NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:
Ms Ginnette Stevens
1 Hitchin Road
Letchworth Garden City
Hertfordshire
SG6 3LL

Applicant:
Ms Ginnette Stevens

PARTICULARS OF DEVELOPMENT

Application: 18/01297/FPH

Proposal: Erection of new boundary railings to increase curtilage of property and creation of new vehicular access onto Hitchin Road to facilitate parking within front garden. , ,

Location: 1 Hitchin Road, Letchworth Garden City, Hertfordshire, SG6 3LL,

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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 6 June 2018.

1. The application is for the creation of a vehicle crossover and dropped kerb at 1 Hitchin Road, Letchworth Garden City. Hitchin Road is designated as a classified 'A' main distributor road, subject to a speed limit of 30mph and is highway maintainable at public expense.
   The proposals include a vehicle crossover / dropped kerb leading to a hardstanding / driveway accessed from Hitchin Road. New vehicular accesses directly onto main distributor roads would not normally be permitted to be in accordance with HCC's 'LTP3' (Section 3.8) and HCC's 'Roads in Hertfordshire: Highway Design Guide' (Section 2, Chapter 9). "To consider new access to primary routes special circumstances will need to be shown in favour of the proposals. This will include consideration of why alternative proposals are not

viable". The proposals do not demonstrate sufficient special circumstances to justify recommending approval for a new access on the main distributor road.

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:



Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Simon Ellis
Development & Conservation Manager
Date: 1 August 2018

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 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.