NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:
CROE Architects
Suite 5
109 Bancroft Road
Hitchin
SG5 1NB
Hertfordshire

Applicant:
Mr & Mrs Phelan

PARTICULARS OF DEVELOPMENT

Application: 18/01396/FPH

Proposal: First floor rear extension, side dormer window extension. Alterations to ground floor including new bi-folding doors to rear elevation and new windows.

Location: 6 Harkness Way, Hitchin, Hertfordshire, SG4 0QH,

Plan Nos: 1809-001; 1809-002

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 22 May 2018.

1. The side dormer window / first floor rear extension, due to its size, form, height and materiality would appear as an unacceptable addition to the house. This is exacerbated by the loss of much of the roof slope to the side roof pitch which would be visible from the street and would be viewed as an overly dominant, incongruous addition. It is considered to be harmful to the character of the street scene. The application is therefore considered to fail to comply with the provisions of Saved Policy 28 of the North Herts District Local Plan 1996 and Policy D2 of the emerging Local Plan, in accordance with the spirit of the policy in paragraph 64 of the NPPF, and is being recommended for refusal on poor design grounds.

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 alterations required to make the proposal acceptable are to the extent that the outcome would be a materially different planning application, 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:



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

Simon Ellis
Development & Conservation Manager
Date: 9 July 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.

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.