
Appeal Decision

Site visit made on 16 November 2022

by Stephen Wilkinson BA BPI DIP LA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th January 2023

Appeal Ref: APP/C1950/W/22/3293855

Swan Stables, Woodside Lane, Bell Bar, Brookmans Park, Hatfield, AL9 6DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Daniel Brunt against the decision of Welwyn Hatfield Borough Council.
 - The application, Ref: 6/2021/2272/OUTLINE, dated 29 July 2021 was refused by notice dated 27 October 2021.
 - The development proposed is replacement of the Old Swan Stable buildings with the erection of a detached dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for the replacement of the Old Swan Stable buildings with the erection of a detached dwelling at Swan Stables, Woodside Lane, Bell Bar, Brookmans Park, Hatfield, AL9 6DE in accordance with the terms of the application, Ref 6/2021/2272/OUTLINE, dated 29 July 2021, and the plans submitted with it, subject to the following conditions:
 - 1) Details of the landscape (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan AT872-10, proposed floor plans AT872-13, proposed elevations (1 of 2 and 2 of 2) AT872-14 and AT872-15 and proposed site plan AT872-12.
 - 4) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no garages or extensions to the existing property shall be erected at the dwelling hereby permitted.

Procedural Matters

2. The appeal scheme is in outline with details of access, appearance, layout and scale to be determined at this stage with landscaping as a reserved matter.

Main Issue

3. The main issue is:
 - whether the proposal would be inappropriate development in the Green Belt, including the effect it would have on openness,

Reasons

Whether the proposal would be inappropriate development

4. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and substantial weight should be given to that harm. Paragraph 149 of the National Planning Policy Framework (the Framework) lists exceptions to this general presumption. This matter is central to this main issue.
5. The appeal site comprises several timber clad stable buildings surrounded by common areas, a menage and paddock. Vehicular access is from Woodside Lane.
6. The appeal scheme involves the redevelopment of the existing working stable block as a single storey dwelling with access retained from Woodside Lane. The proposed dwelling would be timber clad.
7. Existing development across the site has a footprint of around 228sm compared to the 137sm included in the appeal scheme. The appeal scheme would have a ridge height of around 2.9m which the appellant states would not exceed the height of the existing buildings. The proposed garden serving the dwelling would be in the southern portion of the site.
8. The Council and the appellant both agree that the site is previously developed land as defined by the Framework. My site visit confirms this is.
9. The appellant has stated that the appeal should be determined in respect of exceptions included in Paragraph 149 of the Framework.
10. The first of these is related to Paragraph 149e) in respect of 'limited infilling' in villages. Historic references included in the appellant's evidence on the range of services included in the village and local festivals are not sufficient to demonstrate that Bell Bar functions as a village at present. Whilst this conclusion differs from that of my Inspector colleague¹ in a decision on a different site in the area, the appeal before me does not include sufficient information to substantiate this point. The appeal scheme cannot therefore be considered as an exception under Paragraph 149e).
11. The appellant also refers to Paragraph 149g) of the Framework which allows as an exception, limited infilling or the partial or complete redevelopment of previously developed land, where development would not have a greater impact on the openness of the Green Belt.

¹ APP/C1950/W/21/3272408

12. The scale of redevelopment proposed by the appeal scheme results in the scheme having no greater physical impacts on the openness of the Green Belt than existing.
13. Extraneous development which could affect openness including the spread of paraphernalia and the extent of proposed parking areas should be balanced against the reduction in the existing footprint. It is likely that the current use generates more parking and traffic movement with other activities compared to the proposed scheme.
14. The officer's report to Committee identifies that the proposed building would have more permanence and be of a more substantial construction than the existing stables. I do not regard these matters as adversely impacting on the openness of the site. I acknowledge that the scheme would introduce areas of glazing when compared to the existing buildings but these would still be limited in extent.
15. For these reasons, I find that the appeal scheme would not have greater impact on openness than the existing development and for this reason would not be inappropriate development in the Green Belt. I conclude therefore that the appeal scheme would not conflict with Policy GBSP1 of the Welwyn Hatfield District Plan 2005. For this reason, a consideration in respect of 'openness' is unnecessary.

Conditions

16. I have imposed planning conditions in respect of the time requirement for the submission of the outstanding reserved matter as required by Sections 91 and 92 of the Town and Country Planning Act 1990, as amended. I have included a further planning condition in respect of the approved drawings for reasons of certainty. I have imposed a condition restricting permitted development to preserve the openness of this part of the Green Belt.

Stephen Wilkinson

INSPECTOR