NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:
CB. Architect
Rm.4
1 Market Hill
Royston
SG8 9JL
Hertfordshire

Applicant:
Mr & Mrs D Korda-Hewitt

PARTICULARS OF DEVELOPMENT

Application: 18/00953/FPH

Proposal: First floor rear extension, two new windows to side elevation and ancillary works.

Location: 11 Priory Close, Royston, Hertfordshire, SG8 7DU,

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 11 April 2018.

1. The proposed extension would result in the requirement for a first floor side facing window as sole light and outlook source for a bedroom. The first floor side window would harm the living conditions of the occupier of the adjoining premise to the north, impinging upon reasonable privacy within immediate amenity space. No conditions would appease the loss of privacy alongside the perception of being overlooked that would result from the proposed window positioning, and as such, the development is contrary to Policy 28 and 57 of the Saved Local Plan; Policy D3 of the 2011-2031 Local Plan Proposed Submission and Section 7 of the National Planning Policy Framework in regards to good quality design.

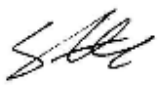
2. The proposed extension would, by reason if its height, depth and scale, would be unsympathetic to the existing dwelling in terms of height and proportions.

Notwithstanding the extensions siting to the rear of the two storey property, the site and sites surrounding content is such that the extensions would result in a visually dominant and out-of-proportion dwelling within the sites relatively low density character. Accordingly, the development is considered of poor quality design which fails to respect the existing dwelling, the site, and the sites surrounding context, contrary to the purposes of Policies 28 and 57 of the Saved Local Plan, Policies D1 and D2 of the 2011-2031 Local Plan Proposed Submission and Section 7 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 (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: 4 June 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.

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.