

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 M Jarman
Planning for Tennis
2 Marlborough Place
Charlbury
OX7 3SH

Application No: 6/2020/2821/HOUSE

Date of Refusal: 22 December 2020

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

Development: Construction of a domestic tennis court with surround fencing
At Location: 1 Northaw Place Coopers Lane Northaw Potters Bar EN6 4NQ
Applicant: Mr & Mrs Holt
Application Date: 3 November 2020

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

1. When weighed against the great weight afforded by the NPPF to the conservation of heritage assets, it is not considered that the identified benefits of the development would outweigh the harm to the listed building. The proposal would therefore be contrary to the provisions of the NPPF, District Plan Policy SADM15 and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that special regard should be given to the desirability of preserving listed buildings or their settings.
2. The development represents inappropriate development in the Green Belt and causes a loss of Green Belt openness. In addition to this harm, there is also conflict with the purpose of including land within the Green Belt in that the development would fail to assist in safeguarding the countryside from encroachment. Consequently, the development fails to accord with the NPPF; District Plan Policy GBSP1; and Local Plan Policy SADM34.
3. The development of this site is considered to result in an unacceptable erosion of the demonstrable physical attributes within the Landscape Character Area and would neither conserve, maintain, enhance nor strengthen the character of the wider surrounding area. As such, the proposal is not considered to comply with Policies D1, D2 and RA10 of the Welwyn Hatfield District Plan 2005; Polices SP9 and SADM16 of the Council's Draft Local Plan Proposed Submission 2016; and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

- 4.

Plan Number	Revision Number	Details	Received Date
1		Location Plan	3 November 2020
2		Block Plan	28 October 2020
3		Fence Elevations	28 October 2020
3A		Fence Elevations	3 November 2020
7		Proposed Floor Plan	14 December 2020

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) at least 10 days before submitting the appeal. Further details are on GOV.UK.