

Ms Gisele Viselka  
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**Application No:** 6/2023/1574/FULL

**Date of Refusal:** 25 September 2023

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

**Development:** Formation of a drop kerb to the rear of the site, with the addition of 3 parking bays to provide additional parking for a C2 Childcare home  
**At Location:** 2 Mulberry Mead Hatfield AL10 9EN  
**Applicant:** Ms Lina Chirandura  
**Application Date:** 31 July 2023

1. The proposed development would fail to respect the function and purpose of the public amenity area and would result in an erosion of the soft landscaped area which contributes to the character and appearance of the streetscene. The proposal would fail to respect and relate to the character and appearance of the area and the resultant harm to the visual amenity of this streetscene constitutes poor quality design, contrary to Policies GBSP2, D1, D2, D8 and R17 of the Welwyn Hatfield District Plan 2005; the Supplementary Design Guidance 2005; Policy SP9 of the Emerging Local Plan and the National Planning Policy Framework
2. The proposal would significantly reduce the size and useable area of the outdoor amenity space of the rear garden, to the detriment of the future occupants. The proposal would therefore be contrary to policies H4, H9 and D1 of the Welwyn Hatfield District Plan, along with Policies SP9 and SADM11 of the Emerging Local Plan and the NPPF.
3. The proposed development fails to provide safe and suitable access for all users to the detriment of highway safety, 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; Policies SP1, SP9, SADM2 and SADM12 of the Emerging Local Plan; Policies 1 and 5 of the Hertfordshire Local Transport Plan (LTP4) and the National Planning Policy Framework.

REFUSED DRAWING NUMBERS

4.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
UK2201-TD-A-001		OS Plan	31 July 2023
UK2201-TD-A-002		Block Plan	31 July 2023
UK2201-TD-A-101		Existing Plans	31 July 2023
UK2201-TD-A-102		Proposed Plans	31 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](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on [GOV.UK](https://www.gov.uk).