



East Herts Council  
Wallfields,  
Pegs Lane  
Hertford, Herts  
SG13 8EQ

Tel: 01279 655261

**Application Ref: 3/15/2081/OUT**

Mr William Nichols  
Strutt and Parker LLP  
66-68 Hills Road  
Cambridge  
Cambridgeshire  
CB21LA

## **Town and Country Planning Act 1990**

### **DECISION NOTICE**

#### **Outline planning for up to 160 houses with all matters reserved except access. Land Off Standon Hill Puckeridge Hertfordshire**

In pursuance of their powers under the above mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council hereby

#### **Refuse Outline Permission**

For the development proposed in your application received 15th October 2015 and registered on 28th October 2015 and shown on the plans as submitted/as amended accompanying such application.

The reason(s) for the Council's decision to refuse permission for the development is/are:

1. The proposal, by reason of the location of new development on the elevated eastern end of the site, would result in a harmful visual impact in the wider landscape and views from the south and west. The harm identified cannot adequately be mitigated and the proposal is thereby contrary to policies ENV1, ENV2, OSV1 and OSV2 of the East Herts Local Plan Second Review April 2007; policies DES1, DES2, DES3 and VILL1 of the pre-submission District Plan 2016; and the NPPF.
2. The location of the site, with limited opportunities for future residents to make significant use of sustainable and active means of transport and because of the scale of development proposed, is such that it performs poorly in transport sustainability terms with limited prospect that the harm caused as a result of this can be mitigated. As a result, the proposals are contrary to the aims of policies TR1 and TR4 of the East Herts Local Plan Second Review April 2007; policies TRA1 and TRA2 of the pre-submission District Plan 2016 and section 4 of the NPPF.
3. The proposal would result in additional vehicular movements at the junction of Cambridge Road/A120, which is already perceived to operate poorly in highway safety terms, thereby exacerbating the harm to both vehicular and pedestrian highway users. The proposal is thereby contrary to the aims and objectives of national planning policy set out in the NPPF and policies TRA1 and TRA2 of the pre-submission District Plan 2016.

#### **Informatives:**

1. In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015, East Herts Council has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application. However, for the reasons set out in this decision notice, the proposal is not considered to achieve an acceptable and sustainable development in accordance with the Development Plan and the National Planning Policy Framework.

This Decision Relates to Plan Numbers:

8422/01                      - Location Plan

Kevin Steptoe  
Head of Planning and Building Control

Dated: 8th February 2017

 Signed: *Kevin Steptoe*

**SEE ATTACHED NOTES**



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TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDINGS & CONSERVATION AREAS) ACT 1990

**Appeals to the Secretary of State**

- 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 First Secretary of State under Section 78 of the Town and Country Planning Act 1990, or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- If this is a decision to refuse to planning permission for a Householder application and you wish to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.
- If you want to appeal against your Local Planning Authority's decision for any other type of application then you must do so within six months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0303 444 5000) or online at [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate).
- The Secretary of State can allow a longer period of giving notice of an appeal, but he will not 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 permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to any 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.

**Appeals under the Control of Advertisement Regulations**

The same provision relating to rights of appeal against the Local Planning Authority's decision applies to advertisements with the following differences:

- Notice of appeal must be given in writing to the Secretary of State within 8 weeks from the date of this notice.
- The notice of appeal must be accompanied by a copy of the following documents:
  - (a) The application forms
  - (b) All relevant plans and particulars
  - (c) This notice of decision
  - (d) All other relevant correspondence with the Authority

The Secretary of State may require a statement of additional matters from either the applicant or the Local Planning Authority, and may with the agreement of both the applicant and the authority determine the appeal without affording an opportunity to appear before an Inspector.

**Purchase Notices**

- If either the Local Planning Authority or the First 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 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.

**Compensation**

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Section 169 and related provisions of the Town and Country Planning Act 1971.