

TW/239

5<sup>th</sup> May 2022



The Planning Inspectorate  
Room 3 O/P  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

town and country  
planning consultants

Dear Sir or Madam,

**Appeal on Non-Determination of Planning Application 6/2022/0132/LB**

I have today submitted an appeal under Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The appeal is against the non-determination of an application for Listed Building Consent (6/2022/0132/LB) by Welwyn Hatfield Borough Council, within the statutory determination period of 8 weeks.

An application for listed building consent was submitted on 18<sup>th</sup> January 2022 for the repair, refurbishment and conversion of Northaw House to form 11 apartments (including refurbishment of existing caretaker's flat) and underground parking area, the Ballroom Wing to form 2 dwellings, the Stable Block to form 1 dwelling, refurbishment of existing dwelling at Oak Cottage, construction of 2 new Gate Lodge dwellings, 4 new dwellings on the East Drive, 3 new dwellings within the Walled Garden, 7 new dwellings within the Settlement Area, refurbishment of the Walled Garden, refurbishment of access and routes and reinstatement of old route, provision of hard and soft landscaping, car parking and supporting infrastructure. The location is Northaw House, Coopers Lane, Northaw, Potters Bar, EN6 4NG.


The listed building application subject to this appeal (6/2022/0132/LB) is a re-application of a previously refused scheme. The proposals are identical to those submitted under 6/2021/0071/LB, which was refused by the local authority on 26<sup>th</sup> May 2021. It was intended to take this refusal to appeal in conjunction with the refusal of the associated full planning application 6/2021/0072/MAJ. An appeal was lodged on 26<sup>th</sup> November 2021 (reference APP/C1950/W/21/3287854), but due to an administrative error, we unfortunately missed the 6-month deadline to lodge the appeal for the listed building consent. We sought to appeal both the planning and listed building applications together, but we did this with a single form, and this was rejected by the administration team at the Planning Inspectorate; we received their rejection letter after the end of the 6-month period within which we could lodge an appeal. Therefore, after discussing the matter with the local planning authority Welwyn Hatfield Borough Council, the application for listed building consent was resubmitted; this was done under the assumption it would be refused again for similar reasons, and we could lodge an appeal in a timely manner to be considered by the Inspector in conjunction with the existing planning appeal.

Unfortunately, the local planning authority have not to date issued a decision on this application. We have waited over three months, but we are mindful of the need to lodge this appeal in a timely manner. Given that we are now beyond the end of the statutory determination period, which expired on the 16<sup>th</sup> March 2022, and no extension of time has been agreed with the local planning authority, we have decided to lodge this appeal.

We have submitted copies of all of the plans, drawings and documents which were sent to the local planning authority as part of the listed building consent application. We have also provided the same Statement of Case and Draft Statement of Common Ground that was submitted for appeal APP/C1950/W/21/3287854, as these relate equally to this current appeal. I would be grateful if this appeal could now be conjoined with appeal APP/C1950/W/21/3287854, as they are two sides of the same coin, and the Inspector will need to consider them together.

I look forward to your acknowledgement of this appeal. Please do not hesitate to contact me, if you should need any further information.

Yours faithfully,

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Tim Waller MRTPI  
Director

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