

Mr D McGregor
Planning Solutions Ltd
9 Leigh Road
Havant
PO9 2ES

Application No: 6/2018/1200/FULL

Date of Refusal: 31 July 2018

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

Development: Erection of a pagoda for use as a children's party tent
At Location: Vertigo Adventures Stanborough Park North Stanborough Road
Welwyn Garden City AL8 6DF
Applicant: Planning Solutions Limited
Application Date: 31 May 2018

1. The proposed tent would harm the openness of the Green Belt. As a result, the development fails to fall within an exception to Green Belt Policy representing an inappropriate form of development in the Green Belt, and substantial weight should be afforded to the harm to the green belt by virtue of inappropriateness, openness, as well as any other harm.

Accordingly, the proposal fails to accord with the National Planning Policy Framework 2018, policies RA21 CLT2, CLT3, and GBSP1 of the District Plan 2005, and the Supplementary Design Guidance Statement of Council Policy 2005.

2. In regards to any other harm, the proposed tent would be of poor quality design harming the character and the appearance of the site that would not be made more acceptable by the request for its temporary siting only. The substantial weight afforded to these harmful elements is not clearly outweighed by the cumulative 'very special circumstances' applicable. The proposal therefore fails to accord with the National Planning Policy Framework 2018, policies D1, D2, RA10, RA21 CLT2, CLT3, and GBSP1 of the District Plan 2005, and the Supplementary Design Guidance Statement of Council Policy 2005.
3. The planning application is not supported by a Flood Risk Assessment that demonstrates the developments suitability for its location within Flood Zones 2 and 3 and therefore is contrary to the National Planning Policy Framework 2018 and Policy R7 of the District Plan 2005.

REFUSED DRAWING NUMBERS

4.

Plan Number	Revision Number	Details	Received Date
VA1(A3)		Elevations	31 May 2018
Site Plan		Site Plan	8 May 2018
Location Plan		Location Plan	31 May 2018
Proposed Block Plan		Proposed Block Plan	31 May 2018

1. 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).



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.