

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01988/FP	Erection of single storey work unit as an extension rear of unit 13.	Bondor Business Centre London Road Baldock Hertfordshire SG7 6HP

Submitted Plan Nos

E1 E2 D1 D2 D3

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
SECN12	Achieving well-designed places

2.0 **Planning History**

2.1 None relevant to this application.

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – One comments received from 2 Alder Close suggesting that the proposal was not clear.

3.2 **North Herts Ecologist** – *“Having read the submitted documents there would be no ecological objection to the proposal. The provision of ecological information supporting the application is welcomed. The BNG metric shows that the proposal can meet the mandatory 10% BNG requirement”.*

3.3 **Hertfordshire Highways** – No objection.

3.4 **Environmental Health** – No objection subject to conditions covering a Noise Management Plan and contaminated land if found.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is an industrial/commercial unit located in the south-west corner of the Baldock Industrial Estate, Baldock. The site is within an Employment Area and is showing as covered by a Group TPO/056.

4.2 **Proposal**

4.2.1 Planning permission is sought for the erection of a single storey work unit.

4.3 **Key Issues**

4.3.1 The key considerations are design, and the impact on the amenities of neighbouring properties, contaminated land, and the impact on trees.

- 4.3.2 There is no objection in principle, given that this site is within a designated Employment Area in the Local Plan and the use is not changing as a result of this proposal.

Design

- 4.3.3 The proposal seeks the erection of a single storey work unit to the rear of the existing commercial unit. The unit would measure approx. 7.4m deep and 12.3m wide and would comprise a lean-to roof measuring approx. 2.7m to eaves. The building would be finished in matching facing brickwork and incorporate a personnel and shutter door on its southwest elevation and 3NO rooflights. The proposal would largely mimic the extension approved at the neighbouring commercial unit.
- 4.3.4 Given the modest scale of development, its rear locality, the use of acceptable materials and the existence of a similar type of development at the neighbouring unit, the proposal is considered acceptable in design terms and in accordance with Policy D1 of the Local Plan and Section 12 of the NPPF.

Impact on Neighbours

- 4.3.5 The site is bounded by other industrial/commercial units to the north, west and south, but there are also residential properties due south-east on Nightingale Way whose gardens back onto a footpath which then backs onto the site. Owing to the modest scale of new built form and the relative distance to the residential properties on Nightingale Way, it is considered that the proposal will not result in material harm to the reasonable living conditions of these neighbours, subject to the details to be submitted and agreed under the Noise Management Plan as recommended by the Council's Environmental Health Officer, which has been agreed by the applicant. The proposal will not cause any overdominance, loss of daylight/sunlight or loss of privacy to any neighbours, such that it would not result in any harm to the amenities and reasonable living conditions of neighbouring properties, in line with Policy D3 of the Local Plan.

Contaminated Land

- 4.3.6 Following correspondence with the Council's EHO, a protective condition relating to contaminated land will be enforced on this decision in case any contamination is found during the construction phase, which is considered reasonable.

Impact on Trees

- 4.3.7 The site is within an area covered by a blanket TPO (TPO/056) which was confirmed in May 1983. The plan attached to this TPO shows some trees within close proximity to the site in question, namely trees 16, 17, 18 and 19. However, having visited the site, it would appear that tree No's 17 and 19, which are those within the footprint of the proposal, are no longer on site and tree No's 16 and 18 are still there but are suitably set back from the development close to the adjacent footpath. There is a lot of planning history relating to trees covered by this TPO and it is unclear as to whether these trees have been consented for their removal or if they have died as a result of their siting so close to the industrial estate. Having sought the view of the applicants agent, he has advised that the applicant mentioned that the trees in question died and were removed due to safety concerns a long time ago. Overall, it is considered that given that the trees

(No. 17 and 19) are no longer in situ on site and the Council cannot confirm what has happened to them, and that the other trees (No. 16 and 19) remain and will not be adversely impacted by this proposal, the scheme is considered acceptable. The tree belt that is adjacent to this site and the footpath is to remain as is, which is acceptable.

Biodiversity Net Gain

- 4.3.8 This is a form of development which is subject to the mandatory BNG Legislation, defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The BNG condition will therefore apply, in line with the recommendations of the Councils Ecologist.

4.4 **Conclusion**

- 4.4.1 The proposal is considered acceptable in planning terms in accordance with the relevant local and national planning policies.

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 date of this permission.

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

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

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

3. No development shall commence until a Noise Management Plan, including hours of operation, has been submitted to and approved in writing by the Local Planning Authority. Such a management plan shall identify measures to control noise emanating from the hereby permitted facility. Any identified measures shall be implemented in accordance with the approved plan at all times.

Reason: To protect the amenity of neighbouring residents

4. 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.

5. The trees covered by the group TPO/056 close to the site shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of 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.

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 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: 22 December 2025	