NORTH HERTFORDSHIRE DISTRICT COUNCIL

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

DECISION NOTICE

Correspondence Address:
Mr Mike Leeder
The Maltings
44 Whitehorse Street
Baldock
SG7 6QQ
UK

Applicant:
Shera Limited

PARTICULARS OF DEVELOPMENT

Application:	18/00095/FP
Proposal:	Two storey side, rear and side extensions to facilitate Change of Use to 21 bedsits to sleep 42 people (Amended description).
Location:	Brookside, Great North Road, Hinxworth, Baldock, Hertfordshire, SG7 5EX
Plan Nos:	CHQ.1715018-01 CHQ.1715018-02 CHQ.1715018-03 CHQ.1715018-04 CHQ.1715018-05 CHQ.1715018-06

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 17 January 2018.

1. The application does not set out how the proposed use would meet an identified local housing need and no supporting evidence has been provided to justify this proposal. The application is therefore considered to be contrary to Saved Policy 6 of the North Hertfordshire District Local Plan 1996, as it is proposing large scale extensions in the rural area beyond the Green Belt, that would be disproportionate and harmful to the context of the original building Brookside and site. As a result

the application is considered to be of poor design and in accordance with paragraph 64 of the NPPF, is being recommended for refusal on this basis.

2. The site is in an unsustainable location with no facilities within walking distance and is not a location where new residential accommodation for up to 42 people should be encouraged. The application is therefore considered to be contrary to the aims and aspirations of paragraph 14 of the NPPF.

3. The application does not adequately demonstrate who would live in the building or the car parking needs that would arise. Given the location of the building where all trips out will have to be by car / vehicle, the provision of five spaces in the frontage of Brookside is not considered to be sufficient car parking for 21 bedsits sleeping up to 42 people. The application is therefore considered to fail to comply with Saved Policy 55 of the North Hertfordshire District Local Plan 1996 and with emerging Policy T2 of the Proposed Submission Local Plan 2011 - 2031.

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: 13 March 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.

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.