

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE –
REPORT OF THE DIRECTOR (GOVERNANCE)

Appeal Decisions 17/03/2016 to 14/04/2016

1. DCLG No: APP/C1950/W/15/3135912
- Application No: S6/2014/2378/FP
- Appeal By: Mr A Chatharoo
- Site: 9 Freemans Acre, Hatfield, AL10 9JJ
- Proposal: Change of use from dwelling (class C3) to House in Multiple Occupation (class C4)
- Summary: Within a 50m radius of the appeal property, 65% of properties are already HMOs – Criteria 1 of the 2012 HMO Supplementary Planning Document sets a 20% threshold. Whilst acknowledging that there is evident demand for student properties in the area, the Inspector concluded that such a target is consistent with paragraph 50 of the NPPF which requires planning authorities to deliver a wide choice of homes within inclusive and mixed communities. The Inspector agreed that the property could not provide sufficient parking in line with Criteria 2 of the HMO SPD. Finally, the Inspector concluded that the proposal would not provide acceptable living conditions for its occupiers, because it would be extremely difficult to enforce any conditions preventing the use of rooms in the house smaller than the 8sqm bedroom size threshold at Criteria 5 of the SPD as bedrooms.
- Decision: Appeal Dismissed
- Delegated or DMC Decision: Delegated
3. DCLG No: APP/C1950/D/15/3141054
- Application No: 6/2015/2137/HOUSE
- Appeal By: Mr M Apicella
- Site: 53 Roe Green Close, Hatfield, AL10 9PF
- Proposal: Erection of two storey side and single storey rear extension involving demolition of existing garage

Summary: It had been argued that the proposal would restore symmetry to a pair of semi-detached houses, as the neighbouring property already has its own side extension. Whilst the Inspector considered that the property has the potential to acceptably accommodate an extension, the one proposed would be far bulkier than that on the neighbouring property. Because the appeal site is also of greater prominence in the street scene than its neighbour, the Inspector concluded that the proposal was contrary to the requirement for high quality design in Policy D1 of the District Plan and in the NPPF.

Decision: Appeal Dismissed

Delegated or
DMC Decision: Delegated