

A1485



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:
17 March 2009

Appeal A

Appeal Ref: APP/C1950/E/08/2091055

Great Nast Hyde House, Wilkin's Green Lane, Hatfield, Hertfordshire AL10 9RB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr and Mrs David and Kim Wong against the decision of Welwyn Hatfield Borough Council.
- The application (Ref S6/2008/1157/LB), dated 12 June 2008, was refused by notice dated 28 August 2008.
- The development proposed is a new garage.

Appeal B

Appeal Ref: APP/C1950/A/08/2089098

Great Nast Hyde House, Wilkin's Green Lane, Hatfield, Hertfordshire AL10 9RB

- 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 Mr and Mrs David and Kim Wong against the decision of Welwyn Hatfield Borough Council.
- The application (Ref S6/2008/1158/FP), dated 12 June 2008, was refused by notice dated 28 August 2008.
- The development proposed is a new garage.

Decision

1. I dismiss appeal B.

Procedural Matters

2. As there would be no demolition or works to the listed building by way of alteration or extensions in any manner as defined by Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, I do not consider that Listed Building Consent is needed. Therefore I take no further action on appeal A.

Main issues

3. I consider that there are two main issues in respect to appeal B:

the effect of the proposal on the appearance of the Listed Building and the character and appearance of the surrounding area; and

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

Character and Appearance

4. The *Planning (Listed Buildings and Conservation Areas) Act 1990* imposes duties requiring special regard to be had to the desirability: at Section 66(1), of preserving a listed building or its setting or any features of architectural or historic interest which it possesses. This is emphasised in national guidance in *Planning Policy Guidance: Planning and the Historic Environment (PPG15)*. Policy D2 in the Welwyn Hatfield District Plan 2005 requires new development to respect and relate to the character of an area.
5. The appeal proposal lies within the grounds of a Grade II listed house in a rural setting opposite buildings of traditional barn design. I consider that the setting of the house comprises the whole of the grounds and the rural landscape beyond.
6. I note that the proposed detailing on the flank elevations would be similar to detailing previously on the main house. However, as this is no longer evident, I do not consider that it would be in keeping with the house or be sympathetic to the setting of the house. Due to the prominent position, size and ornate design of the flank elevations of the proposed garage block I consider that it would appear as an incongruous development in the grounds not in keeping with the setting of the house.
7. The appeal site lies within a rural setting. The proposed building, due to its scale, bulk and design and being so close to the road would appear as a prominent addition of built form in this rural setting.
8. In conclusion on this matter, I consider that the proposal would have an adverse effect on the appearance of the Listed Building and the character and appearance of the surrounding area. This would be contrary to PPG15 and Local Plan Policy D2.
9. I note that planning permission has been granted for a garage block in a different location which would not be built if this appeal were allowed. That garage block was significantly smaller and therefore I attribute little weight to this matter in my determination of this appeal.

Green Belt

10. 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. In my opinion the proposed building would not meet these criteria. Therefore the proposal would be inappropriate development, which PPG2 advises is, by definition, harmful to the Green Belt.
11. 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 would be a prominent building which due to its siting, and scale would diminish the sense of openness of this countryside setting.

Other Considerations

12. I note that the residential accommodation is required for staff accommodation and to provide security close to the entrance. Whilst I understand that such facilities would be required for a house of this size, in the light of the harm I have identified above, I do not consider that this matter justifies allowing the appeal.
13. I understand that the proposed site was previously that of a stable block. Whilst evidence of part of the flooring of that block remains, it was clearly removed many years ago. Therefore I have attributed little weight to this matter in my determination of this appeal.
14. 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.

Conclusion

15. In reaching my conclusion on appeal B I have had regard to all other matters raised upon which I have not specifically commented. I have found that the proposal would have an adverse effect on the appearance of the Listed Building and the character and appearance of the surrounding area and be harmful to its Green Belt setting. For these reasons I dismiss appeal B.

Janet Cheesley

INSPECTOR