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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Mr Barry Cunningham
140 Weston Road
Aston Clinton
Aylesbury
HP22 5EP
United Kingdom

Applicant:

PARTICULARS OF DEVELOPMENT

Application: 25/00975/FP

Proposal: Creation of car park with 28 spaces to serve the adjacent industrial area (development already carried out).

Location: Land Adjacent To Breachwood Green Industrial Park, Pasture Lane, Breachwood Green, Hitchin, SG4 8NY

Refused Plan Nos: Location Plan LABrchwdG-FUL-25-01 LABrchwdG-FUL-25-02 LABrchwdG-FUL-25-03 LABrchwdG-FUL-25-04 LABrchwdG-FUL-25-05

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 25 April 2025.

1. The application site is within the Green Belt as identified in the North Hertfordshire Local Plan 2011 - 2031 wherein permission will only be given for the erection of new buildings for agricultural purposes, other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. The development is an inappropriate form of development in the Green Belt and therefore is unacceptable in terms of Policy SP5 of the North Hertfordshire Local Plan and the guidance in Section 13 of the National Planning Policy Framework (2024). The development cannot be justified in terms of the purposes specified and no very special circumstances have been demonstrated which may justify an exception to be made for such development in the Green Belt.
2. By reason of the amount of vehicular trips generated together with the inadequate means of access to the site via a narrow rural lane which has poor visibility for pedestrians and motorists with no footpaths or street lighting, the development is considered unsustainable and likely to lead to conditions detrimental to highway safety. The development is contrary to the provisions of Policy T1 of the North Herts Local Plan, Policies 1, 2 and 5 of the Hertfordshire Local Transport Plan (LTP4) and Section 9 of the National Planning Policy Framework (2024).
3. The development, by reason of the introduction of commercial parking into an established agricultural setting together with the associated vehicular movement, hardsurfacing and lighting, results in an adverse visual impact and consequent harmful effect on the character and appearance of the area. The use is therefore contrary to the provisions of Policies SP9 and D1 of the North Herts Local Plan 2011 - 2031 and Section 12 of the National Planning Policy Framework.

Proactive Statement:

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: 18 June 2025

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.