

TW/239

15th May 2019



William Myers
Welwyn Hatfield Borough Council
The Campus
Welwyn Garden City
AL8 6AE

town and country
planning consultants

Dear Mr Myers

Applications for Planning and Listed Building Consent at Northaw House – 6/2019/0217/MAJ and 6/2019/0218/LB

I am writing in response to the consultation responses which the Council have received in relation to the above applications, for which I am the agent. This letter is written on behalf of the applicant, LW Developments. I have not responded to every point raised, but have sought to respond on a general basis to the material planning issues raised, where I believe this would be helpful to your consideration of the applications. I have also not responded to the comments from the Lead Local Flood Authority, as these have been addressed in separate correspondence by MTC Engineering, on behalf of the Applicant.

Green Belt

There have been a number of comments which have suggested that the site's location within the Green Belt poses an absolute impediment to new building. As you will be aware, this is not the case, and both local and national planning policy allow for development within the Green Belt, where it is either appropriate, or justified by very special circumstances. On this basis, the Council have previously approved new build development within the site, as enabling development to fund the repair and refurbishment of the listed buildings. The current applications are in principle similar to those which have previously been approved, although the very special circumstances in favour of the proposed development are more extensive than this. A detailed assessment of the proposals, and their compliance with Green Belt policy is set out within Section 7 of the Planning, Design and Access Statement which accompanies these applications, and I will not repeat it here.

Some respondents have suggested that the proposed development would in some way erode the 'Green Belt gap' between Potters Bar and Northaw. You will be aware that the purposes of the Green Belt (NPPF, paragraph 134) include 'to prevent neighbouring towns merging into one another'. They do not relate to gaps between towns and villages. Notwithstanding this, the gap in question would not be reduced, as the proposed development would be well contained within the site, largely on previously developed land or enclosed within the walled garden, and no house would be closer to Potters Bar than those which already exist adjacent to Coopers Lane.

I have noted the representation received from Pearson Associates on behalf of the owner of East Lodge, which considers Green Belt matters in greater detail than many of the other responses

Suite A
19-25 Salisbury Square
Old Hatfield
Herts, AL9 5BT

01707 538037
info@wallerplanning.com
wallerplanning.com

Tim Waller BA(Hons) MSc PgDip MRTPI, Director

Registered in England & Wales (No. 9462061) at
Amwell House, 19 Amwell Street, Hoddesdon,
Hertfordshire, EN11 8TS

VAT No: 234 4124 40

received. This letter states that 'it is fully accepted that major repair and refurbishment will need to be undertaken to Northaw House', and that enabling development is justified where it is 'the minimum necessary to carry out the works to the Listed Building'. We agree with this view, and the proposals are justified in these terms, as I note below. The letter from Pearson Associates also erroneously suggests that the proposed development would be contrary to several of the purposes of Green Belt land. I have noted above that there is no conflict with regard to preventing neighbouring towns merging. There would also be no significant effect on the encroachment of development within the countryside, given how well contained the proposed development would be within the site. There is no requirement within the Green Belt purposes to 'preserve the setting and special character' of villages, only of 'historic towns'. Finally, the proposed development would not reduce the imperative to regenerate urban areas, given the very high level of need there is for housing, and the existing pressure on such areas; it should also be noted that much of the proposed development involves either the re-use of existing buildings or the redevelopment of previously developed land. I trust that you will not be misled by the mis-representation of national policy within this particular representation.

Financial Viability

A number of respondents noted that they had no objection to the refurbishment of Northaw House and its environs. What many of these respondents failed to acknowledge was the need for a substantial amount of funding for these repairs. This is made clear, for instance, by the fact that the previous permissions allowing for enabling development to fund the restoration of the listed buildings remained unimplemented; there is clearly a need for more enabling development than was previously permitted, as was accepted by the Council and their advisers during pre-application discussions.

The Parish Council and CPRE have each commented that insufficient information has been submitted with the applications in relation to financial viability. You will be aware that we have now formally submitted the information considered by the Council during pre-application discussions, dating from late 2018. These discussions resulted in agreement in principle between the Applicant and Officers with regard to financial viability matters, i.e. the proposed development is the minimum amount of development which could fund the necessary repair and refurbishment works. As we have discussed, nothing has changed in the short time since these discussions concluded, other than building costs have increased, and property prices have decreased. As the Applicant does not propose any more development than was agreed during pre-application discussions, we remain firmly of the view that the proposed development is entirely justified in this regard.

The Parish Council have commented that the proposed development should be phased, 'so that the renovation should be completed first'. It is not entirely clear what their comment means, but we presume the intention is that the full refurbishment of Northaw House should be completed prior to any new build development taking place. This would be a very costly way of approaching the proposals, which would increase the cost of the development overall, as it would be necessary to borrow to fund the refurbishment works, prior to receiving any income from the new-build property. The cost of this high level of borrowing over an extended period would make the development financially unviable, unless more enabling development were ultimately to be provided. Clearly, this would be contrary to the principles on which this application has been

prepared, namely that this is the minimum amount of development required. As such, I trust that a more sensible arrangement can be agreed with Officers, if necessary.

The Parish Council also note that they expect a s106 contribution. Again, their meaning is not clear, as they do not clarify what such a contribution should be towards. As you will be aware, any such contribution must meet the tests within national policy, and the legal tests within the Community Infrastructure Levy Regulations. It is also necessary to consider the financial viability of the proposed development, as adding further financial burden may result in a need for additional enabling development. Officers accepted during pre-application discussions that, for this reason, they would not seek affordable housing as part of this application. We trust that a similarly sensible approach can be agreed with regard to any other s106 obligations.

Effect on Heritage Assets

The Parish Council have alleged that 'the siting and design of the proposals within the walled garden and the settlement area are incongruous and out of character with existing buildings'. CPRE have also raised objections to the design of the houses proposed for the walled garden, on the basis that they would create narrow passageways next to the wall, and that their design is out of keeping with the vernacular character of the wider development. Officers will be aware that the design of these buildings was the subject of lengthy discussions at the pre-application stage, and this is summarised (and illustrated) within Section 3 of the Planning, Design and Access Statement which accompanies the application. The proposed houses have been designed to make them clearly distinguishable from the historic wall, and also to ensure they are not easily visible from outside the garden. They have also been positioned to ensure that as much space as possible is retained within the centre of the walled garden, so that its original function remains discernible. The proposed houses are the result of detailed discussions with the Council's heritage advisers, who have agreed that they form an acceptable design which responds appropriately to its context.

Comments have also been raised in relation to the appearance of the buildings proposed within the settlement area. However, none of these comments suggests how these buildings could more appropriately have been designed. All of the comments also ignore the reality, that these buildings must be attractive to prospective purchasers, so that they are able to generate sufficient funding to finance the necessary repairs to the heritage assets. The design of these buildings was also the subject of extensive pre-application discussions, and these are summarised within the Planning, Design and Access Statement, along with an explanation of the thinking behind their design. Again, Officers and the Council's heritage advisers have accepted that the design of the proposed buildings is entirely acceptable, and appropriate to their context.

Some respondents have also questioned the principle of some of the new housing being in the form of gate lodges. As we explain in the Planning, Design and Access Statement, this is one aspect of the proposals which was accepted by Officers and the Council's heritage advisers at a very early stage within pre-application discussions. There is evidence that lodge buildings existed in the past, and we believe that housing in this form is appropriate to its context. These houses would not detract from the significance of the heritage assets within the site, and would arguably help to enhance their significance, by replacing part of the formal structure which once surrounded the house; they alert passers-by to the historic estate and so better reveal its significance. It is

important to be aware that the design of the proposed buildings has been heavily influenced by comments from Officers and the Council's heritage advisers.

Effect on the Character of the Village

Some representations have suggested that the proposed development would in some way harm the character of the village of Northaw. However, the proposed development would be well contained within the application site. It largely consists of buildings within areas of previously developed land, either in place of former farm buildings, or contained within the walled garden. The only exceptions to this would be the gate lodges, which would replicate a historic form of development, and which are entirely appropriate to their context. This development would not even be clearly visible from within the village, and it would have no notable effect on its character or appearance, or that of the Northaw conservation area.

Highway Access and Road Capacity

I have found that there is an error in section 5 of the Planning, Design and Access Statement, which states that there will not be any highway access from the site's eastern entrance. This access will in fact be used, as set out within the Transport Statement which accompanies the applications. I note that this error has not affected the Highway Authority's consideration of the application, which correctly describes the proposed access strategy, as they make reference to the Transport Statement.

Some respondents have questioned the capacity of the local road network to accommodate the proposed development. The Highway Authority consider this matter in relation to the site's established office use, which has the capacity to generate a far higher number of vehicle movements than the proposed residential use. For instance, an office use would generate around 47 inbound vehicle trips in the morning peak hour, whilst a residential use would generate around 3 inbound trips and 10 outbound ones (an average of 1 outbound trip every 6 minutes, at the busiest time). The Highway Authority have accordingly not raised any objection to the proposed development, and I do not believe there is any technical foundation for the assertion in several representations that the proposed development will lead to a large increase in the volume of traffic going to and from the site.

Respondents have also commented on the suitability and safety of the proposed amendments to the highway access junctions. These amendments were agreed during pre-application discussions with the Highway Authority, who have again raised no objections to the proposals. Improvements would be made to the highway access junctions which would enhance highway safety for those accessing the site. No respondent appears to have provided any expert commentary which suggests there would be any issues in terms of highway safety.

A few respondents have also mentioned that Coopers Lane is liable to flood at times. The area in question is outside of the application site, and also outside of the control of the Applicant. This application can ensure that the proposed development would not lead to any worsening of this flooding, and the Highway Authority have proposed a condition requiring this is achieved. However, there is no mechanism within the planning process that would require, or allow for, the Applicant to undertake works to improve this pre-existing situation.

Pearson Associates, writing on behalf of the owners of East Lodge, have suggested that re-opening the route through the site will 'have a significantly detrimental effect on the noise and visual amenities associated with this property, because of the closeness of the road in passing East Lodge'. I find this comment strange, given that East Lodge is located within a couple of metres of the main road, Judge's Hill, which accommodates far higher volumes of traffic. Using the figures set out within the Transport Statement, and accepted by the Highway Authority, there are currently several hundred vehicle trips on Judge's Hill in the AM peak period alone, whereas the proposed development would generate somewhere in the region of 5 or 6 vehicle movements on this route, within this peak period. It is highly doubtful that such a small number of trips would be noticeable, particularly when compared with the existing near-continuous noise from traffic on the adjacent road. Pearson Associates also comment on the safety of the junction, without any technical justification, and this is addressed in my comments above.

Residential Amenity

I have only noted one representation which alleges there would be any adverse impact on the amenity of existing residents. This is also within the letter by Pearson Associates, on behalf of the owners of East Lodge. This letter suggests that the proposed eastern Gate Lodge would cause harm to the amenity of the residents of East Lodge not only because of traffic noise (see above), but also visual amenity. The new building would be located over 30m from East Lodge. It would not overlook East Lodge. The proposals would not have any unacceptable effect on the amenity of the residents of East Lodge. The planning system does not provide people with a right to an unchanged view from their property.

The Site's Location

Respondents have also suggested that the site's location makes it an unsuitable place for new development. We have noted within Section 2 of the Planning, Design and Access Statement that the site is not in an isolated location, and it is within reach of local services and facilities, and public transport connections. This is accepted by the Highway Authority in their consultation response. Whilst the location is not as well served as one within a town, these proposals nevertheless accord with national policy, which recognises that sustainable transport solutions will vary between urban and rural areas (NPPF, paragraph 103). Irrespective of the site's location, I also note that national policy would even allow for enabling development in an isolated location, if it were to be enabling development which would secure the future of a heritage asset (NPPF, paragraph 79).

Local policy recognises that new housing may be permitted within Northaw (Welwyn Hatfield District Plan, paragraph 4.14 and Policy RA2). The Council are also considering the need to provide housing in villages such as Northaw, in light of the pressing need for housing, and in the context of the emerging Local Plan. National policy certainly does not suggest that housing should not be provided within villages, particularly ones which do contain some local facilities and public transport connections.

Noise

The Council's Environmental Health Officer has requested a Noise Impact Assessment in relation to traffic noise, and the way it may affect the one house which is within 40m of Coopers Lane. We assume that this is the Western Gate Lodge. We agree that it is suitable for any such assessment to be provided following the determination of these applications, in relation to a planning condition.

Biodiversity

We have noted the response by Hertfordshire Ecology, and their proposed condition relating to the provision of an Ecological Management Plan. It is intended that this application will enhance the site's biodiversity value, and I can confirm that the Applicant is happy to comply with such a condition.

I hope that this letter is helpful to you, as you consider these applications. If it would assist you, I would be very happy to discuss any of these matters further. Otherwise, I look forward to hearing from you with regard to a formal view from Officers' on the proposed development.

Further to our recent correspondence, I can also confirm that the Applicant is happy to agree an extension of time for the determination of these applications, to 20th June 2019, in order to allow the Council to consider the application at the Planning Committee meeting on 19th June.

Yours sincerely



Tim Waller MRTPI
Director
tim@wallerplanning.com