

Notice of Decision
Town and Country Planning Act 1990
Town and Country Planning (Development
Management Procedure) (England) Order 2015
Refusal of Permission for Development

Mr L Vekaria
Saloria Architects
Unit 27
Cygnus Business Centre
Dalmeyer Road
London
NW10 2XA

Application No: 6/2016/1067/FULL

Date of Refusal: 12 May 2017

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

Development: Erection of storage building following demolition of existing structures

At Location: Oshwal Centre, Coopers Lane Road, Northaw, Potters Bar, EN6 4DG

Applicant: Oshwal Association of the UK

Application Date: 4 August 2016

1. By virtue of the shipping containers not representing a building or structure for the purposes of the Town and Country Planning Act 1990 (as amended) the proposed building would be materially larger than buildings it would replace. As such, the new building should be regarded as inappropriate development within the Green Belt. The 'very special circumstances' advanced in this case are considered to fall short of clearly outweighing the substantial weight given to any harm to the Green Belt by reason of inappropriateness as well as harm to openness. Accordingly, it is considered that the proposal fails to accord with paragraphs 79-92 of the National Planning Policy Framework 2012.

REFUSED DRAWING NUMBERS

2.

Plan Number	Revision Number	Details	Received Date
6842-32	P0	Site Plan	31 May 2016
6842-28	P0	Site Location Plan	4 August 2016
6842-29	P2	Existing & proposed Plans & Allocations	31 January 2017
6842-30	P1	Existing & proposed Fronts & Sections	31 January 2017

POSITIVE AND PROACTIVE STATEMENT

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 Council's website or inspected at these offices).

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

Colin Haigh
Head of Planning

Town and Country Planning Act 1990

Appeals to the Secretary of State

- 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 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning 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 [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse permission for
 - a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice;
 - For all other appeals, 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 can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- 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.