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JW

Ref: NSO/H191
Date: 21 January 2013

Planning Development Control
Welwyn Hatfield Borough Council Offices
The Campus
Welwyn Garden City
Hertfordshire
AL8 6AE

Att P Jefcoate

Dear Mr Jefcoate 2012/2549

Re: Application ~~2012/2559~~/FP - single storey rear extension at Oshwal Centre

Further to my recent email and to our subsequent telephone conversation I would be grateful if you would take the following into consideration with respect to the above application.

Firstly, the purposes for which the extension is sought are material to its consideration. Oshwal House receives a large number of visitors and has an existing small canteen facility. The extension is required in order to cater for the nature and type of visitors using the facility. For example, the Oshwal Association (OAUK) regularly hosts weekly visits by groups of elderly persons (who arrive by coach, paid for by the Association) for cultural, social and devotional purposes. Oshwal House is also regularly visited by parties of schoolchildren on cultural and educational trips, again arriving in organised coach parties. Recently Oshwal House played host to an American research group, investigating the history and values of Jainism. Such 'one-off' visits by religious, research or educational groups are not uncommon.

In all cases the existing catering facilities can provide only very light refreshments to a limited number of people. Whilst catering facilities suitable for coach party groups can be provided in the Community Halls this is impractical on a number of counts. Firstly, the Halls are in frequent use, including rental to third party groups and associations, and the catering facilities may not often be available. Secondly, these facilities are in a separate building which is inconvenient in bad weather, and especially unsuitable for elderly and infirm visitors (notwithstanding the provision of a lift subject to separate application). Most importantly however, the Halls are of substantial size and it is neither practical nor cost effective to heat significant spaces to cater only for comparatively small numbers of people.

The only practical solution to meet the obligations of hospitality, to enable catering to be provided to those who visit Oshwal House on a regular basis, is to enlarge the canteen to create a restaurant capable of serving meals as well as simply tea and biscuits.

Given that context, I note that, in view of the weight that can be attached to the development plan, development needs to be considered in the context of the NPPF, especially in regard to its cumulative impact. In that respect, NPPF paragraph 89 states that whilst new building in the Green Belt should be regarded as inappropriate, exceptions to that general rule will include:

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the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building

The clause specifically does not refer to any cumulative assessment needing to be applied, merely to a judgement of the scale of the proposal in relation to the host building. In this case the extension is modest in terms of the additional floor area that is created. It is certainly not disproportionate. No other part of the section on Green Belt policy refers to a consideration of cumulative effects.

It is also necessary to consider what, if any, harm to (the purposes of) the Green Belt would arise. In this case I would suggest that the development would not conflict with any of the five purpose set out at paragraph 80 and, moreover, that harm can only be weighed in that context.

Demonstrably, there is no harm to openness or to the setting of the building or the Estate as a whole, including the Derasar (temple), as the proposed extension is to the rear of Oshwal House and not in common view in the main public areas of the site. The extension does not encroach on the Halls or on the site boundary and any development that lies beyond them. As an extension it is development that relates to an existing developed site and its scale is modest in terms of the floor area of Oshwal House. It will not cause a significant increase in the number of visitors or traffic as the development is intended to address existing levels of use as set out above. Moreover, an extension to a building is not inappropriate development given that, as noted, it is sanctioned elsewhere in the NPPF.

Given this context paragraph 88 states:

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, is clearly outweighed by other considerations

It is my view that it is not, in this case, necessary to demonstrate that very special circumstances arise as the proposed development is an acceptable extension to an existing building and does not result in disproportionate additions over and above the size of the original. Nevertheless, in the event that the Local Planning Authority seeks to consider whether any special circumstances arise, I consider that the following are material.

- The OAUK has occupied the Oshwal Centre since 1980
- OAUK is a Charitable Foundation that is seeking the development for its own operational and non-profit making purposes
- Since 1980 and subject to consideration of Green Belt policy the Council has permitted the construction of the Community Halls building
- Since 1980 and subject to consideration of Green Belt policy the Council has permitted the construction of the temple (Derasar)
- The Derasar was completed in 2005 and is the largest Jain temple in Europe
- The site has become a major centre of religious devotion and is recognised as such by all other principal religions including Anglican and Catholic Christians, Sikh, Muslim, Hindu and Jews all of whom have regular dialogue and have been formally represented at the Derasar.



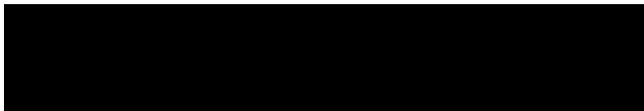
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- The Oshwal House is the Headquarters of OAUK and they are the sole representatives of the Oshwal Community – as such the site is of significant cultural value to the Oshwal people as a centre of community and learning.
- The Oshwal Community is expanding and the demands on the use of Oshwal House have significantly increased since the Derasar was completed.
- The need for the development is driven by the fundamental cultural creed of hospitality
- The need for the development cannot be addressed in any other way or, more importantly, in any other location.
- The development is of modest scale compared to the existing Oshwal Centre and to the scale of other developments that have been permitted since 1980

I would suggest therefore that no demonstrable harm will arise that would outweigh the wide range of special circumstances that pertain specifically to the Oshwal Centre, having regard to its history, use and cultural and religious significance and moreover that no harm arises that outweighs the acknowledged exception to the presumption against inappropriate development that arises in relation to an extension which *'does not result in disproportionate additions over and above the size of the original building'*.

I am obliged to you for your consideration of these points and trust that they will enable you to consider the proposal favourably

Yours sincerely



VP Neil Osborn BA(Hons) MRTPI
Senior Director

Cc L Vekaria