

111 The Ryde, Hatfield – Update following Development Management Committee Meeting of 4 December 2023

Development Management Committee (DMC) considered the matter of planning enforcement complaints related to the use of 111 The Ryde, Hatfield as a small House in Multiple Occupation (HMO), without planning permission.

The matter was considered as a Part II item pursuant to Section 100(A)(2) and (4) of the Local Government Act 1972. The press and public were excluded from the meeting on the grounds that it involved the likely disclosure of confidential or exempt information as defined in Section 100(A)(3) of the Local Government Act 1972 and Paragraph 6 (Statutory notice or order) of Part 1 of Schedule 12A of the said Act (as amended).

DMC members considered Section 172 (1) of the Town and Country Planning Act 1990 which sets out that a Local Planning Authority may issue an enforcement notice where it appears to them:

- That there has been a breach of planning control; and
- That it is expedient to issue the notice, having regard to the provisions of the development plan and to any other material considerations.

DMC Members agreed that there was a breach of planning control, but concluded that it was not expedient to issue a formal enforcement notice at this stage. Reasons for this included that the design and layout of the HMO appears to accord with the requirements of the Council's Houses in Multiple Occupation Supplementary Planning Document and that any perceived planning harm was insufficient to justify enforcement proceedings.

DMC members resolved that no further formal planning enforcement action is taken at the present time and that should circumstances at the Property change in a material way, then this should be revisited.

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