

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 Miranda Makowski
53 High Road
Essendon
Hatfield
AL9 6HS

Application No: 6/2022/1610/HOUSE

Date of Refusal: 20 September 2022

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

Development: Extension of dropped kerb
At Location: 53 High Road Essendon Hatfield Hertfordshire AL9 6HS
Applicant: Ms Miranda Makowski
Application Date: 15 August 2022

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

1. The proposed development would not preserve or enhance the character and appearance of the surrounding street scene or the Conservation Area, as per Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It would result in some 'less than substantial' harm to the significance of the Conservation Area and the proposal would not pose any public benefits to outweigh the harm identified. Accordingly, the proposed development represents a poor standard of design and is therefore contrary to Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Policies SP9 and SADM15 of the Welwyn Hatfield Draft Local Plan 2016, the Welwyn Hatfield Supplementary Design Guidance 2005 and the National Planning Policy Framework.
2. The proposal would not comply with Hertfordshire County Council's dropped kerb terms and conditions and in the interests of highway safety of the adjoining highway network contrary with Policy D1, D5 and M5 of the Welwyn Hatfield District Plan; Policies SP4, SP9, SADM2, SADM3, SADM11 and SADM12 of the Draft Local Plan Proposed Submission 2016; Hertfordshire County Council's Local Transport Plan 4 (2018); Roads in Hertfordshire Design Guide; and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

3.

Plan Number	Revision Number	Details	Received Date
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Site Location Plan	15 August 2022
Proposed site plan	7 July 2022
Existing site plan	7 July 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).

A handwritten signature in black ink, appearing to read 'C Barnes', with a long horizontal flourish extending to the right.

Chris Barnes
Executive Director (Place)

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;
- 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.