

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01850/FP	Erection of chalet bungalow following demolition of existing buildings	Fen Farm Rabley Heath Road Codicote Welwyn Hertfordshire AL6 9UA

Submitted Plan Nos

6194-P01-C 6194-OS1 A 6194-OS1 B 6009-E01

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
SP2	Settlement Hierarchy and Spatial Distrib
SP5	Countryside and Green Belt
T1	Assessment of transport matters
T2	Parking
NE4	Biodiversity and geological sites
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN14	Meeting climate change,coastal,flooding
SECN15	Conserve + enhance natural environment

2.0 **Site History**

- 2.1 25/00044/FP - Conversion of existing stables into dwelling following demolition of outbuildings – Conditional Permission

3.0 **Representations**

- 3.1 **Neighbour Consultation** – None received.

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

3.3 **Environmental Health:**

Contaminated Land:

- No Objection. Recommends conditions.

Noise:

- No Objection. Recommends informative.

Air Quality:

- No Objection. Recommends EV Charger condition.

3.4 **Highways** – Does not wish to restrict grant of permission:

“The Highway Authority responded to planning application 25/00044/FP in March 2025. Our response was to approve the application subject to one condition. The amended elements of the previous submission have been reviewed and are considered to have no impact on the highway network. As such, our previous comments remain valid, including the condition relating to cycle storage provision. The Highway Authority therefore does not wish to restrict the granting of planning permission.”

The previous representation asked for the inclusion of a cycle storage condition, and the addition of informatives to the decision.

- 3.5 **Ecology** – Advises development is bound by BNG regulations to deliver BNG on site. Recommends inclusion of standard BNG gain condition. Concludes that the development is unlikely to have significant ecological impacts.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises Fen Farm, a residential dwelling off Rabley Heath Road, Welwyn. The site is within the Green Belt.

4.2 **Proposal**

- 4.2.1 The erection of a chalet bungalow following the demolition of an existing building and other buildings.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:

- The principle of the development in the Green Belt.
- 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 the Development – Green Belt:

- 4.3.2 The site is washed over by the Green Belt, and is outside of the defined settlement boundary of Hitchin. Therefore, the provisions of Section 13 of the NPPF, and Policies SP5 of the Local Plan 2011-2031 would be triggered.

The application site is outside of Codicote's defined settlement boundary, and is therefore permitted by Policy SP2 of the Local Plan 2011-2031.

- 4.3.3 Turning to Paragraph 154 of the NPPF, I consider that exception g) is triggered. The proposal seeks to demolish the existing stable building, remove the containers and other equestrian buildings, and replace them with a dwelling. The wording of the exception is below:

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

Previously developed land (PDL) is defined in the NPPF Glossary as:

Previously developed land: Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously

developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

- 4.3.4 I have no reason to believe the use of the site, for residential purposes with ancillary equestrian uses it not lawful. I consider that the stable and other buildings are of permanent construction. I do not consider that the use is agricultural, or for forestry. Given the semi-rural location of the site, I do not consider that the land is in a built-up area, and consider that this area of the site to be within the residential curtilage of the dwelling, but not part of the garden. I consider the land to be previously developed.
- 4.3.5 The submitted planning statement indicates that the proposal would result in a net reduction in built volume, and I consider that the relatively infrequent nature of visits to a dwelling, compared to the regular nature of agricultural/equestrian buildings would be less intensive. There would be an increase in height to the front of the site, where, most of the buildings being replaced are single storey in height or less than single storey in height. Therefore, there would be some visual impacts owing to the 1.5-2 storey height of the dwelling. I do not consider that this would be substantial owing to the set-down levels of the site compared to the road edge, and its set back from the public realm. Therefore, I consider that exception g) would be complied with.
- 4.3.6 The proposed development is considered acceptable in principle in respect of Green Belt policy. The proposal complies with Local Plan Policy SP5 and Section 13 of the NPPF.

Sustainability:

- 4.3.7 The site is in relative proximity to Codicote, a village benefitting from various amenities including a public house, shop, restaurants and bus stops providing travel into the wider area. I consider that the site is a suitably sustainable location. Social benefits would arise from the provision of a single dwelling on a windfall site, and economic benefits would arise due to the use of local contractors during construction and when occupied. Local businesses would also benefit from the occupants using their services.

Design and Appearance:

- 4.3.8 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.

Appearance:

- 4.3.9 The proposed dwelling would comprise a chalet bungalow with 3 No. pitched roofed dormers to the principal and rear roof slopes. A flat roofed porch is proposed to the principal elevation to provide access, and materials of construction would comprise a brick plinth, render to the walls, and clay roof tiles. Locally, the street scene varies, though there are similar chalets in the local area. I consider that the appearance of the

dwelling would be suitably sympathetic to the local area and would not appear at odds with the street scene. A bin/bike store is provided to the side elevation, adjacent to the northern boundary of the property. I do not consider that this would appear out of place in this location, and consider that it would be acceptable in design terms. The design is considered to be suitably sympathetic, in line with Policy COD1 of the Codicote Neighbourhood Plan.

Layout and Landscaping:

- 4.3.10 The proposed dwelling would be sited on the existing footprint of the stable building, to the side/slightly forward of the existing main dwelling. I consider the layout would not be cramped or result in an overdevelopment of the site. It is noted that the planning statement advises there would be an opportunity to enhance the landscaping with the introduction of hedging and other planting, securable by condition. I consider that the layout would be acceptable, and subject to the implementation of a suitably worded landscaping condition, would be acceptable. This would comply with the provisions of Policy COD16 of the Codicote Neighbourhood Plan by softening visual impacts locally.

Access:

- 4.3.11 Access would be provided off the existing driveway serving the main dwelling, with parking provided off this, and gate access provided to the rear garden serving the new dwelling. The access to the main dwelling would remain open. I therefore consider that this would be acceptable.
- 4.3.12 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.

Standard of Amenity for Future Occupiers:

- 4.3.13 The proposed dwelling would benefit from approximately 197 sqm of internal floor area. The space standards for a 4 bedroom, two storey dwelling would be 97-124 sqm, and therefore, the space standards would be exceeded. At least 3 sqm of built in storage would be required, and this would be provided throughout the property.

Impact on Neighbouring Properties:

- 4.3.14 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.
- 4.3.15 The application site is neighboured to the north/east by 'The Gables', a two storey residential dwelling. The proposed dwelling would sit approximately 29m from this neighbour, and would be set on a similar land level. There is existing landscaping on this shared boundary, and there would be a net reduction in built form adjacent to this boundary owing to the removal of the buildings. Given the separation distance, and the presence of hedging, I do not consider that the proposal would be unacceptably overbearing for these neighbouring occupiers. Some light may be lost, given the siting of the dwelling to the south, however, I do not consider that this would be significant or

objectionable. Outlook from the dwelling would be to the front and rear, and would therefore not look directly into the neighbouring curtilage at The Gables, particularly due to the aspect from this rear roof slope being to the south east, rather than into the neighbouring curtilage. Therefore, impacts to privacy would not be unacceptable.

- 4.3.16 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.

Highways and Parking:

- 4.3.17 The proposed development would be served by a minimum of two parking spaces that are off-street, therefore impacts to parking provision locally would not be harmful. Highways have not objected, and therefore, I do not consider that detrimental impacts to the safe operation of the highway would arise.

Environmental Implications:

- 4.3.18 The proposed development, by virtue of its limited scale in general terms together with the sustainable location would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

Biodiversity and Ecology:

- 4.3.19 Ecology have been consulted, and have advised that the proposed is subject to mandatory biodiversity net gain. They have also advised that the proposal would not have a significant impact existing ecological assets within the site. They advise of the inclusion of an informative relating to the disturbance of bats within the building. The implementation of BNG would comply with Policy COD17 of the Codicote Neighbourhood Plan.

Other Matters:

- 4.3.20 Given the rural, green belt location, together with the relatively constrained nature of the site, I consider it is prudent to restrict the permitted development rights for the new dwelling.

4.4 Conclusion

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 Alternative Options

- 4.5.1 None applicable.

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 the following has been submitted to and approved in writing by the Local Planning Authority:
 - o A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;
 - o A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study);
 - o 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.

4. Prior to the first commencement of the development hereby permitted a plan of cycle parking should be submitted in accordance with (Cycle Infrastructure Design' DfT Local Transport Note 1/20 (July 2020) and approved in writing by the Local Planning Authority. Prior to first occupation the approved scheme shall be fully implemented and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

5. Details and/or samples of materials to be used on all external elevations and the roof 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 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.

5. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved detail.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the North Herts Local Plan policy NE4.

6. 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.

7. Prior to the commencement of the development hereby permitted full details of all hard and soft landscaping as well as boundary treatment shall be submitted to and approved in writing by the Local Planning Authority.

The approved details of soft 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. Approved hard landscaping and boundary treatment details shall be implemented prior to the first occupation of the dwelling hereby permitted.

Reason: To ensure satisfactory landscaping and to comply with Policies NE2 and D1 of the Local Plan.

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. 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.

During the construction phase no noisy 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 noisy work at any time.

2. If bats or evidence of them are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 23 September 2025	