

**WELWYN HATFIELD BOROUGH COUNCIL  
ASSISTANT DIRECTOR (PLANNING)**

**DELEGATED APPLICATION**

**Application No:** 6/2023/0730/FULL  
**Location:** Brookmans Park Teleport Great North Road Brookmans Park AL9 6NE  
**Proposal:** Installation of a platform and service room, with trenched cable linkage between data room and platform and other associated works  
**Officer:** Mr Mark Peacock  
**Recommendation:** Granted

6/2023/0730/FULL

<b>Context</b>	
<b>Site and Application description</b>	<p>The application site forms part of Brookmans Park Teleport which is situated outside the north-east edge of the settlement of Brookmans Park and approximately 3km south of Hatfield.</p> <p>This application seeks full planning permission to construct a two-level steel platform at the rear of the Brookmans Park Teleport complex. The purpose of the structure is to accommodate satellite dishes and other terminal devices for Inmarsat, a satellite communications company.</p> <p>The Brookmans Park Teleport which has a legacy use in relation to transmitters, satellite communications, telecoms and associated research and development. The site was originally established for the BBC for broadcasting. It is now used by several satellite/ telecoms operators.</p> <p>The proposed platform would be located in south-east corner of the Brookmans Park Teleport on an area of hardstanding, to the rear of the complex, that for several years has contained many satellite dishes and technical buildings.</p> <p>The remainder of the complex, beyond the built area, is occupied by soft landscaping and houses four large radio masts and satellite equipment. The eastern, northern and southern boundary of the site are well contained by mature trees, shrubs and hedgerows.</p> <p>There is an existing vehicular access to the site from the A1000.</p> <p>The platform would be approximately 5.5m tall at its highest, 30m long and 20m deep. The structure consists of an upper deck at the 5.5m level, which would be about 13m deep, and a lower level at 2.5m height which spans the entire depth. Access would be provided by stairs to the north and east, and an integrated, hydraulic platform lift to assist in moving equipment.</p> <p>Within the structure, on the west side and accessed from the north, would be two prefabricated cabins, 12m long by 6m wide and 3.5m tall. These cabins are to house active technical equipment related to the satellite dishes, and general storage. Ramps and steps will be used to access the cabins because their floor levels are above-ground.</p>

	<p>The structure would be constructed from painted galvanised steel columns and beams with horizontal decks composed of galvanised steel gratings. Perimeters would be secured with painted steel balustrades. The proposed paint colour is dark grey (R8050).</p> <p>Connectivity to Inmarsat's equipment housed in one of the three main outbuildings would be provided by underground ducts. To secure the site it is also proposed to erect perimeter wire fencing, approximately 2m tall, with access-controlled gates on all sides of the platform.</p> <p>Satellite dishes and other terminal devices (typically enclosed in white "radomes") would be secured to the decks of the platform structure and, for small devices, clamped to the balustrading. Typical terminal devices are less than 1m tall (and diameter), with the largest devices and their mounting systems not exceeding 3m height so that nothing on the structure would be above 8.5m from ground level.</p> <p>This application is supported by the following documents:</p> <ul style="list-style-type: none"> <li>• Planning Statement</li> <li>• Application drawings, prepared by Modus;</li> <li>• Design and Access Statement ('DAS'), prepared by Modus;</li> <li>• Landscaping details (within DAS), prepared by Liz Lake;</li> <li>• Heritage Statement, prepared by Pegasus;</li> <li>• Very Special Circumstances Case, prepared by Inmarsat/ Lichfields;</li> <li>• Economic Statement, prepared by Lichfields;</li> <li>• Landscape Visual Appraisal, prepared by Lichfields;</li> <li>• Waste Management Statement, prepared by Inmarsat; and</li> <li>• Lighting Proposals (within DAS), prepared by Modus.</li> </ul>
<p><b>Constraints (as defined within WHDP 2005)</b></p>	<p>SAG - 0 - Distance: 0  GB - Greenbelt - Distance: 0  PAR - PARISH (HATFIELD) - Distance: 0.6  PAR - PARISH (NORTH MYMMS) - Distance: 0  Wards - Brookmans Park &amp; Little Heath - Distance: 0  FM00 - Flood Zone Surface Water 1000mm (7617734) - Distance: 0  HEN - No known habitat present (high priority for habitat creation) - Distance: 0  SAGB - Sand and Gravel Belt - Distance: 0  GAS - High Pressure Gas Pipeline(BELL BAR TO BARNET 16") - Distance: 16.92</p>
<p><b>Relevant planning history</b></p>	<p>Application Number: S6/2011/2770/LUP  Decision: Granted  Decision Date: 08 February 2012  Proposal: Certificate of lawfulness for the proposed use of part or all of the existing equipment buildings for a data centre that will be connected near continuously to a live electronic communications network for the purpose of storing, processing, updating, transmitting and receiving data by electronic means</p> <p>Application Number: 6/2017/0206/FULL  Decision: Granted  Decision Date: 19 April 2017  Proposal: Change of use of 895 square metres of ancillary office accommodation to Class B1 (Office) use</p>

	<p>Application Number: 6/2022/2920/PA  Decision: Determined  Decision Date: 07 February 2023  Proposal: Pre-application advice for: Re-occupation of part of the Main Office facility at Brookman's Park Teleport, for office based R&amp;D; reoccupation of one of the workshops on site for research / R&amp;D; and the construction of a Research and Development Platform to allow the testing of new satellite technology.</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Neighbour letters		
<b>Summary of neighbour responses</b>	None		
<b>Consultees and responses</b>	<p>North Mymms Parish Council – Comment: <i>This is a Green Belt site and whilst the proposal is to the rear of the site and will be screened, it is still a large structure which will be functional rather than aesthetic. North Mymms Parish Council understand the need for satellite communications and the proposal could be mitigated with enhanced planting of trees around both the location of the platform and particularly to the south and south-west of the site adjacent to the A1000 for screening, privacy and as a quid pro quo for the erection of an unsightly unit. At the end of the life of the unit, the land should be reinstated as open Green Belt. As an open platform and it will have to be well-lit for access, NMPC request that all lighting should be downward facing to reduce light pollution. Also, the colour of the structure should be changed to green rather than grey in this rural setting.</i></p> <p>WHBC Economic Development Officer – Comment: <i>Inmarsat Global Limited is relocating satellite operations from their London base to Welwyn Garden City which meets priority 1, Inward investment, care and retention of the Economic Development Strategy which commits to 'understand and respond to the needs of established businesses, supporting them to thrive and grow'. The proposed development will bring 20-30 new high skilled space jobs to Brookmans Park Teleport site; in addition it will strengthen the role of Brookmans Teleport - which already plays a key role in the Welwyn Hatfield economy supporting approximately 100 jobs on site and has capacity to hold 200-400, further contributing to 'help build a strong local economy'.</i></p> <p>Place Services Conservation Officer – No objection: The proposed development would not detract from their settings as the current site makes a neutral contribution (as an area of hardstanding) and the proposed structure would not appear incongruous amongst the existing buildings and structures across the complex which has remained in a use similar to its original function. No harm is considered to result to the significance of the non-designated heritage assets, as per Chapter 16 of the NPPF.</p> <p>Cadent Gas Limited – No objection subject to suggested informative: There is a high pressure gas pipeline in the vicinity of your works area. This has an easement in place which must not be encroached upon, nothing built over, crossing or placed in or on the pipeline and or the easement.</p>		

	<p>HCC Hertfordshire Transport Programmes &amp; Strategy – Comment: No objection subject to suggested informatives</p> <p>Historic England – No comment  Hertfordshire Ecology – No response  WHBC Landscape and Ecology – No response  HCC Water Officer – No response</p>
<p><b>Relevant Policies</b></p>	
<p><input checked="" type="checkbox"/> NPPF  <input checked="" type="checkbox"/> D1   <input checked="" type="checkbox"/> D2   <input checked="" type="checkbox"/> GBSP1   <input 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, R11, R17, D8, RA8, RA10, R19, R21  The Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) Incorporating The Proposed Main Modifications (January 2023) (Draft Local Plan): SP1, SP3, SADM2, SADM15, and SAD34.</p>	
<p><b>Main Issues</b></p>	
<p>The main planning issues in this case are:</p> <ul style="list-style-type: none"> <li>i) The effect of the proposal on the setting of non-designated Heritage Assets;</li> <li>ii) whether the proposal would be inappropriate development on the Green Belt, the effect on the openness and purposes of the Green Belt; and</li> <li>iii) other considerations.</li> </ul> <p><b>Impact of Heritage Assets</b></p> <p>There are no designated heritage assets located within the site, nor is the site located within a Conservation Area. In addition, there are no designated built heritage assets within the immediate environs of the site.</p> <p>The proposal site is located towards the rear (northeast) of the Brookmans Park Teleport complex. The complex dates to the late 1920s and formed part of the BBC ‘Regional Scheme’. It opened in March 1930 and was the first station to transmit two programmes simultaneously. The main transmission building is a two storey building in a pared back neo-Classical style with very little architectural detailing or adornment, however, it is of some architectural interest and is certainly of historic interest warranting its identification as a non-designated heritage asset. The four 1920s transmission towers can also be considered non-designated heritage assets for their historic interest and architectural/archaeological interest. It is understood that the main building and four towers are currently being assessed for statutory listing by Historic England. A number of additional buildings and structures have been added to the complex since the 1920s as the complex’s use has adapted and technology has advanced.</p> <p>Policy SADM15 of the Draft Local Plan states that proposals that result in harm to the significance of non-designated heritage assets will be resisted unless the need for, and benefits of, the development in that location clearly outweigh that harm, taking account of the asset’s significance and importance, and all feasible solutions to avoid and mitigate that harm have been fully implemented.</p> <p>Historic England have responded to consultation by confirming that they would not be offering advice on the merits proposal. The Council’s Conservation Officer has raised no objection.</p>	

It is proposed to erect a two-deck metal platform to the northeast of the main building, towards the rear of the complex. The platform will have transmission equipment mounted on the lower and upper decks with two pre-fabricated cabins at ground level. The proposed structure will be approximately 5.5m tall and the equipment on the upper deck will not exceed 3m. It will be 30m long and 20m deep (the upper deck being slightly smaller). It is a large structure within the settings of the transmission building and the 1920s towers. However, it is not considered to detract from their settings as the current site makes a neutral contribution (as an area of hardstanding) and the proposed structure would not appear incongruous amongst the existing buildings and structures across the complex which has remained in a use similar to its original function.

No harm is considered to result to the significance of the non-designated heritage assets, as per Chapter 16 of the NPPF. Should the transmission building and towers become statutory listed it is unlikely that this assessment would change, but consideration would have to be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Impact on the Green Belt**

The site lies entirely within the Metropolitan Green Belt and policy GBSP1 of the adopted District Plan states that the Green Belt will be maintained in Welwyn Hatfield as defined on the Proposals Map (a similar policy (SP3) is contained in the emerging Plan).

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The NPPF states, in paragraph 147 that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 then states that substantial weight should be given to any harm in the Green Belt and that “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Emerging Local Plan Policy SADM34, which echoes Green Belt policy in the NPPF, is also applicable.

Within that context the main issues to consider in terms of Green Belt policy are:

- the appropriateness of the development in Green Belt;
- the effect on the openness and purposes of the Green Belt; and
- whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

#### *Appropriateness:*

Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, unless one of the exceptions specified are met, none of which would apply to this proposal. As a result, the proposed construction of a new R&D platform would be inappropriate development in the Green Belt.

The site is identified under District Plan Policy RA8 ‘Brookmans Park Transmitting Station’. According to Policy RA8, telecommunications and other related development at the Brookmans Park Transmitting Station will only be permitted where it is in accordance with the adopted masterplan and Policy R21 of the District Plan. However, despite extensive searching, the Local Planning Authority have so far been unable to locate a copy of this masterplan.

The supporting text to Policy RA8, paragraph 15.20, notes that relevant infrastructure for this use is already in situ on the site so Very Special Circumstances may exist which justify further

telecommunications development on the site.

*Effect on openness:*

Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Openness is capable of having both a spatial dimension as well as a visual aspect.

Spatially, the site of the proposed R&D platform is predominantly free from built development, save for hardstanding and boundary fencing, therefore the scheme would result in a significant reduction in existing openness simply by the extent of built development proposed.

Visually, the effect of the development would be shaped by a more complex combination of factors. The proposal would cover a relatively limited area of previously developed land within the transmitting station complex. It would comprise a structure of lightweight appearance and would not be a particularly tall development within the context of existing structures and buildings occupying the wider complex. The site is generally well contained by existing hedgerows, mature trees and bunding. As such, the development would be almost entirely screened in views from the surrounding area by existing development and landscape elements. There would be highly localised winter views from a short stretch of the public right of way to the north and northwest where part of the structure and equipment would be glimpsed in the context of existing buildings and structures. Nevertheless, the proposal would introduce built development to the site and would reduce the openness of the site.

*Green Belt purposes:*

It is necessary to consider whether the proposal would conflict with any of the five purposes of including land in the Green Belt when compared to the existing development. Paragraph 138 of the NPPF states that the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring town merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

The proposal would not result in the unrestricted sprawl of a large built up area having regard to the scale of development and surrounding Green Belt designation. Neither would the proposal harm the setting and special character of historic towns. Given the location of the proposed R&D platform on an area of PDL, the surrounding built form, and the existing containment of the Teleport site, it is not considered that the proposal would result in encroachment in the countryside. In respect of this fifth purpose of the Green Belt, *“to assist in urban regeneration, by encouraging the recycling of derelict and other urban land”* it is notable that the emerging Local Plan proposes a number of urban regeneration sites, nevertheless, there is no substantive evidence to suggest that the development at this site would disincentivise the urban regeneration of sites elsewhere. Given the scale of development proposed to be located within the Borough over the Plan period, it is not considered that the development would be likely to adversely impact on the regeneration of urban redevelopment sites elsewhere.

Although there is an absence of harm to purposes of the Green Belt, this is a neutral factor which weighs neither in favour nor against the proposals.

*Green Belt conclusion:*

As inappropriate development the application would constitute definitional harm to the Green Belt. It would also cause harm to the physical and visual aspects of openness of the Green Belt. Substantial weight must be attributed to this harm. The proposal is therefore contrary Section 13 of the NPPF. Similarly, the proposal would be contrary to Policies SP3, and SADM34 of the emerging Local Plan which have similar aims.

*Very Special Circumstances:*

The Planning Statement sets out the potential for very special circumstances. Paragraph 148 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and 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.

In the case of *Redhill Aerodrome Ltd v SSCLG* [2014] the judgment of the Court of Appeal held that the meaning of “any other harm” refers to any other harm whatsoever, and is not restricted to Green Belt harm. Therefore, the assessment of the Green Belt balance and conclusion will be performed at the end of this report, when all other material considerations have been assessed.

**Other Considerations**

*Neighbour amenity:*

No representations have been received from neighbouring occupiers. The proposal is not considered to have any adverse impact in this regard as it would be well contained within Brookmans Park Teleport complex, separated by over 100m from the nearest residential property (Sant Antonio, Kentish Lane). To the north east of the site is Brookmans Park water tower and covered reservoir.

*Landscape and Ecology:*

Landscaping is important in order to protect and enhance the existing character of the area and to reduce the visual and environmental impacts of the development. District Plan Policy R17 seeks to protect and retain existing trees, hedgerows and woodland. Policy D8 requires landscaping to form an integral part of the overall design. The NPPF sets out at paragraph 130 that planning decisions should be sympathetic to local character, including the landscape setting.

Landscape Character Area 51 (North Mymms Common and Newgate Street Farmed Plateau) surrounds but does not include the transmitting station or the edge of Brookmans Park.

This application is supported by a Landscape Visual Appraisal, prepared by Lichfields and a Landscape Enhancement Strategy (Drawing No. 2697-LLA-ZZ-00-DR-L-0201 P01).

The transmitting station is generally well contained by existing hedgerows, mature trees and bunding. Existing structures and trees in and around the complex would provide screening from longer distances. In glimpsed local views, the proposed development would be seen in the context of existing infrastructure and equipment and would appear characteristic. The Landscape Visual Appraisal concludes that there would be no effect on any positive or characteristic features of the Landscape Character Area. The appearance of the structures and equipment arrays would be generally characteristic of existing development within the transmitting station and would not appear out of place. Visibility from other parts of the character area would be limited by a combination of buildings, the reservoir, tree belts and woodland.

The assessment found that views of the proposed development would be limited and highly localised due to screening provided by built elements within the transmitting station as well as trees and woodland within the surrounding area.

Receptors along Great North Road would not experience any visual effects as a result of screening from an adjacent tree belt and low-lying buildings within the field between the road and the site.

Receptors along the public footpath to the north would not experience any harmful changes to visual amenity with Nil, Negligible or Neutral visual effects. There would be very limited glimpsed views of the top of the platform structure and associated satellite antennae on its second level through trees/fencing when viewed from a short section of the footpath to the north of the site in winter. This would be compatible with the existing scene where equipment and buildings are already visible.

The proposals seek to enhance the existing landscaping by introducing natural planting, linking with the wider setting. Where possible native species will be used. It is proposed to implement a native hedge species to border the southern boundary which will help define the edge of the development. It is also proposed to implement an area of improved grassland to the south of the site within the wider proposals which will help settle the scheme within the wider setting.

Turning to ecology, Policy R11 seeks to conserve the biodiversity of the Borough and seek opportunities for enhancement to ensure no net loss of biodiversity. Paragraph 174 of the NPPF states that the planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 180 goes on to list principles that Local Authorities should apply when determining a planning application. It is stated within Paragraph 180(d) that *“opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate”*.

No significant ecological constraints have been identified. Consideration has been given to habitat creation and improving biodiversity. The new hedgerow will be maintained at approximately 1.5-2.0m wide to help nesting birds, whilst creating a wildlife corridor. Species rich grassland will encourage natural habitats and reduce intensive maintenance regimes. Along the existing vegetative boundary to the southeast of the site a series of bat and bird boxes are proposed with log piles to the floor, these will increase habitat value and help bat and bird foraging whilst increasing insect habitat value.

The detailed landscaping and ecology measures can be adequately secured through condition in accordance with local and national policies.

#### *Lighting:*

External access/egress lighting on the platform structure would provide occasional task lighting to the minimum levels required. Lighting will be provided by LED bulkhead fittings attached at intervals to the balustrading and is to be provided for the safety of engineers should they need to access the platform after dark. The lighting will only be switched on when required and will otherwise be switched off. The platform will generally be accessed during daytime hours and so the requirement for lighting is likely to be minimal. Given the limited occasional use of artificial lighting and the extent of screening in the surrounding area, there would be no undue harmful effects.

#### *Access and Parking:*

The proposed platform will not be occupied by employees and therefore would not on its own generate significant additional parking requirement. The associated reoccupation of the existing main office building and workshops on the site do not require planning permission provided the proposed activities would fall within an appropriate use class. In this regard planning permission



6/2017/0206/FULL is relevant. This permission, dated 19/04/2017, granted “change of use of 895 square metres of ancillary office accommodation to Class B1 (Office) use”.

Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission. The proposal would be situated to the rear of the complex, approximately 240m into the site via an access road leading from the Great North Road (A1000). This is a large give way access and can easily accommodate construction vehicles and has good vehicular visibility. Within the complex there are ample parking spaces as well as areas for construction or service vehicles. This level of development is unlikely to generate significant additional movements, or demand for parking, which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity. On this basis there is no objection in relation to access or parking.

*Parish Council Comments:*

North Mymms Parish Council have suggested “the colour of the structure should be changed to green rather than grey in this rural setting”. However, this change is not considered necessary to make the development acceptable given the context of the site in relation to the surrounding built form and its limited visibility from public vantage points.

### **Planning Balance**

Whilst the District Plan allocates this site in Policy RA8 as permitting telecommunications and other related development in accordance with the adopted masterplan and Policy R21, this policy is considered to be out-of-date and the site is not allocated in the Emerging Local Plan (2016). However, in accordance with Footnote 7 to Paragraph 11(d)(i), land that is designated as Green Belt is specified as a policy that protects areas or assets of particular importance. The proposal represents inappropriate development in the Green Belt, therefore, this provides a clear reason for refusing the development proposed except in Very Special Circumstances. Therefore, the presumption in favour of sustainable development (also known as the tilted balance) does not apply in this case.

*Very Special Circumstances:*

It is necessary to undertake a balancing exercise to establish whether there are very special circumstances (VSC) that outweigh the harm to the Green Belt and any other harm resulting from the proposal. This includes an assessment of the overall benefits of the scheme and the weight that should be attributed to them. The NPPF and NPPG do not set out a definition of VSC and there is no statutory explanation of what these constitute.

It is accepted in case law that there is no prescribed list of what might constitute very special circumstances. It may be that a single aspect of a proposal may itself be VSC sufficient to justify development or it may be that a number of circumstances may cumulatively amount to VSC. As Lord Justice Pill said in *South Bucks District Council v Secretary of State for Transport, Local Government and the Regions* [2003] EWCA Civ 687, [2003] All ER (D) 250 (May): “It is of the essence of very special circumstances that the applicant establishing them is in a very special category.” However, by their nature the existence of very special circumstances must relate to a particular site. It is for the decision maker to determine the amount of weight that should be attributed.

For the reasons outlined in this report, the proposal would cause harm to the Green Belt by reason of inappropriateness. It would also cause harm to the physical and visual aspects of openness of the Green Belt. Substantial weight must be attributed to this harm. Although there is an absence of harm to purposes of the Green Belt, this is a neutral factor which weighs neither in favour nor against the proposals. The proposal is therefore contrary Section 13 of the NPPF. Similarly, the proposal would be contrary to Policies SP3, and SADM34 of the emerging Local Plan which have similar aims.

No other material harm has been identified – the development would not harm to the significance of heritage assets; a good standard of development which respects the amenities and living conditions of neighbouring occupiers, together with the visual amenities and the character of the area, can be adequately safeguarded with conditions; the proposal provides an opportunity to enhance landscaping and ecology; and no objections have been raised in relation to highway impacts, access or parking.

A report setting out the Very Special Circumstances Case has been prepared by Lichfields on behalf of the applicant Inmarsat. These are summarised below:

1. *The site will play a key role in researching and developing satellites and advancing this technology.*
2. *The site will be operated by British-based Inmarsat, the company plays a vital global role in satellite communications and its services form the backbone of aviation and maritime safety, protecting millions of people every day.*
3. *With its existing Teleport status and proximity to Inmarsat's London HQ, Brookman's Park is the location identified following an extensive 2 year site search, for Inmarsat's new, globally important, Research & Development lab.*
4. *Inmarsat's premises would host around 20-30 space engineers and customers at peak times –the site currently employs around 100 staff and has an overall capacity of 200-400.*
5. *Inmarsat's use of the site and the proposed development will maintain Brookman's Park established use as an active centre for Radio Satellite Telecommunications and bring up to 30 highly skilled technical roles to Welwyn & Hatfield.*
6. *Lack of more appropriate alternative locations in Welwyn Hatfield which would cause less harm to Green Belt.*

This report provides a compelling VSC case to justify development within Green Belt. It also details that there are no other sites outside of Green Belt that the proposed development could be accommodated.

The proposal would have an economic benefit during the construction and landscaping phase by creating employment opportunities on site and indirectly supporting business through the supply chain. More significant long-term economic and social benefits would result from the operational phase of the development and the associated employment opportunities. These benefits would be of both local and national importance as set out in detail within the submitted report and supported by comments from the Council's Economic Development Officer and a letter of endorsement from the UK Space Agency. Further social benefits would arise from supporting the development and resilience of telecommunications capabilities across the UK. The proposal will contribute to the UK's critical national infrastructure and to the safety and security of UK citizens. These considerations carry substantial weight in favour of the proposal.

Taking all matters into consideration, it is concluded that very special circumstances outweighing the harm do exist. The principle of the proposed development within Green Belt is therefore considered to be acceptable in this instance.

## **Conclusion**

The proposed development has been assessed against the policies of the District Plan, draft Local Plan and the NPPF. It has been found to be inappropriate development in the Green Belt and it would cause harm to the physical and visual aspects of openness of the Green Belt.

The application site is not subject to any significant constraints other than its Green Belt designation and is sustainably located.

Subjected to conditions, the proposal has been found acceptable in terms of quality of design; heritage; neighbour amenity; landscaping; ecology; highways and parking. Other material considerations have also been considered.

Set against the Green Belt harm, the proposals would make important economic and social contributions on a local and national level. Notwithstanding the identified harm to the Green Belt, when all of the factors set out above, are considered collectively, it is concluded that the benefits in favour of the proposal clearly outweigh the harm identified. Accordingly, the test in Paragraph 148 of the NPPF is met and the very special circumstances do exist to justify the grant of planning permission.

## **Conditions:**

1. The development must not be carried out other than in accordance with the details of external materials specified within the submitted Design and Access Statement (galvanised steel painted dark grey R8050). Details of any alternative materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority prior to above ground development. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of maintaining the character and visual amenity of the area, in accordance with the Welwyn Hatfield District Plan 2005; the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

2. The development must not be carried out other than in accordance with the approved landscaping details and all landscaping must be carried out in the first planting and seeding seasons following the occupation of any part of the development, or the completion of the development, or in agreed phases, whichever is the sooner. Any plants which within a period of five years from planting die, are removed, or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species. All landscape works must be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure implementation of the approved landscaping details in the interest of maintaining the character and amenity of the area, to provide ecological, environmental and biodiversity benefits, and to mitigate the impacts of climate change in accordance with the Welwyn Hatfield District Plan 2005; the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

3. No satellite dishes, or other terminal devices, secured to the platform structure shall exceed 8.5m in height above ground level.

REASON: to minimise the impact of the development on the character and appearance of the area and the Green Belt, in accordance the Welwyn Hatfield District Plan 2005; the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

#### DRAWING NUMBERS

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

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
I- PL- 156-00	B	Steel Platform Elevations North	31 March 2023
I- PL- 157-00	B	Steel Platform Elevations East	31 March 2023
I- PL- 158-00	B	Steel Platform Elevations South	31 March 2023
A-PL-101-00		Block Plan	31 March 2023
A-PL-102-00		Location Plan	31 March 2023
		Landscape Enhancement Strategy Plan	31 March 2023
I- PL- 151-01	A	Level 00 Existing Layout	31 March 2023
I- PL- 151-00	F	Level 00 Proposed Layout	31 March 2023
I- PL- 151-00	F	Level 00 Site Plan	31 March 2023
I- PL- 152-00	E	Steel Platform Rcp And Isometrics	31 March 2023
I- PL- 153-00	B	Level 01 Steel Platform Floorplans	31 March 2023
I- PL- 154-00	B	Level 02 Steel Platform Floorplans	31 March 2023
I- PL- 155-00	B	Steel Platform Elevations West	31 March 2023

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. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.
2. 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 or legal interest (easements or wayleaves) which may affect the land.
3. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

### **Determined By:**

Mr Ganesh Gnanamoorthy

19 June 2023