

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/03129/FP	Erection of dwelling and associated works following demolition of existing dwelling.	Fear End Fears Green Sandon Buntingford Hertfordshire SG9 0QY

Submitted Plan Nos

224136-01-PL-001 Rev B 224136-01-PL-002-A 224136-01-PL-010 224136-01-PL-011 224136-01-PL-031 Sheet 1 224136-01-PL-032 Sheet 2 224136-01-PL-100 224136-01-PL-101 224136-01-PL-102 224136-01-PL-201 Sheet 1 224136-01-PL-202 Sheet 2 224136-01-PL-301 Sheet 1 224136-01-PL-302 Shet 2

1.0 **National Planning Policy Framework (2024)**

Section 2 – Achieving sustainable development
Section 5 – Delivering a sufficient supply of homes
Section 12 – Achieving well-designed and beautiful places
Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 15 – Conserving and enhancing the natural environment

1.1 **North Hertfordshire Local Plan (2011-2031)**

Strategic Policies

Policy SP1 - Sustainable development in North Herts
Policy SP2 – Settlement Hierarchy and Spatial Distribution
Policy SP5 – Countryside and Green Belt
Policy SP6 – Sustainable transport
Policy SP8 - Housing
Policy SP9 – Design and sustainability
Policy SP12 – Green infrastructure, landscape and biodiversity

Development Management Policies

Policy CGB1 – Rural area beyond the Green Belt
Policy CGB4 – Existing buildings in the Rural Area Beyond the Green Belt
Policy D1 – Sustainable Design
Policy D2 – House Extensions and Replacement Dwellings
Policy D3 – Protecting Living Conditions
Policy NE2 - Landscape
Policy NE4 – Biodiversity and geological sites
Policy T1 Assessment of transport matters
Policy T2 Parking

2.0 **Site History**

- 2.1 25/00212/FPH - Erection of side extension. Conditional Permission.
- 2.2 25/03120/OP - Erection of one self-build dwelling (all matters reserved except means of access) and demolition of existing detached barn. Decision Pending.
- 2.3 25/03189/FP - Erection of five detached dwellings including parking and landscaping following demolition of agricultural buildings (amendment to previously approved Prior Notification 24/02908/PNQ granted 13.02.2025). Decision Pending.

- 2.4 Application 25/03120/OP relates to land to the immediate north of the application site and 25/03189/FP relates to the land and associated buildings to the immediate rear of the application site.

3.0 **Representations**

- 3.1 **Site Notice** – None received.

- 3.2 **Kelshall Parish Council** – None received.

- 3.3 **NHC Ecology** – No objection subject to conditions re: protection of bats (licence), submission of Construction Environmental Management Plan and Ecological Enhancement Plan.

- 3.4 **HCC Highways** – No objection subject to conditions: submission of a Construction Method Statement and provision for Cycle Storage.

- 3.5 **HCC Waste & Recycling** – None received.

- 3.6 **NHC Environmental Health:**

Noise – No objection.

Land Contamination- No details provided. Condition advised to address potential risk and remediation where necessary.

Air Quality- No objection subject to provision of EV charging point.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site lies in a remote setting to the northeast of the village of Sandon and lies within the Rural Area beyond the Green Belt.

- 4.1.2 The site comprises of a modest detached residential bungalow set back from the highway with access to the north via a set of gates and driveway. Fronting the highway to the west is an established hedgerow. To the south of the site, is the boundary with the access road leading to agricultural buildings to the west, this boundary is open as it is to the north of the site. The closest dwelling which is two-storey, is located beyond an agricultural field to the north of the site and is known as Fallowfields. Across the road to the west is a detached agricultural barn.

4.2 **Proposal**

- 4.2.1 Erection of dwelling and associated works following demolition of existing dwelling.

- 4.2.2 The application is supported by a Planning Statement and Preliminary Ecological Assessment Report.

4.3 **Key Issues**

- 4.3.1 The key issues in this case are the principle of the development, the design of the development relative to the street scene, the impact the development has on the reasonable living conditions of neighbouring properties and the effects of the development on biodiversity.

Principle for Development

4.3.2 Paragraph 11 of the NPPF states that for decision making:

“c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

4.3.3 The proposed development seeks to construct a chalet style residential dwelling which lies outside of any settlement boundary and within the Rural Area beyond the Green Belt. Policy CGB1 sets out criteria where development in these areas would be supported. Point d) of this criteria states ‘*Relates to an existing rural building*’. Despite the existing rural building being proposed as being demolished and a replacement being constructed, I am of the view that the proposed development falls within the broad typologies of development considered acceptable within the Rural Area beyond the Green Belt. Policy CB4 further supports this view providing certain criteria are met and, in this regard, the proposed development can be said to meet the requirements of ‘*c) The resultant building(s) do not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building(s)*’. Considering the footprint of the existing dwelling including the extension granted under 25/00212/FPH, the proposed dwelling would not be greater and so I conclude as per 25/00212/FPH that a replacement dwelling of the scale proposed would not impose a materially greater impact on the openness of the area. On this basis, I see no conflict with Policies CGB1 and CGB4 of the Local Plan.

Design, Appearance and Standard of Amenity for Future Occupiers

4.3.4 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Section 12 – Achieving well-designed and beautiful places). Paragraph 131 of the NPPF states that “*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable communities*”. In this regard, Policies D1 and D2 of the Local Plan are consistent with the objectives set out within the NPPF.

4.3.5 Following demolition of an existing unremarkable single storey dwelling, a proposed chalet style bungalow would sit over, and beyond to the north, of the footprint of the existing dwelling, however, the proposed footprint would be identical to the dwelling should the extant permission for a side extension be implemented as per approved under 25/00212/FPH.

4.3.6 In my view, the design of the dwelling takes a sensitive approach to the rural character of the landscape in which it is located. Despite the increase in size of the footprint, the resultant dwelling would retain a low ridge height consistent with that of the original dwelling. Whilst the northern section of the dwelling incorporates a somewhat modern

design this sits comfortably within the overall design, and which closely matches that of the existing dwelling.

- 4.3.7 The proposed position and number of openings are moderate and suitably sized for a dwelling of this type.
- 4.3.8 The application form proposes concrete roof tile and render to the external finish of the dwelling; however, it is noted from the submitted drawings that there are areas of stone finish with no details being provided.
- 4.3.9 Rooms sizes for bedrooms meet the requirements set out in the National Space Standards (2024) (double/twin rooms with a floor area of at least 11.5m² with single rooms having a floor area of at least 7.5m² and at least 2.15m² in width). In relation to the wider layout, a five bed roomed dwelling with an 8-person bedspace requires 121sqm of internal floorspace which the proposed dwelling exceeds. Adequate internal storage is provided and would exceed the 3.5m² requirement.
- 4.3.10 The garden space is appropriate to the size of the proposed dwelling and will provide satisfactory amenity space. However, no details have been submitted in terms of soft and/or hard landscaping, provision for cycle storage and waste and recycling storage.
- 4.3.11 The planning statement states that the dwelling will be supported by an ASHP yet no details of this have been submitted.
- 4.3.12 Given that the proposed replacement dwelling is largely set on the footprint of the existing dwelling, I am satisfied that there would be no visual harm to the street scene.
- 4.3.13 Overall the proposal is considered to provide for a high-quality designed family home set within a large plot which is of an acceptable scale and design for a site within the Rural Area beyond the Green Belt where future occupiers would receive adequate outlook, privacy and natural light in accordance with Policy D1 and D2 of the Local Plan and Section 12 of the NPPF.

Impact on Neighbouring Properties

- 4.3.14 The proposed dwelling, due to its remote and relatively isolated location would not, in my view occasion any harm to the existing residential amenity of neighbouring properties and their occupants which are sited some to the north.
- 4.3.15 I am satisfied that the development is in accordance with Policy D3 of the Local Plan and Section 12 of the NPPF.

Parking

- 4.3.16 No objections have been received from the Highway Authority in regard to access and manoeuvrability within the site which will largely remain as existing. Parking requirements under Appendix 4 of the Local Plan state for dwellings with 3 plus bedrooms, 2 car parking spaces and secure cycle storage should be provided. In addition, the planning statement mentions provision will be provided for secure scooter storage and an EV charge point.

Ecology & Biodiversity Net Gain (BNG) Requirements

- 4.3.17 The application is exempt from Biodiversity Net Gain (BNG).

- 3.2.18 Whilst exempt from BNG the application is supported by a Preliminary Ecological Assessment Report (PEAR) dated December 2025 which incorporates result from bat emergence and re-entry surveys and confirms a pipistrelle maternity roost is present and would be lost as a result of the proposed works. As such, it is necessary to impose conditions to ensure the protection of bats throughout all stages of the proposed development and to ensure ecological enhancements are achieved on site

Environmental Implications

- 4.3.19 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the Local Plan, which sets out that development proposal 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 development, would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Policy D1 of the Local Plan and Section 14 of the NPPF.

4.4 **Conclusion**

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

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 The agent has agreed to the pre-commencement conditions.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. No works are in any circumstances to commence unless the local planning authority has been provided with either:
- a licence issued by Natural England authorizing the specified activity/development to go ahead; or
 - 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 that works do not result in adverse impacts to protected species.

4. No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) should be informed by the December 2025 Preliminary Ecological Appraisal and include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures to avoid or reduce impacts during demolition and construction.
- d) The location and timing of sensitive works to harm to biodiversity features.
- e) Works after dark or use artificial lighting;
- f) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

5. No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as the inclusion of integrated bird/bat and bee boxes in buildings/structures, has been submitted to and approved in writing by the local planning authority.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with Policy NE4 of the North Hertfordshire Local Plan 2011-2031.

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 Method 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).

7. Prior to commencement of the development hereby permitted, a plan for cycle storage is to be provided and be designed in line with design standards contained in Chapter 11 of the Cycle Infrastructure Design' DfT Local Transport Note 1/20 (July 2020). Prior to first occupation the approved design 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).

8. 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.

9. Prior to the commencement of above ground construction works of the development hereby permitted full details of a hard and soft landscaping scheme (including planting details) and all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

All approved hard standing and boundary treatments shall be completed prior to the first occupation of the development.

The approved soft landscaping / planting details shall be carried out before the end of the first planting season following either the occupation of the (first) dwelling 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 ensure the development is comprehensively landscaped in the interests of visual amenity and to comply with Policies D1 and N2 of the North Hertfordshire Local Plan 2011-2031.

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

11. Prior to occupation of the dwelling hereby approved, details of the siting of a bin storage provision suitable of accommodating waste and recycling receptacles shall be submitted to and approved by the Local Planning Authority. The bin storage provision shall be implemented and retained on site in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with Policy D1 of the North Hertfordshire Local Plan 2011-2031.

12. Prior to occupation of the dwelling hereby approved, details of the Air Source Heat Pump (ASHP) shall be submitted to and approved in writing by the Local Planning Authority and installed on site.

Reason: To ensure that there are no adverse impacts on the design of the dwelling hereby and to comply with Policy D1 of the North Hertfordshire Local Plan 2011-2031.

13. Prior to occupation of the dwelling hereby approved, an Electric Vehicle (EV) ready domestic charging point shall be provided on site.

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.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no development as set out in Classes B and C 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 of the North Hertfordshire Local Plan 2011-2031.

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. 1) 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.

2) 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.

3) 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.

4) Gravel / shingle driveways: Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto 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. Further information is available by telephoning 0300 1234047.

5) 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.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 4 February 2026	