

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00718/FP	Decarbonisation works, including: the provision of insulated rendering to external walls, a substation, air source heat pump and associated enclosure, and the installation of photovoltaic panels on roofs. Changes to western access gate and ground re-enforcement of access.	Hitchin Swimming Pool Fishponds Road Hitchin Hertfordshire SG5 1HA

Submitted Plan Nos

HSC-SBA -XX -00 -DR -A -10010 P03 HSC-SBA -XX -RF-DR -A -10012 P03 HSC-SBA -XX -XX-DR -A -00501 P05 HSC-SBA -XX -XX-DR -A -00503 P07 HSC-SBA -XX -XX-DR -A -00504 P04 HSC-SBA -XX -XX-DR -A -10210 P05 HSC-SBA -XX -XX-DR -A -10211 P04 HSC-SBA -XX -XX-DR -A -10212 P01 HSC-SBA -XX -XX-DR -A -10213 P01 HSC-SBA-XX-00-DR-A-10010-P02 HSC-SBA-XX-01-DR-A-10011-P02 HSC-SBA-XX-XX-DR-A-00120-P04 HSC-SBA-XX-XX-DR-A-00220-P04 HSC-SBA-XX-XX-DR-A-00221-P04 HSC-SBA-XX-XX-DR-A-00502-P03 HSC-SBA-XX-XX-DR-A-10111-P01 HSC-SBA-XX-XX-DR-A-10210-P03 HSC-SBA-XX-XX-DR-A-10211-P03 HSC-SBA-ZZ-00-DR-A-00020-P04 HSC-SBA-ZZ-01-DR-A-00021-P04 HSC-SBA-ZZ-RF-DR-A-00022-P04 HSC Plant Sketch - Level 00 EDS 07-3102.01 C Sheet 1 of 3 EDS 07-3102.01 A Sheet 2 of 3

1.0 Policies

Policies

National Planning Policy Framework

Section 2 – Achieving sustainable development
Section 8 - Promoting healthy communities
Section 9 - Promoting sustainable transport
Section 11 – Making effective use of land
Section 12 – Achieving well-designed and beautiful places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Documents and other.

GDPO
Design SPD 2011
Sustainability SPD 2024
Vehicle Parking Provision at New Development SPD

North Herts Local Plan 2011-2031 Local Plan and Proposals Map

Policy SP2 Settlement Hierarchy and Spatial Distribution
Policy SP9 Design and Sustainability
Policy SP10: Healthy Communities Policy
SP11: Natural resources and sustainability
Policy SP12: Green infrastructure, landscape and biodiversity
Policy T1 Assessment of Transport Matters
Policy T2 Parking
Policy ETC3 New retail, leisure and other main town centre development
Policy D1 Sustainable Design

Policy D3 Protecting living conditions
Policy HC1 Community facilities
Policy NE4 Biodiversity and geological sites
Policy NE12 Renewable and low carbon energy development

2.0 **Site History**

2.1 24/02241/PRE Internal and external alterations

2.2 12/02273/1 Single storey side extension to provide 3 additional dance studios. Expansion of car park facilities by increase of 4 parking spaces and introduction of pedestrian pathway, motorbike parking and increased cycle parking provision. (Amended plans received 09/11/12 and amended plans and DAS received 29/11/12). CP

2.3 08/00329/1 Extension of swimming centre reception CP

3.0 **Representations**

Statutory Consultees

3.1 **Herts Highways – No objection - Informatives**

The HA is being reconsulted on a revised Construction Traffic Management Plan (CTMP) which has taken on board the HA's comments dated 7 May 2025. The HA has reviewed the revised CTMP (27-05-25 Rev 4) and all the comments raised by the HA have been satisfactorily addressed in the revised CTMP. Consequently, the HA has the following comments to make but with the CTMP condition removed.

Following amendments to the CTMP

The Highway Authority (HA) is being consulted on a revised Construction Traffic Management Plan (CTMP), seeking to amend the delivery times to be restricted to the period 9.30 to 14.30, Monday to Friday, whenever schools are open, and between 8:00 and 13:00 on Saturdays. The suggested restricted delivery times do not deleteriously impact into the times stipulated in the agreed CTMP, therefore the HA raises no objection to the revised restricted delivery times.

3.2 **North Herts Environmental Health :**

Thank you for consulting Environmental Protection on this application.

The application is supported by a noise assessment which concludes that there will be a low impact from the proposed plant. I agree with this conclusion and raise no objections to the proposals.

3.3 **North Herts Ecology – Conditions**

I would have no ecological objection to the proposal.

The March 2025 Statutory Biodiversity Metric records the site as achieving a 12% gain in Habitat Units and 10.67% gain in Hedgerow Units. Thereby meeting the mandatory requirement of 10%.

The preliminary ecological appraisal advised further bat roost assessment. Three surveys were undertaken and the final report confirms that an individual common pipistrelle bat was using the roof of the gym building as a day roost. As such the report advises that an EPS mitigation licence will be required from Natural England and the following condition should be added to any permission granted

3.4 Hitchin Forum – comments

In principle we are supportive of the aims of the project. We have the following comments:-

Our main concern lies with the offloading and manoeuvring of deliveries, their likely conflict with traffic on the A505, and with pedestrians (including small children and groups of children) and cyclists using the 3 metalled footpaths bordering the site. Vague terms like "pedestrian pavement temporarily closed during delivery" for managing this safely are inadequate, we believe.

Also we are unsure of what is proposed (including any phasing) to protect existing Complex users during the works - unless the Council are intending to close the entire facility for 9 months.

We are not convinced of the visual implications of the existing red brick being coated by "offwhite/beige render". Trial panels may be helpful.

We note the proposal to widen the Western vehicular access gate 'to suit UKPN tracking'. The current gate width is 4.2m – what is the proposed widening, please?

3.9 Neighbour Representations

Hitchin Boys School - Comment

Whilst we support this Application in principle, we would like to share our concerns and comments on the Construction Transport Management Plan (CTMP) and on remediation of the land during and at the end of construction.

Construction Transport Management

Butts Close is described in the Application as parkland but it is at times a very busy thoroughfare – both the Transverse Path and Elmside Walk are used by the children and parents of our school (and two other nearby schools) to cross to and from their homes. These are the only metalled pathways they can use where children are not in very close proximity to fast traffic on an A road. These two pathways are the only way that parents with buggies and children with bikes r scooters can cross north or south on a sufficiently smooth surface. This makes the gated entrance at the north corner of Butts Close, or Elmside Walk, severe pinch points if this is also where deliveries will be made for this project.

We therefore strongly suggest that the following are included in Planning Conditions:

- *Deliveris to be restricted to the period 0930 to 1430, Monday to Friday, whenever schools are open, to accommodate the influx of children who leave their schools at 1500 or 1515*

- A Gatemaan, in additions to a Traffic Marchall, both appropriately trained, to be on site at all times that deliveries are made
- A Banksman system in Place
- Barriers or tapes to be placed to ensure separation of vehicular traffic and pedestrians and removed at the end of the week and replaced on Mondays. This will minimise opportunities for mischief and allow the Close to revert to its parkland functions at weekends
- Pedestrians including children to have access to the metalled pathways eto enable them to continue to bring scooters, buggies and the like onto the transverse path.

We note that the contractors are Champions for Construction Logistics and Community Safety (CLOCS). We commend this and anticipate that our concerns, together with our suggestions for addressing them, will be adopted.

Remediation of Butts Close land

The project is scheduled to take 35 weeks. There will likely be some damage both to the metalled pathways and to the grassed land of the Close. We ask that there is a named manager to hold the responsibility for ensuring that remedial work is carried out in a timely manner.

Friends of Butts Close - Comment

This application is for major work on the energy systems at the pool and gym complex. It will involve installing Air Source Heat Pumps, roof and wall insulation and arrays of solar panels. All of the completed work will be within the current boundary of the pool and gym complex. We support this Application in principle. We commend in particular the detailed work in the Biodiversity Net Gain Assessment and in the Preliminary Ecological Appraisal. Our concerns and comments focus on the Construction Transport Management Plan (CTMP) and on remediation of the land during and at the end of construction.

Construction Transport Management

Butts Close is described in the Documentation as parkland, and it is indeed a green lung close to the centre of our town. But it is also at times very busy. There are three nearby schools, whose children and their parents use both the Transverse Path and Elmside Walk to cross to and from their homes. These are the only metalled pathways they can use where children are not in very close proximity to fast traffic on an A road. These two pathways are the only way parents with buggies and children with bikes or scooters can cross north or south on a sufficiently smooth surface. This makes the gated entrance at the north corner of Butts Close, or Elmside Walk, severe pinch points if this is also where deliveries will be made for this project. We therefore strongly suggest that the following are included in Planning Conditions:

- Deliveries to be restricted to the period 9.30 to 14.30, Monday to Friday, whenever schools are open, to accommodate the influx of children who leave their schools at 15.00 or 15.15.
- A Gateman, in addition to a Traffic Marshall, both appropriately trained, to be on site at all times that deliveries are made
- A Banksman system is in place

- Barriers or tapes to be in place to ensure separation of vehicular traffic and pedestrians and removed at the end of the week and replaced on Mondays. This will minimise opportunities for mischief and allow the Close to revert to its parkland functions at weekends
- Pedestrians including children to have access to the two metalled pathways to enable them to continue to bring scooters, buggies and the like onto the transverse path. 2 We note that the contractors are Champions for Construction Logistics and Community Safety (CLOCS). We commend this and anticipate that our concerns, together with our suggestions for addressing them, will be adopted.

Remediation of Butts Close land

The project is scheduled to take 35 weeks. There will likely be some damage both to the metalled pathways and to the grassed land of the Close. We ask that there is a named manager to hold the responsibility for ensuring that remedial work is carried out in a timely manner.

Following amended CMTP and conditions regarding gates and remediation the following comments were made:

The Applicant has satisfactorily addressed all of our concerns

62 Fishponds Road - Supports

We welcome the application and intended progress towards a sustainable facility.

Given that this is a public building within a conservation area we note the signage of the facility was only ever installed using temporary materials in a temporary nature using segmented plastic sections crudely screwed in to place. Hence presumably why the signs do not feature on the submitted existing elevations and there is no obvious record of a planning consent having been applied for them. With investing into the external fabric of the building we suggest that this should also include higher quality and permanent signage, where directly fixed to the building and also where they have been temporarily clamped around external street furniture.

The public realm is significantly affected by the visitor numbers during the warmest summer days and perhaps the officers visit will coincide with this window to gain an appreciation of the facility at its greatest capacity. The path access along Elmside Walk, which is within the application boundary, is used by vehicles to the facilities and is significantly broken up and pitted. Much of the street furniture is damaged, misaligned or broken. Bin numbers are insufficient creating a significant amount of daily waste with no available bin space. All of which could reasonably be addressed within this scheme as a landscaping or public realm consent condition.

The environmental noise assessment of the acoustic enclosure to the ashps doesn't appear to include the same sample time windows as the extremities of the operational hours for the proposed plant noted as 5am to 11pm. There is acknowledgement within that the plant may be a disruption in itself, irrespective or perceived background noise. The energy statement makes no specific requirement for such a long window of operation. It doesn't seem unreasonable that slightly curtailed hours of eg 7am to 10pm

be imposed so as to avoid introducing nighttime noise disruption. Alongside an operational noise assessment to validate the installation against the stated intent.

In summary we support the application, whilst looking for a broader scope of requirements imposed through conditions to bring the facility forward.

4.0 Planning Considerations

4.1 Site and Surroundings

- 4.1.1 The Hitchin Swim Centre is positioned on the south side of Fishponds Road, between the grounds of Hitchin Boy's School and the open space of Butts Close. A swimming pool has been on the site since 1938, and there is a car park area at the front of the site, with the original open air swimming pool to the south of this. The enclosed swimming pool and Archers Gym are positioned to the south of the open air pool, and are accessed from the car park via a public footpath (Elmside Walk) on the east side of the site. There is a mature hedge boundary on the south and west boundaries with Butts Close, and an area of open lawn area within the site.

4.2 Proposal

- 4.2.1 Planning permission is sought for the decarbonisation works, including: the provision of insulated rendering to external walls, a substation, air source heat pump and associated enclosure, and the installation of photovoltaic panels on roofs. Changes to western access gate and ground re-enforcement of access.

- 4.2.2 Additional works being undertaken are set out below and included on the provided plans; this has been done for transparency purposes and because they feed into the wider sustainability benefits (which the submitted Energy Statement captures). However, it is emphasised that these works are not subject to consideration as part of the application.

- Internal changes (do not require planning permission)
 - Thermostatic Radiator Valves and zonal controls for heating
 - Storing the rejected heat from the Combined Heat and Power
 - Demand Control ventilation for feasible areas
 - Passive Infrared Sensor in office areas
 - Replace existing heat emitters for low temperature hot water emitters
- Not requiring planning permission (permitted development no prior notification required)
 - An Air Source Heat Pump and associated enclosure (to the south of the building)
- De minimis works (as confirmed with Case Officer as part of pre-application process) – Replace flat roof areas with new higher performing system.
 - Remove existing roof tiles / pantiles, relay a higher performing insulation, relay roof tiles

4.3 Key Issues

4.3.1 The key issues are:

- Principle of development and Policy compliance
- **Decarbonisation works**
 - Design and layout, visual impact on the character of the area
 - Impact on Heritage Assets – Conservation Area
 - Impact on neighbouring properties
- Highway impacts
- Biodiversity net gain, Landscape and Ecology
- Planning Balance

Principle of development and Policy compliance

- 4.3.2 The proposal includes works to the existing leisure centre, located within the settlement boundary of a main town in North Hertfordshire (Policy SP2), which will secure environmental improvements to the building, reducing its carbon impact. This is supported under Policies SP1, SP2, NE12 and D1 of the Local Plan.
- 4.3.3 'Policy SP1: Sustainable development in North Hertfordshire' supports development that will 'secure any necessary mitigation measures that reduce the impact of development, including on climate change'.
- 4.3.4 Policy NE12: Renewable and low carbon energy development' and 'Policy SP11: Natural resources and sustainability' broadly support the provision of renewable and low carbon energy development in appropriate locations.
- 4.3.5 Policy D1: Sustainable design' further seeks to ensure that development proposals 'reduce energy consumption and waste'. Specific requirements/provisions are subsequently set out in the Sustainability SPD
- 4.3.6 The principle of the decarbonisation works are also supported at a National level through legislation, National Policy Statements and the Net Zero Strategy. The NPPF states '*in determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).*'
- 4.3.7 In assessing renewable and low carbon energy proposals the Council will give significant weight to their local and wider benefits, particularly the potential to reduce greenhouse gas and other harmful emissions, and the social benefits of community owned schemes.
- 4.3.8 On 21 May 2019, the Council passed a Climate Emergency motion which pledged to do everything within the Council's power achieve zero carbon emissions in North Hertfordshire by 2030. As one of the first councils to pass this motion, NHDC is leading the way on climate action. This declaration asserted the Council's commitment toward Climate Action beyond current government targets and international agreements.

- 4.3.9 Within the submitted Energy Statement it is stated that the proposed works would achieves low carbon energy at the silver standard, as per the North Herts District Council Sustainability SPD.
- 4.3.10 They go on to state that in regards to optimizing passive design & fabric performance the proposed development would meet Silver Standard criteria in the Sustainability SPD– *Being an existing building there is limited opportunity for the optimisation of – Being an existing building there is limited opportunity for the optimisation of orientation and layout. In addition, leisure centres have a high energy consumption compared to many other building types, due the hot water demand, making EUI targets unrealistic to achieve. All over silver criteria has been met and surpassed such as an on-site carbon reduction of 79.3% against the existing building being achieved, which far exceeds the 35% identified in the SPD. In addition, provision of numerous low carbon alternative technologies have been specified.”*
- 4.3.11 Also in regards to achieving low carbon energy – Silver Standard has also been met – *several low carbon technologies have been considered with the most appropriate systems being utilised which maximise the carbon/energy saving in respect to cost and feasibility of implementation. Furthermore, the building has maximised its PV provision were feasible, intern generating enough electricity equivalent to 19% of the building operation energy through PV generation onsite”*

Decarbonisation works

- 4.3.12 The proposed decarbonisation works for Hitchin Swimming Centre include:

The thermal upgrade of external walls and roof and terrace. Replacement glazing and ASHP enclosures and substation and PV panels on the roof. It is also proposed to increase the width of the existing gate on the western boundary, as well as ground re-enforcement to an access route in this location.

The proposal also includes the provision of additional landscaping and will deliver a biodiversity net gain (BNG) meeting the requirement for a 10% gain.

- 4.3.13 The decarbonisation works constitute enhancements to the building and these will help to support the ongoing operation of Hitchin Swimming centre, reducing operational costs and the long-term suitability of the building for its purpose; this will ensure that it can continue to act as a facility which supports and improves health outcomes in line with the aspirations of policy SP10 – Healthy Communities.

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

- 4.3.14 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site’s local context in addition to other criteria. 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. These considerations are echoed in Section 12 of the NPPF.
- 4.3.15 The external works comprise the installation of photovoltaic (PV) panels onto the pitched roof of the leisure centre, set within the roof finish. The PV panels will be in portrait

orientation and in two rows along the roof of the swimming pool hall, as well as on the rear slope of the southern roof

- 4.3.16 There will also be a new external insulated off white/beige render applied to the walls and the existing windows will be like for like in appearance and rooflights will be replaced with matching aluminium double glazed units. The fascia depth will increase to accommodate additional insulation above the rafter line. The new fascia will have a visual step to reduce it's impact. Minor adjustments will be undertaken to rainwater goods accordingly.
- 4.3.17 There will also be an enclosure containing three air source heat pumps (ASHP) adjacent to the existing plant entrance. These will be screened behind the existing retaining wall, alongside an Envirofence close-boarded acoustic timber fence, with planting to the east and south to screen the enclosure from the swimming pool hall. There will also be another, smaller proposed ASHP enclosure to the south-east of the building, also screened by timber fencing.
- 4.3.18 There will also be a new substation installed to the west of the swimming centre, behind a new retaining wall and screened with planting to the north. The existing track will have grass reinforcement to provide substation and ASHP maintenance access.
- 4.3.19 The existing palisade gate providing service access to the site from the west will be replaced with a wider version designed to match the style and colour of the existing gate. This will require the removal of one Category C (low quality) tree and a small section of hedgerow. The track will also be widened near the entrance to improve access, with the existing embankment to be adjusted accordingly.
- 4.3.20 Overall, it is considered that the design and layout of the proposed scheme are acceptable. As such, the proposal would accord with Policies SP9 and D1 of the Local Plan and Section 12 of the NPPF in terms of the design and layout of the scheme.

Impact on Heritage Assets – Conservation Area and BLI

- 4.3.21 The application site is located in the Butts Close Conservation Area and within the setting of the 1930s Locally Listed Outdoor Swimming Pool.
- 4.3.22 Within a Conservation Area, the Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in the exercise of planning powers, in conservation areas “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”. In addition, Section 66(1) requires that when considering whether to grant planning permission for development which affects a listed building or its setting, special regard shall be had to the desirability of preserving the building or its setting.
- 4.3.23 When considering the impact of the proposal on the Butts Close Conservation Area, although the proposed development would be visible within the context of the conservation area, such as the PV panels, the updated render and windows, and the new, larger access gate which will have a similar appearance to the existing gate, these proposals are not considered harmful to the character and appearance of the

conservation area or common land, and will enable the long-term sustainability and use of the site, as well as improving the external appearance of the building with the new render, windows and rooflights.

- 4.3.24 When considering the impact of the proposal on the Outdoor Swimming pool, the proposed works are considered enhance the appearance of the site, as well as improve the sustainability and efficiency of the building, allowing for the long-term use of the site, including the Outdoor Swimming Pool. As such, the scheme is considered overall to have a less than substantial harm on the contribution that the site makes to the setting of the Outdoor Swimming Pool.
- 4.3.25 Therefore, given the above, it is my opinion that in summary, the works are considered to have a neutral impact on the historic character and setting of the locally listed building and conservation area and as such are acceptable in planning terms.

Impact on neighbouring properties

- 4.3.26 Local Plan policy D3 Protecting Living Conditions states that: *"Planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions. Where.....the living conditions of an existing development would be affected by a proposed use, the Council will consider whether there are mitigation measures that can be taken to mitigate the harm to an acceptable level. If the Council is not satisfied that mitigation proposals would address the identified harm, development proposals will not be permitted."*
- 4.3.27 Hitchin Swimming Centre is located away from any residential properties. Therefore, the proposal is unlikely to result in any material harm upon the reasonable living conditions and well-being of neighbours. This is in line with Policy D3 of the Local Plan.

Highway access and car parking

- 4.3.28 'Policy T1: Assessment of transport matters' requires that development proposals assess their impact on the highways network. 'Policy SP6: Sustainable transport' further requires proposals to promote the use of sustainable transport modes insofar as reasonable and practicable.
- 4.3.29 'Policy T2: Parking' seeks to secure appropriate parking provision on sites. Within the Planning Statement the agent has outlined that *No additional car parking is proposed on site. The site is located in a sustainable location the heart of Royston and the use of sustainable modes of transport to travel to this site should be encouraged. It is also noted that parking surveys have been undertaken which confirm that there is existing parking capacity to justify this approach and it is noted that there is limited land available on site to deliver additional car parking spaces in any case.*
- 4.3.30 No changes are proposed to the existing access or egress routes from the building or to the site. The propose widening of the gate on the western boundary would be of similar appearance and the increase in width is required for the installation and maintenance of the new substation. I have recommended a condition for the appearance to be similar to the existing as shown on submitted supporting document showing examples - Pallisade Gate with mesh screen in green to match existing.

- 4.3.31 A Construction Management Plan has been submitted and amended during the application process to incorporate requests from Hitchin Boys School and Friends of Butts Close. Highways have raised no objections.

Biodiversity net gain, Landscape and Ecology

- 4.3.32 Consultation with North Herts Ecologist has confirmed that the proposals will deliver a biodiversity net gain on-site which complies with legal requirements, specifically a 12% net gain in habitat units and a 10.67% gain in hedgerow units
- 4.3.33 The development will retain existing trees and hedges where possible to support biodiversity and provide a mature landscape setting. It is identified there will be a requirement to remove 1 Category C, low quality tree (T4). There will also be a requirement to partially remove the northeastern section of hedgerow H1. The new tree and scrub planting proposed as part of the scheme is also considered to mitigate the loss of the tree proposed for removal.
- 4.3.34 The preliminary ecological appraisal advised further bat roost assessment. Three surveys were undertaken and the final report confirms that an individual common pipistrelle bat was using the roof of the gym building as a day roost. As such the report advises that an EPS mitigation licence will be required from Natural England. NHs Ecologist has recommended a Bat Condition.

4.4 Conclusion

- 4.4.1 The proposed development in terms of its design, impact on amenity issues, ecology impacts, landscape impacts, highways and parking standards, is acceptable and considered to comply with the provisions of the Local Plan policies and the National Planning Policy Framework. The general principle of the decarbonisation works is also supported under local policy by virtue of the environmental improvements that will be delivered and the NPPF gives significant weight to these benefits in the planning balance.

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. Roofing works being undertaken likely to cause harm to bats shall not in any circumstances commence unless the local planning authority has been provided with either:
 - a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure the safeguarding of Bats in accordance with Policy NE4 of the Local Plan.

4. Following completion of the development, a condition survey of the adjacent highway network and any other public infrastructure (including Butts Close) affected by construction traffic shall be undertaken and submitted to the Local Planning Authority. Where the survey identifies damage resulting from construction-related activities, a scheme for the repair and reinstatement of the affected areas shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 6 months of completion.

Reason: To ensure that any damage to the public highway or infrastructure caused by construction traffic is properly remedied in the interests of highway safety, visual amenity, and the proper functioning of public services.

5. The Replacement widened gate that adjoins Butts Close as shown on approved Proposed Site Plan 00503 P07 shall be a Pallisade Gate with mesh screen in green to match the existing as per example 2 as shown in the submitted supporting document unless otherwise agreed in writing by the LPA.

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.

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. The Council acted proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. 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. Should this application be approved HCC recommends inclusion of the following Advisory Notes (ANs) to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

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-developerinformation/development-management/highways-development-management.aspx>

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 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-developerinformation/development-management/highways-development-management.aspx>

Road Deposits: It is an offence under Section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party

responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developerinformation/development-management/highways-development-management.aspx>

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