

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Heather Moye
Corner House
1 Balmoral Road
Hitchin
SG5 1XG
United Kingdom

Applicant:

Mr Jim Barr

PARTICULARS OF DEVELOPMENT

Application: 24/01684/FPH

Proposal: Erection of detached rear garden room and store with log burner/flue and solar roof panels.

Location: 15 Grays Lane, Hitchin, Hertfordshire, SG5 2HG

Refused Plan Nos: Location Plan, HM-24652-01

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 30 July 2024.

1. The proposal does not respond appropriately or positively to the site's local context. It is not sympathetic to the main dwelling in terms of its scale, form or siting. It would cause harm to the character and appearance of the locality around the site due to its overall height and size, dominating the rear of the garden. The proposal is therefore contrary to Local Plan policies D1 and D2 and the provisions of the National Planning Policy Framework.

2. Due to the scale, design and siting of the proposal, it would result in a feeling of dominance and overdevelopment in the neighbouring gardens, causing harm to the enjoyment and amenity of neighbouring occupiers, particularly no 13, contrary to Local Plan policy D3 and the provisions of the National Planning Policy Framework.

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: 24 September 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.

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 <https://www.gov.uk/appeal-householder-planning-decision>

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.

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.