NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:
Godsmark Architecture
Unit 9, Shoreditch Town Hall
380 Old Street
London
EC1V 9LT
United Kingdom

Applicant:
Mr & Mrs Warren

PARTICULARS OF DEVELOPMENT

Application: 18/00640/FPH

Proposal: Part two storey part single storey rear extension, single storey front porch extension and ancillary works.

Location: 203 Baldock Road, Letchworth Garden City, Hertfordshire, SG6 2EJ,

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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 1 March 2018.

1. The proposed extension, by reason of its size, scale and proportions would fail to remain sympathetic to the existing dwelling in regards to proportions. The sites relatively open context would result in the disproportionate additions appearing overly dominant of the existing dwelling, harming the spacious layout and form which characterises the sites surroundings. Furthermore, insufficient information has been provided to assess the likelihood of the development prejudicing the ability of No.201 Baldock Road to extend or redevelop to the same extent without harming the character of the sites surroundings by reason of spacing of the development at first floor level from the shared boundary. Accordingly, the proposal conflicts with policies 28 and 57 of the Saved Local Plan, paragraph 64 of the National Planning Policy Framework and policy D2 of the 2011-2031 Proposed Submission Local Plan.

2. The extension would result in a clear glazed first floor window in the west facing flank wall. This window would give direct views into two existing clear glazed first floor windows within the adjoining premise to the west, No.201 Baldock Road, resulting in direct overlooking afflicting the levels of privacy afforded to the occupier of the neighbouring dwelling. No conditions could acceptably eliminate the harm to the living conditions of the occupier of the adjoining property, and as such, the proposal fails to accord with policy 28 and 57 of the Saved Local Plan and policy D3 of the 2011-2031 Proposed Submission 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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed:



Simon Ellis
Development & Conservation Manager
Date: 24 April 2018

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

NOTES

1 If you are aggrieved by the decision of your local planning authority 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.

Appeals must be made using a form which you can get from the Planning Inspectorate at Suite C, 4th Floor, Spectrum Building, Bond Street, Bristol, BS1 3LG or online at www.planningportal.gov.uk/planning/appeals
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.

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.