

PLANNING CONTROL COMMITTEE

DATE: 04 November 2021

PLANNING APPEALS DECISION

APPELLANT	DESCRIPTION	SITE ADDRESS	REFERENCE	APPEAL DECISION	COMMITTEE/ DELEGATED	COMMENTS
Mr & Mrs J Winstanley	Relating to Application 18/03349/S73 granted on 15/03/2019 - Variation of Condition 2 (Approved Plans) to facilitate relocation of parking at plots 5 and 6, change of external material at plot 5 and variations to the dwelling type, scale and appearance of plots 3 and 8.	The Gables High Street Barley SG8 8HY	20/03072/S73	Appeal Dismissed on 17-Aug-21	Appeal against non-determination	The Inspector stated that the proposal would conflict with the character and heritage requirements of policies 6 (Rural area beyond the green belt) and 57 (Residential Guidelines and standards) of the North Hertfordshire District Council Local Plan No. 2 with Alterations 2007; and the requirements of the Framework. There would also be conflict with the design and heritage aspirations of policies SP9 (Design and sustainability), SP13 (Historic environment), D1 (Sustainable design) and HE1 (Designated heritage assets) of the emerging North Hertfordshire Local Plan 2011-2031.
Mr A Gates	Retention of use of land as (B8) outside storage areas	Bury Farm Church Path Little Wymondley	20/02653/FP	Appeal Dismissed on 10-Sept-21	Delegated	The Inspector concluded that he found harm to the Green Belt by reason of the development's inappropriateness. The very special circumstances necessary to justify the development do not exist and the development would conflict with the Green Belt protection aims of the Framework and those of Policy 2 (Green Belt) of the North Hertfordshire District Council Local

						Plan No. 2 with Alterations 2007, Policy GB1 of the Wymondley Neighbourhood Plan 2016 and Policy SP5 (Countryside and Green Belt) of the emerging North Hertfordshire Local Plan 2011-2031
Mr S Collier	Erection of one 2-bed dwelling adjoining 33 Eastern Way	33 Eastern Way Letchworth Garden City Hertfordshire SG6 4PE	20/02185/FP	Appeal Dismissed on 24-Sept-21	Delegated	The Inspector concluded that the proposed development would significantly harm the character and appearance of the appeal site and surrounding area. This would be contrary to the design, character and appearance aims of of the North Hertfordshire District Council Local Plan No. 2 with Alterations 2007 (DLP) Policy 57 Residential Guidelines and standards), the emerging North Hertfordshire Local Plan 2011-2031 (LP) Policy D1 (Sustainable design) and the requirements of the Framework. The Inspector also concluded that the proposed development would not provide satisfactory living conditions for future occupiers. This would be contrary to the amenity aims of DLP Policy 57 and LP Policy D1 and the requirements of the Framework.
Ashill Lane Ltd	Residential development of 167 dwellings (Use Class C3) and associated works including formal open space,	Land South Of Heath Lane Codicote SG4 8YL	18/02722/FP	Appeal Allowed on 28 Sept-21	Committee	The Inspector stated: 'I attach very substantial weight to the critically needed housing benefits of the scheme, significant weight to

	internal road network, landscape enhancement and creation of accesses from Heath Lane and St Albans Road; and the demolition of 66 St Albans Road (as amended by drawings received 1st and 6th November 2018, 17th and 18th December 2018 and 3rd April 2019).					addressing the urgency for school expansion and further weights to the range of other lesser scale benefits as identified. In that context, and irrespective of the further support in favour of the proposal drawing from the advanced status of ELP itself and from the Council's affirmation of it, I find potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, to be clearly outweighed by these particular other considerations. Very special circumstances therefore exist to justify the proposal. Accordingly, such very special circumstances mean the proposal would not conflict with Policy 2 of the Local Plan. Further, given the existence of very special circumstances, it follows that the application of the Framework's Green Belt policies does not provide a clear reason for refusing planning permission.'
Mrs T Grainger	Erection of five dwelling houses in association with a new access spur from the Lodge Court, on-site parking, landscaping (inclusive of new trees),	Land At Turnpike Lane And Adjacent To 4 Manor Close Turnpike Lane	20/00891/FP	Appeal Allowed on 28 Sept-21	Committee	The Inspector concluded that they consider that very special circumstances exist which justify the development. Consequently, the proposed development accords with the Green Belt aims of North

	formation of a pedestrian footpath and designated communal open space. (Amended plans received 22/06/20 and 07/12/20).	Ickleford				Hertfordshire District Council Local Plan No. 2 with Alterations 2007 Policy 2 and the requirements of the Framework.
Mr Kevin McBride	Erection of 7 x 4-bed detached dwellings with associated detached garages, parking and amenity areas following demolition of all existing buildings and structures. Change of use of eastern section of land to paddock and alterations to existing access road.	Land North Of Oakleigh Farm Codicote Road Welwyn	20/00598/FP	Appeal Allowed on 29 Sept-21	Committee	The Inspector concluded that the proposal would not be inappropriate development in the Green Belt and would not conflict with the purposes of including land within it. Furthermore, the proposal would maintain the character and appearance of the area. The proposed development would accord with the Development Plan and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
Mr Jignesh Patel	Part Change of Use from Retail (Use Class A1) to Hot Food Takeaway (Use Class A5), alterations to shopfront and installation of an external fume extraction flue	1-3 The Mead Hitchin SG5 1XZ	20/00547/FP	Appeal Allowed on 30 Sept-21	Committee	The Inspector concluded that the proposed change of use would not have a harmful effect on the living conditions of the occupiers of the residential flats at first floor level as the noise and odour likely to arise from the cooking of hot food can be addressed through the submission, agreement and implementation of suitable extraction and filtering equipment and this can be a conditioned requirement on any permission. Further, in terms of the appearance of the external flue, the proposal has been modified and the

						design and form of this will not harm the appearance of the host building or the surrounding area.
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