NORTH HERTFORDSHIRE DISTRICT COUNCIL

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

DECISION NOTICE

Correspondence Address:
Mr Robert Wharton
Micklefield
Payne End
SANDON
SG9 0QU

Applicant:
Mr Robert Wharton

PARTICULARS OF DEVELOPMENT

Application:	18/00771/FP
Proposal:	Conversion of existing stables and outbuildings to facilitate change of use to a detached two storey, three bedroom dwelling, with associated ancillary works.
Location:	Micklefield, Payne End, Sandon, Buntingford, Hertfordshire, SG9 0QU
Refused plans:	1603-1; 1603-2; 1603-3; 1603-4; 1603-5; 1603-6

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 March 2018.

1. The proposal would create an unacceptable form of backland development which would have no readily identifiable physical relationship with the existing pattern of frontage developments along Payne End, thereby failing to have adequate regard to the character and context of the surrounding area and detracting from the general
character and appearance of this particular part of Sandon. The proposal would also involve the encroachment of residential development beyond the Selected Village Boundary. If implemented and repeated such development would further

erode the essential character of the area, contrary to the aims of Policies 6 and 7 of the North Hertfordshire District Local Plan No. 2 with Alterations 1996, Policies SP2, SP9, CGB1 and D1 of the North Hertfordshire District Proposed Submission Local Plan 2011-2031 Plan and would be contrary to the principles of the NPPF.

2. By reason of the creation of a new dwelling and associated domestic curtilage, the building would have a significant impact upon the Sandon (Payne End) Conservation Area. This impact would result in less than substantial harm that would fail to satisfy the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the aims of Section 12 of the NPPF (particularly paragraphs 131, 134 and 135) and Policy HE1 of the North Hertfordshire District Proposed Submission Local Plan 2011-2031 Plan.

3. The proposal fails to demonstrate that the garage and stable building are capable of conversion without major reconstruction, and they would require extending to provide a viable dwelling. As such the application fails to comply with the provisions of saved Policy 25 of the District Local Plan No2 with Alterations and Policy CGB4 of the emerging Local Plan 2011-2031.

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 (paragraphs 186 and 187) have been met 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: 15 June 2018

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.