

Mr M Barker  
Heathers  
Colchester Road  
Wix  
Manningtree  
CO11 2RT

**Application No:** 6/2017/2063/LB

**Date of Refusal:** 9 November 2017

**WELWYN HATFIELD BOROUGH COUNCIL, in pursuance of powers under the above mentioned Act, hereby REFUSE to permit: -**

**Development:** Enlargement of current rear window, installation of rear bi-fold doors and replacement doors and windows to right hand side elevation

**At Location:** 11 Fore Street Hatfield AL9 5AN

**Applicant:** Mr & Mrs Prescott

**Application Date:** 15 September 2017

Refused Plans and Details: -

1. The proposed development would materially harm the special character of the Listed Building. The removal of the existing arched window and French doors to the ground floor level and their replacement with timber bi-fold doors would erode the legibility and balance of the fenestration pattern to the rear elevation, which would dilute the buildings architectural interest. In addition, the proposed bi-fold doors would not in keeping with the character of the listed building.

Furthermore, the design and detailing of the proposed replacement windows would considerably alter the appearance of the relevant elevations due to the change to the glazing bars, and therefore are considered out of keeping with the character of the listed building.

It is therefore considered that the proposed works would cause harm to the significance of the listed building.

It is not considered that sufficient information has been provided in regards to any public benefits from this proposal which would outweigh the harm of the proposed development on the character and significance of this designated heritage asset.

The proposal would be contrary to the provisions of the National Planning Policy Framework 2012, and Policy SADM 15 of the Draft Local Plan Proposed Submission 2016.

## REFUSED DRAWING NUMBERS

2.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
17/1659/01	A	Existing & Proposed Plan & Elevations	14 September 2017

### 1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

#### **Informative(s)**

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.



Colin Haigh  
**Head of Planning**

## **Planning (Listed Buildings and Conservation Areas) Act 1990**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- If this is a decision on an application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- In all other cases, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate).
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

### **Purchase Notices**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.