

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

APPLICATION No:	S6/2012/2404/FP
APPLICATION Site:	Oshwal Centre

NOTATION:

The site is located within the Green Belt and Landscape Region and Character Area as designated by the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The Oshwal Centre is a community and religious centre used by the Jain Community. The application site is situated on an extensive irregular shaped plot on the northern side of Coopers Lane Road in Northaw, which is entirely situated within the Metropolitan Green Belt.

The site consists of Hook House (also identified as Oshwal House), the existing reception venue, associated car parking, various outbuildings including a Buddhist temple, which is situated on the southern section of the site. The Hook House is a Grade II Listed Building, which dates from the C1839 and is an Asymmetrical Tuscan-style villa of 2-3 storeys with attics.

DESCRIPTION OF PROPOSAL:

The application requires a new glazing facade to an existing assembly hall to facilitate internal changes to create a new lift.

PLANNING HISTORY:

S6/1979/689 – Change of use from residential to spiritual, cultural and leisure activities of a religious body – granted.

S6/1980/46 – Extension and conversion of outbuildings to community buildings – granted.

S6/1980/126 – New temple – granted.

S6/1984/352 – Single storey extensions and alterations- granted.

S6/1984/353 – Demolition of first floor extension, erection of single-storey extension and alterations – granted.

S6/1985/398 – Site for new temple (revised siting to previous scheme) – granted.

S6/1986/234 – Demolition of existing outbuildings and replacement with new community building in association with use of Hook House – granted.

S6/1989/534 – Revised internal road and car park surfacing, new paved surface adjacent to Oshwal House and additional landscaping – granted.

S6/1990/629 – Erection of canopy – granted.

S6/1992/681 – Erection of temple (application made under Section 73 of the 1990 Town and Country Planning Act) – granted.

S6/1995/226 – Erection of temple (renewal of consent S6/1992/0681) – granted.

S6/1995/227 – Erection of non-illuminated sign – granted.

S6/1996/388 – Erection of ornamental temple (2.1m high) and paved garden in grounds – granted.

S6/1997/985 – Erection of scale model of temple (in position approved under S6/1996/0388) – granted.

S6/1998/662 – Erection of temple (revision to planning permission S6/1995/0226) to incorporate 11.5m² of additional floor area and revised elevations – granted.

S6/2005/201 – Stone garden features around the temple – granted.

S6/2006/0003/LB - Blocking up of existing internal doorway and formation of new door opening. - granted

SUMMARY OF POLICIES:

National Planning Policy Framework

Circular 03/09: Costs Awards in Appeals and Other Planning Proceedings

Hertfordshire Structure Plan Review 1991 – 2011:

None

Welwyn Hatfield District Plan 2005

SD1: Sustainable Development

GBSP1: Definition of Green Belt

D1: Quality of Design

D2: Character and Context

D9: Access and Design for People with Disabilities
RA10: Landscape Regions and Character Areas

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

CONSULTATIONS:

Hertfordshire Biological Records Centre – advise ‘there are no known ecological constraints regarding the proposed development. Therefore, the application can be determined accordingly’.

TOWN/PARISH COUNCIL COMMENTS:

Norhaw and Cuffley Parish Council advice: ‘The PC have no objection’

REPRESENTATIONS:

None, period expired 10.01.13

DISCUSSION:

The main issues are:

- 1. Green Belt Policy**
- 2. Quality of design and the impact on the character of the surrounding area.**
- 3. Other Material Planning Considerations**

1. Green Belt Policy.

Green Belt Policy, now set out in the National Planning Policy Framework (NPPF) accepts extensions or alterations to buildings as long as they do not result in disproportionate additions over and above the size of the original dwelling.

In this application, an alteration is proposed to the existing assembly hall which requires the removal of an existing glazed entrance screen under the canopy of this building and its replacement with a new screen to allow the opportunity to allow a new lift to be inserted.

As such, the proposal will be located under an existing canopy area, and so this development is not considered to represent an addition which would materially increase the size of the current building.

The only Green Belt issue therefore is whether it would potentially impact on the visual amenity of the Green Belt.

Although the proposal will result in some change to the external appearance of the current building, this is very limited, as views are screened in part by the overhang of the existing entrance canopy. The design of the proposed glazing is also very

similar to the existing, and so the overall impact on the character of the surrounding area will not be significant.

As such, the proposal is not considered to harm the visual amenity of the Green Belt, or the wider character of the surrounding area or countryside.

Overall, the proposed changes are considered to comply with Green Belt Policy in the National Planning Policy Framework.

2. Quality of design and the impact on the character of the surrounding area.

Local Plan Policy D1, D2 and RA10 are relevant along with the Supplementary Design Guidance.

The quality of the design has already been considered in a part with regard to the visual amenity assessment above. The proposed design is considered to be in keeping with the character of the existing building as the design of the glazing replicates very closely the style which it is to replace.

The application form indicates that the existing framework of the glazing is aluminium and that the proposed will also be the same. The applicant stated on site that the proposed finish will match that of the existing polished metal and so a planning condition requiring the use of matching materials will be adequate.

Overall the proposal complies with the design requirements of D1 & D2. Furthermore, as its visual impact will be limited there will be no harmful impact on the wider Landscape Character Area and so the proposal also complies with Policy RA10.

3. Other Material Planning Considerations.

Disabled Access Local Plan Policy D9 is relevant. Part of the reason for the application is to provide improved access to other levels of the existing building. As such disabled access will be improved and so the proposal complies with the requirements of Local plan Policy D9.

Protected Species The presence of protected species is a material consideration, in accordance with the National Planning Policy, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05.

Protected species such as great crested newts, otters, dormice and bats benefit from the strictest legal protection. These species are known as European Protected Species ('EPS') and the protection afforded to them derives from the EU Habitats Directive, in addition to the above legislation. Water voles, badgers, reptiles, all wild birds, invertebrates and certain rare plants are protected to a lesser extent under UK domestic law (NERC Act and Wildlife and Countryside Act 1981).

The existing site and development is such that there is not a reasonable likelihood of EPS being present on site nor would a EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 and amended 2012 Regulations further.

CONCLUSION:

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2.1 Time limit for commencement of development
2. C.13.1 Development in accordance with approved plans/details 6842/08/PO & 6842/05/PO received and dated 23 November 2012.

Post Development

3. The external finishes of the approved extension/alterations shall match the existing, unless otherwise approved in writing by the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against the National Planning Policy Framework, and Development Plan policies SD1, GBSP1, D1, D2, D9 & RA10 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which, at the time of this decision indicate that the proposal should be approved. The decision has also been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 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 inspected at these offices).

INFORMATIVES: None

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