

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

Mrs Helen Kyprianos  
198 High Street  
Barnet  
EN5 5SZ

**Application No:** 6/2023/0374/FULL

**Date of Refusal:** 14 April 2023

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

**Development:** Conversion and extension to existing dwelling to create four self-contained units with associated infrastructure

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

**Applicant:** Sonar Group Ltd

**Application Date:** 20 February 2023

1. The proposal would detract from the character and appearance of the area and represent overdevelopment of the site, in conflict with Policies D1, D2 and H2 of the Welwyn Hatfield District Plan 2005; Policies SP9 and SADM12 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission 2016; the Council's Supplementary Design Guidance 2005; and the National Planning Policy Framework.
2. The proposal would result in inadequate and insufficient amenity space provision for both existing occupiers of No. 12 Tolmers Gardens and future occupiers of the proposed development, as well as resulting in poor standard of living conditions for the future occupiers of flat 3 by virtue of inadequate natural light . The development is therefore contrary to contrary to Policy D1 of the Welwyn Hatfield District Plan 2005, Policy SADM11 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission 2016, the Council's Supplementary Design Guidance, and the National Planning Policy Framework.
3. The proposed development would result in inadequate car parking provision, and insufficient information has been submitted to establish the impact of the development on highway safety. Consequently, the proposal is contrary to Policy M14 of the Welwyn Hatfield District Plan 2005, Policy SADM2 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission 2016, the Council's Supplementary Planning Guidance 2004, the Council's Interim Policy for Car Parking and Garage Sizes 2014, and the National Planning Policy Framework.
4. The proposed refuse and recycling store would be inappropriately sited and designed, in conflict with Policy D1 of the Welwyn Hatfield District Plan 2005,

## REFUSED DRAWING NUMBERS

5.

| <b>Plan Number</b> | <b>Revision Number</b> | <b>Details</b>                        | <b>Received Date</b> |
|--------------------|------------------------|---------------------------------------|----------------------|
| P.03               |                        | Proposed Elevations & Sections        | 17 February 2023     |
| P.04               |                        | Streetscape                           | 17 February 2023     |
| P.05               |                        | Site Plans                            | 17 February 2023     |
| P.01               |                        | Proposed Layout                       | 17 February 2023     |
| P.02               |                        | Proposed Layout                       | 17 February 2023     |
| EX.01              |                        | Existing Plans, Elevations & Sections | 17 February 2023     |
| LP.01              |                        | Location Plan                         | 20 February 2023     |

## 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).