

Mr C Fitch
Welwyn and Hatfield Flying Club
1 South Mundells
Welwyn Garden City
AL7 1EP

Application No: 6/2018/1635/OUTLINE

Date of Refusal: 23 October 2019

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

Development: Outline permission for the change of use of land to airfield with runway and support facilities including a clubhouse, hangar and car park with all matters except layout reserved

At Location: Historic DeHavilland Grass Runway, Ellenbrook fields, Hatfield Business Park, Hatfield, Herts

Applicant: Mr C Fitch

Application Date: 21 June 2018

Refused Plans and Details: -

1. Taking into consideration the characteristics of the development, the sensitivities of the site and the development's potential impact, the Council determined that this proposal should be considered an EIA Development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This was confirmed by a positive screening opinion, dated 23 August 2019, sent to the applicant and published on the Council's website (ref: 6/2018/1891/EIA) which provides the main reasons for this conclusion with reference to the relevant criteria. Subsequently, the applicant has failed to state their intention either to provide an Environmental Statement or to request a screening direction from the Secretary of State. Therefore, in accordance with the regulation 11(8) the Local Planning Authority must determine the application only by refusing planning permission.

REFUSED DRAWING NUMBERS

2.

Plan Number	Revision Number	Details	Received Date
AKA-00-DR-X-0001	00	Runway Plan	6 July 2018
WHFC-00-DR-X-0003	00	Existing Site Plan	6 July 2018

WHFC-00- 00 Proposed Site Plan 6 July 2018
DR-X-0004

WHFC-00- 00 Site Location Plan 6 July 2018
DR-X-0002

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 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).

Informative(s)

1. Importantly in the context of the determination this planning application there is no requirement to have regard to extant National Planning Policy or adopted Development Plan policies or any other policy documents with the status of "other material planning considerations". The fact that there may or may not be conflict with, for example, the National Planning Policy Framework or any extant policies within the Welwyn Hatfield District Plan 2005 or the Draft Local Plan Proposed Submission 2016 is not material to the determination of this application.



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.
- 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 minor commercial 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.