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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:
ROK Planning Ltd
51-52 St. John's Square
United Kingdom

Applicant:
Mr James Chell

PARTICULARS OF DEVELOPMENT

Application: 26/00006/FP

Proposal: Erection of 50no. residential dwellings (including affordable) with public open space, associated parking, landscaping and access.

Location: Land To North Of, Stevenage Road, Hitchin, Hertfordshire,

Refused Plan Nos: 22.102 - 01 22.102 - 10 22.102 - 100 22.102 - 101 22.102 - 102 22.102 - 103 22.102 - 104 22.102 - 105 22.102 - 106 22.102 - 107 22.102 - 108 22.102 - 109 22.102 - 110 22.102 - 111 22.102 - 112 22.102 - 113 22.102 - 114 22.102 - 115 22.102 - 116 22.102 - 117 22.102 - 118 22.102 - 119 22.102 - 120 22.102 - 121 22.102 - 122 22.102 - 123 22.102 - 124 22.102 - 125 22.102 - 126 22.102 - 127 22.102 - 128 22.102 - 200 22.102 - 201 22.102 - 202 22.102 - 50 22.102 - 51 22.102 - 52 22.102 - 53 22.102 - 54 22.102 - 55 22.102 - 56 22.102 - 57 MTC138P01 Rev03 MTC138P02 Rev03 MTC138P03 Rev03 MTC138P04 Rev03 MTC138P05 Rev03 MTC138P06 Rev03 MTC138R01 Rev04

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **REFUSE** the development proposed by you in your application received with sufficient particulars on 28 January 2026.

1. The development would be inappropriate development in the Green Belt. The development would result in significant harm to the Green Belt in respect to the impact on the sites contribution to; the openness of the Green Belt; checking the unrestricted sprawl of Hitchin; assisting in safeguarding the countryside from encroachment, and; assisting in urban regeneration, by encouraging the recycling of derelict and other urban land individually and moderate harm to the sites contribution to safeguarding the countryside from encroachment in addition to the substantial harm attributed to definitional inappropriateness. The proposal conflicts with section 13 of the National Planning Policy Framework, and should be refused for this reason.
2. The application is not supported by an appropriate Flood Risk Assessment that demonstrates that the flood risk will not be increased elsewhere as a result of changes in land levels within Flood Zones 2 and 3 to facilitate the lifting of the access to flood zone 1, the flood zone mapping being inconsistent with the EA Flood Map for Planning, lack of infiltration testing and shortcomings of the drainage layout and hydraulic calculations. The proposal conflicts with policies NE7 and NE8 of the Local Plan, and sections 14 and 15 of the National Planning Policy Framework.
3. Insufficient information within the supporting Transport Assessment has resulted in unresolved concerns relating to highway safety, junction capacity and impacts, and compliance with current design standards in regards to footpath widths, internal swept path analysis and visibility splays. No mitigation has been proposed which would overcome potential significant harm to the safe use of the local highway network. The development conflicts with policy T1 of the Local Plan and section 9 of the National Planning Policy Framework.
4. The proposed development fails to provide a complimentary habitat buffer to a native hedgerow with trees bounding the north of the site, which is in good ecological condition representing an ecological corridor. Pressure from occupiers of dwellings backing onto the corridor, and uncontrolled lighting in private rear gardens, will result in harm to the ecological value of this asset. The development fails to accord with policy NE4 of the Local Plan, and section 15 of the National Planning Policy Framework.
5. Insufficient information is provided within the application in regard the potential noise impact on the future occupiers of the dwellings pursuant to the community use of sports pitches within the adjoining Kingshott School. This could result in noise complaints and threaten the longevity of the community use of sports pitches and the ongoing social benefits it provides. The development conflicts with section 15 of the National Planning Policy Framework.
6. The proposed development would represent poor quality design, failing to respond positively to its context, failing to take reasonable opportunities to create public realm, failing to minimise the visual impact of parking provision, failing to design-

out crime and anti-social behaviour by backing onto the public open space and not integrating play into the developable area. would present as a standalone, isolated development of alien residential form in its context. The development would appear isolated in its surroundings. The development of the site would increase in built form of residential scale and massing in a sensitive countryside corridor between Hitchin and Little Wymondley, materially decreasing the sense of separation between these settlements, contributing to the developments failure to accord with and respect existing patterns of development. The development of the site would be incongruous to the pattern of development in the surrounding area, resulting in harm to the experience of place and presents an incongruous pattern of development. The proposal fails to accord with policy D1 of the Local Plan, and section 12 of the National Planning Policy Framework.

Proactive Statement:

1. Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed:



Shaun Greaves
Development and Conservation Manager

Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Date: 22 April 2026

The Council's Privacy Notice is available on our website: <https://www.north-herts.gov.uk/home/council-data-and-performance/data-protection/information-management-gdpr>.

NOTES

- 1 If you are aggrieved by the decision of your local planning authority (LPA) 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 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.

However, if an enforcement notice has been served for the same or very similar development the time limit is 28 days from the date of the LPA decision or 28 days from the date the enforcement notice was served.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>
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 he 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 him 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

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.](#)

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.