

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00644/S73	Variation to Condition Number(s): 2 (Addition of solar panels to rear roofs of the approved dwellings) to planning permission reference 23/02948/FP granted on 29.07.2024 for Terrace of three 3-bed dwellings including creation of vehicular access off Picknage Road, parking and landscaping.	Land North Of 2 Millers Close Picknage Road Barley Hertfordshire

Submitted Plan Nos

Location Plan OAKPL-67

1.1 National Planning Policy Framework

Section 2 – Achieving sustainable development.
Section 5 – Delivering a sufficient supply of homes.
Section 8 - Promoting healthy communities.
Section 9 - Promoting sustainable transport.
Section 11 – Making effective use of land.
Section 12 – Requiring good design.
Section 14 – Meeting climate change.
Section 15 - Conserving and enhancing the natural environment.
Section 16 - Conserving and enhancing the historic environment.

1.2 North Hertfordshire Draft Local Plan 2011-2031

SP1: Sustainable development in North Hertfordshire
SP2: Settlement Hierarchy and Spatial Distribution
SP6: Sustainable transport
SP8: Housing
SP9: Design and sustainability
SP11: Natural resources and sustainability
SP12: Green infrastructure, landscape and biodiversity
SP13: Historic environment
T1: Assessment of transport matters
T2: Parking
HS5: Accessible and adaptable housing
D1: Sustainable design
D3: Protecting living conditions.
NE2: Landscape
NE4: Biodiversity and geological sites
NE7: Reducing Flood Risk
NE8: Sustainable drainage systems
NE11: Contaminated land
HE1: Designated heritage assets
HE4: Archaeology

1.3 Supplementary Planning Document

Vehicle Parking at New Development SPD
Design Supplementary Planning Document 2011
Sustainability SPD

2.0 **Site History**

- 2.1 21/02962/PRE Pre application advice given.
- 2.2 24/02718/DOC Details reserved by Condition 6 (Materials Details) of planning permission 23/02948/FP granted on 29.07.2024 Material schedule, hard landscaping & sustainability strategy APPROVED
- 2.3 24/02764/DOC Details reserved by Condition 12 (Hard landscaping) of planning permission 23/02948/FP granted on 29.07.2024 APPROVED
- 2.4 24/02765/DOC Details reserved by Condition 13 (Sustainability strategy) of planning permission 23/02948/FP granted on 29.07.2024 APPROVED
- 2.5 24/02831/DOC Details reserved by Condition 4 (External lighting) of planning permission reference 23/02948/FP granted on 29.07.24. APPROVED
- 2.6 24/02843/NMA Remove ground floor side window to Plot A, removal of rooflights to front elevations, addition of No.1 rooflight to rear elevation of Plot B and amendment to ground floor rear elevations to include bi-fold doors on all plots. (as non-material amendment to planning permission reference 23/02948/FP granted on 29.07.2024). AGREED
- 2.7 23/02948/FP Terrace of three 3-bed dwellings including creation of vehicular access off Picknag Road, parking and landscaping. CONDITIONAL PERMISSION

3.0 **Representations**

3.1 **Neighbouring Notifications:**

No neighbouring representations have been received.

3.4 **Parish Council / Statutory Consultees:**

Barley Parish Council – No objection

Hertfordshire Highways – No objection.

Environmental Health – Air Quality – No objection.

Environmental Health – Noise - No Objection

Environmental Health – Land Contamination – No comments received. .

Archaeology – No comment received

Ecology – No objection

4.0 **Planning Considerations**

4.1 Site and Surroundings

- 4.1.1 The application site comprises semi-natural habitat in the form of grassland, hedgerows, and trees lying on the west side of Picknag Road towards the northern end of the village of Barley. There are terraced and semi-detached dwellings on the opposite side of Picknag Road to the east, allotment gardens to the north and a pair of semi-detached dwellings to the southern and a field to the west.
- 4.1.2 Under the provisions of the Local Plan, the site is within the Conservation Area and within the settlement boundary area for Barley. The conservation area is extensive and covers almost all of the village and extends beyond the defined settlement boundary into the surrounding countryside.
- 4.1.3 The site is underconstruction

4.2 Proposal

- 4.2.1 Planning permission is sought for the erection of terrace of three 3-bed dwellings including creation of vehicular access off Picknag Road, parking and landscaping.
- 4.2.2 This application seeks to vary condition 2 (approved plans) of previous permission 23/02948/FP. The variations include the following:
- The addition of solar panels to each of the three dwellings.

4.3 Key Issues

- 4.3.1 The principle of residential development in this location has previously been accepted through the granting of application reference 23/02948/FP. The only alterations proposed are the addition of solar panels to each of the three dwellings. Therefore the key issues relate to the impact of the solar panels upon the design of the development and the impact upon neighbouring amenity.
- 4.3.2 The proposed solar panels would be placed on the rear roofslope of each of the three dwellings. The proposed alterations would not result in any unacceptable harm to the design or appearance of the development and would not harm the character of the area. No objection is raised to the proposed alteration and its impact upon the character and appearance of the development.
- 4.3.3 Given the nature of the solar panels proposed, there would be no harmful overbearing impact or risk of noise from the alteration. No objection is raised to the impact of the solar panels upon the amenities of neighbouring properties or the amenity for future occupiers of the development.
- 4.3.4 The proposed addition of the solar panels would improve the environmental credentials of the application site through the generation of renewable energy. No objection is raised to the impact of the development upon the environment.

4.4 Conclusion

- 4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission is granted for the variation of condition 2 attached to planning permission 23/02948/FP.

4.5 **Alternative Options**

- 4.5.1 None applicable.

4.6 **Pre-Commencement Conditions:**

- 4.6.1 N/A

5.0 **Recommendation**

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

1. The development hereby permitted shall be begun before the expiration of 3 years from the grant of planning application 23/02948/FP.

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 development hereby approved shall be carried out in accordance with the external Lighting details approved under application reference number 24/02831/DOC

Reason: To protect the amenities of the occupiers of adjoining properties

4. If during any site investigation, excavation, engineering, or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason: To protect human health and the environment

5. The development hereby approved shall be carried out in accordance with the materials approved under application reference number 24/02718/DOC .

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area in accordance with Policy D1 of the North Hertfordshire Local Plan.

6. The approved details of landscaping 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.

7. None of the trees or hedgerows to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

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

8. Any tree or hedgerows felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to dispense with this requirement.

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

9. Before the commencement of any other works on the site, trees and hedgerows to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree or hedge. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

Reason: To prevent damage to or destruction of trees or hedges to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

10. Prior to the occupation of each dwelling hereby permitted, the car parking spaces shown for that dwelling on the approved plans shall be marked out and made available, and shall thereafter be kept available solely for the parking of motor vehicles.

Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development and to comply with Policy T2 of the North Hertfordshire Local Plan 2011 to 2031.

11. The development hereby approved shall be carried out in accordance with the hardlandscaping details approved under application reference number 24/02764/DOC

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

12. The development hereby approved shall be carried out in accordance with the Sustainability Strategy approved under application reference number 24/02765/DOC

Reason To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with Policies SP9 and D1 in the local plan.

13. The Ecology and Biodiversity enhancement for the permitted development shall be carried out wholly in accordance with the supporting documents submitted - Biodiversity Method Statement (March 2024) and the Ecology /Biodiversity Enhancement Statement and Plan P09 Rev C Proposed Landscape and Biodiversity Enhancement Scheme Layout (04/07/2024)

Reason: To enhance biodiversity in accordance with the NPPF and the North Hertfordshire Local Plan Policy NE4.

14. The bird and bat boxes as shown on Plan P09 rev C shall be fully installed prior to occupation and retained as such thereafter.

Reason: To enhance biodiversity in accordance with the NPPF and the North Hertfordshire Local Plan Policy NE4.

15. If any archaeology artefacts are found during the site clearance and digging out stages, all works must stop on site and advice be sought from the HCC Archaeology team.

Reason: In the interests of archaeology protection to comply with Policy HE4 of the

North Hertfordshire Local Plan 2011 to 2031.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, E and F of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area and to comply with Policy D1 and/or Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 15 May 2025	