

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01198/FP	Erection of one detached single storey dwelling house including solar roof panels, air source heat pump, soft landscaping ,and electric vehicle charger following removal of chicken sheds.	Land South Of Long Acre Luffenhall Luffenhall Hertfordshire

Submitted Plan Nos

KIN/25/06 KIN/25/01 KIN/25/02 KIN/25/03 KIN/25/04 KIN/25/05

1.0 Policies

1.0 **Site History**

- 1.1 93/0539/1: Church Farm Luffenhall – Outline application for detached dwelling following demolition of existing barn (design, external appearance and landscaping reserved). Refused 08.07.1993
- 1.2 03/01375/1: Land south of Long Acre, Luffenhall – Outline application for detached dwellinghouse. Refused 06.10.2003. Dismissed on appeal Land south of Long Acre, Luffenhall, Hertfordshire SG2 7PX 12
- 1.3 04/00551/1: Land south of Long Acre, Luffenhall. Outline application for detached dwellinghouse . Refused 28.06.2004

2.0 **Policies**

2.1 **National Planning Policy Framework (NPPF) (August 2026)**

- 3. Decision-making policies
- 4. Achieving sustainable development
- 5. Meeting the challenge of climate Change
- 6. Delivering a sufficient supply of homes
- 12. Making effective use of land
- 14. Achieving well-designed places
- 15. Promoting sustainable transport
- 16. Promoting healthy communities
- 19. Conserving and enhancing the natural environment
- 20. Conserving and enhancing the historic environment

2.2 **North Hertfordshire District Local Plan (The Local Plan) 2011 – 2031**

- Policy SP1: Sustainable Development in North Hertfordshire
- Policy SP2: Settlement Hierarchy and Spatial Distribution
- Policy SP6: Sustainable Transport
- Policy SP8: Housing
- Policy SP9: Design and Sustainability
- Policy SP11: Natural Resources and Sustainability
- Policy SP13: Historic Environment
- Policy T1: Assessment of Transport Matters
- Policy T2: Parking
- Policy CGB1: Rural Areas beyond the Green Belt
- Policy CGB4: Existing buildings in the Rural Area Beyond the Green Belt
- Policy D1: Sustainable Design

Policy D3: Protecting Living Conditions
Policy D4: Air Quality
Policy NE4: Biodiversity and geological sites
Policy HE1: Designated Heritage Assets

2.3 **SPDs**

Vehicle Parking at New Development SPD (2011)
Design
Sustainability

2.4 **Baldock, Bygrave and Clothall Neighbourhood Plan**

Policy G3: Creating well designed places
Policy G4: Sustainable Design
Policy V2: Clothall and Luffenhall

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation –**

Summary of objections

Ten objections have been received in relation to the proposed new dwellinghouse. The objections raise concerns regarding the principle of residential development in this rural location, the impact on the character and appearance of Luffenhall, the setting of nearby listed buildings, highway safety, ecology, local services and the potential precedent for further development.

- Objectors consider that the proposal would be harmful to the rural character of Luffenhall, which is described as a small, historic hamlet characterised by dispersed dwellings, open gaps, hedgerows and a strong agricultural setting. Concerns are raised that the development would result in ribbon development and infilling between existing properties.
- Several objections state that the proposed dwelling would appear visually prominent and incongruous in views from Newell Lane, Newell Common and the wider countryside, including views towards Cromer Windmill. The design, extent of glazing and proposed metal roof are considered by objectors to be out of keeping with the traditional rural character of the area.
- Concerns are raised regarding the impact on the setting of nearby listed buildings, including Church Farm House, Tylers Barn and other Grade II listed properties within Luffenhall. Objectors consider that the proposal would erode the historic agricultural context and rural openness that contributes to their setting.
- Objectors question whether the proposal complies with relevant local and neighbourhood plan policies, particularly in relation to the re-use or replacement of existing buildings. It is argued that the existing chicken shed is dilapidated, partly collapsed and incapable of conversion without substantial reconstruction, and that the proposal would therefore amount to a new dwelling rather than conversion of an existing building.

- Highway safety concerns are raised in relation to the proposed access onto Luffenhall Lane, which is described as narrow, unlit, subject to a 60 mph speed limit and used by walkers, cyclists, horse riders and dog walkers. Objectors refer to poor visibility, the potential need to remove hedgerow or trees to achieve sightlines, and an increase in traffic from residents, deliveries and construction activity.
- Objectors raise concerns that the site is not sustainably located, with no local services, shops, employment opportunities or routine public transport, resulting in reliance on private vehicles.
- Ecological concerns are raised in relation to bats, badgers, birds, foxes, deer and other wildlife using the site and surrounding land. Several objectors question the reliability of the submitted ecological survey, stating that vegetation and habitat were cleared before the survey took place, and request further ecological assessment.
- Concerns are raised about local infrastructure, including existing low water pressure, interruptions to supply, absence of mains drainage and the proximity of the River Beane/chalk stream. Objectors consider that an additional dwelling could place further pressure on local services and drainage arrangements.
- Several objectors are concerned that granting permission would set a precedent for further residential development, enlargement of the proposed dwelling, additional buildings or further infilling within Luffenhall. Some request, if permission is granted, that permitted development rights are removed and conditions imposed to restrict future extensions, roof alterations, outbuildings or additional development.

3.2 **Hertfordshire Highways** – Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions

3.3 **Luffenhall Parish Meeting** – No response

3.4 **Environmental Health - Conditions**

Noise (and other nuisances):

The Environmental Protection and Housing Team have no objections to the proposals in relation to noise and other nuisances.

Land contamination:

Given the existing use and potential for historical contamination I recommend that information is obtained in this regard. To this end, I have drafted 2 conditions below for your consideration should you be minded to grant approval.

Air Quality:

North Herts Council have specific air quality planning guidance that can be found at <http://www.north-herts.gov.uk/home/environmental-health/pollution/air-quality/air-quality-and-planning>

3.5 **North Herts Waste and Recycling** – No response.

3.6 **North Hertfordshire Ecology – Conditions proposed**

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site comprises former Chicken shed barn with associated hardstanding located on the east side of the lane which runs north south through Luffenhall.

4.1.2 The site is within the hamlet of Luffenhall which comprises a small number of dwellings just to the north west of Cromer (a village in East Herts).

4.1.3 Church Farmhouse to the south is Grade II listed and also Tylers Barn further to the south is a Grade II listed house formerly a barn forming part of Church Farm.

4.1.4 The site lies within the Rural Area Beyond the Green Belt as designated in the North Herts Local Plan.

4.2 **Proposal**

4.2.1 Full planning permission is sought for the erection of one 3-bedroom dwelling with curtilage parking and landscaping following demolition of existing former poultry barn. The proposed development will comprise the replacement of the existing large former poultry barn with a detached, single storey 3-bedroom dwelling which will be sited largely on the footprint of the existing poultry barn to be removed. The height of the new dwelling would be no more than the original building (5.8 metres). The location of the dwelling and its associated driveway and turning area.

4.2.2 External materials would comprise of stained timber boarding above a red brick plinth, stained timber window frames and a grey standing seam metal roof. The dwelling would have an overall internal floorspace of approximately 225 sq metres. Two open gables add another 41 sq metres. Vehicular and pedestrian access is proposed by using the existing private driveway which accesses onto the unclassified lane that runs south from the junction with Newell Lane.

4.3 **Key Issues**

4.3.1 The key issues for consideration are the

- The Principle of Development
- The Impact on Designated Heritage Assets
- Sustainability
- Design, Layout and Impact on character and appearance of the area
- Living Conditions
- Landscaping and ecology
- Highways, Access, parking and impact on public footpath
- Environmental matters (Flooding, contamination, construction noise etc)
- Planning Balance

Principle of development

- 4.3.2 The site is in the Rural Area beyond the Green Belt in the adopted Local Plan. Policy SP5 states the Council will operate a general policy of restraint in Rural Areas beyond the Green Belt through the application of additional detailed policies. These policies are CGB1 and CGB4. Part d) of CGB1 is considered applicable, as the proposal relates to existing rural building. Policy CGB4 states that planning permission for the re-use, replacement or extension of buildings in the Rural Area beyond the Green Belt will be granted provided that:

b) Any existing building to be converted for re-use does not require major extension or reconstruction; c) The resultant building(s) do not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building(s); and d) Any outbuilding(s) are sited as close as possible to the main building(s) and visually subordinate to them.

- 4.3.3 The proposed development will comprise the replacement of the existing large former poultry barn with a detached, single storey 3-bedroom dwelling which will be sited largely on the footprint of the existing poultry barn to be removed. The existing poultry barn has a maximum ridge height of 5.8 metres and has a total footprint of approximately 350 sq metres. The building is spread over two floors with the ground floor of concrete block construction (in two compartments) with the upper floor of timber framing. The proposed dwelling would have an overall footprint of 266 sq metres resulting in a 24% reduction in built footprint on the site. The height of the dwelling would be the same as the height of the original barn (5.8 metres) but would have a low eaves height. The existing stable block located immediately adjacent the poultry barn will be retained as an outbuilding to the dwelling. In view of the reduction in footprint and eaves height it is considered that the resultant building would not have any materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building and given the condition of the existing building the would enhance its immediate setting.

- 4.3.4 The proposal is considered to meet c) and d) of Policy CGB4 above.

- 4.3.5 Policy V2 (Clothall and Luffenhall) of the Neighbourhood Plan (NP) states that in the case of Luffenhall development should *'be limited to those forms of development allowed by the North Hertfordshire Local Plan (excluding new housing, other than where it involves the conversion or replacement of an existing building and maintain the rural appearance and physical form of these villages, with narrow lanes bordered with trees and hedgerows, a lack of continuous urban frontages, most houses set well back from the road and an absence of footpaths and street lighting'*.

- 4.3.6 In this case it is considered that the development complies with the relevant LP policies and that the development, in maintaining the existing tree and hedgerow along the north and western boundaries with the new dwelling set behind this landscape buffer, will comply with Policy V2 of the NP.

- 4.3.7 The National Planning Policy sets out policies relating to rural housing within policy H011c *"The development would reuse a redundant or disused building and enhance its immediate setting"*. The thrust of policies is to promote sustainable development in rural areas, enhance or maintain the vitality of rural communities and avoid the development of isolated homes. The site is not in an isolated location within the countryside but forms part of the small settlement of Luffenhall. It is considered therefore that the proposal would not conflict with the NPPF relating to the provision of rural housing.

- 4.3.8 Overall therefore the proposed development in land use and locational terms is considered to be acceptable in principle.

The impact on designated heritage assets

- 4.3.9 The heritage assets affected by this proposal are Church Farmhouse and Tylers Barn to the south of the application site. Chapter 20. Conserving and enhancing the historic environment of the NPPF and Policies SP13 and HE1 of the local plan seek to ensure that proposals affecting heritage assets take account of the following:

- Enable the heritage asset to be used in a manner that secures its conservation and preserves its significance;
- Incorporate a palette of materials that make a positive contribution to local character or distinctiveness where it is appropriate and justified;
- Will lead to less than substantial harm to the significance of the designated heritage asset, and this harm is outweighed by the public benefits of the development, including securing the asset's optimum viable use

- 4.3.10 The submitted DAS includes a section on heritage impact which notes that the listed buildings to the south are physically separated from the site by a vegetated screen along the southern boundary stating that :

The presence of this vegetation ensures there is no visual relationship between the heritage asset and the site, therefore impacts to the heritage asset would be minimal; less than substantial, at the lower end of the scale, as a worse-case scenario.

The assessment further states:

Notwithstanding the close relationship between the proposed dwelling and Church Farmhouse the removal of the existing dilapidated barn and its replacement with a high quality and attractive dwelling that would be in keeping with the rural setting is likely to enhance the immediate setting of the heritage asset. This benefit of the scheme is considered to greatly outweigh any minimal harm that may arise from the development. The impact of the development on the setting of Tylers Barn is even less given its detachment from the application site by Church Farmhouse and the impact on this asset is arguably considered to be neutral.

- 4.3.11 I would agree with the above assessment. There is little doubt that the appearance and condition of the existing barn detracts considerably from the setting of the heritage assets to the south and indeed the wider area being visible from wider vistas.
- 4.3.12 Chapter 20. Conserving and enhancing the historic environment of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). In this case the proposal would remove barn of poor quality that is considered to have a neutral and / or detracting significance. The removal of this barn is assessed as having between major positive impact on the heritage significance of the adjacent listed buildings. Overall the proposal will not detract from the significance of the nearby heritage assets and would if anything enhance the wider setting of the heritage assets nearby.

Sustainability

- 4.3.13 The overarching purpose of the planning system is to contribute to achieving sustainable development, as stated in Chapter 4. Achieving sustainable development of the NPPF. This is considered against the three objectives of sustainable development, the economic, social, and environmental objectives.
- 4.3.14 Firstly, in terms of the economic objective, the proposed development would see the delivery of jobs during the build/construction phase which is a modest benefit.
- 4.3.15 Secondly, in terms of the social objective, this would add an additional dwelling to the districts housing figures which could be delivered in a relatively short space of time, which is a modest benefit. The Council currently cannot demonstrate a deliverable five-year supply of housing land as required by the Framework.
- 4.3.16 In terms of the environmental objective, it is acknowledged that future occupiers of this proposal would be reliant on private vehicles for the majority of their needs. This issue is covered in more detail in the section below on highway matters however the site is only a relatively short distance from Weston a category 'A' village which has a primary school and some local facilities. The site is also closer to Cottered to the east which also has some local facilities. Policy H06b of the Framework states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. This proposal, in providing a residential use for a redundant building has the potential to meet this objective.
- 4.3.17 More importantly however the proposal would enhance the setting of the adjacent heritage asset and redevelop previously developed land thus meeting policy H011c of the Framework.
- 4.3.18 The proposal will incorporate sustainable building features, such as an EV charging point solar panels and ASHP. Overall, these environmental benefits are deemed appropriate relative to the scale of development proposed.
- 4.3.19 As such, it is considered that the proposal accords with the three strands of sustainability and attributed due weight in the planning balance.

Design, layout and impact on the character and appearance of the area

- 4.3.20 Policy D1 of the Local Plan states that planning permission will be granted for development proposals that respond positively to the sites local context and create or enhance the public realm. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context.
- 4.3.21 The proposal would result in the removal of an unattractive and poorly maintained barn. There would be an immediate benefit to the appearance of the site through the removal of the existing development.
- 4.3.22 The proposed dwelling would be generally consistent with the pattern and scale of development in Luffenhall. It would form part of a group of residential buildings on this eastern side of Luffenhall lane and south of Newell Lane. It would not extend into open countryside. The low ridge height ensures that the dwellings sits comfortably within the landscape and the gabled roof and projecting gables would be in common with the design of several of the existing Luffenhall properties. The proposed dwelling has been designed with external materials that are in keeping with this rural location and the standing seam roof in

particular provides some historical connection to the former use of the site for agricultural use. The proposed development is therefore considered to respond positively to local context, in accordance with Policies SP9 and D1 of the Local Plan.

Living conditions and amenity of adjoining occupiers

- 4.3.23 Policy D1 of the Local Plan states that, amongst other things, development proposals should meet or exceed the nationally described space standards. Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.
- 4.3.24 The residential use of the site would be compatible with the adjoining residential use of neighbouring properties. As such, the scheme will not give rise to any materially adverse impacts upon the reasonable living conditions and well-being of neighbouring properties. This is in accordance with Policies D1 and D3 of the Local Plan.
- 4.3.25 The proposed dwelling at approximately 225 sqm would exceed the minimum nationally described space standards for a 3 bedroom/6-person property (95 sqm), would have sizable rear private amenity space, and would see all habitable rooms achieve suitable levels of natural light.
- 4.3.26 It is therefore my view that the proposal would not result in any harm to the reasonable living conditions and well-being of future occupiers.

Landscaping and ecology

- 4.3.27 The submitted Statutory Metric identifies the site biodiversity baseline as 3.59 Habitat Units with the post-development habitats of the site valued at 3.34 Habitat Units, a loss of 6.88%, which means that the development is unable to meet the mandatory requirement for 10% BNG on site. The May 2026 Planning, Design & Heritage Statement refers to off-site compensation and says in 5.54 'Off-site additional habitat can be provided within adjacent land to the east owned by the applicant.'. If this is the intention, as habitat gains are classified as off-site, they will need to be registered on the Natural England Biodiversity Net Gain (BNG) Site Register. Whilst there is no ecological objection to the principle of development at this site, information would need to be clarified to satisfy a Biodiversity Gain Plan via a condition.
- 4.3.28 In view of the above there are considered to be no objections to the landscaping and ecology matters under this application subject to conditions, in accordance with Policy NE4 of the Local Plan.

Access, parking and impact on public footpath

- 4.3.29 The NPPF also states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, and that where there are groups of smaller settlements, development in one village may support services in a nearby village. In this case there is other residential development nearby including at Cromer . In addition, whilst the NPPF seeks to avoid isolated homes in the countryside, there are several exceptions to this approach as set out in Policy H011 c where a development would re-use redundant or disused buildings and enhance its immediate setting, would be relevant in this case.

- 4.3.30 The location of the site does present an opportunity to drive a short distance or cycle to nearby facilities in Weston, a category 'A' village or the larger towns of Baldock, Letchworth and Stevenage. This proposal will also include the availability of high-speed broadband for home working and shopping and the proposed installation of electric vehicle charging points are further options which will reduce the reliance on petrol and diesel cars.
- 4.3.31 Overall the limited scale of the development means that the number of car journeys would not be significant and given the proximity of a range of services in nearby Baldock and Stevenage and slightly further afield in Letchworth, the majority of journeys are likely to be short.
- 4.3.32 In taking account all of the above, it is considered that the proposal would be reasonably located in terms of access to local services and facilities and would facilitate sustainable modes of transport in a manner commensurate to its scale and location. Given the guidance in the NPPF it is considered that there are not sufficient highway concerns to justify a refusal of planning permission on highway grounds in this instance.
- 4.3.33 In terms of parking, the development would provide off-street parking spaces for several vehicles in accordance with parking guidelines set out in the Council's parking guidance SPD.
- 4.3.34 Hertfordshire Highways have revised their comments following their initial concerns and objections and recommended conditions and informatives. Following a Speed Survey requested by Highways during the application, the Highway Authority is satisfied the visibility splays for the existing access are appropriate. The highway authority has not objected to the proposed development in terms of highway safety or amenity and their objection is based on the development not promoting sustainable transport.

Environmental matters

- 4.3.35 The proposed development, by virtue of its limited scale would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with the criteria set out in Policy D1 'Sustainable Design' of the North Hertfordshire Local Plan 2011-2031 and Chapter 5 - 'Meeting the challenge of climate change,' of the NPPF 2026.

4.4 Conclusion and planning balance

- 4.4.1 The site is located within the Rural Area Beyond the Green Belt but within reasonable distance to other villages and settlements that provide local services (such as schools, pubs, churches, village halls). Although of minor benefit, the development would contribute in a very modest way to the Council's housing supply. The proposal would be in compliance with Policy CGB4 of the Local Plan concerning the replacement of existing rural buildings in the Rural Area Beyond the Green Belt, and policy H011c of the NPPF which allows for the housing development in the countryside that would re-use redundant or disused buildings and enhance its immediate setting.
- 4.4.2 The proposal would enhance the setting of the adjacent listed buildings in conformity with Policy HE1 of the Local Plan and the guidance set out in Chapter 20. Conserving and enhancing the historic environment of the NPPF. This aspect of the scheme can be given considerable weight.
- 4.4.3 The dwelling has been designed with a mix of traditional and contemporary features which respect the rural character and appearance of the area. As such, the proposal is deemed in

accordance with Policies SP9 and D1 of the Local Plan and Chapter 14. Achieving well-designed places of the NPPF. This should be given moderate weight.

- 4.4.4 The proposal is a small site that will deliver measurable gains in biodiversity, in accordance with Policy NE4 of the Local Plan. These are small but important benefits to the scheme.
- 4.4.5 The proposal is considered acceptable in terms of parking provision and highway safety having regard to the low level of traffic on the adjacent lane and the low number of traffic movement generated. The proposal would comply in general terms with Policies T1 and T2 of the Local Plan.
- 4.4.6 There are some negative aspects to the scheme such as the lack of sustainable transport choices but these concerns are considered to be outweighed by the benefits outlined above.
- 4.4.7 An important consideration in the planning balance is that the proposal would not have a greater impact upon the openness and character and appearance of the area than the building that would be replaced. Therefore, in the circumstances it is considered appropriate that permitted development rights for extensions and outbuildings be removed. As such permitted development could result in harm to the openness and character and appearance of the area compared to the existing circumstances. The removal of permitted development rights would not prevent such developments but introduce control by the Local Planning Authority over such matters.
- 4.4.8 The Council is currently unable to demonstrate a five-year supply of deliverable housing sites. The proposal therefore needs to be considered having regard to the presumption in favour of sustainable development set out at Policy S3 of the NPPF (2026). As the application site is located outside a defined settlement, Policy S5 is applicable. Policy S5(1)(j) identifies development which would address an evidenced unmet need, including housing proposals where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, as a form of development which should be approved unless the benefits would be substantially outweighed by adverse effects, subject to the development being physically well-related to an existing settlement and of a scale that can be accommodated having regard to existing or proposed infrastructure. The proposal would provide an additional dwelling and would therefore make a modest contribution towards addressing the identified housing shortfall. Furthermore, the development would replace an existing disused and visually poor-quality poultry barn, resulting in the removal of a redundant agricultural structure and associated visual improvement to the site. Whilst the proposal is located within the countryside, the reuse/replacement of an existing building and the limited scale of the development weigh in favour of the proposal. The lack of a five-year housing land supply is a material consideration which weighs in favour of the proposal.
- 4.4.9 Overall, taking all matters into account, the proposal complies with the Local Plan and the NPPF as a whole and the application is recommended for approval, subject to conditions.

Alternative Options

None applicable

Pre-Commencement Conditions

I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

6.0 **Recommendation**

6.1 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 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. No development shall commence until a Reasonable Avoidance Measures (RAMs) Method Statement for Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority. The content of the Method Statement shall include the appointment of an Ecological Clerk of Works (ECoW), pre-commencement site searches, phased vegetation clearance, and procedures to be followed should Great Crested Newts be encountered. The works shall be carried out strictly in accordance with the approved details and retained as such thereafter

4. No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as the inclusion of integrated bird/bat and bee boxes in the new dwelling has been submitted to and approved in writing by the local planning authority.

5. Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

6. No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:
- A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;

- A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study);
- A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation)

All such work shall be undertaken in accordance with BS:10175:2011 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health and the wider environment.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

7. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Method Statement shall include details of:

- Access arrangements to the site.
- Traffic management requirements.
- Construction and storage compounds
- Cleaning of site entrances, site tracks and the adjacent public highway.
- Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding which must be kept within the site boundary, pedestrian routes and remaining road width for vehicle movements

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

8. Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number (VS01). The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

9. The new dwelling hereby permitted shall only be finished in grey standing seam metal roof, and red brick plinth and oak posts a beams as stated on application form and

drawing number KIN/25/03 and thereafter shall be retained as such, unless otherwise agreed in writing by the LPA.

The stained timber windows and doors and stained timber boarding on elevations, of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the building is in-keeping with the host property and to protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

10. Prior to commencement full details of all hard and soft landscaping measures, including boundary treatment, shall be submitted to and approved in writing by the Local Planning Authority.

Then 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, and to comply with Policy Policy D1 and NE2 of the North Hertfordshire Local Plan 2011 to 2031.

11. None of the trees 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, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

12. Any tree 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, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

13. Before the commencement of any other works on the site, trees 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. 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 to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

14. Prior to the first occupation of the dwelling(s) hereby approved, details of the Air Source Heat Pump(s) shall be submitted to the LPA and approved in writing and installed on site (for each dwelling).

Reason: To ensure that there are no adverse impacts on the design of the dwelling hereby approved or adverse harm on the amenities of the neighbouring occupiers. Local Plan Policies D1 and D3.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, AA, B, C and E of Part 1 (and any further new class that may be introduced by way of an update) 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.

Biodiversity Net Gain

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply

(<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to

apply.

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.

Informative/s:

1. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>
The Biodiversity Gain Plan should be submitted as an 'application for approval of details reserved by condition following grant of planning permission' via the Planning Portal.
2. AN1) 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.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements 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.aspx> or by telephoning 0300 1234047.

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN4) Gravel / shingle driveways: Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto 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. Further information is available by telephoning 0300 1234047

3. Environmental Health Informative:

During the construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

4. Environmental Health Informative:

During the construction works phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

5. External materials informative:

Further to condition X (external materials), with regards to submitting details to the Council when an application to discharge the condition is made, in the first instance please provide a website link / photographs / brochure details of the proposed material choice. If it is necessary to submit an actual sample, this Council will only accept a single brick or tile or sample panel without prior agreement. If you need to submit a sample larger than this, please contact the named case officer for your discharge of condition application to determine if the materials are to be viewed on site or if it / they can be delivered to the NHDC Council Offices. In the event that a larger sample is delivered to the Council Offices please ensure that you arrange collection / removal of the sample once the discharge of condition application is agreed.

Signed  Sarah Kasparian	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 20 August 2026	