

**WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL**  
**DELEGATED REPORT**

<b>APPLICATION No:</b>	<b>N6/2010/0782/MA</b>
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**NOTATION:**

The site lies within the specified settlement of Welwyn Garden City and Employment Area EA1 as designated in the Welwyn Hatfield District Plan 2005. The site also forms part of the designated Mixed use development site at Broadwater Road West as identified by Policy EMP3.

**DESCRIPTION OF SITE:** The site is 3 hectares in area and is located on a vacant Industrial estate on the junction of Broadwater Road and Bridge Road. The site is bound to the south by Hyde Way and beyond this to the south lies the Broadwater Road industrial estate. To the west of the site lies a Network Rail service road which provides emergency access to the railway line which borders the site to the west. Directly to the north of the site lies Bridge Road and directly to the east lies Broadwater Road.

The site is occupied principally by the former Shredded Wheat factory which is Grade II listed. The listed elements are the silos, grain house and parts of the original production building, however there are some curtilage listed by virtue of their age.

**DESCRIPTION OF PROPOSAL:** The proposal details the erection of a temporary palisade security fence for a period of three years. The fence will be 2.5m in height and will comprise 25mm vertical steel bars fixed to the upper and lower horizontal rails with 60mm by 80mm main vertical fixing posts at 3m intervals. The fence will consist of galvanised steel and will be a colour and finish that will be in harmony with the setting of the listed building.

Three vehicular and pedestrian gates are proposed within the palisade fencing; two on the northern elevation and one in the eastern elevation. The access gates will utilise the two existing vehicular access points from both Bridge Road and Broadwater Road.

In addition, at the north eastern corner of the site an information board is proposed to be attached to the palisade fencing which presents an opportunity to provide information about the factory's history and significance.

**PLANNING HISTORY:** The site has varied planning history relating to it's former use as the Shredded Wheat factory. Pre-application discussions are currently being carried out in relation to the redevelopment of the site.

## **SUMMARY OF DEVELOPMENT PLAN POLICIES:**

National Policy

PPS1: Delivering sustainable development

Planning Policy Guidance Note 14: Development on Unstable Land

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP2: Towns and specified settlements

D1: Quality of design

D2: Character and context

D3: Continuity

D5: Design for movement

D7: Safety by Design

D8: Landscaping

D9: Access and Design for people with disabilities

EMP1: Acceptable uses in Employment areas

EMP2: Acceptable uses in Employment Areas

EMP3: Mixed use development site at Broadwater Road West

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking

Standards, January 2004

## **CONSULTATIONS**

**HCC Transportation Planning and Policy** – No objections

**BEAMS (VERBAL)** – The fence is for a temporary period of three years and because of the need to secure the site whilst redevelopment takes place, there are no objections to the fence.

## **TOWN/PARISH COUNCIL COMMENTS**

Not applicable

## **REPRESENTATIONS**

This application have been advertised and 0 representations have been received. Period expired.

## **DISCUSSION:**

**The main issues are:**

- 1. Whether the proposal would have an impact on the character and context of the area and the setting of the listed building.**
- 2. Other Material Planning Considerations**

1. Policy D1 of the district plan seeks to ensure a high quality of design in all new development and new developments should take account of the character and setting of the area. Policy D3 of the district plan requires all new development to incorporate the principles of community and enclosure to distinguish between private and public spaces.

Paragraph 7.22 states that 'the means of enclosure should provide both privacy and security without becoming a dominant visual feature of the site. Regard should be paid to the character of the area when choosing the form of enclosure to be incorporated'.

Spennhill Regeneration Ltd are currently in discussions with the Council regarding the wider re-development of the site. However, in the meantime the building is currently vacant and has been subject to criminal damage and trespassing. The applicant would like to secure the site in order to prevent unauthorised access to the site, where there is both a risk to health and safety and in order to prevent the further deterioration of the listed building through criminal damage. The proposal details the erection of a temporary palisade security fence for a period of three years. The fence will be 2.5m in height and will comprise 25mm vertical steel bars fixed to the upper and lower horizontal rails with 60mm by 80mm main vertical fixing posts at 3m intervals. The fence will consist of galvanised steel and will be a colour and finish that will be in harmony with the setting of the listed building. Listed building consent is not required for the fence because it is not fixed to any listed element of the structure.

Three vehicular and pedestrian gates are proposed within the palisade fencing; two on the northern elevation and one in the eastern elevation. The access gates will utilise the two existing vehicular access points from both Bridge Road and Broadwater Road. The fence design would allow the maximum visibility of the factory buildings from the public highway whilst providing high security.

There is existing palisade fencing on the corner between Broadwater Road and Hyde Way and an existing chain link fencing and palisade fence along the eastern boundary and on the boundary with Bridge Road. Overall, this part of the industrial area has a variety of different boundary treatments, ranging from hedgerows and planting outside office buildings to similar palisade fencing, in a variety of colours on properties along Broadwater Road.

The fence would be located in a prominent position along Broadwater Road and on the junction of Broadwater Road and Bridge Road and accordingly, the proposal would have an impact on the streetscene and a limited impact on the setting of the listed building and whilst there are a number of similar fences in the area, this type of means of enclosure was never intended to be a permanent feature in this location. However, because of the temporary nature of the fence and the requirement to secure the site whilst it lies vacant, and whilst discussions take place in relation to its redevelopment, the impact of the fence on the setting of the building and the appearance of the streetscene is outweighed by the need to secure the site and prevent further criminal damage to the building. Whilst the local planning authority would not be prepared to see a permanent fence of this nature in this location, the erection of a temporary fence would not be so detrimental to the character and context of the area that it would be considered inappropriate. The temporary consent can be secured by condition. The proposal is therefore in accordance with PPS1, PPS5 and policies GBSP2, D1, D2 and D3 of the Welwyn Hatfield District Plan 2005

2. There are no other material considerations that are relevant to the termination of this application.

**CONCLUSION:** The proposed erection of a fence on a permanent basis would normally be resisted because of the original layout and appearance of the streetscene in this part of the industrial area. However, because consent is sought for a temporary period whilst the site lies vacant and redevelopment proposals are considered, the erection of such a fence for a period of three years would not be inappropriate. The fence would allow the site to be secured from vandalism and therefore further deterioration of the building and this is a material consideration which outweighs any temporary visual harm that could be caused by the fence. It is therefore recommend that planning consent be granted for a temporary period of three years.

## **RECOMMENDATION: APPROVAL WITH CONDITIONS**

### **CONDITIONS:**

1. C.2.1 – Plus standard reason
2. C.13.1 - The development/works shall not be started and completed other than in accordance with the approved plans and details 568\_07\_01\_002, 568\_07\_01\_003, 568\_07\_01\_004, 568\_07\_01\_000 and 568\_07\_01\_001 received and dated 30 April 2010 unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is carried out in accordance with the approved drawings and any changes must be agreed in advance in writing by the Local Planning Authority.

3. This permission is for a limited period only expiring on 9 July 2013 and the fence hereby approved shall be removed and the land restored to its former condition on or before that date unless permission is granted on an application made to the Local Planning Authority.

REASON: The fence is only granted consent given the material considerations put forward by the applicant and the Local Planning Authority would not wish to see the fence permanently sited in this location, in the interests of the visual amenity of the area, in accordance with PPS5 and Policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005.

### **SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:**

#### **Reason for Grant of FP/LB/CA/DT/ (Approvals only):**

The proposal has been considered against Planning Policy Statements 1 and 5 and development plan policies EMP1, EMP2, EMP3, GBSP2, D1, D2 and D3 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. 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

**DRAWING NUMBERS:** 568\_07\_01\_002, 568\_07\_01\_003, 568\_07\_01\_004, 568\_07\_01\_000 and 568\_07\_01\_001 received and dated 30 April 2010

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