

**Notice of Decision**  
**Town and Country Planning Act 1990**  
**Town and Country Planning (Development**  
**Management Procedure) (England) Order 2015**  
**Refusal of Permission for Development**

Mr & Mrs Georgiou  
Just House Coopers Lane  
Northaw  
Potters Bar  
EN6 4NJ

**Application No:** 6/2019/2165/HOUSE

**Date of Refusal:** 28 October 2019

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

**Development:** Erection of front garden dwarf wall with steel railings and electric gates and installation of two new accesses following removal of existing

**At Location:** Just House Coopers Lane Northaw Potters Bar EN6 4NJ

**Applicant:** Mr & Mrs Georgiou

**Application Date:** 2 September 2019

In accordance with the accompanying plans and particulars, for the reasons specified below: -

1. The proposed boundary treatment and gates would represent an inappropriate form of development within the Green Belt. Furthermore, as a result of its design, height, span and siting, the proposal would result in a loss of openness and visual permeability of the Green Belt and would fail to adequately respect or relate to the existing character and visual amenity of the immediate locality. Very special circumstances do not exist. Accordingly, the proposal is contrary to Policies GBSP1, D1, D2 and RA3 of the Welwyn Hatfield District Plan 2005; the Supplementary Design Guidance 2005; Policies SP3, SP25 and SADM34 of the Draft Local Plan Proposed Submission 2016; and the National Planning Policy Framework 2019.
2. The proposed boundary treatment, by virtue of its scale and appearance, represents a poor standard of design which would be unsympathetic and would detract from the distinct rural characteristics of the settings of listed buildings within the streetscene. Whilst this is less than substantial harm to their significance, there are no apparent public benefits which would outweigh this harm. As such, the proposal is contrary to Policy D1 of the Welwyn Hatfield District Plan 2005; Policy SADM15 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016; the National Planning Policy Framework 2019 and the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. The proposed development, by virtue of the design and siting of the gates and accesses, limited visibility and proposed mitigation methods, would adversely affect the safety of traffic on the public highway and interfere with the free and

safe flow of traffic locally. The proposal is therefore contrary to Policies D1 and D5 of the Welwyn Hatfield District Plan 2005; Policy SADM2 of the Draft Local Plan Proposed Submission 2016; and the National Planning Policy Framework 2019.

#### REFUSED DRAWING NUMBERS

4.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
AR/A3/001		Area Map	2 September 2019
AR/A3/003	A	Existing Site Plan	2 September 2019
AR/A3/004		Street Elevation	2 September 2019
AR/A3/005	A	Proposed Site Plan	2 September 2019
AR/A3/006		Street Elevation	2 September 2019
AR/A3/007		Proposed Gates and Railings	2 September 2019
AR/A3/002		Location Plan	2 September 2019
AR/A3/102		Site Location Plan	2 September 2019

#### 1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 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).



Colin Haigh  
**Head of Planning**

## Town and Country Planning Act 1990

### Appeals to the Secretary of State

- 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 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning 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 [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse permission for
  - a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice;
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- 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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.