

TOWN AND COUNTRY PLANNING ACT, 1990

Reference No:07/19/0200/F

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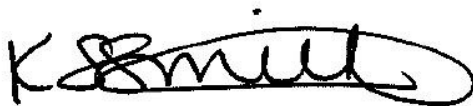
Description of Development: **Erection of 58 dwellings (12no. 2 bed 14no. 3 bed 22no. 4 bed 5no. 5 bed and 5No.1 bed) with associated infrastructure**

Location of Development: **Fairmead 90 Cuffley Hill Goffs Oak Hertfordshire EN7 5EX**

In pursuance of its powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council **HEREBY REFUSES** the development shown on drawing numbers proposed by you in your application dated 28/02/2019 and received with sufficient particulars on 04/03/2019.

The Council's resolution to come to this decision was based on an assessment of compliance with relevant policies in the development plan, taking into account all material considerations, The reasons for the Council's decision to **REFUSE** permission for the development are:-

1 The proposal would over-develop the site to the detriment of its semi-rural character. As a result of the quantum of development, the proposal is incapable of guaranteeing delivery of a net gain in biodiversity, as secured by an additional buffer. As such the proposal would be contrary to policies DSC1 and NEB1 of the Broxbourne Local Plan and to the aims and objectives of paragraph 174 of the NPPF 2021 which seeks to conserve and enhance the natural environment and promote biodiversity.



Signed:.....

Assistant Director of Place
DC1001MW

Dated: 09/02/2022

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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 Secretary of State under Section 78 of the Town and Country Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within six months of the date of this notice for a full permission or 12 weeks for a householder.
- 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 it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State 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.

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 can he 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 of the District or London Borough in which 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 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 Sections 114 and related provisions of the Town and Country Act 1990.