

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2018/1427/FULL
Location: Twelve Apostles Church Kentish Lane Brookmans Park Hatfield AL9 6JY
Proposal: Erection of single storey side extension following demolition of existing office and side entrance to north elevation
Officer: Ms Lucy Hale
Recommendation: Granted

6/2018/1427/FULL

Context	
Site and Application description	<p>The application site is located at the junction of Woodfield Lane and Kentish Lane and consists of Twelve Apostles Church. The site consists of the church building, a graveyard to the north east and an area of car parking. The site has two vehicle accesses to Woodfield Lane and a further access to an additional car park along Kentish Lane.</p> <p>The Church is not a Listed Building but it is a distinctive landmark, built in the Victorian era of red brick and stone with flint finishing to the walls and gothic-styled stone window surrounds. The roof is pitched and covered in plain tiles.</p> <p>The application seeks planning permission for the erection of a single storey side extension with a pitched roof, following the demolition of the existing office and side entrance to the north elevation.</p>
Constraints (as defined within WHDP 2005)	<p>GB - Greenbelt LCA - Landscape Character Area (North Mymms Common and Newgate Street Farmed Plateau) PAR - PARISH (HATFIELD) Wards - Brookmans Park & Little Heath</p>
Relevant planning history	<p>Application Number: 6/2017/2670/PA Decision: Refused Decision Date: 19 February 2018 Proposal: Pre-application advice for the proposed extension and internal alterations to the Twelve Apostles Church</p> <p>Application Number: 6/2015/2396/FULL Decision: Granted Decision Date: 24 March 2016 Proposal: Rebuilding of sections to existing wall on boundary to Woodfield Lane</p> <p>Application Number: S6/2012/1635/FP Decision: Granted Decision Date: 10 October 2012</p>

	<p>Proposal: 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)</p> <p>Application Number: S6/2011/1617/FP Decision: Granted Decision Date: 22 September 2011 Proposal: Rebuilding of existing boundary wall</p> <p>Application Number: S6/2010/0134/FP Decision: Refused Decision Date: 31 March 2010 Proposal: Replacement fencing to boundary</p> <p>Application Number: S6/2008/0819/FP Decision: Granted Decision Date: 17 July 2008 Proposal: Installation of sewage treatment plant</p> <p>Application Number: S6/2006/0054/FP Decision: Refused Decision Date: 13 March 2006 Proposal: Erection of single storey extension to priests office</p> <p>Application Number: S6/2005/0306/FP Decision: Granted Decision Date: 11 May 2005 Proposal: Retention of land to use for car parking</p> <p>Application Number: S6/2001/1520/FP Decision: Granted Decision Date: 25 January 2002 Proposal: Erection of outbuilding after demolition of existing shed</p> <p>Application Number: S6/1999/0490/FP Decision: Granted Decision Date: 22 October 1999 Proposal: Extension to form kitchen and toilets</p> <p>Application Number: S6/1998/0917/FP Decision: Granted Decision Date: 11 December 1998 Proposal: Extension to existing church</p> <p>Application Number: S6/1998/0419/FP Decision: Granted Decision Date: 28 August 1998 Proposal: Change of use from residential training centre to church use, and construction of 27 car parking spaces</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 3
Publicity	Site Notice Display Date: 23 July 2018 Site Notice Expiry Date: 13 August 2018		

Summary of neighbour responses	<ul style="list-style-type: none"> • The Lodge, Woodhill Farm, AL9 6EE – Comments summarised: Unclear whether the footings of the extension would disturb the graves of relatives. Concern regarding car parking and increase in traffic flow. • Woodfield Farm, Hatfield, AL9 6JL – Comments summarised: Concern regarding the existing parking pressures on the pavements surrounding the church when there is a busy weekend. Further concern if granted permission to increase its facilities and capacity which will exacerbate the parking problem. • Cherry Tree Cottage, Kentish Lane, Hatfield AL9 6JP – Comments summarised: Concern that the extension will increase the capacity of the church and worsen parking issues. Parking on the road and pavements happens at weekends and on occasion at night.
Consultees and responses	None
Relevant Policies	
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input checked="" type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes Others: SD1, RA3, RA10, CLT14 <u>Emerging Local Plan Proposed Submission 2016 (Key Policies):</u> SP1 Delivering Sustainable Development SP3 Settlement Strategy and Green Belt boundaries SP4 Travel and Transport SP9 Place Making and High Quality Design SADM2 Highway Network and Safety SADM11 Amenity and Layout SADM12 Parking, Servicing and Refuse SADM16 Ecology and Landscape SADM34 Development within the Green Belt	
Main Issues	
Principle of the Development	Paragraph 92 of the National Planning Policy Framework (NPPF) outlines that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of community facilities such as places of worship to enhance the sustainability of communities and residential environments. The principle of extending places of worship is considered acceptable, in line with Policy CLT14 of the Council’s District Plan, when the proposal makes adequate provision for car parking and has no adverse impact on the highway network including highway safety, has no harmful impact on the amenities of nearby residential properties and other uses and would not detract from the visual amenity of the area. These are assessed below in relation to other applicable policies. Accordingly, it is considered that the principle of the proposed extension to the place of worship is considered acceptable, subject to the following considerations.
Principle of development	The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land

<p>within the Green Belt</p>	<p>permanently open; the essential characteristics of Green Belts are their openness and their permanence. In the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.</p> <p><i>Appropriateness</i></p> <p>The NPPF sets out the national planning policy approach to development in the Green Belt. The NPPF accepts that within the Green Belt the extension or alteration of a building is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original buildings. This is consistent with Policy RA3 of the Council’s District Plan and Policy SADM34 in the Emerging Local Plan Proposed Submission 2016.</p> <p>The application site is in the Green Belt, outside the settlement of Brookmans Park. The NPPF identifies that the essential characteristics of Green Belts are their openness and their permanence. The open character of the site and its immediate surroundings make an important contribution to the openness of the landscape and has been included within the Green Belt.</p> <p>The NPPF defines the “original building” as a building as it existed in July 1948 or, if constructed after that date, as it was originally built. Neither the NPPF nor the Local Plan provide any detailed guidance on how to determine whether an extension is disproportionate. This is, therefore, ultimately a matter for the decision maker and demands that each proposal is considered in relation to the size of the original building. The proposed increase in volume, footprint and floor area are commonly used indicators, however, as well as mathematical calculations, the visual impact of the extension also has to be considered.</p> <p>The original floor area of the building is calculated to be 235 sqm. The church was extended following planning permission reference S6/1998/917/FP, which added a floor area of approximately 47.5 sqm and an increase of 20%. A second permission, reference S6/1999/490/FP, was granted for an extension to form kitchen and toilets which added approximately 127 sqm of floor area to the building and resulted in an overall increase of approximately 74%.</p> <p>A third planning application for an extension to Priest’s room (application reference S6/2006/0054/FP), measuring approximately 31.2 sqm of floor area, was refused on the grounds of being an disproportionate addition to the building and thereby inappropriate development in the Green Belt, as well as on grounds of siting and design.</p> <p>The proposed extension to the church building would have a footprint of 109 sqm, making the cumulative floor area approximately 83% larger than the original building. The proposed extensions, together with those existing, would result in substantial additions to the building.</p> <p>Notwithstanding the above, the NPPF does not limit the concept of proportionality to size alone and an overall assessment of proportionality includes a qualitative judgement. In each case, it is necessary to make a judgement as to whether the enlargement of a building would be disproportionate in qualitative terms.</p> <p>The proposed extension would significantly increase the bulk and mass of the existing building and together with the existing extensions, would be</p>
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	<p>disproportionate in relation to the original scale of the building, contrary to paragraph 145 of the NPPF. The NPPF confirms that inappropriate development is by definition harmful to the Green Belt and this is afforded substantial weight. Paragraph 143 outlines that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'. Very special circumstances will be addressed later in the report.</p> <p><i>Openness, character and appearance</i></p> <p>The essential characteristics of Green Belts are their openness and their permanence. There is no definition of openness in the NPPF but, in the context of the Green Belt, it is generally held to refer to freedom from, or the absence of, development. Any above ground development would to some extent diminish the openness of the Green Belt. Visual impact forms part of the concept of openness of the Green Belt, and the visual dimension of the Green Belt is an important consideration which weighs into the planning balance.</p> <p>In terms of the effect of the side extension on the openness of the Green Belt, the proposed increase in volume would materially increase the bulk and mass of development on the site thereby reducing the openness of the Green Belt to a degree. Turning to an assessment of the visual impact, the main public vantage points would be from Kentish Lane to the west and north of the site; and from Woodfield Lane to the south. In views from the north and south the extension would be contained within the profile of the main building. From the east, the lower part of the extension would be concealed by existing flat roof extensions, although the large pitch roof would be visible above. The extension is likely to be most exposed in view from the west. However, in this direction, beyond the site, is a large undulating field and woodland which provide limited prospect for public vantage points.</p> <p>The application building is well contained within the site, being surrounded by the associated graveyard, car parking, and landscaped areas. Furthermore, a pitched roof outbuilding is located to the north west of the building which has the effect of further screening views of the extension from Kentish Lane. Where the extension would be visible, it would appear subordinate to main building by reason of its height and set back from the front and rear elevations. The proposal would not, therefore, have a significant impact to the wider landscape beyond the application site. For all these reasons, it is considered that the extension would not appear prominent in the landscape and would be in keeping with the presence of built form on the site.</p> <p>Whilst it is acknowledged that there would a significant increase in the amount of built development, in the context of the site, the visual impact on Green Belt openness would be minimal. The proposal would have only a localised minor impact on the openness, character and appearance of the Green Belt and as such, in this regard, would result in no more than limited harm. This limited harm is in addition to the harm by reason of inappropriateness, which is afforded substantial weight.</p>
<p>Design (form, size, scale, siting) and Character (appearance</p>	<p>Policies D1 and D2 of the Welwyn Hatfield District Plan and the Supplementary Design Guidance 2005 require extensions to complement and reflect the design and character of the dwelling and to be subordinate in scale. They should also be finished in materials that match the existing building. The</p>

<p>within the streetscene)</p>	<p>space around the existing building should not be reduced so that the buildings appear cramped upon the site and patterns of spacing typical of the area should be reflected.</p> <p>The existing Church building was built as far back as the Victorian era and it is an attractive flint finished building with red brickwork and stone detailing under a plain tiled pitched roof.</p> <p>The proposed extension would relate and respect the existing pitched roof building and would present a smaller pitched roof, in keeping with the pitch of the main building. The extension has been designed to appear as a secondary element to the church, rather than competing with it. In this regard, whilst the materials and fenestration do not match the decorative detail of the main building, they are reflective of its character and appearance. Likewise, the scale of the extension would be subordinate to main building and complement its form. For these reasons, subject to a condition requesting samples of material to be approved, the extension is considered to represent high quality design. Nevertheless, the absence of harm in regards to design is considered natural in the planning balance and cannot outweigh the substantial harm to the Green Belt by reason of inappropriateness and the limited harm to the openness, character and appearance of the Green Belt.</p>
<p>Impact on neighbours</p>	<p>Given the separation distance of the proposed extension to the church in relation to the residential properties along Kentish Lane and Woodfield Lane, it is not considered that there would be a detrimental impact on the residential amenity or living conditions to neighbouring occupiers in terms of loss of light, overbearing impact and privacy.</p>
<p>Access, car parking and highway considerations</p>	<p>The Council's Supplementary Planning Guidance, Parking Standards 2004 requires Use Class D1 (Non-Residential Institutions) to provide 1 space per 10m² gross floor area. In this regard a requirement of approximately 50 spaces would be considered appropriate for the site.</p> <p>The Twelve Apostles Church benefits from a main car park that lies to the north of the Church and is accessed only from Kentish Lane. Car parking spaces are not demarcated to maximise the capacity of the site which can accommodate approximately 90 cars. The car park was given permission under planning application S6/2012/1635/FP which was increased from 190 square metres to 280 square metres to increase capacity from 60 to 90 cars.</p> <p>The proposed number of car parking spaces would more than provide for the resultant size of the building in line with the guidance set out in the SPG. However, it is noted that the Church can expect between 150 and 200 visitors for weekly services, which does increase at three events: Easter, Christmas and the Twelve Apostles Day.</p> <p>Concerns have been raised by a few residents surrounding the site in regard to increased traffic flow and pressures as a result of the extension. There are no changes proposed to the existing access points to the car park and the proposed extension is to enhance facilities for the existing congregation, rather than encourage additional members. As such, it is not considered that there would be an increase in trips or movement to the site than existing, as a result of the facilities which are existing on the site and therefore additional car parking provision is not considered necessary.</p>

	<p>A Travel Plan has been submitted and forms an update from the previous Plan linked to application reference S6/2012/1635/FP. This Plan sets out updated strategies for reducing dependence on travel by private car and encouraging sustainable travel choice. A Special Event Strategy has also been presented for measures on three times a year.</p> <p>It is considered that the parking provision for the proposed extension, would not result to a greater requirement of car parking provision and would not lead to an increase in traffic pressure. Furthermore, it is not considered that there would be an impact on highway safety. The proposal is considered to be acceptable and no objections are raised with regard to Policy M14 of the Welwyn Hatfield District Plan and the NPPF.</p>
<p>Any other considerations</p>	<p>A comment has been raised by a neighbour regarding relative's graves on site. Following a site visit, it is noted that the graves mentioned are not the grave which falls closest to the extension. Nevertheless, paragraph 7.2.3 of the Planning Statement submitted outlines that a new pathway would be laid adjacent to the proposed extension. Drawing number 08 rev A7 demonstrates that this would not impact on the nearest grave or gravestone.</p>
<p>Whether there are any very special circumstances that clearly outweigh any harm to the Green Belt</p>	<p>The proposed extension would result in inappropriate development in the Green Belt. It is necessary to undertake a balancing exercise to establish whether there are very special circumstances that outweigh the harm to the Green Belt. The NPPF advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.</p> <p>Very special circumstances have been advanced by the Applicant within the Planning Statement and are addressed below.</p> <p>Twelve Apostles Church is a Greek Orthodox Church which moved to its current location in 1999 and serves a catchment area including Potters Bar, Hatfield, Cheshunt and Cuffley. It also serves other Orthodox communities such as Romanians, Russians and Bulgarians. The Planning Statement outlines that the congregation has steadily grown since 1999 in which an average attendance of 90 increased to approximately 300 members. Regular services are held twice on Saturdays (09:30-10:30 and 17:00-18:00) and on Sunday mornings (09:30-12:30). Other events such as weddings and baptisms also take place at weekends. The largest attendance is on Sunday mornings when the congregation is between 150 and 200 people.</p> <p>In addition to weekly services, there are three important dates in the Orthodox Church Calendar when attendance is considerably higher. These events are at Easter, Christmas and the Twelve Apostles Day (30th June). The congregation at these events increases to between 250 and 1,000. Easter is the largest event when about 1,000 people attend the service that takes place on the Saturday night before Easter Day (Orthodox Calendar) and lasts until midnight. Furthermore, last year the Church accommodated 193 christenings (of which 30 were adult baptisms), 58 weddings and 31 funerals. All of these events can potentially be attended by large numbers of people.</p>

The Statement outlines that the Church provides an essential service for the communities in which it serves and it forms part of the fabric of many people's lives and permitting the enhancement of this community facility would reflect the policy direction of the NPPF. It also outlines that nearest alternative Greek Orthodox churches are in Barnet, Enfield to the south and Luton and Cambridge to the north.

The Planning Statement then moves on to outline the reasons for the extension and the required need. The Statement draws on the requirement to provide an area for the children's service which usually accommodates for 25-30 children. At current, this occurs within the kitchen area which is not considered to be appropriate and neither functional for this service. The extension is also required to provide an area for adult baptism. It is noted that the Church performed 30 baptisms last year and this has increased over the years. It is outlined that the Church does not have suitable facilities to perform the baptisms and relies on a mobile front. The extension would allow for the creation of a pit with a walk-on cover and which would provide a dignified setting for this function.

In addition, the Statement outlines that the extension would provide a confession/consultation room. The Church currently lacks an appropriate space where the Priest can speak to members of the congregation in private. Finally the extension would provide a vestry. The Church lacks a changing area for the priest or somewhere to keep his possessions.

It is evident that the Church draws a large number of people and from variety of communities and a wide geographical area. The need of the extension is outlined as required to adequately support the existing members and improve the facilities for the community. Having established that there is a clear benefit to the proposal and that this can be considered to form part of the very special circumstances, the next step is to assess alternative locations for the proposed development.

The Planning Statement outlines that the extension is required to support the existing functions of the Church on site. For example, adult baptisms usually occur directly after a scheduled service and the improved priest facilities are needed to support the functions he performs within the Church. Given the proposal, it would not be practical for this development to be proposed elsewhere without the relocation of the church and its congregation.

The NPPF 2018 recognises that places of worship contribute towards creating healthy communities. Paragraph 92 outlines that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities such as places of worship.

There is a clear functional need for the additional floorspace proposed in this location and it is evident that local benefits would arise from the proposed development. Furthermore, it is clear that such facilities are related to the existing functions of the site and therefore such a proposal would be impractical at an alternative site. Cumulatively, when the weight is added together for all these points, it is considered that they represent the very special circumstances necessary to clearly outweigh the substantial harm by reason of inappropriateness and the limited harm to the openness, character and appearance of the Green Belt.

	It is considered that the test in paragraph 144 of the NPPF is met and very special circumstances do exist to justify the grant of planning permission in line with the NPPF.
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Conclusion

It is considered that the proposal would respect and relate to the character and appearance of the building and the surrounding area and would not result in detrimental harm to the amenity of the adjoining occupiers. Furthermore, adequate on-site car parking would be provided for the proposed development and highway safety would be maintained. Accordingly, the proposed development is considered to be in accordance with Policies D1, D2 and M14 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance 2005 and the National Planning Policy Framework 2018.

Notwithstanding the identified harm to the Green Belt, it is considered that very special circumstances exist, which clearly outweigh the substantial harm by reason of inappropriateness and the limited harm to the openness, character and appearance of the Green Belt. It is considered that the test in paragraph 144 of the NPPF is met and very special circumstances do exist to justify the grant of planning permission in line with the NPPF 2018.

Conditions:

1. No above ground development shall take place until samples of the materials to be used in the construction of the external walls of the building and the roof of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development must be implemented using the approved materials and subsequently, the approved materials must not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Policies SP9 and SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and the National Planning Policy Framework 2018.

DRAWING NUMBERS

2. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
03	A	Existing Roof Plan	29 May 2018
04	A	Existing East Elevation	29 May 2018
02	A2	Existing Ground Floor Plan	29 May 2018
07	A	Existing West Elevation	29 May 2018
05	A	Existing North Elevation	29 May 2018
10	A4	Proposed North Elevation	13 September 2018
06	A	Existing South Elevation	29 May 2018
08	A7	Proposed Ground Floor Plan	13 September 2018
09	A3	Proposed East Elevation	13 September 2018
11	A2	Proposed West Elevation	13 September 2018
12	A3	Proposed Roof Plan	13 September 2018
01	A	Existing Block & Location Plan	29 May 2018

M1	A	Proposed 3D Model Views 1-3	13 September 2018
MFB	A	Material Finishes MF6 - MF11	21 September 2018
MFA	A	Material Finishes MF1 - MF5	21 September 2018
		Travel Plan	13 September 2018
		Planning Statement 2	13 September 2018

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

Informatives:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.
2. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
3. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.
4. If at any time during the course of construction of the development hereby approved, a species of animal that is protected under Schedule 1* or 5** of the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats) Regulations 1994*** or the Protection of Badgers Act 1992 is discovered, all construction or other site work affecting the species shall cease until a suitable mitigation scheme has been submitted to and approved in writing by the Local Planning Authority and a license has been obtained from DEFRA (Department for Environment, Food and Rural Affairs).

* Includes nesting birds

** Includes great crested newts, bats, reptiles and water voles

*** Includes great crested newts and bats.

Determined By:

Mr Mark Peacock
28 September 2018