

**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 Sara Rattenbury  
2nd Floor, Unit 10,  
Verulam Ind Est  
224 London Rd  
St. Albans  
AL1 1JB

**Application No:** 6/2022/2168/FULL

**Date of Refusal:** 16 November 2022

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

**Development:** Provision of kitchen facility to facilitate the creation of a separate dwelling from existing HMO property

**At Location:** 87 De Havilland Close Hatfield Hertfordshire AL10 0DP

**Applicant:** Mr B Edais

**Application Date:** 28 September 2022

1. The proposed creation of a self-contained unit, by virtue of size of the unit and absence of external private amenity space, would represent development that would result in 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 draft Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.
2. The proposed development does not include suitable bin storage, resulting in harm to the character and appearance of the area. The development therefore represents a poor standard of design which conflicts with Policies D1 and D2 of the Welwyn Hatfield District Plan; Policies SADM11 and SP9 of the draft Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.
3. The proposed development would result in an unacceptable under provision of on-site car parking spaces, and consequently fails to comply with Policies D1 and M14 of the Welwyn Hatfield District Plan; the Supplementary Design Guidance; the Supplementary Planning Guidance on Parking Standards; Policy SADM3 & SADM12 of the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.
4. The proposed development does not include any cycle storage, contrary to Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018); Policies M6 & M14 of the Welwyn Hatfield District Plan 2005; the

## REFUSED DRAWING NUMBERS

5.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
DHC 101-OS		location plan	20 September 2022
DHC 102-10		Proposed block plan	20 September 2022
DHC 102-1	A	Proposed plans and elevations	27 September 2022
DHC 101-1	A	Existing plans and elevations	27 September 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 Carter**  
**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](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on [GOV.UK](https://www.gov.uk).