

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 Paul Symonds
2 The Coach House
Corneybury Farm
Ermine Street
Buntingford
SG9 9RS

Application No: 6/2019/0918/HOUSE

Date of Refusal: 11 June 2019

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

Development: Formation of a new vehicular access following removal of existing close boarded boundary fence and erection of post and rail boundary fence and hedge with timber gate

At Location: Northaw Place Coopers Lane Northaw

Applicant: Mr & Mrs Holt

Application Date: 16 April 2019

In accordance with the accompanying plans and particulars, for the reasons specified below: -

1. By virtue of its scale and appearance, the development spreads built form into what was previously undeveloped land and, as such, fails to assist in safeguarding the countryside from encroachment, contrary to paragraph 134 of the National Planning Policy Framework 2019. The formation of a driveway would also harm the openness and the appearance of the Green Belt in this location. The proposal is therefore inappropriate development in the Green Belt. Very special circumstances to outweigh the harm to the Green Belt do not exist as the harm to the Green Belt and other harms, are not clearly outweighed by other considerations. Accordingly, the development is contrary to Policies GBSP1 and GBSP2 of the Welwyn Hatfield District Plan 2005; Policy SP3 and SADM34 of the Council's Draft Local Plan Proposed Submission 2016; and the National Planning Policy Framework 2019.
2. The development of this site is considered to result in an unacceptable erosion of the demonstrable physical attributes within the Landscape Character Area and would neither conserve, maintain, enhance nor strengthen the character of the wider surrounding area. As such, the proposal is not considered to comply with Policies D1, D2 and RA10 of the Welwyn Hatfield District Plan 2005; Policies SP9 and SADM16 of the Council's Draft Local Plan Proposed Submission 2016; and the National Planning Policy Framework 2019.
3. Insufficient information has been provided as part of this application to enable the Local Planning Authority to fully assess the highway risks arising from the

proposed development and to demonstrate that the development would not result in an unacceptable impact on highway safety. Accordingly the proposed development poses a risk to highway safety, contrary to proposed development would not accord with Policy SADM2 of the Emerging Local Plan 2016 and the National Planning Policy Framework 2019.

REFUSED DRAWING NUMBERS

4.

Plan Number	Revision Number	Details	Received Date
747/10		Existing Elevation To Coopers Lane	16 April 2019
747/11		Proposed Elevation To Coopers Lane	16 April 2019
S13-277-100		Topographical Survey	16 April 2019
747/SP3		Proposed Block Plan	16 April 2019
747/LP1		Site Location Plan	16 April 2019

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).



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;
- 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.