

Notice of Decision
Town and Country Planning Act 1990
Town and Country Planning (Development
Management Procedure) (England) Order 2015
Refusal of Permission for Development

Ms A Tuske
1 Stanborough Mews
Welwyn garden city
AL8 6DB

Application No: 6/2016/2730/HOUSE

Date of Refusal: 23 February 2017

WELWYN HATFIELD BOROUGH COUNCIL, in pursuance of powers under the above mentioned Act, hereby REFUSE to permit: -

Development: Erection of extension to existing double garage to form home office

At Location: 1 Stanborough Mews Welwyn Garden City AL8 6DB

Applicant: Ms A Tuske

Application Date: 16 January 2017

In accordance with the accompanying plans and particulars, for the reasons specified below: -

1. The proposed development, by virtue of its siting, scale and design would result in a substantially large built form that failed to be subordinate to the main dwelling and as a result of its position along the rear boundary of the application site would be readily visible from Longcroft Green and Stanborough Road. Its overall size would have a detrimental impact upon the character and appearance of the area and would result in the overdevelopment of the application site. Accordingly the proposal would be of a poor quality of design which would fail to respect and reflect the immediate street scene contrary to the National Planning Policy Framework and policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance, Statement of Council Policy 2005.
2. The proposed development, by virtue of its scale, height and siting would result in an overbearing and dominant relationship with the neighbouring dwelling, No.3 Stanborough Mews, and as a result would have an adverse impact to their residential amenity. The proposal therefore represents a poor standard of design contrary to Policy D1 of the Welwyn Hatfield District Plan 2005, guidance under the Supplementary Design Guidance, Statement of Council Policy 2005 and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

3.

| Plan Number | Revision Number | Details | Received Date |
|--------------------|------------------------|---|----------------------|
| II | | Location plan | 29 December 2016 |
| I | | Existing & Proposed Elevations/ Floor Plans | 16 January 2017 |

POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

Informative(s)

1. Please be aware that the site is within the Estate Management Scheme and therefore, in the event of planning permission being obtained, Estate Management consent would also be required prior to any development commencing on site.



Colin Haigh
Head of Planning

Town and Country Planning Act 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. •
- If this is a decision to refuse permission for
 - a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice;
- For all other appeals, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. •
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.gov.uk/government/organisations/planning-inspectorate.
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.