

**WELWYN HATFIELD BOROUGH COUNCIL  
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

**DELEGATED APPLICATION**

**Application No:** 6/2022/2043/LAWP  
**Location:** St Josephs Green Welwyn Garden City AL7 4TT  
**Proposal:** Certificate of lawfulness for the creation of a new path that will allow clear access to refuse bins  
**Officer:** Mrs Kerrie Charles

**Recommendation:** Refused

6/2022/2043/LAWP

Context	
Application Description	<p>This application is a Certificate of Lawful development for the creation of a new path that will allow clear access to refuse bins.</p> <p>The proposed site is grassed/landscaped area within a residential development and adjacent to a resident car park.</p>
Relevant Planning History	<p>Application Number: N6/2004/0357/DE      Decision: Refused            Decision Date: 02 July 2004            Proposal: Reserved matters application following outline permission (c6/482/1988/op) for the erection of 332 dwellings, access road, garages and parking courtyards, consisting of 221 flat/maisonettes and 111 dwelling houses</p> <p>Application Number: N6/2004/1483/DE      Decision: Approval Subject to s106            Decision Date: 06 May 2005            Proposal: Reserved matters application following outline permission c6/0482/1988/op, for the erection of 309 houses and flats, access roads, garages and parking courtyards.</p> <p>Application Number: N6/2005/0775/FP            Decision: Granted            Decision Date: 19 September 2005            Proposal: Internal and external alterations to block a, b and c to create an additional 6 residential units (as variation of permission n6/2004/1483/de granting reserved matters approval for the erection of 309 houses and flats, access roads, garages and parking courtyards)</p> <p>Application Number: N6/2005/1501/FP            Decision: Granted            Decision Date: 03 March 2006            Proposal: Modification of current development proposals comprising an additional six units as follows: amendment to flat block j to add three units following the deletion of unit 144; addition of one flat over garage (fog) adjacent unit 193 with consequent amendment to unit 193. amendments to units 194-197 to provide additional unit (194a) and amendments to units 199-200 to provide additional unit (200a). revisions to car parking provision and layout to the north of unit 128 following erection of electricity substation and amendments to design of garage block to rear of units 199-200a to form additional car parking (variation of</p>

	permission n6/2004/1483/de)
<p><b>The main issues are:</b></p> <p><b>Whether the proposed works are permitted development of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.</b></p>	
<p><b>Discussion</b></p> <p>The proposed site area is located in an amenity area which is within a residential development that is partially grassed with soft landscaping. The site is outside residential curtilage and not within any use class and as such does not benefit from any permitted development rights. Therefore, planning permission is required for the proposed development.</p>	
<p><b>Conclusion</b></p> <p>The proposed works are not permitted development and full planning permission is required.</p>	

**Reasons for Refusal:**

1. The proposed works are not permitted development and full planning permission is required

**REFUSED DRAWING NUMBERS**

2.

Plan Number	Revision Number	Details	Received Date
		Location plan	28 September 2022
v1.1		Block plan	2 September 2022
1		Estate plan	2 September 2022
		Proposed plan	2 September 2022
		Plan	22 September 2022

**Determined By:**

Mr Derek Lawrence  
22 November 2022

