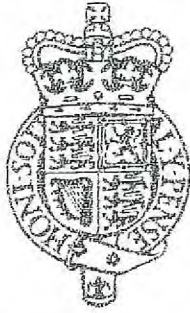


A 1251

A 1252



Appeal Decision

Site visit made on 1 November 2005

by **B D Bagot** BA(Arch) MCP MRTPI

an Inspector appointed by the First Secretary of State

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Date

11 NOV 2005

Appeal references: (A) APP/C1950/E/05/1185357; (B) APP/C1950/A/05/1183898
Mymwood House, Shepherds Way, Brookmans Park AL9 6NN

- Appeal A is made under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal of listed building consent.
- Appeal B is made under Section 78 of the Town and Country Planning Act 1990 against a refusal of planning permission.
- The appeals are made by Follett Care Ltd against the decisions of the Welwyn Hatfield Council.
- The appeal applications, references (A) S6/2005/226/LB and (B) S6/2005/225/FP, both dated 22 February 2005, were refused by notices dated 25 April 2005.
- The works and development proposed are alterations and extension to care home.

Decision

1. For the reasons given below, I hereby dismiss these appeals.

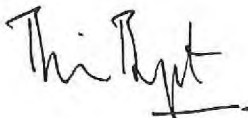
Reasons

2. The appeal applications propose alterations and an extension to the rear of Mymwood House, a grade II listed building in painted stucco set back from the north side of Shepherds Way. The house dates mainly from 1820 to 1840, and is largely of 2 storeys with bracketed eaves and moulded window surrounds. The west side of the building has an imposing Italianate character. The building has been used as a residential care home since the 1960s. It is in a rural area in the Green Belt, as most recently defined in the Welwyn Hatfield District Plan adopted in April this year.
3. Development related to a residential care home is not among the only purposes for which planning permission will be given in the Green Belt, that are listed in policy RA1 of the district plan. However the existing building no longer meets current national minimum standards for care homes, in relation to the number of residents accommodated. At the same time, there is an increasing demand in the locality for places in care homes. The proposed extension would allow all the existing residents and one additional resident to have separate rooms, and would provide communal spaces, all in accordance with national standards. It would also enable the listed building to continue in beneficial use. In my opinion these factors could combine to form very special circumstances that might, in principle, allow an exception to be made in this instance to the strong presumption against inappropriate development in the Green Belt.
4. The proposed extension would have the advantage of replacing some single storey additions and other paraphernalia on the north side of the listed building. An existing doorway towards the west end of the north elevation would be utilised to form a link to the main building. The only significant alteration to the remainder of the building would



be to create a link through what is now a boiler room at the north-east corner of the building. I do not consider that those alterations would be harmful to the original fabric of the listed building.

5. Following discussions with Council officers, the extension has been planned as a quadrangular courtyard, reflecting perhaps the form of outbuildings that were often attached to great houses of the past. The history of this building suggests that there may at one time have been stabling and farm buildings associated with this house, but these have gone and it is not certain what their form would have been. The proposed ground floor plan suggests the potential for an attractive grouping of low buildings around a 2 level court to the north of the main building, making use of some surviving stone steps to link the two levels.
6. The appellants have, quite rightly in my opinion, rejected the option of replicating in the extension the proportions, details and materials of the main building. They have attempted to follow the desire of the Council's conservation adviser for an understated design that did not compete for attention with the main building. However the resulting design is to my mind no more than humdrum in character, and does not measure up to the style and quality that can be found in traditional outbuildings to country houses. I share the Council's view that the large tall block on the north elevation would be particularly bulky and unattractive, and that the conservatory would protrude awkwardly into the proposed courtyard. The choice of parapets rather than overhanging eaves would also add unnecessarily to the apparent height and scale of the proposed extension, particularly when seen from the important west side. The extension would be harmful to the setting of the listed building both on that side and on the north side of the building.
7. The extension would be screened on the south and east sides by the existing building and adjoining development, and on the north side by trees and other vegetation. However it would be open to view across falling ground to the west. There are not many public viewpoints from which the existing building may be seen. Nevertheless the building of the extension in the form proposed would in my view intrude unacceptably into the open character and visual amenity of this part of the Green Belt.
8. The proposed development in appeal B might, in principle, be allowable as an exception to policy RA1 of the district plan, Development in the Green Belt, and to government policy as contained in Planning Policy Guidance Note 2, Green Belts. Policy CLT17 of the district plan is concerned with homes within existing residential areas, and is not directly relevant to this proposal. However the development would not be of a sufficiently high standard of design to be acceptable under policy D1, Quality of Design, and would not respect the principles concerning relationship with adjoining buildings outlined in the Council's supplementary design guidance adopted in February 2005. The proposal as submitted would detract from the character and setting of the listed building, contrary to policy R25 of the plan regarding proposals affecting listed buildings.



INSPECTOR