

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

Mr S Warner
Heronlea Group
Heronlea House
Bushey
WD23 3HH

Application No: S6/2015/1160/LB

Date of Refusal: 9 December 2015

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

Development: Conversion of barn to dwelling which includes the insertion of a first floor, seven rooflights and windows and doors at ground floor level.

At Location: Northaw Equestrian Centre, Northaw Road West, Northaw, Potters Bar, EN6 4NT

Applicant: Mr S Warner

Application Date: 29 May 2015

Refused Plans and Details: -

1. The proposed conversion of this barn to a residential unit would, by virtue of the perforation of the exterior walls with a large number of residential features and by the subdivision of the large expanse of the volume of the building to form internal rooms and a first floor, erode the key characteristics of this heritage asset. This would have a deleterious impact on the special traditional, rural and historic interest of the building. This is considered to amount to substantial harm to the designated heritage asset. The Local Planning Authority does not consider there to be substantial public benefits arising from the proposal that would outweigh the harm caused to the significance of the listed building nor are all of the remaining criteria of paragraph 133 of the Framework met. As such, the proposal is not of high quality design and is not in accordance with Section 12 of the National Planning Policy Framework and Policy D1 of the Welwyn Hatfield District Plan 2005.
2. Insufficient information has been provided within the application's drawings to establish the extent of internal works to the building. It is therefore not possible to establish whether, if there are works, they would cause harm to the heritage asset through loss of historic fabric. The proposal therefore cannot be properly considered against Policy R27 of the Welwyn Hatfield District Plan 2005 and paragraphs 131- 133 National Planning Policy Framework, 2012.

REASON FOR REFUSAL

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 Councils website or inspected at these offices).

REFUSED DRAWING NUMBERS: HL-001 & HL-003 & HL-005 & HL-008 & HL-017 & HL-018

A handwritten signature in black ink, appearing to read 'C Haigh', written in a cursive style.

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.
- 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.