



Appeal Decision

Site visit made on 3 June 2025

by N Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2025

Appeal Ref: APP/C1950/W/25/3361650

Land at 51 Great North Road, Stanborough AL8 7TJ

- 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 & Mrs Robins against the decision of Welwyn Hatfield Council.
 - The application Ref is 6/2023/2425/FULL.
 - The development proposed is erection of four dwellings with associated access, parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address differs between the application form and decision notice. I have used the description given on the application form here albeit that I recognise that the appeal does not relate to the dwelling at 51 Great North Road itself.
3. A Landscape and Visual Impact Assessment (LVIA) was submitted with the appeal. This does represent new information that the Council did not have available to it in its determination of the application. However, it does not represent a substantial difference or a fundamental change to the nature of the appeal. The Council has had the opportunity to, and has, commented upon this. There has therefore not been any procedural unfairness to anyone involved in the appeal. Accordingly, I have taken it into account in my consideration of this proposal.
4. Late evidence was provided by the appellant (decision notice dated 1 July 2025 and associated documents) and this related to the recent grant of planning permission for a replacement dwelling at the site of the existing stable. As both parties are aware of this decision and it was a revision to a previously approved scheme, I have taken it into account here.
5. The planning application was determined just prior to the publication of the revised National Planning Policy Framework (the Framework) in December 2024. These changes are pertinent to the main issues of the case. However, the appeal post-dates the revised Framework and both parties have recognised this in their statements. I have therefore not consulted any further on the changes to the Framework. References to the Framework in this decision relate to the most recent version.

Main Issues

6. The main issues are:

- 1) whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies including the effect of the proposal on the openness and purposes of the Green Belt,
- 2) the effect of the proposal on the character and appearance of the area, and
- 3) 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

Effect on Green Belt

7. The site comprises a largely open parcel of land incorporating a field where the only notable built features are a stable building and paddock fencing. The site is set along Great North Road. It is within a distinct gap between linear rows of houses that continues to both the south and north of the site. The immediate north of the site is bounded by the River Lea.
8. The site is located within the Green Belt as set out in policy SP3 of the Welwyn Hatfield Local Plan 2023 (WHLP). This policy explains that within the Green Belt, development will be restricted so as to be consistent with the type of development envisaged in national planning policy. For the purposes of this appeal, I have taken this to mean Chapter 13 of the Framework.
9. The Framework sets out at paragraph 153 that when considering any planning application, local planning authorities (and by extension, Inspectors) should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
10. Paragraph 154 specifies that development in the Green Belt is inappropriate unless a certain exception applies. One exception comprises 154 e) limited infilling in villages and this proposal has been put forward as such.
11. The site has been nominated as falling within a village. The Council has relied upon the assessment in the Green Belt Study by LUC as the starting point of their assessment in considering whether the site falls within the village. However, I concur with the appellant here, that this was not the intention of this study, and its findings were directed towards establishing areas of land for release from the Green Belt, as opposed to assessing the status of existing settlements. Equally, I note that the WHLP does not define the settlement as a village. Whilst this does weigh against the site being regarded as a village, I do not find it to be determinative in and of itself.
12. I have had regard to the nature of the settlement, its built form and relationship with its surroundings, including historical context. Indeed, the area does not possess traditional village like characteristics. It is a form of relatively modern, post-war, linear development which is only separated from the main built-up area

of Welwyn by the motorway, a boating lake and park and school playing fields. Whilst these have open characteristics, they are not exclusively rural uses typical of a village setting, and are types of land uses that could be, and sometimes are, located within urban areas.

13. The homes in the area are set along Great North Road and Brocket Road and are highly characteristic of suburban development. The area does not have a traditional community focus point in the form of a church, village shop, public house, village green or the like that would give it an identifying village quality. The recent development that has occurred has not been focused on or around a particular local historic core.
14. I have noted the reference to the development at 6 Stanborough Cottages¹ and that this relatively recent planning permission was regarded as being within a village by the Council. However, this very localised area does present a different character, containing some of the few older buildings in the immediate vicinity. But this does not make the wider locale a village. I have additionally had regard to the decision at 13 New Road but this site is one of the very few locations in the local area that is surrounded by established built development on all sides. In any case, I am not bound by the Council's interpretation here and the appeal site is set in a different context.
15. Accordingly, I find that the area does not have the characteristics of a village and reads more as an outer suburban area to the substantially larger town of Welwyn. The development is therefore not within a village and thus fails this part of the test for development under paragraph 154 e) of the Framework.
16. Even if the development were to be regarded as being within a village, I must further consider whether it amounts to limited infilling. The site is set between two distinct linear rows of housing to the north and south of the site. However, it is a large and open gap, and this space is partly taken up by the River Lea. Were this site to be developed, this commodious impression would remain; created by the river. For this reason, the development could not be regarded as infilling as a substantial open area would still exist around the river and its surrounding banks.
17. Moreover, the proposed development does not follow a logical line between the rows of houses to the north and south. The proposed homes are set at an angle to the road where they project out into the countryside beyond. Whilst I appreciate that this does align with the existing stable, this building is small and reads as a rural structure on the edge of the settlement and does not appear as part of it. The extant permission for a dwelling² has, however, not been implemented. Even it were to have been completed, I am unpersuaded that this would amount to limited infilling given that the remainder, and majority, of homes along Great North Road align with the road. Therefore, I further find that the proposed development does not amount to limited infilling.
18. The introduction of four new homes and associated paraphernalia would result in the increased presence of built form and activity. This would be harmful to openness from a visual and spatial perspective.

¹ Council ref: 6/2022/2276/FULL

² Council refs: 6/2023/2416/FULL & 6/2025/0654/FULL

19. It follows from my reasoning that the proposed development is not located within a village, nor does it amount to limited infilling. Thus, it conflicts with the provisions of paragraph 154 e) of the Framework.
20. The revisions to the 2024 Framework further included criteria relating to grey belt land. This proposal has been put forward as such grey belt land which should also not be regarded as inappropriate development subject to meeting the tests at paragraphs 155 to 160. Grey belt is defined at Annex 2 of the Framework as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes a), b), or d) in paragraph 143.
21. In this case, I do not accept that the land is previously developed land; being mindful of the definition given at Annex 2. The existing stable building is within a separate paddock to the north which itself benefits from an extant permission for a dwelling. This reads as a separate curtilage whilst the appeal site itself is undeveloped. The presence of a manhole cover on the site is not persuasive in this regard as there is no development within this paddock for this fixed surface infrastructure to be associated with. Likewise, the presence of an adjacent footpath by the road with street lighting is not determinative as this is not uncommon for sites in similar urban/rural fringe locations.
22. Even if this paddock were to be considered as part of the curtilage to the stable, the definition of previously developed land expressly notes that it should not be assumed that the whole of the curtilage should be developed. This is especially pertinent given the absence of any related hard surfacing or the like. In any case, the requirements for land to amount to grey belt includes the provision of “and/or”. Thus, should the site be regarded as previously developed land it must also not strongly contribute to the relevant purposes under paragraph 143.
23. The Planning Practice Guidance (PPG) was updated in February 2025 to provide clarification in this regard³. This offers guidance on the illustrative features and contributions to those purposes under paragraph 143.
24. Considering paragraph 143 a), the PPG suggests that the contribution to the Green Belt will be strong where sites are free of existing development and lack physical features in reasonable proximity that could restrict and contain development. The site is contained by the River Lea to the north and the stable building. Meanwhile, it is abutted by the road to the east. However, the western parts of the site are open to the countryside, as is the area to the north west of the stable, along the course of the river.
25. Sites that make a strong contribution are also likely to include all of the features of being adjacent, or near to, a large built-up area and result in an incongruous pattern of development (such as an extended “finger” of development). In this regard, I have already concluded that the site is not within a village and is an adjunct of the built-up area of Welwyn. I have also found that the orientation of the proposed homes projects into the Green Belt because of its alignment that does not follow the road.
26. The proposal would extend the finger of development that exists from (approximately) 32 Great North Road to the south to number 51 and link into the

³ Paragraph: 005 Reference ID: 64-005-20250225

stable. This finger of development would therefore be extended into the Green Belt and in a direction which does not have physical features to contain it. Therefore, having regard to the PPG, I find that the site contributes strongly to the purposes of the Green Belt under paragraph 143 a) and development of it would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. This position is not inconsistent to that expressed by the Council in relation to the recent application for a new dwelling to the north. This decision related to the replacement of the stable and not the area of land in question here.

27. In relation to the purposes under 143 b), the site is not between neighbouring towns as it is set on the edge of Welwyn. It does not form part of a gap between towns and therefore makes a weak, or no, contribution to preventing neighbouring towns merging into one another.
28. The site is not near to the centre of the historic town of Welwyn and its experiential connection to it is severed by intervening development, topography and the motorway. As such, it does not form part of the setting of a historic town and has no visual, physical, or experiential connection to the historic aspects of the town.
29. It follows that, as the proposal conflicts with the purposes of the Green Belt under paragraph 143 a) of the Framework, it cannot amount to grey belt land. The proposal therefore does not accord with the provisions of 155 a. As there is conflict with the definition of grey belt and a non-compliance with paragraph 155 a, I have not gone on to consider the implications of the development under the remaining sub-paragraphs 155 b to d or about the Golden Rules, were they to be applicable.
30. Due to the conflicts with paragraph 154 e) and 155 a. and the effect of the proposed development upon the openness of the Green Belt, the proposal is therefore inappropriate development in the Green Belt and thus does not comply with policies SP1, SP3, SADM1 and SADM34 of the WHLP.

Character and appearance

31. The proposed development comprises two pairs of semi-detached houses. The appearance of these are acceptable on their own merits and would integrate satisfactorily with the form of existing development in the locality, in pure design terms. This is due to the homes being of a similar size and style to other houses along Great North Road. However, the development would result in the loss of an area of open land, presently used for grazing, in this sensitive urban/rural fringe area.
32. The appeal was submitted with an LVIA, and I have taken into account its findings in reaching my conclusions here. I accept that the site is not particularly large and it is not in an area with any special landscape designation. Moreover, its tranquillity is somewhat undermined by the proximity to the adjacent road and, more significantly, by noise and general intrusion from the motorway. Furthermore, the local topography and surrounding development means it is not visible in longer range views.
33. Even so, it is adjoined by a public footpath which leads to more tranquil areas beyond. It represents an appreciable gap, adjacent to the river, in an area which is somewhat blighted by its proximity to the motorway. In this context the site

performs an important function in providing a link to the open countryside beyond it to the west. The comments of neighbours confirm this impression.

34. Whilst I accept the general reasoning and conclusions in the LVIA and its overall assessment, I find that the proposal would have a minor-adverse effect on the site and immediate context upon completion. This is opposed to the negligible effect set out in the LVIA. I have reached this conclusion because of the importance of this open break amongst the suburban development along this side of the road; especially in the context of the motorway and urban/rural fringe that leads to the countryside beyond. Development of the site means that it will not function well and would not add to the overall quality of the area.
35. Accordingly, I conclude that the introduction of four new dwellings to this open parcel of land would be detrimental to the character and appearance of the area due to the loss of this important gap in built development in this area. The new landscaping proposed would not offset this harm. As such, the proposal would fail to comply with policies SP9 and SADM16 of the WHLP insofar as it would not deliver a high quality design that fosters a positive sense of place by responding to the site's character and context. It would not accord with the principles of paragraph 135 of the Framework by reducing the relevance of the footpath and undermining the importance of being a welcoming place to live.
36. Both parties have made reference to recent appeals at Great North Road, Roebuck Farm and Emmanuel's Farm⁴. However, without sight of these decisions or their precise locations or contexts, considering any parallels between them is limited and, as such, I have judged this proposal on its merits.

Other considerations

37. No very special circumstances have been nominated by the appellant that would clearly outweigh the harm to the Green Belt by reason of inappropriateness. Even so, I have been mindful of other considerations that have been put forward in favour of the case.
38. I acknowledge that the Council cannot demonstrate a five year supply of deliverable housing land and the Housing Delivery Test (December 2023) indicates that the Council delivered 57% of homes against its target. The provision of any new dwellings in this context is therefore of benefit. However, as I have found the development does not accord with the exceptions under paragraph 154 of the Framework and that it is not grey belt land under Annex 2 and with regard to paragraph 155, the effect of the development on the Green Belt amounts to a strong reason for refusing the development. The provisions of paragraph 11 d) i. are therefore engaged and there is a strong reason for refusing the development proposed.
39. Equally, I have been mindful of the other neutral considerations which weigh neither for, nor against, the proposal. These include (but are not limited to) the acceptable impacts of the proposal on neighbours living conditions, the local highway network and biodiversity. Nevertheless, these other considerations do not clearly outweigh the harm to the Green Belt that I have already identified.

⁴ APP/C1950/W/22/3300873, APP/C1950/W/23/3316025 & APP/C1950/W/23/3331454

Conclusion

40. The proposal amounts to inappropriate development in the Green Belt which would, in addition, be harmful to the character and appearance of the area. The proposal, therefore, conflicts with the development plan and the Framework. The material considerations do not indicate that the appeal should be decided other than in accordance with the development plan. As such, for the reasons given above the appeal is dismissed.

N Bowden

INSPECTOR