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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Mr Michael Collins
Suite 4a
30 Bancroft
Hitchin
SG51LE

Applicant:

Mr Ross Tomlinson

PARTICULARS OF DEVELOPMENT

Application: 25/00090/FP

Proposal: Change of use and conversion of former White Horse PH to a mixed use comprising a single residential dwelling (Use Class C3), and micropub (Sui Generis). Demolition of the existing rear shed, lean-to, and rear portions of the property prior to the erection of catslide rear addition and external annexe for ancillary accommodation to dwelling. Structural works, replacement floors walls, subdivision, replacement of the main roof and existing windows, internal alterations and servicing.

Location: 22 High Street, Kimpton, Hitchin, Hertfordshire, SG4 8RJ

Refused Plan Nos: 039 -001 039 -01 039 -019 E 039 -019 039 -02 039 -020 H 039 -021H 039 -021H 039 -022n 039 -023 039 -023 039 -025B 039 -025B 039 -03 039 -032 039 -035 039 -035 039 -04 039 -05 039 -050 039 -06 039 -027A 039 -030 039 -020 039 -024D 039 -26 039 -26 039 -027 039 -028 039 -029 C 039 -029 039 -030 Location Plan Site Plan

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 13 January 2025.

1. The proposed part use of the premises as a micropub has been assessed by the Local Planning Authority (via consultants) to be an unviable and unsustainable business proposal. As such, the proposed micropub development is likely to fail resulting in the complete loss of a public house usage at the site and the consequent loss of a valued community facility contrary to the provisions of paragraph 98 of the National Planning Policy Framework (2024) and Policy ETC7 of the North Herts Local Plan 2011 - 2031.
2. The proposal will not only lead to the demise of a pub use for this well-established community facility but would also fail to deliver a viable and credible micropub alternative thereby harming the historic, communal and social significance of this grade II listed building to the local community and the character of the Kimpton Conservation Area. The micropub would be consigned to a corner of the building and the scheme has not been convincingly justified (para 213 of the NPPF) nor a community use optimised. Furthermore, by reason of the expanse of the slate rear catslide addition with significant areas of glazing, which wholly forms part of the proposed residential use, the rear elevation of the building's historic core would be adversely affected. The proposal fails to satisfy the provisions of Sections 16(2) and 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and does not accord with Section 16 of the Framework or Policies SP13 or HE1 of the North Hertfordshire Local Plan 2011 - 2031.

Proactive Statement:

1. Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted proactively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed:



Shaun Greaves
Development and Conservation Manager

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

Date: 20 June 2025

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 (LPA) 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.

However, if an enforcement notice has been served for the same or very similar development the time limit is 28 days from the date of the LPA decision or 28 days from the date the enforcement notice was served.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>
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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

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.