

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 Lauren McIntyre
Trail Architects
First Floor
12 Carpenter Street
Perth
PH1 5LZ

Application No: 6/2022/0922/FULL

Date of Refusal: 7 July 2022

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

Development: Conversion and extension to existing single dwelling house to create 4x 1 bed apartments with associated infrastructure

At Location: 11 Tolmers Gardens Cuffley Potters Bar Hertfordshire EN6 4JE

Applicant: Sonar Group Ltd

Application Date: 19 April 2022

1. The design of the proposed building, in terms of scale, size, massing, bulk and style would appear as an incongruous and discordant building within the street scene. Accordingly, the proposal is considered to be in conflict with District Plan Policies D1 and D2; Policy SP9 of the Emerging Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.
2. The proposed conversion of the building to form four residential flats, by virtue of inadequate and insufficient amenity space provision for both existing occupiers of No. 12 and future occupiers of the proposed development, would represent unsatisfactory living accommodation for the future occupants. Accordingly, the development would be of a poor standard of design, failing to take the opportunities to function well and add to the overall quality of the area, contrary to Policies D1 and H4 of the District Plan; Policies SP9 and SADM11 of the Emerging Local Plan; Supplementary Design Guidance; and the National Planning Policy Framework.
3. The proposed development would result in the most useable part of No. 9's garden to become overshadowed much earlier in the day, resulting in these occupiers to experience a detrimental loss of light, contrary to District Plan Policy D1; Policies SP9 and SADM11 of the Emerging Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.
4. The development would result in inadequate car parking provision, contrary to District Plan Policy M14; Supplementary Planning Guidance; Interim Policy for Car Parking and Garage Sizes; and the National Planning Policy Framework.

5. The potential for resulting bin clutter would be likely and this would be visually intrusive within the street scene, harming the character and appearance of the surrounding area. The development therefore represents a poor standard of design, in conflict with District Plan Policies D1 and D2; Policies SADM11 and SP9 of the Emerging Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

6.

Plan Number	Revision Number	Details	Received Date
21005_PL(90)001		Site Location Plan	19 April 2022
21005_PL(90)002		Existing Site Plan	19 April 2022
21005_PL(90)003		Proposed Site Plan	19 April 2022
21005_PL(20)001		Existing Floor Plans	19 April 2022
21005_PL(20)002		Existing Roof Plan	19 April 2022
21005_PL(20)003		Proposed Floor Plans 1 Of 2	19 April 2022
21005_PL(20)004		Proposed Floor Plans 2 Of 2	19 April 2022
21005_PL(26)001		Existing Sections	19 April 2022
21005_PL(26)002		Proposed Sections	19 April 2022
21005_PL(25)001		Existing Elevations West East	19 April 2022
21005_PL(25)002		Existing Elevations North South	19 April 2022
21005_PL(25)003		Proposed Elevations West East	19 April 2022
21005_PL(25)004		Proposed Elevations North South	19 April 2022

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).

Chris Dale

Christopher Dale
Assistant Director (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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate

(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on [GOV.UK](https://www.gov.uk).