permission is required for the rebuilding of the boundary wall, and the request for a certificate of lawfulness should be refused.

**REFUSED DRAWING NUMBERS:** 1:1250 Site Location Plan & SK/02 A & SK/01 A received 29 September 2015

**Signature of author**.....Sam Dicocco..... **Date**.....23/11/2015.....