



## **NORTH HERTFORDSHIRE DISTRICT COUNCIL**

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

### **DECISION NOTICE**

**Correspondence Address:**  
Altaras Architecture Ltd  
41 High Street Barkway  
Barkway  
Royston  
SG8 8EA  
United Kingdom

**Applicant:**  
Mr Paul Whiffin

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#### **PARTICULARS OF DEVELOPMENT**

**Application:** 20/01427/FP

**Proposal:** Erection of one detached 4-bed dwelling, detached double garage and store building following demolition of existing garage /store barn and attached stable block (variation of planning permission 19/00202/FP granted 23.04.2019).

**Location:** Hay Farm, Police Row, Therfield, Royston, Hertfordshire, SG8 9QE

**Refused Plan Nos:** J/HF/P101 J/HF/P102 J/HF/P103 J/HF/P104 J/HF/P105  
J/HF/P106

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#### **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 6 July 2020.

1. By reason of its altered footprint compared with the scheme approved under LPA ref 19/00202/FP, the proposed dwelling would exhibit a greater massing and more modern, utilitarian appearance diluting the quirky, subservient relationship central to the design of the original submission. This degraded design, over that which was originally approved, would occasion less than substantial harm to the character of the Therfield conservation area but nevertheless amount to harm to

the significance of the heritage asset by reason of a weakened relationship with the donor farmhouse. This relationship would be further weakened by the introduction of a substantial detached store building between the proposed dwelling and the donor farmhouse. This identified harm would render the proposal contrary to the NPPF, specifically paragraphs 130 and 196, Saved Policy 57 of the adopted Local Plan and polices HE1, D1 of the Submission Local Plan.

**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 (paragraph 38) 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:** 1 September 2020

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 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.

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](mailto: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.