

WELWYN HATFIELD COUNCIL
PLANNING CONTROL COMMITTEE
18 FEBRUARY 2004
REPORT OF THE CHIEF PLANNING AND
ENVIRONMENTAL HEALTH OFFICER

PCC 21.01.04
PART 1
ITEM NO
FOR DECISION
CPO

S6/2003/1587/FP
ERECTION OF TEMPLE (REVISION OF PREVIOUS PLANNING PERMISSION
S6/1998/662/FP) TOGETHER WITH ANCILLARY BUILDING AND NEW CAR
PARKING
OSHWAL CENTRE, COOPERS LANE ROAD, POTTERS BAR

APPLICANT: OSHWAL ASSOCIATION OF UK

(Northaw)

1.0 INTRODUCTION AND HISTORY

- 1.1 Members will recall that this report was submitted to the January meeting of the committee. The matter was deferred at that time to enable a site visit to be carried out. Due to the timing of the visit it will be necessary for any additional issues raised to be dealt with verbally at the meeting. The report which follows is as it appeared at the January meeting.
- 1.2 The Oshwal Centre is based at the former Hook House (a Grade 2 Listed Building), which is set back some 200 metres from the north side of Coopers Lane Road and served by a private drive which leaves the road about 100 metres east of the residential road Firs Wood Close. Between the road and the house is an extensive parking area and adjoining the house is an Assembly Hall building constructed in the latter part of the 1980's.
- 1.3 In 1980 planning permission was granted for a temple at the site and in 1985 a further permission was granted for the Temple in a revised position about 80m south of the house and to the east of the car park, in adjacent field. Work did not commence during the life time of the 1985 permission and accordingly renewals of the permission were sought and obtained in 1988, 1992 and 1995 (Ref: S6/0226/95/FP). Work on the project commenced in 1998 prior to the expiry of the three year time limit imposed on the 1995 permission and that permission therefore remains valid in perpetuity. The permitted Temple has a maximum height 14.1m above the finished floor level, a maximum length 21.4m and a maximum width of 10.7m.
- 1.4 During 1998 the applicants proposed certain alterations to the design and external appearance of the Temple and submitted a further application with the intention of gaining approval for these alterations. The revised approval (Ref: S6/0662/98/FP) involved an increase in the overall length of the building (including projecting porch element) from 21.4m to 22.1m to allow for an additional 11.5m² internal floorspace; the addition of two open sided porches, one on each of the long elevations, each covering an area of 3.5m by 1.5m with a flat roof at 4.9m high and

the addition of a flagpole projecting 2.4m above the top of the Temple. There are also detailed design changes to the elevations, though the maximum width and height above finished floor level remain the same as in the permitted scheme.

2.0 THE PROPOSAL

- 2.1 The current proposal involves certain alterations to the design and external appearance of the Temple as well as additional new build and car parking. Referring to the Temple, the alterations include the addition of a hexagonal ornate dome of increased size and height. The diameter of the base of the dome has been increased from 8.0m to 9.5m and the overall height from 3.5m to 5.5m. In addition an ornamental pyramid structure with a base of 3.2m by 3.2m and a height of 2.5m is proposed for the roof. There are also detailed design changes to the elevations in terms of the quantity and intricacy of the decoration though the maximum width and height above finished floor level remain the same as in the permitted scheme.
- 2.2 The new build would entail the erection of an ancillary washroom and plant building set into the slope and located on the existing parking area side of the Temple building. The washroom/plant building is necessary for washing and changing in accordance with religious practice prior to entering the Temple and secondly to accommodate the mechanical and electrical plant and storage of equipment associated with the Temple building. The roof would be covered in soil and landscaped with a timber post and rail fence above the main entrance. The frontage of the building facing the Temple would be 18.2m in length and 3.0m in height and contain the entrance and windows. No other part of the building would be directly visible.
- 2.3 Additional parking for 100 cars is also proposed near the main entrance to the site in order to provide for the needs of the Temple building. In addition the space between the proposed and the existing parking would consist of grass reinforced overspill parking catering for approximately 180 parking bays. Both the proposed parking areas would be contained within the existing private drive which provides a one way route between the entrance on Coopers Lane Road and the existing parking area.

3.0 SITE HISTORY

- 3.1 S6/0126/80 – New Temple – Granted (27/11/1980)

S6/0662/98/FP – Erection of Temple (Revision to planning permission S6/0226/95/FP to incorporate 11.5m² of additional floor area and revised elevations) Oshwal Centre, Coopers Lane Road, Northaw - Granted

4.0 PLANNING POLICY

- 4.1 Welwyn Hatfield District Local Plan Alterations No. 1 1998:

- Policy GB3 (Green Belt), Appendix A
- Standards & Criteria

Welwyn Hatfield District Plan Review – deposit version, June 2002

Policy RA1 development in the green belt

Planning Policy Guidance Note 2

5.0 REPRESENTATIONS RECEIVED

- 5.1 The application was advertised by site notice. Neighbouring residents in Firs Wood Close and Hook Lane have been notified by letter.
- 5.2 A large number of responses were received overwhelmingly in opposition to the proposal. Objectors included the Northaw and Cuffley Parish Council and residents. Reasons for the opposition are as follows:
- Unacceptable development in the Green Belt
 - Adverse impact on amenities currently enjoyed by neighbours
 - Excessive noise pollution
 - Additional traffic generation in Coopers Lane Road

The Environment Agency has no comments

The Welwyn Hatfield Disabled Access Group requests that consideration be given to the normal criteria when determining the application

6.0 DISCUSSION

- 6.1 The development of a Temple in a Green Belt location would normally constitute inappropriate development, contrary to policy GB3 of the District Plan which is consistent with national advice in Planning Policy Guidance Note No. 2: Green Belts (PPG2). In this case, however, very special circumstances exist in the form of the existing planning permission S6/0226/95/FP which has commenced and could be fully implemented at any time. This permission followed a series of earlier permissions for the Temple dating back to 1980 and constitutes a material consideration of sufficient weight to overcome the presumption against inappropriate development in the Green Belt. The key issue in dealing with the current application, therefore, is to what extent the proposed alterations and new build would give rise to additional harm to the Green Belt, or any other material considerations such as residential amenity or highway safety, above and beyond that arising from the implementation of the existing permission.
- 6.2 Having carefully considered the proposals, it is considered that the increase in the diameter and height of the dome and the addition of the ornamental pyramid structure would have extremely limited additional impact on the openness of the Green Belt. In reaching this conclusion I take into account the location of the Temple against the backdrop of the Oshwal Centre complex and its setback from Coopers Lane Road which constitutes the main public viewpoint, alongside which there is a substantial hedge and tree screen. Given the distance of the Temple from the former Hook House and from the nearest residential properties in Firs Wood Close (approximately 150m) the proposed alterations would have no additional impact on residential amenity or the setting of the listed building. The washroom/plant building is considered to be an intrinsic component of the Temple complex and would have no impact on the openness of the Green Belt. The additional parking arrangement is similarly a necessary requirement of the Temple building which would have had to be provided irrespective of whether the proposed design changes are acceptable or not. The location and extent of the proposed

parking near the front entrance and contained within the existing private drive is acceptable and would have limited additional impact on the openness of the Green Belt.

- 6.3 Letters of objection expressed concern over traffic and associated disturbance connected with the use of the Temple. There is however no reason to suppose that these effects would be worse as a result of the design changes and washroom/plant building than would be the case with the approved Temple building which can be constructed at any time.
- 6.4 In conclusion, it is considered that there are no grounds for resisting the current application and that the matters raised in objection are not sufficiently robust to impede the granting of approval subject to conditions being imposed (as with the existing approval) to provide an element of control over landscaping, external public address systems and lighting. It is therefore recommended that Planning Permission be granted for this application.

8.0 RECOMMENDATION

8.1 I recommend that planning application S6/2003/1587/FP be approved subject to the following conditions:

1. SC01 – Standard Time Limit - Full Permission
2. SC09 – Landscaping Scheme – Full Permission
(add to 1 - An assessment of those trees to be removed by the proposal to be carried out)
3. SC25 – Levels
4. The development hereby permitted shall only be used for purposes connected with and ancillary to the use of the Oshwal Centre by the Oshwal Association of the UK for religious and community purposes.

REASON:

The development hereby permitted shall only be permitted for purposes connected with and ancillary to the use of the Oshwal Centre by the Oshwal Association of the UK for religious and community purposes.

5. No microphones, amplifiers or any form of public address system shall be installed on the Temple building or used in connection with the use of the Temple without the prior written approval of the Local planning Authority.

REASON:

In the interest of the residential amenity of neighbouring properties.

6. No external lighting of the Temple shall be installed without the prior written approval of the Local Planning Authority.

REASON:

In the interests of visual amenity in this rural area.

Oshwal Centre – amendments to conditions

Additional condition:

3	Prior to the commencement of development there shall be submitted to and agreed in writing by the Local Planning Authority an assessment of the impact of the proposed additional car parking area on the health of the trees to the east and south east of the proposed
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	<p>car parking area. The assessment shall include details of the measures to be implemented to protect those trees or, if any are proposed to be felled, a justification for the loss of the tree(s)</p> <p>REASON</p> <p>To ensure that the development proposed has the minimum impact on the existing trees in the interests of the visual amenity of the area.</p>
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Current no 3 to 6 become 4 to 7

additional condition for no 8

8	<p>The additional parking spaces shown on the plan hereby approved along with the treatment of the land to provide the overspill parking spaces shall be provided and marked out prior to the occupation of any new buildings on the site which are hereby granted permission, and shall be retained and kept available for those purposes thereafter.</p> <p>REASON</p> <p>To ensure that adequate parking facilities are available within the site and that there is no detriment to the safety of the adjoining highways.</p>
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Additional condition no 9

9	<p>Prior to the commencement of development there shall be submitted to and agreed in writing by the Local Planning Authority a management plan setting out the management regime to be applied to the grassland within the application site but outside of the location of the new buildings and car parking hereby approved. Once approved, the management shall be applied as such unless any variation is agreed in writing by the Local Planning Authority.</p> <p>REASON</p> <p>To ensure that the management of the land is carried out in a manner commensurate with its wildlife interest status and to mitigate for the loss of any such land as a result of the development hereby permitted</p>
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9.0 **BACKGROUND PAPERS**

- Welwyn Hatfield District Local Plan Alterations No. 1 1998
- Planning Application S6/2003/1587/FP

