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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Hox Design Architects
Unit 2
5, Drysdale Street
London
N1 6ND
United Kingdom

Applicant:

SBEF

PARTICULARS OF DEVELOPMENT

Application: 24/01580/FP

Proposal: Erection of two 3-bedroom dwellings and two 1-bedroom apartments on land adjacent to School House, with 5 parking spaces and new vehicular access onto School Lane.

Location: School House, School Lane, Offley, Hitchin, Hertfordshire, SG5 3AT

Refused Plan Nos: 1259.24.2 736 1-00 PA 736 1-01 PA Existing 736 1-02 PA 736 1-03 PA 736 2-01 PA Proposed 736 2-02 PA 736 2-03 PA 736 2-04 PA 736 11-01 PA

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 12 September 2024.

1. By reason of the siting of the development close to the highway boundary, the number of units proposed and the restricted site area, the proposed development would result in an overdevelopment of the site that would have an adverse impact

on the visual amenities and general character of the area. As a consequence the proposals would fail to achieve a high standard of environment required by the National Planning Policy Framework and Policy SP9 and Policy D1 of the North Herts Local Plan 2011 - 2031.

2. The proposed layout does not provide adequate levels of car parking (in terms of number of spaces and dimensions) to meet the standards set out in the Council's Supplementary Planning Document 'Car Parking at New Development' and the Hertfordshire County Council's Place and Movement Planning Design Guidance (2023). Consequently it is likely that the development will give rise to additional on street car parking and congestion that would have a negative impact on pedestrian and highway safety in the vicinity of the site. The development would fail to comply with Policy SP9 and Policy D1 of the North Herts Local Plan 2011 - 2031.
3. The proposed development does not make adequate provision for the storage of refuse and recycling bins in accordance with standards adopted by the North Herts District Council waste services department. The development would fail to meet the requirements of Policy SP9 and D1 of the Local Plan .
4. The proposed development would result in overlooking at close quarters of the primary school playing fields / play space and a consequent loss of privacy and potential safeguarding issue for children attending the school. The development would be contrary to the provisions of Policy SP9, Policy D1 and Policy D3 of the North Herts Local Plan 2011 - 2031.
5. The proposed development would result in sub-standard accommodation by reason of the inadequate size of the flats and houses and the limited size of the communal amenity area and / or private amenity areas. Furthermore it is likely that the proximity of mature trees and hedgerow would result in significant shading of the proposed amenity areas to the detriment of the living conditions of the proposed occupiers. The proposal would therefore be contrary to Policy SP9, Policy D1 and Policy D3 of the North Herts Local Plan 2011 - 2031.

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: 1 November 2024

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 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.

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.