NORTH HERTFORDSHIRE DISTRICT COUNCIL

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

DECISION NOTICE

Correspondence Address:
Mr M Houghton
16 Spring Road
Letchworth
SG6 3NB
United Kingdom

Applicant:
Mr Philip Oram

PARTICULARS OF DEVELOPMENT

Application:	18/00579/FP
Proposal:	Erection of two storey three bedroom house adjoining 88 Maddles with associated works. Single storey rear extension to 88 Maddles following demolition of existing conservatory.
Location:	88 Maddles, Letchworth Garden City, Hertfordshire, SG6 2RL
Refused Plan Nos:	PL.001; PL.002; PL.003; PL.004; PL.005; PL.006; PL.007; PL.008;

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 27 February 2018.

1. By reason of its occupation of the full width of the plot, staggered design on a terrace and the introduction tandem and contrived parking spaces to the front, the proposal would occasion an undesirable subdivision of the existing curtilage of number 88 Maddles such that would result in an unacceptably cramped form of development as viewed from the street. This would harm the character, appearance and openness of this planned estate and give rise to development which is inappropriate in its context and fails to take the opportunities available for improving the character and quality of the area and the way it functions. This would amount to poor design and be contrary to the requirements of Sections 6

and 7 of the National Planning Policy Framework. If implemented and repeated, such development would further erode the essential character and planned appearance of the area contrary to the aims of Policy 57 of the North Hertfordshire District Local Plan No. 2 with Alterations 1996.

2. The two storey nature of the proposal, by reason of its depth, height and relationship to number 88 and the terrace of 5 dwellings adjacent dwellings, would result in an unacceptably dominating and over bearing addition specifically in relation to No 88 and 90. These properties would be rendered gloomy and the proposal would appear overbearing from the rear aspect of both. To a lesser but nonetheless material degree, this impact would be manifest at the other properties in the terrace. This would amount to poor design and occasion harm to the reasonable living conditions and amenities of neighbours. The application proposal amounts to poor design in this regard and therefore fails to comply with the provisions of Policy 57 of the North Hertfordshire District Local Plan no.2 with Alterations 1996 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 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 (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

Simon Ellis
Development & Conservation Manager
Date: 11 April 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.