NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:
Mr Marcus Powell
Rose Farm
Codicote Road
Whitwell
Hitchin
Hertfordshire
SG4 8AB

Applicant:
Mr Marcus Powell

PARTICULARS OF DEVELOPMENT

Application:	18/00874/FPH
Proposal:	Retention of and improvements to highway field access for existing caravan club site (as amplified by drawing 07976341357/17/RF03B Received 06/08/2018).
Location:	Rose Farm, Codicote Road, Whitwell, Hitchin, Hertfordshire, SG4 8AB
Plan Nos:	Location Plan; Visibility; Vegetation 07976341357/17/RF03B

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **GRANT PERMISSION** for the development proposed by you in your application received with sufficient particulars on 26 April 2018, subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

   Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

   Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The improvements and alterations indicated on approved drawing number 07976341357/17/RF03B will be installed and completed in full to the satisfaction of the Highway Authority and the Local Planning Authority within three months of the date of this planning permission.

   Reason: In the interests of the safe operation of the adjacent highway.

4. Vehicle to vehicle visibility splays of 2.4 metres by 43 metres in both directions will be provided within three months of the date of this planning permission. Within the vision splays there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway. The visibility splays shall be permanently maintained.

   Reason: To provide adequate visibility for drivers entering and leaving the site.

5. Any gates provided shall be set back a minimum of 6 metres from the edge of carriageway and shall open inwards to the site.

   Reason: To allow a vehicle to wait clear of the carriageway while the gates are being opened and closed.

6. The access hereby approved will be altered within three months of the date of this permission to ensure that the gradient of the access shall not be steeper than 1 in 20 for at least the first 6.0 metres from the edge of the carriageway.

   Reason: To ensure a vehicle is approximately level before being driven off and on to the highway.

7. The access hereby approved will be altered within three months of the date of this permission to ensure that the access is 4.1 metres wide.

   Reason: So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians and disabled people.

8. The access hereby approved will be altered within three months of the date of this permission to ensure that the access shall be constructed in a hard surfacing material for the first 12.0 metres from the edge of the carriageway.

   Reason: To prevent loose material from passing onto the public highway which may be detrimental to highway safety

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line 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.

Informative/s:

Highway informative:
Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall follow the link below; https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or call on 0300 1234 047 to obtain the requirements for the associated road works as part of the development. This should be carried out prior to any development work is carried out.
Reason: To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

Signed:



Simon Ellis
Development & Conservation Manager

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

Date: 10 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 **Failure to satisfy conditions may invalidate this permission and/or result in enforcement action. Particular attention should be paid to the requirements of any condition in bold.**

2 Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995, a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission.

3 The fee is £116 per request or £34 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse. No fee is required for applications resulting from a condition removing "permitted development rights".

The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available on the Council's website:
www.north-herts.gov.uk/home/planning/planning-applications/submit-planning-application

4 If the development hereby permitted is one that will require a new postal address/es then please contact the Council's **street naming and numbering service** on 01462 474431 or email SNN@north-herts.gov.uk who will advise you on how to apply for the new address/es.

Any proposed sales and/or marketing name to be adopted by the developer should be forwarded to the **street naming and numbering service,** prior to any publication of the site details and sales information.

5 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 on a householder application then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. 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.

6 **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.

7 The District Council and County Highway Authority wish to ensure that, in the implementation of the development, hereby approved, the highway verge adjacent to the property is not damaged or does not become unsightly due to the stationing of skips, parking of vehicles, storing of building materials etc thereon. Your attention is, therefore, drawn to the provisions of Section 131 of the Highways Act 1980 and to the Hertfordshire County Council Bylaws 1955 (specifically relating to grass margins and verges in Letchworth Garden City) by virtue of which such actions, unless authorised by the prior grant of a licence, constitute a prosecutable offence. Persons responsible for undertaking the development and any associated works are, therefore, strongly encouraged to take appropriate steps to ensure that no breach of the said legislation occurs during the course of such activities. In the event of any damage being caused it will be expected that suitable reinstatement is undertaken upon completion of the development. Failure to do so could also result in legal action being pursued. To obtain information regarding the issue of licences, contact Hertfordshire Highways, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG138DQ or telephone 0300 1234 047.

THIS PLANNING PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.