

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

Carmen Ibie
8 Gloucester House
Stratfield Road
Borehamwood
Hertfordshire
WD6 1NX

Application No: 6/2023/1239/FULL

Date of Refusal: 11 September 2023

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

Development: Change of use from HMO to residential institutions (class C2)

At Location: 59 Tiger Moth Way Hatfield Hertfordshire AL10 9LT

Applicant: Carmen Ibie

Application Date: 17 July 2023

1. The proposed development would result a significant increase in activity associated with site and a marked change in the intensity of use to the detriment of the character of the surrounding area. This would be exacerbated by way of the cumulative impact of having three residential institutions in a close proximity. The proposal is therefore contrary to Policies GBSP2, D1, D2 and H4 of the Welwyn Hatfield District Plan 2005, the Supplementary Design Guidance, Policies SP1 and SP9 of the Emerging Local Plan and the National Planning Policy Framework.
2. The proposed change of use from a HMO (Use Class C4) to a residential institution (Use Class C2) would result in significant disturbance and harm to the residential amenity of neighbouring occupiers in terms of noise and activity levels, contrary to Policies D1 and R19 of the District Plan; Policies SP1 and SADM11 of the Draft Local Plan; and the National Planning Policy Framework.
3. The proposed development fails to provide adequate on-site parking and safe and suitable access for all users to the detriment of highway safety and contrary to Policy M14 of the Welwyn Hatfield District Plan 2005; the Council's Supplementary Planning Guidance Parking Standards 2004; the Interim Policy for Car Parking Standards and Garage Sizes; and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

4.

Plan Number	Revision Number	Details	Received Date
TIG1003		EXISTING FLOOR PLANS	26 June 2023
TIG1006		PROPOSED FLOOR PLANS	26 June 2023
TIG1007		EXISTING SITE PLAN	26 June 2023
TIG1008		PROPOSED SITE PLAN	26 June 2023
		LOCATION PLAN 2	17 July 2023
		SITE PLAN	17 July 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) at least 10 days before submitting the appeal. Further details are on [GOV.UK](https://www.gov.uk).