

Town & Country Planning Act 1990
Planning (Listed Building and Conservation Areas) Act 1990

Appeal by

HG Group

BROADWATER GARDENS,

BIOPARK,

BROADWATER ROAD,

WELWYN GARDEN CITY,

AL7 3AX

Council Reference: 6/2020/3420/MAJ

STATEMENT OF COMMON GROUND

RELATING TO TOWNSCAPE MATTERS

May 2022



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A. INTRODUCTION AND SUMMARY

1. This Statement of Common Ground (SoCG) sets out common ground between Stephen Levrant of Stephen Levrant Heritage Architecture (Heritage and Townscape witness for “the Appellant”) and Welwyn Hatfield Borough Council (“the Council” or “WHBC”) in respect of the Appellant’s appeal against the Council’s refusal of application 6/2020/3420/MAJ (the ‘Appeal Scheme’) on 16th September 2021.
2. The application proposed a development at BioPark, Broadwater Road, Welwyn Garden City, AL7 3AX (“the appeal site”). This SoCG deals only with the matters contained within Reason for Refusal 3 (‘RfR 3’), namely that;

‘The proposal by reason of its form, height, bulk, scale and massing does not achieve high quality design. The proposed Development also does not respect or relate to the character and context of the local area and fails to maintain, enhance or improve the character of the existing area. As such, the application is contrary to Policies D1 and D2 of the District Plan and the Broadwater Road West SPD, Paragraphs 130 and 134 of the NPPF and Policy SP 9 of the emerging local plan.’
3. RfR 3 can be divided up into two sub-sections, RfR 3a) which relates to design quality and is the subject of a separate discipline, represented in a Proof of Evidence by Simon Camp of Alan Camp Architects and covered by the General SoCG by HGH Group. RfR b) relate to matters of townscape and townscape impact. It is matters associated with RfR 3b which are the subject of this SoCG:
4. **RfR 3b: *The proposed Development also does not respect or relate to the character and context of the local area and fails to maintain, enhance or improve the character of the existing area. As such, the application is contrary to Policies D1 and D2 of the District Plan and the Broadwater Road West SPD, Paragraphs 130 and 134 of the NPPF and Policy SP 9 of the emerging local plan.***
5. A Design and Access Statement (‘DAS’) by Alan Camp Architects, a Heritage and Townscape Visual Impact Assessment (‘Bidwells HTVIA’) and an Addendum HTVIA (the ‘Addendum’) by Bidwell’s were provided as part of the application documentation. A Planning Committee Report (‘PCR’) was issued by the Council officers dated 31st August 2021. My Heritage and Townscape

Visual Impact Assessment ('HTVIA') of the Appeal Scheme, which was submitted as part of the appeal documentation is referred to in documentation as the 'SLHA HTVIA' or 'my HTVIA'.

6. My HTVIA, the DAS, the Bidwells HTVIA, the Addendum and the PCR will be referred to in this SoCG.
7. The overarching SoCG written by HGH Group and agreed to by the Council provides background on the Appeal Site and Surroundings, Planning History, the Appeal Proposal and Planning Policy and Context. In order to avoid repetition and duplication, these matters shall not be covered in this SoCG.

B. MATTERS AGREED

8. This section sets-out matters that are considered agreed by the Appellant and the Council in relation to the planning appeal.

The BioPark Building and its immediate Context

9. The Appeal Site is located within Welwyn Garden City, the significance of which derives from it being one of the earliest and most complete examples of a 'Garden City' in England, pioneered by Ebenezer Howard at the end of the 19th century.
10. It is agreed by the Appellant and the Council that the Appeal Site is located within what was originally conceived as the 'industrial zone' by Howard. Whilst the 'industrial zone' was conceived as part of the original Garden City vision, it has a separate character and is not of the same significance as the residential and commercial parts of Welwyn Garden City to the west of the railway, as is recognised by the boundaries of the Welwyn Garden City Conservation Area.
11. The BioPark building lacks architectural merit and is of low townscape value.

The Appeal Scheme

12. The total building height of the BioPark building, which currently stands on the Appeal Site, is approximately 30.51 metres to the stair core roof on the roof top and 34.75 metres to the top of the chimney flues.
13. The tallest element of the Appeal Scheme is approximately 29.45 metres at the top of the roof parapet, which is approximately 1.06 metres below the existing main building's stair core roof and 5.3 metres below the maximum height of the chimney flues.

Verified Views

14. The Appellant complied with Council's wishes and with relevant guidance from the Landscape Institute¹ in the selection, development and presentation of the 12 Verified Views assessed in the SLHA HTVIA, and that these views are

¹ The 'Guidelines for Landscape Visual Impact Assessment' 3rd Edition by Landscape Institute of Environmental Management and Assessment, and Landscape Institute Technical Note, 06/2019

sufficient in properly assessing the impact of the Appeal Scheme.²

² The process of selecting these views is detailed in Paras 48 – 53 of the SLHA HTVIA detailing the process of agreement on viewpoints with Place Services on 13th July 2020, and the subsequent supplementation of two views (View 08 and View 02) with a different two views (View 03a and View 11) as part of the preparation of the SLHA HTVIA in December 2021


C. MATTERS NOT AGREED

15. The Council disagrees with the Appellant's view that the Appeal Scheme relates to the defining context of the Garden City and respects the immediate context of the site through appropriate height and massing.
16. The Council disagrees that the appeal scheme will significantly enhance the townscape environment compared to the baseline position.
17. The Council and the Appellant disagree that RfR3 is justified with reference to Policies D1 and D2 of the District Plan, the Broadwater Road West SPD, Paragraphs 130 and 134 of the NPPF or Policy SP9 of the emerging Local Plan.

D. DECLARATION

18. The parties agree that this Statement is an accurate reflection of the common ground between them:

Signed on behalf of the Appellant [Stephen Levrant, Heritage Architecture Ltd]:

Signed..... 

Stephen Levrant RIBA, AA Dip, FRSA, Dip Cons (AA), IHBC, ACArch

Dated 26th May 2022

Signed on behalf of the Council [Mette McLarney]:

Signed..... 

Mette McLarney

Dated 26/05/2022