



Appeal Decision

Site visit made on 10 March 2009

by Janet L Cheesley BA (Hons)
 DipTP MRTPI
 an Inspector appointed by the Secretary of
 State for Communities and Local Government

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Decision date:
 16 April 2009

Appeal Ref: APP/C1950/A/08/2089688

Bedwell Park, Cucumber Lane, Essendon, Hatfield, Hertfordshire AL9 6GJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Millgate Homes against the decision of Welwyn Hatfield Borough Council.
- The application (Ref S6/2008/1653/FP), dated 13 August 2008, was refused by notice dated 3 October 2008.
- The development proposed is change of use from a temporary sales and marketing suite to a permanent concierge office.

Decision

1. I dismiss the appeal.

Main issue

2. I consider the main issue is whether the proposal amounts to inappropriate development in the Green Belt, and if so, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

3. National guidance in *Planning Policy Guidance Note No. 2: Green Belts (PPG2)* explains that the most important attribute of Green Belts is their openness and that one of the purposes of including land within Green Belts is to safeguard the countryside from encroachment. New development within the Green Belt is inappropriate development unless it meets a list of criteria set out in PPG2. It is clear that the proposed permanent retention of the temporary building and its use as a concierge office does not meet these criteria. Therefore, in my opinion, the proposal would be inappropriate development, which PPG2 advises is, by definition, harmful to the Green Belt.
4. Added to the harm of being inappropriate development is the impact that the proposal would have in diminishing the sense of openness of this part of the Green Belt. The building is a prominent building at the entrance to the housing development and I consider the proposed permanent retention of the building would diminish the sense of openness by virtue of its bulk and siting. I do not consider that the landscaping and removal of car parking spaces would alleviate this harm to the openness of the Green Belt.

Other Considerations

5. I note that the residential development allowed for a significant footprint increase in development on the site as part of an enabling development

package. The proposal would add further built form which for the reasons stated above I do not consider appropriate in this position in the Green Belt.

6. The building is on the appeal site under a temporary permission. I consider this is distinctly different to a permanent building and therefore the presence of the building is not established in the wider landscape. It is disappointing that the building could not be re-used when dismantled, but in the light of the harm I have identified above, this matter does not justify allowing the appeal.
7. The proposal would provide a concierge service for the residential development which would include security, chauffeuring and general concierge duties. Whilst such a service may be desirable to residents, I see no clear reason why the residential development cannot be established without such a service.
8. I am not convinced that the concierge and chauffeuring service would significantly reduce the need to travel. I understand that the concierge service would provide rural employment. Whilst this is a material consideration, I do not consider that it overrides the harm the proposal would do to the Green Belt.

Conclusion

9. It is necessary to determine whether there are other considerations which clearly outweigh the harm to the Green Belt hereby justifying the development on the basis of very special circumstances. For the reasons stated above, in my opinion the considerations advanced in support of the appeal development do not clearly outweigh the harm it would cause to the Green Belt. In conclusion, I am of the opinion that there are no material factors that would amount to the very special circumstances needed to clearly outweigh the presumption against inappropriate development in the Green Belt. Therefore, the proposal would be contrary to national guidance in PPG2.

Janet Cheesley

INSPECTOR