NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990
Town and Country Planning (General Development Procedure) Order 2015

DECISION NOTICE

Correspondence Address:
Extend
68 Queen Street
Hitchin
Herts
SG4 9TS

Applicant:
Mr Maniscalco

PARTICULARS OF DEVELOPMENT

Application:	18/00164/FP
Proposal:	Change of use of former office building to provide 6 flats (2 x 1-bed and 4 x 2-bed) on the ground , first and second floors with basement level storage, associated internal works, removal of front entrance ramp, front railings, car parking, rear mechanical gate, landscaping and ancillary works.
Location:	21 High Street, Baldock, Hertfordshire, SG7 6BD
Refused Plan Nos:	DP754/10 DP754/05B DP754/07A Location plan DP754/02B DP754/06E

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 16 January 2018.

1. The proposed development would occasion less than substantial harm to the significance of the setting of the heritage asset by reason of the additional boundary treatments both required by reason of the additional subdivision of the ground floor of the building and the superfluous boundary treatment to the rear boundary of the site. The less than substantial harm to the significance of the heritage asset would not be outweighed by any public benefits, as it is not considered that the additional dwelling is required to ensure the optimum use and

long-term preservation of the heritage asset. Accordingly, the proposal fails to accord with the policy provision of the development plan, with specific reference to Policy HE1 a. of the North Hertfordshire Local Plan 2011 - 2031 (Proposed Submission, October 2016), Sections 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Section 12 of the National Planning Policy Framework 2012.

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: 18 May 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.

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 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.