



Notice of Decision

Town and Country Planning Act 1990
Town and Country Planning (General Permitted
Development) (England) Order 2015
Prior Approval Required and Refused

Miss Heather Yuen
1 Long Lane
London
SE1 4PG

Application No: 6/2020/1990/PN11

Application Date: 12 August 2020

Date of Decision: 7 October 2020

**DETERMINATION BY THE LOCAL PLANNING AUTHORITY IN RESPECT TO
PRIOR APPROVAL UNDER SCHEDULE 2, PART 3, CLASS O OF THE TOWN
AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015**

In pursuance of its powers under the above-mentioned Act and Orders, Welwyn Hatfield Borough Council (Local Planning Authority) hereby determine that PRIOR APPROVAL IS REQUIRED AND REFUSED for the impacts of the development which fail to meet the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Development: Prior notification for the change of use from office (B1A use class) to residential (C3 use class) to create no. 32 residential units.

At location: Everest House Sopers Road Cuffley Potters Bar EN6 4SG

Applicant: Mr Theori

The application is hereby REFUSED for the following reason(s)::

1. Insufficient information has been provided in relation to the highway and transports impacts of the development to demonstrate that the pedestrian and highway safety, sustainable transport and convenience would not be adversely prejudiced, and would therefore be contrary to the Hertfordshire County Council Local Transport Plan 4; and, the provisions Section 9 of the National Planning Policy Framework.
2. Insufficient information has been provided in relation to the impact of noise from adjacent commercial premises on the occupiers of the proposed dwellings. Schedule 2, Part 3, Class O, Paragraph (3)(d) of the Town and Country Planning (General Permitted Development) Order 2016 (or as amended) states that the local planning authority may refuse an application where, in the opinion

of the authority the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, limitations or restrictions specified in this Part as being applicable to the development in question. As such, the prior approval is refused.

REFUSED DRAWING NUMBERS

3.

Plan Number	Revision Number	Details	Received Date
00 201	B	Superseded - Proposed Floor Plans Ground and Lower Ground	10 August 2020
00 202	B	Superseded - Proposed Floor Plans First and Second Floor	10 August 2020
90 101	P01	Location Plan	10 August 2020
90 201	P01	Existing Floor Plans Ground and Lower Ground	10 August 2020
90 202	P01	Existing Floor Plans First and Second Floor	10 August 2020
N/A		Block plan	12 August 2020
90 110		Block plan	13 August 2020
N/A		Title plan	13 August 2020
90 220	P01	Elevations 1 to 3	18 August 2020
90 221	P01	Elevations 4 to 8	18 August 2020
00 201	P01	Ground floor plan	17 August 2020
00 202	P01	1st and 2nd floor plans	17 August 2020



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.
- 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 of the date of this notice, whichever period expires earlier. •
- In all other cases, 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.

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.