

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02868/FP	Erection of two dwellings following demolition of two existing barns including hard and soft landscaping, parking, and two electric charging spaces, two air source heat pumps, bin storage and installation of fences/gates. Alterations to existing access.	Porters End House Porters End Lane Kimpton Hitchin Hertfordshire SG4 8ER

Submitted Plan Nos

31030B-01-01 31030B-01-02 31030B-01-03 31030B 02 03 31030B-01-04 31030B-02-01 31030B-02-02-(C) 31030B-02-04-(A) 31030B-02-05-(A) - 31030B-02-06-(B)

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
SP2	Settlement Hierarchy and Spatial Distrib
SP5	Countryside and Green Belt
NE4	Biodiversity and geological sites
NE2	Landscape
T1	Assessment of transport matters
T2	Parking
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN14	Meeting climate change,coastal,flooding
SECN15	Conserve + enhance natural environment
SECN16	Conserve + enhance historic environment

2.0 **Site History**

- 2.1 25/01017/PNQ - Conversion of agricultural building into 5 residential dwellings with all associated building works. – Prior Approval Given
- 2.2 25/01086/DD - Demolition of redundant agricultural barn. - Prior Approval not Required.

3.0 **Representations**

3.1 **Neighbour Consultation** – 1x Support:

- Supports reduction in units compared to PNQ due to improvement of strain on resources.
- Improved traffic compared to PNQ.

3.2 **Parish Council** – Objection:

- PNQ would have delivered 4/5 smaller dwellings, meeting a local need. This now falls away.
- Considers this to be permission creep, whereby the PNQ leads the way for the FP.
- Seeks the FP to be considered in isolation rather than with the PNQ as a fallback.
- Concern regarding a lack of garaging and may result in various other outbuildings within the site.
- Consider this to be contrary to the provisions of the NPPF.
- Loss of agricultural character.
- Material design changes result in increased visual prominence.
- Parish Plan seeks greater mix of smaller homes, and this would not accord.
- Concern regarding traffic volumes and intensity, given narrow rural lanes surrounding the site, with little space for passing. Concern regarding history of flooding close to the site, particularly on the roads.
- Increase in hardstanding exacerbates flooding risks.

Ward councillors did not advise of their intention to call the application in for determination at planning control committee.

3.3 **Ecology** – Questions access to the tree bank area to the east of Plot 2. Advises of a better spacing for tree growth and the integration of swift, bat and bee bricks to the dwellings. Otherwise recommended a biodiversity method statement condition, ecological enhancements condition, and the standard BNG condition.

3.4 **Highways** – Recommends conditions. Considers it would be disproportionate to refuse the application solely on grounds of sustainability and location.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises a presently redundant farm area, comprising a large barn off Porters End Lane, near to Kimpton.

4.2 **Proposal**

- 4.2.1 Erection of two dwellings following demolition of two existing barns including hard and soft landscaping, parking, and two electric charging spaces, two air source heat pumps, bin storage and installation of fences/gates. Alterations to existing access.

4.3 Key Issues

4.3.1 The key issues for consideration are as follows:

- The principle of the development.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Principle of Development:

4.3.2 The site is brushed over by the Green Belt, and is outside of the defined settlement boundaries of Blackmore End and Kimpton. Therefore, the provisions of Section 13 of the NPPF, and Policies SP5 of the Local Plan 2011-2031 would be triggered.

4.3.3 Although structures exist on site, the proposal would not comprise development on previously developed land (PDL) as it comprises land that was last occupied by agricultural buildings owing to the use of the land as a farm. No other exception applies for development in the Green Belt, as described by Paragraph 154.

The applicant's have not put forward the case that the proposed development would utilise grey belt and that the exceptions under NPPF paragraph 155 apply, instead relying upon the fallback position offered by the a previously approved PNQ application, LPA ref: 25/01017/PNQ, determined in 2025 under Class Q of Part 3 to Schedule 2 of the Town and Country Planning (General Permitted Development (England) Order 2015 for the conversion of the existing agricultural buildings into 5 dwellings. The proposed development differs in that the buildings would be demolished instead of converted, and three fewer units are proposed.

I consider that the extant PNQ determination is a valid fallback position for residential development within the site. The PNQ application can be implemented, and benefits from a majority of its expiry period to be implemented. This fallback position for residential development within the site should therefore afforded significant weight.

In conclusion, there are material considerations in favour of the proposal whether these constitute very special circumstances would clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm is addressed in the planning balance. The Conclusion will also address the principle of development in the Green Belt including Policy SP5 of the Local Plan 2011-2031 of the Local Plan would be complied with, and the development would be supported by Section 13 of the NPPF.

Sustainability:

4.3.4 The three pillars of sustainable development are the economic, social and environmental pillars. The proposal would provide economic benefits by the use of local contractors and businesses for construction, maintenance and other servicing when occupied.

4.3.5 In terms of the social pillar, the delivery of two dwellings on a windfall site is viewed favourably, particularly in the view of the LPA's five-year housing land supply being

less than five years. Modest harm is considered to arise compared to the Class Q scheme given that there would be a net loss of three units between these applications. Given the proposed quantum of development, I do not consider that this harm would be significant, but it is acknowledged.

- 4.3.6 The application site is relatively isolated, being situated within a hamlet between Kimpton, Blackmore End and Harpenden. The site visit noted that access to the site is limited, with country lanes without separate footpaths limiting the walkability of the area. Furthermore, bus stops and other amenities are not less than 800m from the site. Reliance upon a private vehicle is likely for most trips. The Highways authority have touched on this in their representation, concluding that the development would not align with sustainable transport objectives within the NPPF, but consider that an objection or refusal would be disproportionate. Furthermore, the reduction in units, and associated vehicle movements is considered to weigh favourably against the rural location of the development. Given the identified fallback position, for residential development in this location, I do not consider it is reasonable to recommend refusal purely on the location of the development. Environmental benefits within the site are considered to arise through the increase in soft landscaping, and the reduction in built form following the demolition of the existing structures.

Design and Appearance:

- 4.3.7 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings to incorporate design that is sympathetic to the main building in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.

Appearance

- 4.3.8 The proposed development would comprise 2 No. dwellings. Plot 1 would comprise a two storey dwelling featuring gable ends, red brick to the walls, with black featherboard detailing at first floor level to parts of the dwelling, with a red roof tiles and black fenestration details. Chimneys are proposed to the flank elevation and the rear elevation. Plot 2 would comprise a barn style building, with twin gables to the principal elevation, a large cat slide to the rear, large window openings to replicate barn doors, with red brick, black feather board, black window details and red roof tiles. The proposal would incorporate agrarian design cues, and is considered to be suitably sympathetic to local vernacular, and would not result in an adverse or out of keeping form of development. The proposed materials of construction, built form and scale of the dwelling is therefore acceptable. The appearance of the dwelling is considered to be an improvement over the appearance of the converted agricultural buildings. I consider that they would clearly be for residential use, rather than an adapted agricultural building. Local visual amenity improvements would arise given the dilapidated nature of the buildings as existing.

Layout and Access

- 4.3.9 The proposed layout seeks to introduce the access for the dwellings from the existing gate access off Porters End Lane, removing the gates, and introducing hardstanding to allow for access and parking to the dwellings. Plot 1 would be set to the northern part of the site, presenting onto the main access, with Plot 2 set to the rear, presenting onto

the turning head created at the end of the access way. Both dwelling would benefit from a large garden and amenity space, and would not result in an overly crowded form of development. Bin collection points are to the front of the site adjacent to the entrance. I consider it is prudent to withdraw permitted development rights owing to the rural location of the site, and to preserve the open nature of the plots together with the landscaping to these boundaries.

Landscaping

4.3.10 Details of the proposed hardstanding are not proposed; however, the extent and location of the hardstanding is acceptable, and would not result in an unacceptable urbanising impact upon the rural area. The introduction of a gate to Plot 2 would be set-back from the highway edge and would not result in a lack of integration between this dwelling and the surrounding area. Soft landscaping would comprise grass to the amenity areas, with hedging to the boundaries, with minimal fencing to the garden areas. It is noted that 3 No. Ash Trees are proposed to be removed to protect a neighbouring barn building to the south, and 1 No. Ash is proposed to be removed where Plot 2's driveway is proposed. An existing brick and flint wall to the western boundary would be retained and repaired, with the hedging to the northern boundary being enhanced and a new hedge introduced to the southern boundary. Overall, the landscaping details proposed would be acceptable. A new area of tree planting is proposed east of the site, enhancing the existing tree bank. This is considered to be acceptable.

4.3.11 The proposed development is therefore considered to be in compliance with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

4.3.12 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.

4.3.13 The application site is neighboured to the west by South Lodge, to the south by Porters End House, and to the north-west by 1 & 2 Beanswick Cottages. Plot 2 would sit level with South Lodge, but would be set away from the shared boundary with this neighbour. I do not consider that Plot 2 would overbear this neighbour due to the tree on the boundary, this distance and its location. First floor windows would face this neighbour, and this is acknowledged, however, the trees and the fact that the dwelling would face onto the flank elevation of this neighbour is considered to suitably mitigate these concerns. Plot 1 would sit forward of this neighbour, and would be to the north, therefore mitigating direct sun light loss. The distance between the neighbour and this property would reduce the sense of dominance created by the built form. The dwelling would be angled away from this neighbour, and therefore overlooking is unlikely to be objectionable. Turning to Beanswick Cottages, to the north and opposite of the site, with these neighbours set some distance from plot 2, therefore, I do not consider that this dwelling would harm the amenities afforded to this neighbour. With regards to Plot 1, this would be closer but would not sit directly opposite to these neighbours. Therefore, I do not consider that dominance or losses of privacy would be unacceptable. I acknowledge that some light loss, in the morning would occur due to the building's location to the south-east, however, this would not be significant. It is noted that no neighbour objections were received.

- 4.3.14 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Standard of Amenity for Future Occupiers:

- 4.3.15 The proposed internal floor space for the dwellings would exceed the minimum space required for dwellings of this size, as required by the Nationally Described Space Standards. Amenity space is provided to the front and rear. Overlooking and dominance are not considered to arise from the existing dwellings close to these plots, and I therefore consider that the amenities of future occupiers would be suitably served by the buildings and garden areas.

Environmental Implications:

- 4.3.16 The proposed development, by virtue of its limited scale in general terms together with the sustainable location would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.
- 4.3.17 The North Herts Ecologist has not objected to the proposed development but has made comments and recommended conditions. The development would deliver 18.35% of BNG, according to the submitted metric, and the conditions recommended by Ecology are considered to be reasonable. The demolition of the barn is not likely to impact upon Bat or Bird roosting following the submission of an August 2025 assessment, though this recommends that any tree works avoid disturbance. I consider that environmental implications would be acceptable.
- 4.3.18 It is noted that the Parish Council raised flooding as a reason to object. The site is not within Flood zones 2 or 3. Surface water flooding is not shown on the site either, however, impacts to the road are noted. I do not consider it is therefore reasonable to object in this instance on this ground to the erection of the dwellings.

Highways and Parking:

- 4.3.19 The dwellings would be served by sufficient parking spaces to meet the minimum requirements set by the 'Parking at New Development' SPD. I therefore consider that no detrimental impacts to local parking levels would arise.
- 4.3.20 Hertfordshire Highways have not objected. The site would be accessed from the existing gated entrance from Porters End Lane, and Highways consider that this arrangement is acceptable subject to the implementation of recommended conditions. They consider that the development is not objectionable in terms of its sustainability and ability to access nearby amenities.

4.4 Planning Balance and Conclusion

- 4.4.1 The development is considered to benefit from a valid fall-back position, as occasioned by the extant Class Q determination within the site. As proposed, the development would instead deliver fewer units compared to this fallback position, being a net negative of 3 units. This weighs against the proposal, given that the LPA cannot

presently deliver a 5-year housing land supply. It is considered that benefits would arise for the openness of the Green Belt owing to the reduction in built form, street paraphernalia. Fewer residents would also reduce vehicle intensity to and from the site, and would reduce the urbanising effect of the development in this rural location. In the circumstances, significant weight is attributed to the fallback position and it is considered that the identified benefits constitute very special circumstances that clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm. No other assets discussed within footnote 7 of the NPPF would be harmed, and therefore, the tilted balance would remain engaged. The harm associated with the reduction in units and the relatively unsustainable location of the development would not significantly and demonstrably outweigh the benefits from the proposed development. Therefore, the development is considered to be 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 confirmed agreement 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. 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. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

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.

5. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to 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.

6. Before the commencement of any other works on the site, trees to be retained 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.

7. Prior to the commencement of the development hereby permitted full details of a comprehensive 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. Local Plan Policies D1 and N2.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, AA, B, C and E of Part 1 (and any further new class that may be introduced by way of an update) 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.

9. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding properties. The development shall be carried out as approved.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to comply with Policy D1 of the Local Plan

10. 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.

Reason: In the interest of delivering measurable BNG within the site, to comply with Policy NE4 of the local plan 2011-2031.

11. No development shall take place (including any ground works, site clearance) until a Biodiversity Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include:
- a) Review of site potential and constraints.
 - b) Details of any necessary working methods to prevent harm to wildlife.
 - c) Persons responsible for implementing the works.

In the interest of mitigating harms to existing wildlife within the site, to comply with Policy NE4 of the Local Plan 2011-2031.

12. Prior to the first 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)

13. 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 numbers SK03 Rev B and SK04 Rev B 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).

14. 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.
 - Construction vehicle parking facilities
 - 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).

15. CON4) Prior to the first occupation of the development hereby permitted, a swept path analysis shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The analysis shall demonstrate that a delivery vehicle of at least 6.0 metres in length can safely enter, manoeuvre within, and exit the site without encroaching on pedestrian areas or causing conflict with other vehicles. The swept path drawing shall be prepared using an industry-standard tool (e.g., AutoTURN) and shall clearly show the vehicle's turning movements and clearance.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and operational efficiency in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

16. Before being brought into use, the parking/turning areas hereby approved shall be surfaced in hard surfacing, being made of tarmacadam (tarmac) or similar durable bound material, for the first 5 meters into the site and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of extraneous material and surface water on to the highway and to ensure construction of a satisfactory development and in the interests of highway safety and operational efficiency in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

17. No development approved by this permission shall take place until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

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

18. Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

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

19. In the event that contamination not identified in the ground investigations to date 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.

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. 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. 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) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 18 February 2026	