

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02078/FP	Erection of one self-build detached 1- bed dwelling including landscaping and parking (as amended by plans received 19/11/24 and 25/11/24)	Land Adjacent To Calebs Cottage Stevenage Road St Ippolyts Hitchin Hertfordshire SG4 7PE

Submitted Plan Nos

Location Plan 23/02/03 23/02/10 23/02/02A 23/02/04A

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
D4	Air quality
HE1	Designated heritage assets
NE2	Landscape
NE4	Biodiversity and geological sites
SECN11	Making effective use of land
SECN12	Achieving well-designed places
SECN15	Conserve + enhance natural environment
SECN16	Conserve + enhance historic environment
SECN5	Delivering sufficient supply of homes
SECN9	Promoting sustainable transport

SP12	Green infrastructure, landscape and biod
SP13	Historic environment
SP1	Sustainable development in North Herts
SP2	Settlement Hierarchy and Spatial Distrib
SP6	Sustainable transport
T2	Parking
T1	Assessment of transport matters
SP9	Design and Sustainability

2.0 **Relevant site history**

2.1 Various non-relevant householder applications to the existing dwelling Calebs Cottage.

3.0 **Representations**

3.1 **Parish Council** - It was agreed by St Ippolyts Parish Council at the 11th November Parish Council meeting to object to this planning application as it is over development in garden land with no satisfactory road access.

3.2 **Waste Officer** – No objections raised.

3.3 **Environmental Health** – No objections.

- 3.4 **Ecologist** – No objection. The application is not subject to mandatory Biodiversity Net Gain as it is a self-build but NPPF expectations for development to deliver a net gain for biodiversity would still apply. As such an Ecological Enhancement Plan condition is advised.
- 3.5 **HCC highways officer** – Does not wish to restrict permission.
- 3.6 **Conservation Officer** - It is considered that the proposal would neither harm the significance of listed buildings nearby by adversely impacting upon their setting or harm the character or appearance of the St Ippolyts Conservation Area. The proposal therefore satisfies the provisions of Sections 66(1) and 72(1) of the Planning (LB & CA) Act 1990 and will accord with Section 16 of the Framework and Policy HE1 of the North Hertfordshire Local Plan 2011 – 2031, and is **UNOBJECTIONABLE** in heritage terms.

(Full comments on file/website)

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a square-shaped area of land between two dwellings. It's approx. one half of the plot and rear garden of two storey detached dwelling Calebs Cottage. The site is approx. at most 1m higher than the adjacent public highway Stevenage Road. The site is largely enclosed by fences and vegetation, and includes some small trees.
- 4.1.2 The site is the centre of St Ippolyts, which has a lower density residential character. Nearby dwellings are detached and semi-detached. The site is in a Conservation Area. There are listed buildings to the NE and NW that adjoin and are opposite the site.

4.2 **Proposal**

- 4.2.1 The erection of a detached one bedroom bungalow with a pitched roof and associated change of use of the land. Calebs Cottage would remain with a smaller plot. A new vehicular access would be created onto Stevenage Road to serve the new dwelling. New hard and soft landscaping would be included.

4.3 **Key Issues**

- 4.3.1 The key material considerations are whether the development is acceptable in principle, design and heritage, impacts on residential amenity, future living conditions, highways and parking, and trees and landscaping and ecology.

Principle

- 4.3.2 The site is within St Ippolyts, a Category A village under Policy SP2 of the adopted Local Plan, where general development will be allowed within the defined settlement boundaries, which is the case with the site. New residential development on the site is therefore acceptable in principle and complies with Policy SP2 of the Local Plan.

Design and heritage

- 4.3.3 The site for the proposed dwelling was used as a car park for pub 'The Olive Branch', which is now a dwelling and adjoins the site to the west. The site became part of the garden of Calebs Cottage in the 1980's and does not show evidence of its former use (this also being the case for The Olive Branch).
- 4.3.4 The result is that the site is an area of land between two dwellings, which is in the core of the village of St Ippolyts and which has a residential character. A further dwelling therefore fits in with this residential character in an overall sense.
- 4.3.5 The size of the site is approx. half of the plot of Caleb's Cottage (CC), and the new proposal would reduce the size of the plot of CC as well as doubling the density of residential development here. The resulting plot sizes are not however considered overly small in the context of the locality, and are acceptable in this respect.
- 4.3.6 The new dwelling would be a bungalow and set in from all sides of the site, with its front elevation being a similar distance from Stevenage Road as CC. It's not therefore considered that the proposed dwelling would appear cramped within the site.
- 4.3.7 The new dwelling would be comparable or smaller than nearby dwellings in footprint, floorspace, height, size and bulk. The dwelling would be of a more traditional design and style, and the proposed external materials would be in keeping with other nearby dwellings (with details to be required by condition). In response to the Parish Council objection, there are no objections from the highways officer; and the proposal is not considered overdevelopment as the new dwelling is a relatively small bungalow set in from the site boundaries and would have sufficient amenity space etc. given it would only have 1 bedroom. It's considered that Class A and Class E permitted development rights should be removed by condition due to the smaller size of the site and its more sensitive location in a Conservation Area.
- 4.3.8 Taking into consideration the comments from the Conservation Officer, the proposal is not considered harmful to the significance of the Conservation Area, and to the settings and significance of nearby listed buildings, all of which are designated heritage assets, and the proposal does not conflict with S72(1) and S66(1) respectively of the Planning (Listed Buildings and Conservation Areas) Act 1990. The design is acceptable and complies with Policies D1 and HE1 of the Local Plan, and Sections 12 and 16 of the NPPF.

Neighbour amenity

- 4.3.9 The proposed dwelling will not harm the amenity of the dwelling to the rear of the site as the proposed dwelling is a bungalow with no roof accommodation, it would have a reasonable separation from the rear boundary, and the rear boundary is comprised of an approx. 4m high fence/hedge/outbuilding which would substantially obscure the proposed dwelling. The bungalow would not affect the amenity of dwellings on the other side of Stevenage Road.
- 4.3.10 The property that adjoins the west boundary of the site is dwelling Olive Branch (OB). The dwelling would be sufficiently far from OB itself to not affect any of its rooms. The dwelling would be closer to the rear garden of OB, however it's not considered that it would harmfully affect the garden as it would be substantially obscured by vegetation, and the impacts would be limited by it being a bungalow with only ground floor

accommodation. It is not considered that there would be harmful noise etc. concerns as the site is already part of a residential garden.

- 4.3.11 The other adjoining property is dwelling Caleb's Cottage (CC), home to the applicant. It's not considered that the proposed dwelling would adversely affect CC as it would be a bungalow with a more limited height, set away from the boundary, would have a depth similar to CC, partially obscured by a garage in the site, and does not have any ground floor side openings that could be affected. Views from the side windows facing CC would be considered to be sufficiently obscured by vegetation to not cause harmful loss of privacy. Impacts on amenity are acceptable, and comply with Policy D3 of the Local Plan.

Future living conditions

- 4.3.12 The proposed dwelling would be considered to receive acceptable outlook, light and privacy. The size and quality of internal accommodation is considered acceptable. The size and quality of the rear garden is considered acceptable given it would be a one bedroom dwelling, and the remaining rear garden of CC is also considered to be of an acceptable size. Future living conditions are therefore acceptable. The proposal complies with Policy D1 of the Local Plan.

Parking and highways

- 4.3.13 The proposed dwelling would have one parking space, which complies with minimum standards and is acceptable. Bin and cycle storage have not been shown, however the site is considered sufficiently large to accommodate these, and details can be required by condition. The proposed access to the public highway is considered acceptable, with no objections from the highways officer. The proposal complies with Policies T1 and T2 of the Local Plan.

Landscape and trees and ecology

- 4.3.14 There are no significant trees that will be affected by the proposal. The site is already landscaped and managed with planting with the new driveway and access not considered significant, therefore landscaping is acceptable. A condition will be imposed requiring details of new hard and soft landscaping.
- 4.3.15 The proposal is not subject to mandatory 10% biodiversity net gain requirements as it would be a self-build dwelling. It's not considered that protected species or their habitats would be adversely affected. The Council's Ecologist has not objected, but has recommended a condition requiring ecological enhancements to deliver a net gain, which is considered reasonable given this is supported by Local Plan Policy NE4 and the NPPF. The proposal complies with Policies NE2 and NE4 of the Local Plan.

4.4 Balance and conclusion

- 4.4.1 The LPA is not able to demonstrate a 5 year housing land supply. In assessing the proposed development under the NPPF para. 11 d), it's not considered that there would be adverse impacts from the development, and there would be a limited benefit of a new single dwelling in a more sustainable location.

4.4.2 In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

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. Precise details or actual sample of the roof material for the dwelling shall be submitted to and approved in writing by the Local Planning Authority prior to the roof being covered. Thereafter the roof shall be implemented in accordance with the approved roof material.

Reason: To ensure that special regard is paid to character and appearance of the St Ippolyts Conservation Area under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031. To comply with Policies D1 and HE1 of the Local Plan.

4. The walls, windows, timber post and braces shall be implemented in accordance with the materials as set out on approved drawing no. 23/02/03 unless otherwise agreed and approved in writing by the Local Planning Authority. To comply with Policies D1 and HE1 of the Local Plan.

Reason: To ensure that special regard is paid to character and appearance of the St Ippolyts Conservation Area under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

5. Prior to occupation, the approved new dwelling shall incorporate an Electric Vehicle (EV) ready 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. To comply with Policy D4 of the Local Plan.

6. Prior to commencement of the approved development, landscaping details shall be submitted to the LPA for approval and shall include the following:
 - a) which, if any, of the existing vegetation is to be removed and which is to be retained
 - b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting
 - c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed
 - d) the location and details of cycle and bin storage

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

7. 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.

8. In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with BS10175:2011. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990. To comply with Policy NE11 of the Local Plan.

9. No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as hibernacula, the inclusion of integrated bird/bat and bee boxes in buildings/structures and hedgehog holes in fences, has been submitted to and approved in writing by the local planning authority. The approved measures must be implemented on site prior to the first occupation of the first dwelling hereby approved and retained on site thereafter.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework. To comply with Policy NE4 of the Local Plan.

10. Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing (23/02/10) in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). To comply with Policy T1 of the Local Plan.

11. 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 (23/02/10) 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). To comply with Policy T1 of the Local Plan.

12. 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 Management Statement shall include details of:

Access arrangements to the site.

Traffic management requirements.

Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas).

Siting and details of wheel washing facilities.

Cleaning of site entrances, site tracks and the adjacent public highway.

Provision of sufficient on-site parking prior to commencement of construction activities.

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). To comply with Policy T1 of the Local Plan.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A 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.

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. The Council acted proactively through positive engagement with the applicant during the determination process 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.

Signed  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 5 March 2025	