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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Oliver And Robb Architects
Pitreavie Drive
Dunfermline
KY118UH

Applicant:

Ms Ginny Clarke

PARTICULARS OF DEVELOPMENT

Application: 24/02758/FP

Proposal: Redevelopment of existing care home and erection of detached 3 to 4 storey 70-bed residential nursing home (Class C2 use) with associated parking, landscaping, amenities and works, following demolition of extensions to existing care home.

Location: Guysfield Residential Home, Willian Road, Letchworth Garden City, Hertfordshire, SG6 2AB

Plan Nos: 4870-ORA-01-00-DR-A-32200-E 4870-ORA-01-00-DR-A-37100 4870-ORA-01-01-DR-A-32200-E 4870-ORA-01-01-DR-A-37100 4870-ORA-01-02-DR-A-32200-E 4870-ORA-01-02-DR-A-37100 4870-ORA-01-XX-DR-A-33000-E 4870-ORA-01-ZZ-DR-A-32100-M 4870-ORA-01-ZZ-DR-A-32101-L 4870-ORA-01-ZZ-DR-A-32102-A 4870-ORA-01-ZZ-DR-A-33201-C- 4870-ORA-01-ZZ-DR-A-33202-C 4870-ORA-01-ZZ-DR-A-33210-E 4870-ORA-01-ZZ-DR-A-33211-E 4870-ORA-01-ZZ-DR-A-37010-C 4870-ORA-02-ZZ-DR-A-32100 Rev E 4870-ORA-02-ZZ-DR-A-33210 870-ORA-ZZ-XX-DR-A-31001-C 4870-ORA-ZZ-XX-DR-A-31002-C 870-ORA-ZZ-XX-DR-A-31004-P 130420.0 130420.1.A 130420.10.A 130420.11.B 130420.2.A 130420.3.A 30420.4.A 130420.5.A 130420.6.A 130420.7.A 130420.8.A 130420.9.A

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **GRANT PERMISSION** for the development proposed by you in your application received with sufficient particulars on 3 December 2024, subject to the following condition(s):

Biodiversity Net Gain

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.
The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).
Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Planning Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. No development shall take place until finished floor levels plans have been submitted to and approved in writing by the Local Planning Authority. The plan(s) need to show fixed data points correlating to the existing topographical survey and finished floor levels throughout the site to demonstrate the external impact on

neighbouring properties in terms of height. The approved details shall be implemented on site.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality and in accordance with and in accordance with Policy D3 of the North Hertfordshire Local Plan (2011-2031).

4. Notwithstanding the information submitted with the application, prior to construction above damp-proof course of the development hereby approved, a schedule of materials to be used on all external elevations and the roof of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and in accordance with Policy D1 of the North Hertfordshire Local Plan (2011-2031).

5. No development shall take place until a Site Waste Management plan has been submitted to and approved in writing by the Local Planning Authority. The SWMP should aim to reduce the amount of waste being produced onsite and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that waste is minimised during the demolition and construction phases of the development in accordance with Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document 2012.

6. Prior to the first occupation of the development hereby approved, details of the siting, number and design of secured/covered cycle parking spaces shall have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall thereafter be installed prior to the first occupation of the development hereby approved and permanently retained for cycle parking.

Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards and to encourage use of sustainable modes of transport.

7. The approved details of soft landscaping shall be carried out before the end of the first planting season following either the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

8. Notwithstanding any details included in the submitted plans, no development above ground level (except demolition, site clearance, ground investigation and remediation work) shall take place until details of hard landscaping, boundary treatments and any other enclosures have been submitted to and approved in writing by the Local Planning Authority. The details should include proposed finished levels, surfacing materials, and hard surfacing material specifications. The approved details shall be implemented on site prior to the first occupation of the development.

Reason: In the interests of character and visual amenity and ensuring compliance with North Herts Local Plan Policy NE2 and the National Planning Policy Framework.

9. The development hereby permitted shall be carried out in accordance with the Arboricultural Planning Report prepared by Arb Consultancy Ltd (dated June 2024) and the Tree Planting Plan (Drawing No. 1304/20.11.B Rev B) unless otherwise agreed in writing by the Local Planning Authority

Reason: To safeguard and enhance the trees on the site and in accordance with Policy NE2 of the North Hertfordshire Local Plan (2011-2031).

10. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

11. Any tree lopped, topped, felled, uprooted, removed or otherwise destroyed or killed contrary to the provision of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the LPA agrees in writing to dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

12. No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) should be informed by the October 2024 Ecological Impact Assessment and include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of "biodiversity protection zones";
- c) Practical measures to avoid or reduce impacts during construction;
- d) The location and timing of sensitive works to harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person in relation to amphibians, reptiles, birds, bats, badger and hedgehogs;

- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the environmental impacts of the development are controlled in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity and in accordance with Policies D3, T1 and NE12 contained in the North Hertfordshire Local Plan.

13. No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as hibernacula, the inclusion of integrated bird/bat and bee boxes in buildings/structures, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with North Herts Local Plan Policy NE4.

14. Prior to the first occupation of the development hereby permitted, the details of a lighting design strategy for biodiversity for the site and for residential amenity shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) Identify those areas/features on site to which bats and other nocturnal species are particularly sensitive where lighting is likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to reach key areas of their territory, for example, for foraging;
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and
- c) Provide details of the design of lighting units, any supporting structures and the extent of the areas to be illuminated.

The strategy shall be designed to minimise the potential adverse effects of external lighting on the amenity and biodiversity of the site and its immediate surroundings. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained therefore in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of biodiversity and the amenity of nearby residents and to ensure compliance with North Herts Local Plan Policies NE4 and D3.

15. The development hereby approved shall be constructed in accordance with the submitted Energy Strategy Report prepared by Harniss (dated June 2024), and details of the proposed air source heat pump system shall be submitted to and approved in writing by the Local Planning Authority prior to its installation, and the identified sustainability measures shall be maintained and retained thereafter

Reason: To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with North Hertfordshire Local Plan Policies SP9 and D1, and the adopted Sustainability SPD (2024).

16. (A) No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording
 2. The programme and methodology of site investigation and recording as required by the evaluation
 3. The programme for post investigation assessment
 4. Provision to be made for analysis of the site investigation and recording
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 6. Provision to be made for archive deposition of the analysis and records of the site investigation
 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

(B) The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A).

(C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan HE4 and Section 16 of the NPPF 2021.

17. Any contamination that is found during construction of the development hereby permitted shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development is resumed or continued.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters in accordance with North Hertfordshire Local Plan Policy NE11.

18. No demolition/development shall take place until a scheme for the protection of nearby residential dwellings from noise is submitted to approved in writing by the Local Planning Authority. The scheme shall be in accordance with the recommendations identified in the Sound Solution Consultants Ltd report (Ref:

41005-R2 - dated 2 October 2024). No rooms shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details. The approved scheme shall be retained in accordance with those details thereafter.

Any plant, machinery or equipment installed as part of the development hereby permitted, shall not exceed the noise limits as set out in the submitted Sound Solution Consultants Ltd report (Ref: 41005-R2 - dated 2 October 2024).

Reason: To protect the amenity of nearby residents in accordance with the aims of Policy D3 of the North Hertfordshire Local Plan 2011-2031.

19. Any kitchen equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation. The equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of the use hereby permitted.

Reason: To prevent the adverse impact of odours arising from cooking activities on the amenity of nearby residents.

20. Full details of a Construction Management Plan (CMP) for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The construction of the development shall thereafter be carried out in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The Plan shall include the following:

- a) Details of the construction programme and phasing;
- b) Hours of operation, delivery and storage of materials;
- c) Details and timing of the removal of any site waste;
- d) Details of any highway works necessary to enable construction to take place;
- e) Details of parking and loading arrangements;
- f) Measures to deal with environmental impacts including noise, dust, air quality, light and odour;
- g) Details of any management of traffic to reduce congestion, construction traffic route signage, monitoring and enforcement measures;
- h) Details of any temporary screening and hoarding details to protect neighbouring residents;
- i) Details of consultation and complaint management with local businesses and neighbours;
- j) Details of the control of dust and dirt on the public highway including wheel washing facilities for construction vehicles leaving the site;
- k) Storage and removal of building waste for disposal or recycling;

Reason: To ensure the environmental impacts of the development are controlled in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and

amenity and in accordance with Policies D3, T1 and NE12 contained in the North Hertfordshire Local Plan.

21. During the construction phase of the development hereby approved, no construction activities shall take place outside of the following hours: Monday to Friday 08:00-18:00, and Saturdays 08:00-13:00. No construction activities shall take place at any time on Sundays or bank holidays, and piling shall only be undertaken between 09:00 and 17:00 Monday to Friday.

Reason: To protect the living conditions of local residents in accordance with Policy D3 of the North Hertfordshire Local Plan 2011-2031.

22. Prior to any above ground works, a Fire Strategy Plan shall be submitted to, and approved in writing by the Local Planning Authority in consultation with the Hertfordshire Fire and Rescue Service. The Fire Strategy Plan shall set out details of the proposed strategy for access and turning/manoeuvring for fire emergency vehicles to the site/building in the event of an emergency, the proposed fire suppression system(s) and fire evacuation strategy based on the design/layout of the building.

Reason: To minimise fire risk in the event of an emergency in accordance with Policies D3 and NE12 in the Local Plan.

23. Before the first occupation of the development hereby permitted, details of a fire hydrant(s) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The hydrant(s) shall be provided in accordance with the approved details prior to the first occupation of the development.

Reason: To ensure adequate fire protection for the development by way of appropriately located hydrant facilities.

24. Prior to the first occupation of the development hereby permitted, the details of the siting, type and specification of EV charging points shall be submitted to and approved in writing by the Local Planning Authority. All EV charging points shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

25. Prior to the first occupation of the development hereby permitted, the car parking layout shall be installed in accordance with the approved detailed technical plans and thereafter retained and maintained at all times at the position shown. Arrangements shall be made for surface water drainage to be intercepted and

disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

26. No development shall commence until construction drawings of the final surface water drainage network, associated sustainable drainage components, flow control mechanisms, detailed network calculations and a construction method statement have been submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, Flood Risk Assessment prepared by Canham Consulting Structural Civil Building Engineers reference 213692-CCL-XX-00-01000 Rev P05 S3, dated 24 July 2025 and drawing numbers GCH-CCL-XX-XX-DR-C-0001 Rev P03 dated 24 July 2025 (if infiltration is viable) or 213692-CCL-XX-00-DR-C-1000 Rev P02 dated 24 July 2025 (if infiltration is not viable). The scheme shall address the following matters:

I. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature(s), as stated within section 6.2.1 of the FRA.

Or, if infiltration is not feasible

Surface water runoff rates will be attenuated to 2l/s as stated within section 6.2.1 of the FRA.

II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change).

III. An assessment demonstrating the drainage scheme complies with the National Standards for SuDS July 2025, including provision of the "four pillars" of SuDS.

IV. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:

- o 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
- o 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.

V. Plans shall be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.

VI. Finished ground floor levels of properties shall be a minimum of 300mm above expected flood levels of all sources of flooding (including any SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

VII. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 173, 175 and 180 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

27. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- I. a timetable for its implementation.
- II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
- III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of North Hertfordshire District Council.

28. Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority

Reason: To prevent flooding and pollution offsite in accordance with the NPPF.

29. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 26. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing to the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of North Hertfordshire District Council.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line 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: 10 December 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 **Failure to satisfy conditions may invalidate this permission and/or result in enforcement action. Particular attention should be paid to the requirements of any condition in bold.**
- 2 Applicants will need to pay a compliance fee where they request confirmation in writing of any planning consent, agreement or approval (commonly known as discharge of conditions) required by one or more conditions or limitations attached to a grant of planning permission.
- 3 The fee is £298 per request or £86 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse.

The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available via the Council's website:
www.north-herts.gov.uk/home/planning/planning-applications/submit-planning-application
- 4 If the development hereby permitted is one that will require a new postal address/es then please contact the Council's **street naming and numbering service** on 01462 474431 or email SNN@north-herts.gov.uk who will advise you on how to apply for the new address/es.

Any proposed sales and/or marketing name to be adopted by the developer should be forwarded to the **street naming and numbering service**, prior to any publication of the site details and sales information.
- 5 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.

6 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.

- 7 The District Council and County Highway Authority wish to ensure that, in the implementation of the development, hereby approved, the highway verge adjacent to the property is not damaged or does not become unsightly due to the stationing of skips, parking of vehicles, storing of building materials etc thereon. Your attention is, therefore, drawn to the provisions of Section 131 of the Highways Act 1980 and to the Hertfordshire County Council Bylaws 1955 (specifically relating to grass margins and verges in Letchworth Garden City) by virtue of which such actions, unless authorised by the prior grant of a licence, constitute a prosecutable offence. Persons responsible for undertaking the development and any associated works are, therefore, strongly encouraged to take appropriate steps to ensure that no breach of the said legislation occurs during the course of such activities. In the event of any damage being caused it will be expected that suitable reinstatement is undertaken upon completion of the development. Failure to do so could also result in legal action being pursued. To obtain information regarding the issue of licences, contact Hertfordshire Highways, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG138DQ or telephone 0300 1234 047.

8 Cadent Gas Informative:

Cadent Gas own and operate the gas infrastructure within the area of your development. Contact our Plant Protection Team for approval before carrying out

any works on site and ensuring requirements are adhered to. Email plantprotection@cadentgas.com Alternatively you can register on www.beforeyoudig.cadentgas.com This service is free of charge.

THIS PLANNING PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

Consent for these works may be required from the Letchworth Garden City Heritage Foundation (www.leitchworth.com/heritage-foundation) under the Scheme of Management or leasehold covenants. If you do not already have their approval, you are advised to contact the Heritage Foundation on home@leitchworth.com or 01462 476017 to confirm whether you also need to submit an application to them.