DELEGATED FILE NOTE

CASE OFFICER: ...Tom Donovan.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00955/FP	Erection of one 5-bed detached dwelling and double garage following demotion of existing dwelling (as amplified by drawing P3A received 12/06/2018).	Garden Fields Stevenage Road St Ippolyts Hitchin Hertfordshire SG4 7PE

Submitted Plan Nos

P1 P2 P3A P4 P5 P6 P7

1.0 Policies

1.1 **North Hertfordshire District Local Plan No.2 with Alterations**

Policy 2 – Green Belt
Policy 3 – Settlements in the Green Belt
Policy 16 – Archaeological Areas of Significance and other Archaeological Areas
Policy 30 – Extension or Replacement of Dwellings in the Countryside
Policy 55 – Car Parking Standards

1.2 **National Planning Policy Framework.**

Section 3 – Supporting a prosperous rural economy
Section 7 - Requiring good design
Section 9 – Protecting Green Belt land
Section 11 – Conserving and enhancing the natural environment
Section 12 – Conserving and enhancing the historic environment

1.3 **Emerging Local Plan 2011-2031 (Approved by Full Council 11th April 2017).**

Strategic Policies
SP1 – Sustainable Development in North Hertfordshire
SP2 – Settlement Hierarchy
SP6 – Sustainable Transport
SP9 – Design and sustainability

Development Management Policies
D1 - Sustainable Design
D2 – House extensions, replacement dwellings and outbuildings
D3 – Protecting living conditions
T2 – Parking
HE4 - Archaeology

1.4 **Supplementary Planning Document**

--Vehicle Parking at New Development September 2011
--Design

2.0 **Site History**

2.1 None relevant.

3.0 **Representations**

3.1 **Local residents/ Public Notice**
Letters of support from the following:
--Mr Crous, Wainwood
--Dr Khan, Harcourt

3.2 **St Ippolyts Parish Council**
No objection.

3.3 **HCC Highways**
No objection subject to conditions.

3.4 **HCC Archaeology**
No objection subject to conditions.

3.5 **HCC Ecology**
No objection subject to condition.

3.6 **Herts and Middlesex Wildlife Trust**
Comments relating to potential bats.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 Garden Fields is a detached dwelling situated on a generous plot. The site is located in the Green Belt although the Emerging Local Plan proposes to alter this designation to remove the site from the Green Belt.

4.2 **Proposal**

4.2.1 Erection of detached five bedroom dwelling and detached double garage following the demolition of the existing. The proposed dwelling would be two storey with accommodation in the roof space. The dwelling would comprise a large two storey section with a part two and part single storey rear projection. The proposed replacement double garage would have a hipped roof and would be re-located on the east side of the front garden. The main vehicular access is also proposed to be re-positioned.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:
--Whether the proposals would be inappropriate development in the Green Belt and if so, whether there are very special circumstances which clearly outweigh the harm caused by inappropriateness or any other harm.
--The effect on the character and appearance of the area.
--The effect on the living conditions of neighbouring properties.
--The effect on highway safety and car parking provision in the area.
--The effect on the ecological and environmental value of the area.
--The effect on the archaeological record.

4.3.2 Green Belt: NPPF
The Framework states that *"local planning authorities should ensure that substantial weight is given to any harm to the Green Belt."* Paragraph 89 of the Framework states that the construction of new buildings in the Green Belt is inappropriate development unless compliant with any of the exceptions set out in para.89 or 90 of the Framework.

4.3.3 Bullet-point 3 of paragraph 89 states that '*the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces'* is not inappropriate development.

4.3.4 In my opinion, the proposed development would not be materially larger than the

one it is replacing and as such I do not consider that it would be inappropriate development. As it would not be inappropriate development there is no requirement to consider impact on openness or purposes of the Green Belt.

4.3.5 Green Belt: Saved Policy
Saved Policy 2 is largely consistent with the aims of the Framework although it approaches the matter of inappropriateness from a different angle in that it requires proposals to be 'appropriate' in Green Belt. Moreover, Policy 2 requires development proposals to not cause 'significant visual impact'.

4.3.6 In line with the conclusions made in paras. 4.3.3-4.3.4 the proposal would not be inappropriate development and is therefore 'appropriate' for the purposes of the application of Policy 2. Moreover, significant visual impact would not result and the proposal would be compliant with Policy 2 of the Saved Local Plan.

4.3.7 Emerging Policy
Under the Emerging Local Plan 2011-2031 the settlement of St Ippolyts is proposed to be removed from the Green Belt. However, I do not consider that significant weight should be attributed to the provisions of the Emerging Plan until the Council is at least in possession of the Inspector's Report following the Examination in Public. In any case, the proposal would be compliant with Policy SP5 which essentially defers to the provisions of the Framework.

4.3.8 Design and appearance
The proposed dwelling would have an acceptable design which would represent an improvement on the existing situation. The design has been successfully implemented at a property near to the application site and therefore I am confident that the scheme is appropriate. The scale of the proposed building would relate acceptably to the scale of other properties immediately adjacent to the site and would therefore have an acceptable impact in the street-scene.

4.3.9 Impact on neighbouring properties
The proposed dwelling would be larger than the existing but would not appear cramped within the site and would therefore be located a sufficient distance from the flank boundaries to ensure that the physical form would not have a harmful impact on the living conditions of either of the adjacent properties. The majority of the new windows would face into the application site but the two first floor windows proposed would serve en-suite's and are therefore able to be conditioned to be fitted with obscure glazing. I conclude that the proposed development would not cause harm to the living conditions of neighbouring properties.

4.3.10 Impact on highway safety
Alterations are proposed to the access. HCC Highways have no objection to the proposed alterations to the access subject to several conditions. The proposed development would therefore not have a negative impact on highway safety.

4.3.11 Car parking
The proposed driveway and garage would provide parking for at least two vehicles which is the minimum standard required for a property of this size.

4.3.12 Ecological impact
A *BatRoost Assessment* has been undertaken and no bats or evidence of bats was found. However Hertfordshire Ecology recommend that a bat box is added to the proposed dwelling in order to achieve biodiversity enhancements.

4.3.13 Archaeology
It has been considered that the site may contain items of archaeological significance and as such, it is recommended that archaeological investigations take place prior to the development of the site.

4.4 **Conclusion**

4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission should be **GRANTED**.

5.0 **Recommendation**

5.1 That planning permission is **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

   Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

   Reason:To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The approved details of landscaping shown on approved drawing P3A shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

   Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

4. Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan number P3. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

   Reason: In the interests of highway safety.

5. Vehicular, pedestrian and cyclist access to and egress from the adjoining highway shall be limited to the accesses shown on drawing number P3 only. Any other access or egress shall be permanently closed, and the highway verge shall be reinstated in

accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety.

6. Prior to the first occupation of the proposed development hereby permitted a Schwegler 1FF bat box (or similar) shall be installed on the western elevation in line with the recommendations made in the Bat Roosting Assessment June 2018 authored by ELMAW Consulting.

Reason: To secure net gains in biodiversity at the application site.

7. No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording www.hertfordshire.gov.uk
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

Reason: To safeguard the archaeological record.

8. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 8.

Reason: To safeguard the archaeological record.

9. The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 8 and the provision made for analysis and publication where appropriate.

Reason: To safeguard the archaeological record.

10. The windows at first floor level on the west and east facing flank elevations of the development hereby permitted shall be permanently fitted with obscure glass.

Reason: To safeguard the privacy of the occupiers of the adjacent dwelling.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line 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.

Informative/s:

Informatives:

1) Construction standards for new/amended vehicle access:
Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.
Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx or by telephoning 0300 1234047.

2) Road Deposits:
It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx or by telephoning 0300 1234047

3) Storage of materials:
The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspxor by telephoning 0300 1234047

4) Hedgehog
To avoid killing or injuring of hedgehogs it is best practice for any brash piles to be cleared by hand. Any trenches on site should also be covered at night or have ramps fitted to allow any animals that enter during construction works to safely escape. It is also possible to provide enhancements for hedgehogs by making small holes within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site.

5) Hours of construction
Construction operations related to the development should occur only between the following hours: 0800-1800 Monday to Friday, 0800-1300 on Saturdays, no working on Sundays and Bank Holidays.

6) Asbestos removal
A suitably qualified person/contractor should be appointed to ensure the safe removal of any and all asbestos required to be removed as part of the development.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 15 June 2018	