



Appeal Decision

Site visit made on 10 June 2019

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2019

Appeal Ref: APP/C1950/W/19/3224796

The View, Carbone Hill, Northaw, Potters Bar SG13 8RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr B Horwood against the decision of Welwyn Hatfield borough Council.
 - The application Ref 6/2018/3175/FULL, dated 8 December 2018, was refused by notice dated 13 February 2019.
 - The development proposed is the erection of an outbuilding/store.
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Decision

1. The appeal is dismissed

Main Issues

2. The main issues are
 - Whether the proposal would be inappropriate development in the Green Belt.
 - The effect of the proposal on the openness of the Green Belt;
 - If the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

3. Policy GBSP1 of the Welwyn and Hatfield District Plan 2005 (DP) and Policy SADM34 of the Welwyn and Hatfield Borough Draft Local Plan 2016 (DLP) state that the council will seek the maintenance of the Greenbelt and that planning applications within the Green Belt will be considered in line with the provisions of the National Planning Policy Framework (the Framework). Section 13 of the Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It states that construction of new buildings should be regarded as inappropriate in the Green Belt, except for listed exceptions.
4. The appeal site is on a large plot of land with a large detached two storey dwelling within the rural area of Newgate Street and the Green Belt. The proposal involves the construction of a detached single storey building that

would be used for the dual purpose of stabling of horses, the storage related to food growing and animal husbandry on residential land and the storage of equipment for the maintenance of both the adjacent field and the land that forms the curtilage of the dwelling house. Notwithstanding that the horses to be stabled would be grazing on the adjacent field, these are not agricultural uses and the proposal does not, therefore, benefit from the listed exception for agricultural buildings as set out in Paragraph 145 of the Framework.

5. The proposed building would be detached from the existing dwelling on the site and would be on land that forms part of its curtilage, located on the edge of the village and adjacent to open fields. The proposal is therefore not an extension to the dwelling on the site and would not be located on a site that could be considered an infill site within the village. I, therefore, further conclude that the proposal does not benefit from the listed exceptions in Paragraph 145 of the Framework for limited infilling in villages or the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
6. Taking all of the above into account, I find that the proposal would be inappropriate development in the Green Belt and would, therefore, be in conflict with Policy GBSP1 of the DP and Policy SADM34 of the DLP and with Chapter 13 of the Framework.

The effect of the proposal on the openness of the Green Belt

7. Section 13 of the Framework makes it clear that an essential characteristic of Green Belts is their openness and their permanence.
8. As I have identified above, the proposed detached building would result in an inappropriate development, that would add an additional built form into the Green Belt. From the fields adjacent to the main dwelling on the site associated with this edge of village location, the proposal would be seen in conjunction with the house and the outbuildings associated with neighbouring properties, however, due to its footprint and height the proposal would be apparent within the context of these open fields and would result in a loss of openness and, therefore, harm to the openness of the Green Belt.

Other considerations

9. The 5 purposes of the Green Belt, as set out in Paragraph 134 of the Framework relate to the reasons for designation of Metropolitan Green Belt as a whole. Although the proposal does not directly challenge 4 of these principles, the proposal would, despite the small-scale nature of the proposal, conflict with the checking of unrestricted sprawl because of harm to openness. Any new development in the Green Belt is by exception or in very special circumstances.
10. The design of the proposal is of a high standard and it would not appear to be visible from the public realm. It would also be adjacent to the Grade II listed building at Tolmers Mews, a heritage asset to which I have a statutory duty under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and must have special regard to preserving its setting. I find, however, that the proposal would not cause undue harm to the setting of the listed building or the character or appearance of the area. These are however limited considerations that carry little weight.

11. Whilst the appellant has expressed their need for the proposed stabling facilities and storage, these are private benefits rather than public and it seems to me that these needs could be reasonably met elsewhere. I therefore attach little weight to these in my considerations.

Conclusion

12. I have concluded that the proposal is inappropriate development that, by definition, would harm the Green Belt. I have also found harm to the openness of the Green Belt. Paragraph 144 of the Framework requires substantial weight to be given to any harm to the Green Belt.
13. Policy GBSP1 of the (DP) and Policy SADM34 of the DLP and Paragraph 143 of the Framework, set out the general presumption against inappropriate development within the Green Belt. They state that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
14. The other considerations would not clearly outweigh the totality of harm that I have identified and, therefore, the very special circumstances necessary to justify the proposal do not exist. Consequently, the appeal scheme would be in conflict with Policy GBSP1 of the (DP) and Policy SADM34 of the DLP and the Framework.
15. The proposed development would not accord with the development plan and cumulatively, the weight to all the other considerations would not be significant for the reasons given above, as such there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

Victor Callister

INSPECTOR