

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02077/FP	Erection of one self-build 3-bed dwelling including parking and hard and soft landscaping (as a variation of planning permission 23/02234/FP granted 14.03.2024)	Land Adjacent To Wymondley Bury Lodge St Marys Church Road Little Wymondley Hertfordshire SG4 7JN

Submitted Plan Nos

LD763-E01 LD763-E02 LD763-P01 LD763-P02 LD763-P03 LD763-P04

SP2 Settlement Hierarchy and Spatial Distrib

SP5 Countryside and Green Belt

D1 Sustainable design

D2 House exts, replcmnt dwellings outbuild

D3 Protecting living conditions

NE4 Biodiversity and geological sites

SP12 Green infrastructure, landscape and biod

HE1 Designated heritage assets

SP13 Historic environment

SECN12 Achieving well-designed places

SECN13 Protecting Green Belt Land

SECN14 Meeting climate change,coastal,flooding

SECN15 Conserve + enhance natural environment

SECN16 Conserve + enhance historic environment

2.0 **Site History**

2.1 24/02261/DD - Demolition of existing garages – Prior Approval not Required

2.2 23/02234/FP - Erection of one detached 3-bed dwelling including associated access, parking and landscaping following demolition of existing garages. – Conditional Permission

3.0 **Representations**

3.1 **Neighbour Consultation** – 1x Objection:

- Lack of allocation for housing.
- Sufficient allocations for housing in the village, therefore there is no need for additional housing.
- Proximity of heritage assets including listed buildings and conservation area.
- Purposeful dereliction of building pre-existing.
- Prior applications refused on conservation grounds for smaller forms of development.
- Increase in height is unjustified.
- Cause of overlooking into neighbouring properties.
- Visually intrusive and detrimental to outlook.
- Queries prior use of the land and the site.
- Damage to private roads in previous uses.
- Restrictions for access during construction, to not permit private driveway use.
- Request for a restriction of working hours.
- Flood risk is of concern in the area.
- Out of character and harmful to local area.

3.2 **Parish Council** – No representation received.

3.3 **Archaeology** – No Comments.

3.4 **Highways** – Does not wish to restrict grant of permission. No conditions recommended. Level of development is not considered to generate extra movements which would lead to demonstrable harm to the highway network in terms of free flow and capacity. Private track to site limits control by Highways Authority.

3.5 **Conservation** – No Comments.

3.6 **Ecology** – Development is self-build, and is therefore exempt from nationally required BNG. Recommends Landscape and Ecological Management Plan condition, with reference to the implementation of the submitted document.

3.7 **Environmental Health:**

Noise: No Objection.

Contaminated Land: No Objections. Recommends conditions.

Air Quality: Recommends EV Charger condition.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site comprises a plot of land adjacent to Wymondley Bury Lodge, near to Little Wymondley. The site is in the Green Belt and is accessed off St Mary's Church Road.

4.2 **Proposal**

4.2.1 Planning Permission is sought for the erection of one self-build 3-bed dwelling including parking and hard and soft landscaping (as a variation of planning permission 23/02234/FP granted 14.03.2024).

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The principle of the development.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Principle of Development:

4.3.2 The site is outside of the adjusted settlement boundary of Little Wymondley, and sits on Green Belt land. Policy SP2 permits housing within the adjusted settlement boundary of the village of Little Wymondley, however, this does not apply.

4.3.3 This application follows on from a previous application for a dwelling in this location, approved under LPA reference, 23/02234/FP, granted permission in March 2024. The report discusses the application of the tilted balance, given the lack of a 5 year housing land supply, and also concludes that the development would comprise limited in-filling in this location due to the proximity to Little Wymondley's settlement boundary, and the physical relationship with the village. Given that this permission is extant and is for a

similarly sized dwelling in this location, I consider that this should be a material consideration. Furthermore, I consider that the matters discussed in this report remain consistent with and applicable to this decision.

- 4.3.4 At present, the LPA cannot demonstrate a 5-year housing land supply, and therefore, the presumption in favour of sustainable development is engaged in accordance with paragraph 11(d) of the NPPF, where permission should only be refused if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The site is in relative proximity to Listed Buildings, an asset discussed by footnote 7 under Paragraph 11d. Subject to the consideration of heritage impacts below, the tilted balance is considered to apply in this case, with favourable weight afforded to the delivery of housing on this windfall site.

Sustainability:

- 4.3.5 The application site is in proximity Little Wymondley and to Stevenage, both with various amenities in walking distance and proximity to public transport nodes. Therefore, the site is considered to be in a suitably sustainable location. The proposal would provide economic benefits from the use of local contractors and businesses for construction, maintenance and other servicing when occupied. Social benefits would arise from the provision of a dwelling to contribute to the district housing land supply, which the LPA cannot presently demonstrate a 5-year housing land supply.

Design and Appearance:

- 4.3.6 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings to incorporate design that is sympathetic to the main building in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.
- 4.3.7 The proposed bungalow would be constructed with a 1.5 storey height gables to the side and rear elevations. Materials are proposed to comprise red brick, black timber fascia soffits and barge boards, and plain clay roof tiles. White UPVC windows are proposed. The proposed materials of construction are considered to be suitably traditional, and would not appear out of place in the context of the nearby dwellings and converted barns. The dwelling would be comprise a layout whereby parking would be to the northern boundary off, the access, and a lawn would surround all other elevations, with a patio immediately to the eastern and northern elevations of the dwelling. A fence would run around most of the boundary, resulting in some screening of and for the dwelling from nearby plots and roads. The choices of hardstanding is considered to be considered acceptable, and are not considered to be visually adverse or out of place given the variety locally.
- 4.3.8 The proposed development is therefore considered to be in compliance with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

Heritage Impacts:

- 4.3.9 Policy HE1 emphasises how permission will be refused where proposals would cause substantial harm or a loss of significance to a Heritage Asset, in this case, the Conservation Area, and permission should be refused unless it can be demonstrated that the proposal is necessary to deliver considerable public benefits to outweigh this harm or loss. Policy SP13 emphasises how great weight will be given to the potential harms to the significance of heritage assets, seeking their conservation and management of their setting. This policy is broadly consistent with Section 16 of the National Planning Policy Framework. Section 72 of the Planning (Listed Building and Conservation Areas) act 1990 emphasises that development should seek to the preservation or enhancement of the Conservation Area.
- 4.3.10 The application site is in relative proximity to a Listed Building, sharing the access track, and to the site of the dwelling hereby proposed. The Conservation Officer has not raised an objection, and given the screening, traditional nature of the proposal, and the proposed layout, it is not considered that the proposed development would be significantly detrimental to the significance or setting of this heritage asset. It is noted that a representation raises concern regarding proximity to and potential impacts to the Conservation Area, and this is acknowledged, however, the distance to the nearest conservation area is not considered to result in the development being harmful to its significance.
- 4.3.11 The proposed development is therefore considered to be in compliance with Policies HE1 and SP13 of the Local Plan 2011-2031 and Section 16 of the NPPF are considered to be complied with. The development is considered to comply with Section 72 of the Planning (Listed Building and Conservation Areas) act 1990. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

- 4.3.12 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.13 The application site is to the west of a group of converted barns, and to the south of a pair of dwellings. The eastern boundary of the access road comprises a thick hedge, though there are some gaps through which views can be gained. Given the 1.5 storey height of the building, the hedge, and the dwelling's location to the opposite side of this track, I do not consider that the proposal would be overbearing for these neighbours. Some light would be lost during the evening notably for 'The Stables', 'The Granary' and 'Tithe Barn', however, this would not be significant that it would be sufficiently detrimental to the amenities of these occupiers to warrant refusal. Outlook from the dwelling would predominantly be away from neighbouring dwellings, however, the window serving Bedroom 3, would be at first floor level and would look directly towards the parking and amenity area serving the neighbouring group of converted barns. Furthermore, it is noted that the first-floor side window serving the approved/extant dwelling would also be overlooking this area, and was previously considered to be acceptable. In addition, the presence of the hedge is considered to reduce the sense

and actual overlooking of these dwellings to a degree. Therefore, in the round the neighbour impacts are considered to be acceptable.

- 4.3.14 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Standard of Amenity for Future Occupiers:

- 4.3.15 The proposed dwelling would comprise approximately 122 sqm of internal accommodation. This would exceed the minimum requirement, as set by the Nationally Described Space Standards, of 102 sqm. Built in storage is also shown on floor plans to meet the minimum requirement. The dwelling would benefit from amenity space comprising front and rear gardens, among other amenities accessible in Little Wymondley and Stevenage. The dwelling would not be dominated or overlooked by these neighbouring properties, and would therefore be acceptable. Some trees are close to the garden, but are not considered to be overbearing.

Environmental Implications:

- 4.3.16 The proposed development, by virtue of it comprising a self-build dwelling is exempt from nationally required Biodiversity Net Gain. Ecology have considered the LEMP to be acceptable and recommend its implementation by way of a condition. Therefore, ecological impacts would be acceptable.
- 4.3.17 The dwelling would benefit from an air source heat pump, a positive feature for improving the efficiency of the property.

Highways Impacts:

- 4.3.18 Highways have not objected, with their primary comments relating to the fact that the private track up to the dwelling limits their control. The proposed dwelling would benefit from sufficient parking space to meet the minimum requirements set by the Parking at New Developments SPD. Given that the matters raised in the comments relate to damage to a private road, this would comprise a civil matter, and therefore cannot be considered.

Other Matters:

- 4.3.19 It is considered prudent to restrict permitted development rights owing to the proximity of nearby heritage assets green spaces to the site.

4.4 Conclusion

- 4.4.1 The proposed development is considered acceptable and complies with both local and national planning policies.

4.5 Alternative Options

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

4.6.1 The agent has confirmed agreement to the pre-commencement conditions.

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 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 approved by this permission shall take place until a Phase 2 ground investigation report, as recommended by the previously submitted Lucion Ground Engineering Ltd report dated December 2024 (Ref: 122194), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

Reason: To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the Environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

4. 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 prevent unacceptable risk to Human Health and Controlled Waters and to

prevent pollution of the Environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

5. All ecological measures and/or works shall be carried out in accordance with the details contained in the January 2025 Landscape and Ecological Management Plan and Landscape Plan as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. The approved measures must be implemented on site prior to occupation of the dwelling hereby approved and retained on site thereafter.

Reason: To ensure that works are ecologically sensitive and result in an enhanced natural environment in accordance with NE4.

6. 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.

7. 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.

8. 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, C and E 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.

9. Prior to occupation, the new dwelling shall incorporate an Electric Vehicle (EV) domestic charging point.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

10. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding properties. The development shall be carried out as approved.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to comply with Policy D1 of the Local Plan.

11. 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 NE2 of the North Hertfordshire Local Plan 2011 to 2031.

12. The materials of construction proposed on document LD763 P05 shall be implemented on site, prior to first occupation, and shall be retained thereafter unless agreed in writing by the Local Planning Authority.

Reason: In the interest of design, to comply with North Herts Local Plan Policies D1, D2 and D3.

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

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. 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.

2. EV CHARGING POINT SPECIFICATION INFORMATIVE:

A charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments).

- o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed determination point within a garage or an accessible enclosed termination point for future connection to an external charge point.

- o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).

- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 10 December 2025	