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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Pentangle Design
Suite 1
21 Bancroft
Hitchin
Herts
SG5 1JW
United Kingdom

Applicant:

Mr Adam Day

PARTICULARS OF DEVELOPMENT

Application: 25/03176/FP

Proposal: Erection of one self-build dwelling including basement level and first floor area balcony area. Installation of external swimming pool, garden kitchen structure and pergola, external air source heat pump and associated hard and soft landscaping works including perimeter boundary fence, wall and gates following demolition of existing dwelling. Alterations to ground levels in rear garden.

Location: 35 Grays Lane, Hitchin, Hertfordshire, SG5 2HH

Refused Plan Nos: 3959 01A 3959 03A 3959 30B 3959 31D 3959 32C 3959 33E 3959 34D 3959 38D 3959 39D 3959 41C 3959 42 TS25-840-1 3959 37D

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 24 December 2025.

1. The proposed development, by reason of its size, bulk and scale, design, siting and appearance, would be excessive and out of character with the site and

locality, resulting in harm to the character and appearance of the area. The proposal does not comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 -2031 and also paragraph 135 of the National Planning Policy Framework.

2. Insufficient details have been submitted to demonstrate that the access arrangements adhere to guidelines in, or are in accordance with, 'Manual for Streets (MfS)' and HCC Highways Place and Movement Planning and Design Guide. The proposal is therefore contrary to policy guidelines as outlined in the National Planning Policy Framework (NPPF) and Hertfordshire County Council's (HCC) Local Transport Plan 4 (LTP4).
3. By reason of the proposed forward projection to the proposed replacement dwelling and scale relative to No.31 and 33 and the siting of the garden kitchen and pergola structures along the boundary of No. 33 , the proposal would result in an unacceptably dominating and over bearing presence on the front and rear gardens of the neighbouring properties. This would cause unacceptable harm to the amenity of occupiers of no 33 and fails to meet the policy requirements of policies SP1, SP9 and D3 of the adopted Local Plan and the core principles and Paragraph 135 of the National Planning Policy Framework (2021).

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted proactively through early engagement with the applicant at the pre-application stage. This positive advice has however been ignored and therefore the Council remains of the view that the proposal is unacceptable. Since the Council attempted to find solutions, the requirements of the Framework (paragraph 38) have been met 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: 15 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.