



Appeal Decision

Site visit made on 13 February 2024

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 4th March 2024

Appeal Ref: APP/C1950/W/23/3322378

Woodside, Wildhill Road, Hatfield, Hertfordshire AL9 6DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Hare of Snowgold Developments Ltd against the decision of Welwyn Hatfield Council.
 - The application Ref is 6/2022/0499/FULL.
 - The development proposed is the demolition of stables and the erection of one detached dwelling to enable restoration of the Walled Garden.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Welwyn Hatfield Borough Council Local Plan 2016-2036 (October 2023) (WHLP) was adopted by the Council on 12 October 2023 and replaces the previous Welwyn Hatfield District Plan 2005 (April 2005). Both main parties have had the opportunity to comment on the implications of this for the appeal and I have taken the WHLP into account in coming to my decision.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, including its effect on the openness of the Green Belt and the purposes of including land within it, having regard to local and national policy;
 - the effect of the proposal on the character and appearance of the area;
 - whether the appeal site is a suitable location for the development, having regard to local and national policy; and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

4. The appeal site falls within land defined as Green Belt and comprises a walled garden with a stable block attached to the outer face of the northeast wall. The existing structures are in a poor state of repair. It is proposed to demolish the attached stables, which are not of historic interest and construct a detached

single storey dwelling that would replicate the existing form and allow for the restoration of the historic walls.

5. The National Planning Policy Framework (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Certain forms of development are, however, not inappropriate provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it, such as safeguarding the countryside from encroachment.
6. One form of development which is not considered inappropriate, as described in paragraph 154 g) of the Framework, is the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt than the existing development. WHLP Policy SADM34 accords with the Framework in this regard.
7. The parties agree that the appeal site is previously developed land as defined by the Framework. Given the sites historic association to the former villa, I see no reason to disagree. In respect of openness, the appeal proposal would replace the existing stable block with a large, bungalow attached to the historic boundary walls. The footprint and the height of the proposed structure would be significantly larger than the existing stables. Whilst the majority of the built form would be visually hidden within the boundary walls, the proposal would increase the built form on site and spatially reduce the openness of the Green Belt.
8. Although the proposal would tidy up the appeal site and result in only a negligible increase in light spill, it would result in a more intensive use of the site, with the creation of a parking area and greater pressure for domestic paraphernalia within its curtilage, both inside and outside of the boundary walls. Consequently, when considered in combination, the proposal would cause a small loss to the openness of the Green Belt when compared to the existing situation and therefore would not meet the exception outlined in paragraph 154 g) of the Framework.
9. In light of the above, I conclude that the proposal would be inappropriate development in the Green Belt. It would conflict with Policy SADM34 and the associated policies of the Framework which collectively seek to control development within the Green Belt.

Character and appearance

10. The area is rural, characterised by open fields, separated by areas of woodland, and interspersed by groups of buildings with varied uses. The appeal site is located within an enclave of development, including residential and agricultural buildings at Woodside, and is accessed via a shared drive. The enclave is diverse with buildings of varied age, design, and scale. The properties benefit from spacious plots surrounded by fields and woodlands.
11. The front elevation would be distinctly rural in character. It would replicate certain architectural elements from the existing stable and surrounding buildings, including the mono-pitch roof and robust linear form with simple detailing and complementary materials. Whilst the portion of the dwelling within the walled garden would be somewhat more domestic, it would mirror

historic precedents of structures within walled gardens and be largely hidden from view. Moreover, the extensive use of glazing would result in a lightweight intervention within the walled garden that would be clearly distinguishable from the existing historic fabric. As such, the proposal would appear subservient despite the increase in height and footprint compared to the existing stables.

12. Whilst the proposed dwelling would be located away from the cluster of dwellings in the north/west with a larger than average curtilage, it would remain within the wider confines of the enclave and would not encroach on the surrounding fields or woodland. Overall, despite its modern interpretation, the proposal would be in keeping with the surrounding buildings and maintain the rural character of the area.
13. Given the above, I conclude that the proposal would not harm the character and appearance of the area. It would accord with Policies SP9 and SADM16 of the WHLP and the Supplementary Design Guidance (2005) which amongst other things, collectively require development to be of high-quality design, respond to character and context of the surrounding built and landscape environments, reinforce a sense of place and ensure that the scale, height, massing and layout is considered in relation to surrounding buildings.
14. The proposal would also accord with the Framework where it seeks to ensure development is sympathetic to local character and history, including the surrounding built environment and landscape setting, maintains a strong sense of place, optimises the potential of the site to accommodate and sustain an appropriate amount of development and is visually attractive as a result of good architecture and layout.

Location

15. WHLP Policies SP1 and SP3 outline how growth will be managed within the district, primarily focusing development within urban areas based on a defined settlement hierarchy. The proposed dwelling would be located within the Small Green Belt Settlement of Woodside, in close proximity to Welham Green, which is identified as a large, excluded village with ample services.
16. Notwithstanding the above, WHLP Policy SADM1 supports windfall development subject to certain criteria. Part ii) requires that development is accessible to a range of services and facilities by transport modes other than car. This is supported by WHLP Policies SP1 and SP4 which seek to minimise the need to travel by directing growth to areas with good transport networks which are well served by jobs, services, and facilities.
17. I acknowledge that pedestrian and cycle access to Welham Green is not ideal, and that the future occupiers would likely have a higher dependency on private motor vehicles for their day-to-day activities. However, given the proximity of Welham Green and other larger towns, with ample jobs, services, and facilities as well as extensive bus and train links, these journeys would not contribute significantly to an increased reliance on cars within the district.
18. Policy SADM 1 Part v) seeks to prevent disproportionate growth taking into account the position of a settlement within the settlement hierarchy. Whilst the hierarchy suggests that Small Green Belt Settlements such as Woodside are not generally suitable for further development, given that I have concluded

that there would be no harm to the character and appearance of the area, I do not consider that one additional dwelling would be disproportionate.

19. Moreover, the proposal would not be isolated and would make efficient use of previously developed land. In addition, the services and facilities in the surrounding villages would be supported by the occupiers of the proposed dwelling, enhancing the vitality of the rural community.
20. Consequently, I conclude that the appeal site would be a suitable location for the proposed development having regard to local and national policy. The proposal would accord with Policies SADM1, SP1, SP3 and SP4 as set out above. The proposal would also accord with the Framework where it supports rural housing that would not be isolated and would support local services.

Other considerations

21. The proposal would provide an additional dwelling on previously developed land within a relatively accessible location. Whilst the Framework seeks to boost the supply of housing and supports the use of previously developed land, the social and economic benefits of a single dwelling would be limited. The proposal would remove the derelict stable block and generally tidy up the site. However, I am not satisfied that the proposal before me would be the only way to achieve this goal. As such, I attribute limited weight.
22. In addition, the proposal forms part of the setting of the historic group of buildings associated with Woodside Place, including the Grade II listed Stable Block, Former Coach House, Barn and Pair of Farm Cottages. Further, the parties agree that the walled garden is a non-designated heritage asset in its own right. Insofar as is relevant to this appeal, all of the structures derive significance from their architectural detailing their association to the wider grouping and their historic links to agriculture. Despite its current state of disrepair, the Walled Garden contributes to the rural, agricultural character of the area and is an important structure within the wider grouping.
23. The Former Coach House, Barn and Pair of Farm Cottages are largely obscured from view by intervening dwellings and mature landscaping and maintain solely a functional link to the Walled Garden. Consequently, due to the intervening distances, buildings, and landscaping, I am satisfied that there would be no harm to the setting of these three listed buildings. Whilst the proposal would be visible from the stable block, I have concluded that the proposal would be in keeping with the rural, agricultural character of the area. As such, there would be no harm to the setting of the Stable Block.
24. Although the proposal would increase the built form attached to the walled garden, due to the lightweight materials used it would be subservient to the historic fabric of the existing walls and would not harm the significance of the Walled Garden. Moreover, the proposal would restore the walls, preserving them for years to come, allowing the Walled Garden to continue to contribute to the significance of the adjacent Grade II listed properties. This is a matter to which I attribute considerable positive weight.

Green Belt Balance and Conclusion

25. The proposal would be inappropriate development in the Green Belt resulting in a small loss of openness. As such, the Framework requires that the harm by reason of inappropriateness be given substantial weight and that inappropriate

development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt is clearly outweighed by other considerations.

26. Whilst I attribute considerable weight to the restoration of the walled garden, the harm is not clearly outweighed. Therefore, the very special circumstances necessary to justify the proposal do not exist, such that the appeal should be dismissed.

K Allen

INSPECTOR