

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

Ms Liz Fitzgerald
33 Bancroft
Hitchin
SG5 1LA

Application No: 6/2021/1791/VAR

Date of Refusal: 18 November 2021

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

Development: Variation of condition 4 (approved plans) on planning permission 6/2019/1813/FULL

At Location: Nyn Manor Vineyards Road Northaw Potters Bar EN6 4PQ

Applicant: Mr Andrew Newland

Application Date: 9 June 2021

1. The building represents inappropriate development in the Green Belt and results in a loss of Green Belt openness. No very special circumstances exist to clearly outweigh this harm. Consequently, the development conflicts with Policy GBSP1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.
2. The building detracts from the character and appearance of the site and has resulted in less than substantial harm to the setting of designated heritage assets. Consequently, the development conflict with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, the Council's Supplementary Design Guidance 2005 and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

3.

Plan Number	Revision Number	Details	Received Date
PL05 C		Location Plan	1 August 2019
PL02 A		Hay Barn - Plans & Elevations	23 July 2019
PL04 C		Proposed Site Plan	1 August 2019
PL10F		Machinery Shed - As Built Plans & Elevations	27 September 2021
PL11		Machinery Shed - As Built Plans & Elevations	11 October 2021

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).

Chris Dale

Christopher Dale
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.
- 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 12 weeks in the case of a householder appeal of the date of this notice, whichever period expires earlier. •
- As 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 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.
- 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.
- 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.