

DELEGATED FILE NOTE

CASE OFFICER: ...Vicki Wood.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01710/S73	Removal Condition 7 (Archaeological Written Scheme of Investigation) and vary Condition 8 (Installation of fire sprinkler system) of planning permission reference 25/00018/FP granted on 22/10/2025 for Change of use from a funeral parlour - E(c)(ii), to 4 number dwellinghouses - C3(a) and associated single storey extensions. Removal of existing entrance portal and installation of new privacy gates following demolition of existing car port roof structures (as amended by plans nos. PL001A _ PL202A received 26.08.2025).	23a Hitchin Street Baldock Hertfordshire SG7 6AQ

Submitted Plan Nos

CH-2418-PL001 A CH-2418-PL100A CH-2418-PL110 CH-2418-PL115 CH-2418-PL201C CH-2418-PL200C CH-2418-PL202A CH-2418-PL210 CH-2418-PL215

1.1. National Planning Policy Framework (2026)

Chapter 4 Achieving sustainable development
Chapter 5 Meeting the need of climate change
Chapter 6 Delivering a sufficient supply of homes
Chapter 7 Building a strong, effective economy
Chapter 8 Ensuring the vitality of town centres
Chapter 14 Achieving well-designed places
Chapter 15 Promoting sustainable transport
Chapter 19 Conserving and enhancing the natural environment
Chapter 20 Conserving and enhancing the historic environment

1.2. North Hertfordshire Local Plan (2011-2031)

Strategic Policies

Policy SP1 Sustainable development in North Herts
Policy SP2 Settlement Hierarchy and Spatial Distribution
Policy SP9 Sustainable design
Policy SP13 Historic environment

Development Management Policies

Policy D1 Sustainable design
Policy D2 House extensions, replacement dwellings and outbuildings
Policy D3 Protecting living conditions
Policy ETC5 Secondary Shopping Frontages
Policy HE1 Designated heritage assets
Policy HE4 Archaeology
Policy NE4 Biodiversity and Geological sites
Policy HS3 Housing Mix
Policy SP3 Employment
Policy SP9 Design and Sustainability
Policy T1 Assessment of transport matters
Policy T2 Parking

1.3 Baldock, Bygrave & Clothall Neighbourhood Plan (2021)

Policy G3 Creating well designed places
Policy G4 Sustainable design
Policy G5 Baldock Conservation Area
Policy G6 Local heritage assets

1.4 Supplementary Planning Guidance

Parking 2011
Sustainability 2014

2.0 **Relevant Site History**

- 2.1 Planning permission was granted under reference 25/00018/FP for Change of use from a funeral parlour - E(c)(ii), to 4 number dwellinghouses - C3(a) and associated single storey extensions. Removal of existing entrance portal and installation of new privacy gates following demolition of existing car port roof structures (as amended by plans nos. PL001A · & PL202A received 26.08.2025).

3.0 **Representations**

- 3.1 **Press, Site and Neighbour notification** – One comment has been received from No.2 Saddlers Close, Baldock stating that that works should be carried out to a suitable standard and fitting with the area.

Baldock, Bygrave and Clothall Neighbourhood Group – None received.

Conservation Officer – None received.

HCC Historic Environment (Archaeology) – None received.

Environmental Health (Noise, Nuisance & Contaminated Land) – No objection.

HCC Highway Authority – No objection.

Waste & Recycling – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

The application site comprises a former funeral (Class E) located to the rear of No. 23 Hitchin Street, Baldock. The site is also to the rear of the White Hart pub.

The site includes some block/brick-built structures with a pitched and sloping roofs linking these structures. roof located at the northeastern end of the site forming the eastern boundary. The central part of the site was used for vehicle parking. The yard is enclosed by high brick wall on the northern and southern boundaries. Vehicular access is provided to Hitchin Street.

Nos.23 and 25 Hitchin Street are Grade II listed buildings and No.21 is Grade II*

The White Hart Public House is not listed.

Nos.1 & 2 Saddlers Close to the rear of the site are located within a location which has a neutral/negative impact on the Conservation Area.

The site is within the Baldock Conservation Area.

4.2 **Proposal**

- 4.2.1 Removal Condition 7 (Archaeological Written Scheme of Investigation) and vary Condition 8 (Installation of fire sprinkler system) of planning permission reference 25/00018/FP granted on 22/10/2025 for Change of use from a funeral parlour - E(c)(ii), to 4 number dwellinghouses - C3(a) and associated single storey extensions. Removal of existing entrance portal and installation of new privacy gates following demolition of

existing car port roof structures (as amended by plans nos. PL001A ·& PL202A received 26.08.2025).

4.2.2 Condition 7 of 25/00018/FP states:

“A) No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

- 1. The programme and methodology of site investigation and recording*
- 2. The programme for post investigation assessment*
- 3. Provision to be made for analysis of the site investigation and recording*
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation*
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation*
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.*

B) The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under A)

C) The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: The site lies within an area where there is significant potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permission and to comply with Policy HE4 of the North Hertfordshire Local Plan 2011-2031.”

4.2.3 Condition 8 of 25/00018/FP states:

“Prior to the occupation of the all of the dwellings hereby permitted a fire sprinkler system shall be installed within the dwellings and permanently maintained as such.

Reason: To accord with the request of the Fire Authority given the difficulty of access for emergency vehicles. To comply with Policy D1 of the North Herts Local Plan.”

4.1. **Key Issues**

4.3.1 The key issues for consideration are:

- The impact the development would have by the removal of Condition 7 and 8 on the historic environment and the safety of future occupiers of the units.
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Impact of the Proposed Removal of Conditions

4.3.2 The proposal would result in the removal of two conditions, one relating to archaeology (Condition 7) and the other relating to the installation of a fire sprinkler system (Condition 8).

- 4.3.3 Condition 7 was included in the original approval following a consultation response from Hertfordshire County Council's Historic Environment Team which includes Archaeology regarding the potential impact of proposed development on archaeological remains.
- 4.3.4 In the current submission to remove this condition, the applicant states that they wish to remove the condition "*...as the site has been extensively developed since the late 1800's, the conservation officer noted in his report: OS map regression shows that various buildings have occupied this backland site since at least from the late C19. The current (existing) level of development includes a full concrete oversite with multiple surface water drainage points, 2 modern canopies with structure through the slabs. It would seem that due to these existing slabs, the site would be disturbed to an approx 500mm depth over its entirety, 1000mm at the structural column points, and potentially up to 1200mm for the surface and foul water runs. Any undisturbed surfaces would most likely be solid chalk.*"
- 4.3.5 Whilst the Senior Historic Building Officer advised in his consultation response of 19th February 2025 that there is some potential for heritage assets with archaeological significance to be buried on the land, hence the recommended conditions as attached to the original approval, ground conditions set out in this application were not, as I understand, apparent. Given the comment of the Conservation Officer at para. 4.3.4 I consider the Condition 7 to be somewhat excessive. In recommending that this condition be removed, I will include an Informative that should any finds be made during the course of the development, works on site should cease and an archaeologist shall be informed and allowed to observe any further works and record any items of interest.
- 4.3.6 Condition 8 was included in the original approval following a response from the Fire Authority regarding the need for a sprinkler system to be installed within the dwellings. The applicant now wishes to remove this condition to allow for the use of an alternative system. Whilst this is a valid condition, the building is not a listed building and, in my view, is a matter to be agreed with the Fire Service under Building Regulation requirements.
- 4.3.7 The appearance of the development would remain consistent with the approved scheme.

Impact on Heritage Assets

- 4.3.8 Where development proposals affect a listed building or its setting, and are located within a Conservation Area, the Council is required to have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest that it possesses, as well as preserving or enhancing the character or appearance of the Conservation Area, in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Chapter 20 of the National Planning Policy Framework (NPPF) relates to the conservation and enhancement of heritage assets which is reflected in Policy HE1 of the Local Plan.
- 4.3.9 Chapter 20, Policy HE6 (Proposals affecting designated heritage assets) of the NPPF make it clear that when considering the impact of development on the significance of a designated heritage asset, substantial weight should be given to its conservation. The Framework also emphasises that the more important the heritage asset, the greater the weight that should be attached to its conservation when balancing potential impacts against other material considerations.

- 4.3.10 The proposed removal of Conditions 7 and 8 would not result in any significant impact on the character and appearance of the conservation area. As such, I am satisfied that the proposal would not cause harm to the heritage significance of the conservation area and would be in accordance with Policy HE1 of the Local Plan and Chapter 20 of the NPPF.

Archaeology

- 4.3.11 When considering the impact of the proposed removal of Condition 7 on the significance of a designated heritage asset, including archaeological remains, Chapter 20 of the National Planning Policy Framework (NPPF) requires great weight to be given to the asset's conservation. The NPPF further advises that the more important the heritage asset, the greater the weight that should be afforded to its conservation.
- 4.3.12 Given the circumstances set out in the application the site already lies in a built-up area and is unlikely to disrupt subterranean heritage in my view.
- 4.3.13 I am satisfied that the development is in accordance with Policy HE4 of the Local Plan and Chapter 20 of the NPPF.

Impact on Neighbouring Properties

- 4.3.14 A core planning principle set out in Chapter 14 of the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the Local Plan.
- 4.3.15 I am satisfied that the removal of Conditions 7 and 8 will not impact existing residential amenity and is in accordance with Policy D3 of the Local Plan and Chapter 14 of the NPPF.

Highways and Parking

- 4.3.16 The proposed removal of Conditions 7 and 8 would not impact the approved parking arrangements.

Biodiversity Net Gain (BNG)

- 4.3.17 The proposed removal of Conditions 7 and 8 would not impact BNG.

Environmental Implications

- 4.3.18 The Council's Sustainability Supplementary Planning Document (2024) seeks to ensure that new developments are future proofed against the challenge of climate change.
- 4.3.19 Chapter 5 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Chapter 5 are reflected in Policy D1 of the Local Plan, which sets out that development proposals should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.
- 4.3.20 The proposed removal of Conditions 7 and 8 would not impact on approved environmental matters.

4.4 **Conclusion**

- 4.4.1 The proposed removal of Conditions 7 and 8 is considered acceptable for the reasons set out in this report and in accordance with Policies HE1 and HE4 of the Local Plan and Chapter 20 of the NPPF.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A

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 grant of planning permission XXX.

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. 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.

4. The development hereby permitted shall be carried out in accordance with the recommendations and mitigations for noise as set out in the submitted Noise Impact Assessment by Trace Surveys dated April 2025.

Reason: To ensure that the development provides an adequate standard of living for the proposed occupiers and to comply with Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

5. Prior to its installation full details of the proposed pedestrian access gate and security fencing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that adequate means of access is available for pedestrians and visitors. To comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

6. 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

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

Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.

Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

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

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

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. Should any finds be made during the course of the development, works on site should cease, and the County Archaeologist shall be informed and allowed to observe any further works and record any items of interest.
2. AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
AN4) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.
AN5) Street works licence (New Roads and Street Works Act - Section 50): The applicant is advised that they are not authorised to carry out any work within the Public Highway and that to do so they will need to enter into a legal agreement with the Highway Authority (NRSW agreement). This consent is separate and additional to any planning permission that may be given. Before proceeding with the proposed development, the applicant shall obtain the requirements and permission for the associated placement of apparatus within the adjacent highway as part of the proposal via the County Council's website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/permit-scheme/east-of-england-permit-scheme.aspx> or by telephoning 0300 1234 40047.

This should be carried out prior to any new apparatus is placed within the highway.

Signed <i>S. Kasparian</i> Sarah Kasparian	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 26 August 2026	