

Mrs Mint Findlay
8 Grange Court Road
Harpenden
AL5 1BY

Notice of Decision
Planning (Listed Buildings and Conservation Areas) Act 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1990
Refusal of Listed Building Consent

Application No: 6/2022/0558/LB

Date of Refusal: 27 April 2022

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

Development: Erection of single storey rear extension to grade II listed property following partial demolition of existing double garage to single.

At Location: The Old Vicarage Vineyards Road Northaw Potters Bar EN6 4NZ

Applicant: Mrs Susan Fuller and Mr Sam Fuller

Application Date: 7 March 2022

Refused Plans and Details: -

1. The proposed development would materially harm the Grade II Listed Building, and whilst this is considered to result in less than substantial harm, public benefits to outweigh the identified harm do not exist. As such the proposal is contrary to the Welwyn Hatfield District Plan; Draft Local Plan Policy SADM15; the Planning (Listed Buildings and Conservation Areas) Act 1990; and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

2.

Plan Number	Revision Number	Details	Received Date
PR051/P_L 01		Location Plan	7 March 2022
PR051/P_S 01_A1	B	Site Plan Existing	7 March 2022
PR051/P_P L01_A1	A	Site Plan Proposed	7 March 2022
PR051/P_S 09_A1	A	Elevations Existing	7 March 2022
PR051/P_P L09_A1	A	Elevations Proposed	7 March 2022

PR051/P_S 02_A1	A	Floor Plans Existing	7 March 2022
PR051/P_P L02_A1	A	Floor Plans Proposed	7 March 2022
PR051/P_S 04_A1	B	Roof Plans Existing	7 March 2022
PR051/P_P L04_A1	A	Roof Plan Proposed	7 March 2022

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

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.
- 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.