

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

Mr I Mitchell
1 Cherrycroft
L
Sandy
SG191BD

Application No: 6/2018/1959/FULL

Date of Refusal: 19 September 2018

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

Development: Retention of change of use from summerhouse to single residential dwelling

At Location: 30 Astwick Avenue Hatfield AL10 9LA

Applicant: Mr I Mitchell

Application Date: 25 July 2018

1. The proposed development would fail to provide adequate living conditions for the future occupants and future occupants of the proposed dwelling in terms of internal space standards. The proposal, thereby, constitutes poor quality design contrary to the Policy D1 of the Welwyn Hatfield District Plan 2005; the Supplementary Design Guidance 2005; Policy SP1, SADM1, SP9 and SADM11 of the Emerging Draft Local Plan 2016 and the National Planning Policy Framework 2018.
2. The proposed development would result in a cramped and uncharacteristic intrusion into the garden area of No.30 Astwick Avenue which would also be markedly different from surrounding dwellings in terms of size, architectural style and materials. A proposed dwelling in this location would be harmful to the character and appearance of the area and would not be environmentally sustainable. Accordingly, the proposal is contrary to Policies H2, D1 and D2 of the Welwyn Hatfield District Plan 2005; the Council's Supplementary Design Guidance; Policy SADM1, SP9 and SADM11 of the Emerging Draft Local Plan and the National Planning Policy Framework 2018.
3. By reason of overlooking and the physical constraints of the site, the proposal fails to provide a functional and suitable private outdoor amenity space for the occupants and future occupants of the proposed dwelling. In addition, the proposal fails to protect the residential amenity and living conditions of neighbouring occupiers by reason of overlooking, noise disturbance. The proposal is therefore contrary Policies H2, D1 and D2 of the Council's Local Plan; Policy SP1, SADM1, SP9 and SADM11 of the Council's emerging Local Plan and the National Planning Policy Framework 2018.

4. Insufficient information has been submitted to assess whether adequate car parking, cycle storage, bin storage and amenity for future occupants and neighbours would be provided for the site. As such, the proposal fails to comply with Policies D1, D2 and M14 of Welwyn Hatfield District Plan 2005; Supplementary Design Guidance 2005; Supplementary Planning Guidance 2004; Interim Policy on Car Parking and Garage Sizes 2014; Policies SP1, SP4, SP9, SADM1, SADM2, SADM11 and SADM12 of the Emerging Draft Local Plan 2016 and the National Planning Policy Framework 2018.

REFUSED DRAWING NUMBERS

5.

Plan Number	Revision Number	Details	Received Date
17/08/23		Site Plan	25 July 2018
17/08/24		Floor Plan & Elevations	25 July 2018
17/08/21		Location Plan	25 July 2018

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 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).



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 can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- 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.