

**3/09/0996/FP- Erection of radio telescope comprising three satellite dishes, brick built equipment hut and underground cabling Bayfordbury Observatory, Bayfordbury Campus, University of Hertfordshire SG13 8DL for University of Hertfordshire**

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**Date of Receipt:** 29.06.2009

**Type:** Full

**Parish:** BAYFORD

**Ward:** HERTFORD – RURAL SOUTH

**RECOMMENDATION**

That planning permission be **GRANTED** subject to the following conditions:-

1. Three Year Time Limit (1T12)
2. Matching Materials (2E13)

**Directives**

1. Other Legislation (01OL)

**Summary of Reasons for Decision**

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular GBC1, ENV1 BH1 and BH16. The balance of the considerations having regard to those policies is that permission should be granted.

\_\_\_\_\_ (099609FP.SD)

**1.0 Background**

- 1.1 The application site is shown on the attached OS extract. It forms part of the grounds of Bayfordbury Mansion, a registered Historic Garden owned by the University of Hertfordshire used for educational purposes.
- 1.2 The site itself is on the south eastern edge of the garden and contains several small observatory domes, various radio telescope dishes, and service hut with a centrally located single storey circular monitoring building.
- 1.3 Adjoining the site to the north are several glasshouses and storage buildings associated with the horticultural studies at the University base.

## **3/09/0996/FP**

The site adjoins managed farmland separated from the application site by a low chain link fence.

- 1.4 The proposal involves the removal of one 3m observatory dome and base, without replacement and the erection of a radio telescope comprising three 3m diameter satellite dishes with bases, with a small brick built equipment hut and access path.
- 1.5 The site is located within the Metropolitan Green Belt, within a Registered Historic garden. It is being reported to the Committee as it represents inappropriate development in the Green Belt.

### **2.0 Site History**

- 2.1 3/99/0996/FP - Construction of a built brick single storey monitoring building, two new observatory domes, rebuilding of an existing dome and provision of a small service hut - Approved June 1999.

### **3.0 Consultation Responses**

- 3.1 Archaeology Section comments that on the basis of current information, the proposal in this instance unlikely to have any impact upon significant archaeological deposits, structures or features.
- 3.2 Herts & Middlesex Wildlife Trust comments that the application site is adjacent to two Wildlife sites 59/080 and 59/036. If permission is granted they request the addition of an informative requesting that no cabling be run though or disturbs either of these sites.

### **4.0 Town/Parish Council Representations**

- 4.1 No comment has been received from Bayford Parish Council.

### **5.0 Other Representations**

- 5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.
- 5.2 No letters of representation have been received

## **6.0 Policy**

6.1 The relevant Local Plan policies in this application include the following:-

GBC1	Appropriate Development in the Green Belt
ENV1	Design and Environmental Quality
BH1	Archaeology and New Development
BH16	Historic parks and Gardens

In addition to the above it is considered that Planning Policy Guidance 1, (Delivering Sustainable Development), Planning Policy Guidance 2 (Green Belt) and Planning Policy Guidance 15 (Planning and the Historic Environment) are considerations within this application.

## **7.0 Considerations**

### **Principle of Development**

- 7.1 This application proposes the removal of an existing observatory dome and the erection of a radio telescope comprising three satellite dishes, with a brick equipment hut within the existing observatory site. The proposal does not fall within the provisions of appropriate development within the Green Belt contrary to policy GBC1 and is therefore a departure from the Local Plan.
- 7.2 The main issue in this case therefore is whether very special circumstances exist and whether the visual impact of the proposal, particularly its effect on the appearance and/ or setting of the Registered Historic garden, is acceptable.
- 7.3 Planning Policy Guidance 2 defines uses that are appropriate within the Green Belt. The proposed development would add further modest elements to the observatory unit sited within the Green Belt and the historic garden, associated with the existing educational use which was granted planning permission in the Green Belt by reason of very special circumstances.
- 7.4 Observatory facilities by their nature, the observation of the night skies require remote locations away from towns' / villages as the light pollution impairs visibility.
- 7.5 The site has a long established history of use since the early 1950's, the new structures proposed are low level and modest in scale similar to those already on the site. They are proposed within the existing envelope of developed space, and do not encroach into open space.

- 7.6 The proposals also involves the removal of an existing dome to some extent offsetting any impact of the proposed dishes. On balance therefore it is considered that the necessity of location, the long established nature of the use, its unique character and the limited impact on the openness of the Green Belt amount to the very special circumstances required and the proposal therefore is acceptable in principle.

### **Historic Garden**

- 7.7 In terms of the visual impact, this part of the historic garden site has been largely eroded over the years to meet the needs of the progressive educational related development namely the horticultural teaching block building, car parking areas and the horticultural outbuilding and glass houses with large areas of close mown grassed areas and limited tree planting.
- 7.8 The observatory domes and other related astronomy related development including the Patrick Moore circular monitoring building appear low key by comparison. It would be unreasonable to seek to reverse the effect that the initial development, established in the 1950's, has had on the Garden.
- 7.9 The modest structures proposed should therefore be considered in the context of whether they may cause any significant additional damage to the appearance of the Historic Garden.
- 7.10 This area of the site has been largely given over to the scientific structures for a considerable period of time. The addition of the three satellite dishes and equipment hut proposed will not have any significant adverse effect on the garden, particularly given the peripheral nature of the site.

### **8.0 Conclusion**

- 8.1 In summary the proposal is considered to be inappropriate development as defined by policy GBC1 of the East Herts Local Plan. However the particular circumstances of the established long standing use; the requirement for a remote rural location; and negligible harm to the Green Belt and Historic Garden are considered to amount to very special circumstances in this case to justify a departure from policy.
- 8.2 On this basis I have recommended that planning permission be granted subject to the conditions provided at the head of this report.