

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 11 OCTOBER 2018  
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

**Appeal Decisions 30/08/2018 to 30/09/2018**

| 6/2017/2204/ADV                   |  |
|-----------------------------------|--|
| <b>DCLG No:</b>                   | APP/C1950/Z/18/3195541   |
| <b>Appeal By:</b>                 | Industrial Property Investment Fund  |
| <b>Site:</b>                      | Trade Park 1 Bessemer Road Welwyn Garden City AL7 1HF  |
| <b>Proposal:</b>                  | Installation of 3 x internally illuminated freestanding forecourt signs measuring 3m in height and 1.8m in width   |
| <b>Decision:</b>                  | Appeal Allowed   |
| <b>Decision Date:</b>             | 13/09/2018   |
| <b>Delegated or DMC Decision:</b> | Delegated  |
| <b>Summary:</b>                   | The main issue is the effect of the internally illuminated freestanding forecourt signs on the character and appearance of the area. The Inspector noted that the site is located at the junction of Bessemer Road and Bridge Road and consists of a number of retail and trade counter units. The Inspector noted totem or freestanding signs at other properties in the area, including Aldi and the Esso filling station. Having regard to this, it was concluded that the proposed signs would not be excessively large, discordant or incongruous within the area. Further, whilst noting that the signs would be located in a relatively prominent location, the large corner unit on the site has a fairly conspicuous fascia sign and given the area's commercial character the signs were found to be inkeeping. With regard to the illumination, this was found to be fairly subtle. The appeal was allowed. |
| 6/2018/0513/HOUSE                 |  |
| <b>DCLG No:</b>                   | APP/C1950/D/18/3205039   |
| <b>Appeal By:</b>                 | Dr K Jones   |
| <b>Site:</b>                      | The Old Cottage 10 Hawkshead Lane North Mymms Hatfield AL9 7TB   |
| <b>Proposal:</b>                  | Replacement roof to existing dwelling to include a pitched roof and increase in ridge height   |
| <b>Decision:</b>                  | Appeal Dismissed   |
| <b>Decision Date:</b>             | 19/09/2018   |
| <b>Delegated or DMC Decision:</b> | Delegated  |
| <b>Summary:</b>                   | The main issues are whether the proposal is inappropriate development in the Green Belt, the effect on the openness of the Green Belt and character and  |

appearance of the area, and if inappropriate, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to very special circumstances necessary to justify the development. It was noted that there was no dispute between the parties that the increase in the volume of the building would be equivalent to a 26% increase over and above the original. However the Inspector noted that the question of proportionality involves considerations as well as mathematics. The Inspector noted that the raising of the roof to the amount and height proposed would significantly increase the scale and bulk of the building and its visual impact. The new roof would not appear as being subordinate to the building and would be a disproportionate addition to the dwelling therefore constituting inappropriate development and by definition harmful to the Green Belt and should not be approved except in very special circumstances. The Inspector also found that the openness of the Green Belt would be harmed as a result of the increase in height and bulk. The Inspector found that very special circumstances did not exist and the appeal was dismissed.

Members were advised earlier this year that an award of full costs of appeal had been made against the Council in respect of the appeal at 23 Park Street, Hatfield. This related to an appeal against the decision of the Council to refuse planning permission for application, reference 6/2016/2339/FULL which was determined by Development Management Committee in April 2017. Planning permission was granted on appeal in July 2018. The proposed development was Change of use from Restaurant (A3) to residential (C3) and the erection of single storey and first floor rear extension and subdivision into four flats.

Following the submission of a schedule of costs by the appellant, the Council has paid **£20,167.40** in costs to the appellant.