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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

JWPC Ltd
1B Waterview
White Cross
Lancaster
Lancashire
LA1 4XS
United Kingdom

Applicant:

Mr Ben Wilkinson

PARTICULARS OF DEVELOPMENT

Application: 25/02547/FP

Proposal: Residential development of 36 no. dwellings including creation of vehicular access off Station Road, associated parking, drainage, amenity space and landscaping.

Location: Land To The South And East Of Senuna Park, Station Road, Ashwell,

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 17 October 2025.

1. The proposed 36 new homes would be located on land outside the settlement boundary of Ashwell and therefore within the countryside designated by the North

Hertfordshire Local Plan as Rural Area beyond the Green Belt. The proposal does not meet any of the exceptions of Local Plan Policy CGB1 and therefore conflicts with the provisions of Policies SP2, SP5 and CGB1 of the North Hertfordshire Local Plan 2011 to 2031 and Policy ASH 1 of the Ashwell Neighbourhood Plan.

2. The proposal would have an urbanising effect on this open field beyond the village edge, and line of trees, contrary and harmful to the rural character and appearance of area thereby failing to comply with the design aims of Local Plan Policy D1 and the design aspirations of paragraph 135 of the National Planning Policy Framework.
3. The site lies outside of the village boundary of Ashwell and is not within easy walking distance of services and facilities within the village, with most facilities beyond the preferred maximum walking distance as identified in the submitted Transport Statement and with a limited bus service. Therefore, it is in an unsustainable location where future occupiers would be reliant on the private car for most journeys, contrary to the aims of Policy SP1 of the North Hertfordshire Local Plan 2011-2031, and paragraph 110 of the National Planning Policy Framework.
4. In the absence of a completed S106 Legal Agreement or Unilateral Undertaking the proposal fails to mitigate its direct impacts and does not satisfy the requirements of Policy SP7 of the North Hertfordshire Local Plan 2011 to 2031. Therefore, the applicant has failed to demonstrate that the proposed development would not lead to an unacceptable burden on existing local infrastructure, contrary to the objectives of the National Planning Policy Framework and the Local Plan.

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

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

Date: 16 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.