NORTH HERTFORDSHIRE DISTRICT COUNCIL

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

DECISION NOTICE

Correspondence Address:
Architecture Design Limited
The Joiners Shop
The Historic Dockyard
Chatham
Kent
ME4 4TZ
England

Applicant:
Mr Lakhvender Sohal

PARTICULARS OF DEVELOPMENT

Application:	18/01200/FP
Proposal:	Conversion of existing 5-bed dwelling into one 3-bed and one 2-bed dwellings including a single storey rear extension (as amended by plans and elevations received 11 July 2018).
Location:	17 Pix Road, Letchworth Garden City, Hertfordshire, SG6 1PU
Plan Nos:	18.10/A.01 18.10/A.02 18.10/A.03 18.10/A.04 18.10/A.05

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 1 May 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 development hereby approved shall not be commenced until further landscape details are submitted to and approved in writing by the Local Planning Authority. The further landscaping details required by way of this condition shall include:

   a) which, if any, of the existing vegetation is to be removed and which is to be retained;

   b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting;

   c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed (please note that no above ground front boundary treatment is recommended).

   The details approved by way of this condition shall thereby be implemented prior to occupation of the proposed dwelling, or in the first planting season following occupation of the additional dwelling. Any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

   Reason:To ensure that the proposed landscaping works are of a good quality, maintaining the character of the sites surroundings and enhancing the contribution of the site to the significance of the site to the significance of the Conservation Area.

4. Prior to the occupation of the additional dwelling hereby approved, elevational and site plan details of the location and appearance of proposed bin stores and outdoor shed storage for both the existing and additional dwelling shall be submitted to and approved in writing by the Local Planning Authority. The details approved by way of this condition shall be implemented prior to the occupation of the additional dwelling hereby approved, and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

   Reason: To preserve the character of the site, the sites surroundings and the contribution of the site to the significance of the Conservation Area.

5. Prior to the first occupation of the development hereby permitted the vehicular access (indicated for improvement on drawing number 18.10.A.03) shall be completed in accordance with the Hertfordshire County Council residential access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: In the interest of highway safety and traffic movement.

6. Prior to the first occupation of the development hereby permitted, the existing access shall be permanently closed, and the footway shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

   Reason: In the interests of highway safety and amenity

7. Prior to the first occupation of the development hereby permitted, a visibility splay measuring 2.4m x 7m shall be provided on the south-west corner of the site where it meets the highway and such splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

   Reason: In the interests of highway safety.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Class E of Part 1 and Class A of Part 2 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

   Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

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.

Signed:



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

Development & Conservation Manager
Date: 20 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 then you must do so within 6 months 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.

Consent for these works may be required from the Letchworth Garden City Heritage Foundation (www.letchworth.com/heritage-foundation) under the Scheme of Management or leasehold covenants. If you do not already have their approval, you are advised to contact the Heritage Foundation on home@letchworth.com or 01462 476017 to confirm whether you also need to submit an application to them.