
Appeal Decision

Site visit made on 15 December 2020

by K Winnard LL.B (Hons) Solicitor

an Inspector appointed by the Secretary of State

Decision date: 11.02/2021

Appeal Ref: APP/C/1950/D/20/3258460

7 Danesbury Lane Welwyn AL6 9SG

- 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 Andrew Collins against the decision of Welwyn Hatfield Council.
 - The application Ref 6/2020/1260/HOUSE, dated 29 May 2020, was refused by notice dated 30 July 2020.
 - The development proposed is the retention of existing stables and alteration of roof pitch to previously approved angle.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The building, the subject of the appeal, has already been constructed. It is proposed to change the pitch and design so as to reduce the roof height to 5.2m and remove the first floor roof accommodation. For the avoidance of doubt I have dealt with the proposal on the basis of the plans before me.
3. The Council cite policies from the emerging local plan but from the information before me it is not clear when the plan will be adopted. I can only give these policies limited weight in my determination of the appeal.

Main Issues

4. The main issues in the appeal are as follows:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework ('the Framework') and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt and the character and appearance of the area and
 - Whether any harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriate Development

5. The construction of new buildings within the Green Belt is inappropriate unless it falls within one of the exceptions within the Framework as set out. Paragraph 145 sets out those categories of development in the Green Belt which may be regarded as not inappropriate. The provision of appropriate facilities for outdoor sport and outdoor recreation is one such use, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. There is no dispute between the main parties that the use of the building as stables constitute a facility for outdoor recreation.
6. An inherent characteristic of the Green Belt is its openness, the aim of which is to keep it free from built development. As such a new building in the Green Belt would affect openness in that it would have built development in what would otherwise be an open location. In this instance the size of the proposed stable building and in particular its footprint would be a significant incursion into an area of the Green Belt. The hardstanding around the site would also increase the level of development in this location. There is some screening on site and the proposed reduction in roof height, together with its reduction in level, cut into the slope, would reduce the visual impact of the development. Nonetheless, the building would be viewed from Danesbury Lane and vantage points in the wider countryside.
7. Whilst visually there would be a limited impact, the development would nonetheless not preserve the openness of the Green Belt in this location when considered as a whole. As a consequence, there would inevitably be a reduction in the openness of the Green Belt in this location, which would represent harm to one of the Green Belt's fundamental characteristics outlined in the Framework. The development would be inappropriate development and by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Character and Appearance

8. The proposal would see a reduction in height and change to a more simple design reflective of a stable block in a rural/Green Belt setting and would be finished in sympathetic materials. Whilst the building would be located within a residential curtilage, it would be a prominent free-standing feature within the curtilage located some distance from the dwelling. It is a large building and as such would be an incongruous feature in what would otherwise be an open landscape.
9. Local Plan policies require development to contribute to the conservation, maintenance and enhancement of the local landscape character. The appeal site lies within the Landscape Character Area of Danesbury Settled Slopes where the objective for managing change is to improve and conserve. This part of the site would be open and undeveloped, but for the development, contributing to a rural aspect in this immediate location. The scale and size of the building as proposed would result in harm to the rural character and appearance of the area.
10. The proposal would therefore be contrary to Policy RA10 of the Local Plan where proposals are expected to contribute, as appropriate, to the

conservation, maintenance and enhancement of the local landscape character of the area in which they are located. It would also conflict with Policies D1 and D2 of the Local Plan which require development, amongst other matters, to be of a standard of design of a high quality and to respect and relate to the character and context of the area. Likewise, it would also conflict with the Council's Supplementary Design Guidance which supplements these policies in requiring development not to detrimentally affect the landscape.

11. Policy RA24 of the Welwyn Hatfield Local Plan (Local Plan) requires that applications for small scale riding stables will be assessed on a number of criteria as set out within the policy. Due to the impact on the Green Belt, its size and height and its relationship, amongst other matters, to the surrounding area the development would also conflict with this policy.

Other Considerations

12. The appellant indicates that the previous approval for a stable building on the site shows that there is a realistic fall back position for securing a stable building on the site. It is accepted that this previous approval is no longer extant. However this demonstrates that a stable block is in principle acceptable. Nonetheless, the stable that was previously approved was of a more modest size and scale. Notwithstanding the reduction in height and the change in levels of the current proposal, its size would be considerably more substantial. The volume of the development that would result from the appeal proposal would be much greater and would result in a bulky development on the land considerably larger than that previously approved. Consequently, the appeal proposal would cause greater harm to the Green Belt than the previous approval. I therefore only give this consideration limited weight.
13. I note that the Council have no objections to the proposal with regard to the amenity of the occupiers of neighbouring properties subject to conditions and that there are letters of support in relation to the proposal. However, these factors attract limited weight in favour of the proposal.

Conclusion

14. The proposed development would have an adverse effect on the openness of the Green Belt. The development is therefore inappropriate development in the Green Belt. The proposed development would also cause harm to the character and appearance of the site and the wider open countryside, which amounts to any other harm. The other circumstances put forward by the appellant do not clearly outweigh the substantial weight attached to Green Belt harm, and subsequently do not warrant the very special circumstances necessary to justify the development.
15. Therefore for the reasons given above I conclude that the appeal should be dismissed.

K Winnard

INSPECTOR