DELEGATED FILE NOTE

CASE OFFICER: …Tom Donovan……

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01186/FP	Conversion of a grade II listed building and associated curtilage listed building to two semi-detached residential dwellings including demolition of modern extension and replacement single storey extension. Conversion of further un-listed agricultural building to two semi-detached residential dwellings following its part-demolition and extension. Use of cart shed for covered parking. Associated car parking and landscaping, Minor alteration to existing vehicular access and partial widening of access road (as amended by drawings received 04/09/2018).	Lordship Farm Pirton Road Holwell Hitchin Hertfordshire SG5 3SS

Submitted Plan Nos
ASC.14.614 DR-A-001 P2 DR-A-100 P2 DR-A-105 P3 DR-A-110 P3 DR-A-111 P3 DR-A-112 P3 DR-A-200 P2 DR-A-201 P3 DR-A-202 P3

1.0 Policies

1.1 **North Hertfordshire District Local Plan No.2 with Alterations**

Policy 6 – Rural Areas beyond the Green Belt
Policy 16 – Archaeological Areas of significance and other Archaeological Areas
Policy 55 – Car Parking Standards
Policy 57 – Residential Guidelines and Standards

1.2 **National Planning Policy Framework.**

Section 2 – Achieving sustainable development
Section 4 – Decision-making
Section 5 – Delivering a sufficient supply of homes

Section 6 – Building a strong competitive economy
Section 8 – Promoting healthy and safe communities
Section 9 – Promoting sustainable transport
Section 12 – Achieving well designed places
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

1.3 **Emerging Local Plan 2011-2031 (Approved by Full Council 11th April 2017).**

Strategic Policies
SP1: Sustainable development in North Hertfordshire
SP2: Settlement Hierarchy
SP5: Countryside and Green Belt
SP6: Sustainable transport
SP8: Housing
SP9: Design and sustainability
SP10: Healthy communities
SP11: Natural resources and sustainability
SP13: Historic environment

Development Management Policies
T1: Assessment of transport matters
T2: Parking
CGB1: Rural areas beyond the Green Belt
CGB4: Existing rural buildings
D1: Sustainable design
D3: Protecting living conditions
D4: Air quality
NE1: Landscape
NE7: Reducing flood risk
NE8: Sustainable drainage systems
NE9: Water quality and environment
NE10: Water Framework Directive and wastewater infrastructure
NE11: Contaminated land
HE1: Designated heritage assets
HE4: Archaeology

1.4 **Supplementary Planning Document**

Vehicle Parking at New Development September 2011

2.0 **Site History**

2.1 15/03073/PN: Prior approval not required for the change of use of an agricultural building to one 6 bedroom dwelling and external alterations.

2.2 17/01696/1 and 17/01697/1LB: Demolition of existing structures and conversion of retained buildings to form four residential dwellings and other works. Applications withdrawn.

3.0 **Representations**

3.1 **Public Notice/ local residents**
None received.

3.2 **Conservation**

No objection subject to conditions.

3.3 **HCC Archaeology**
No objection subject to conditions.

3.4 **Holwell Parish Council**
No response received.

3.5 **Environmental Protection (contaminated land and air quality)**
No objection subject to conditions.

3.6 **Herts Ecology**
No objection subject to conditions.

3.7 **Waste**
No objection subject to conditions.

3.8 **HCC Highways**
No objection subject to conditions.

3.9 **HCC Rights of way**
No objection subject to conditions.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is located on Waterloo Lane at the far south-west end of Holwell. The site is currently occupied by a number of agricultural buildings which vary significantly in terms of their design, quality and age. One of the barns is Grade II listed and dates to the 17th century or earlier whilst there is some uncertainty as to whether the linked barn range is curtilage-listed although this too possibly dates to the 17th century with possible alterations in the 19th and 20th centuries. A very large modern agricultural building is located in the heart of the site whilst some other more modest agricultural buildings are located to the south/south-west corner.

4.1.2 The site associates with Lordship Farmhouse which is located to the east of the application site. The Farmhouse is Grade II listed and dates to the 17th century or earlier according to the listing.

4.1.3 Holwell is categorised as a Category B village although it is not proposed to have a defined settlement boundary and thus sits within the Rural Area beyond the Green Belt.

4.1.4 The application site is located within an Area of Archaeological Significance that covers the core of Holwell which has medieval origins although there is evidence of Roman occupation.

4.1.5 Footpath PRoW 6 runs through part of the application site. It links Waterloo Lane with Pirton Road.

4.2 **Proposal**

4.2.1 This development proposal comprises the following:

--Conversion of grade II listed building and associated curtilage-listed building to

two semi-detached residential dwellings. Associated works include the demolition of a modern and extension and replacement with a single storey extension.

--Conversion of further un-listed agricultural building to two semi-detached residential dwellings following its part-demolition. Associated works include a proposed two storey front extension and new fenestration.

--Use of cart shed for covered parking.

--Car parking and landscaping in association with the above.

--Alterations to existing vehicular access and partial-widening of access road.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:
--The principle of development.
--The effect on the special character, setting and significance of designated heritage assets.
--The impact on the character and appearance of the area.
--The effect on the living conditions of neighbouring properties.
--The suitability of the accommodation for future residents.
--The effect on highway safety and car parking in the area.
--The effect on the ecological value of the area.
--The effect on the environment in terms of contamination and air quality.
--The effect on the archaeological record.
--Any other material considerations.

4.3.2 Principle
Policy background
The application site is located in the rural area beyond the Green Belt and therefore Saved Policy 6 is applicable. Policy 6 seeks to maintain the existing countryside and villages and their character. Emerging Policy SP5 recognises the intrinsic nature of the countryside and indicates that the Council shall operate a general policy of restraint in rural areas beyond the Green Belt. Emerging Policy CGB1 suggests that permission will be granted in rural areas beyond the Green Belt if it is infill within the core of a Category B village or if it relates to an existing rural building. Emerging Policy CGB4 is supportive of proposals for the conversion of existing rural buildings provided that the development would not have a greater impact on the openness, purposes or aims of the rural area beyond the Green Belt.

4.3.3 The proposed development would involve the conversion, alteration, demolition and extension of several agricultural buildings included one that is listed and one that is curtilage-listed. Emerging Policy CGB4 is supportive of proposals for the conversion of existing rural buildings subject to certain criteria being met. The scheme would involve some relatively modest extensions to two of the existing buildings but a large amount of demolition is proposed to be undertaken. Accordingly, I am satisfied that the proposal would not have a greater impact on the openness, purposes or aims of the rural area beyond the Green Belt. Moreover, the proposal would maintain the character of the existing countryside and village and is therefore compliant with the aim of Saved Policy 6.

4.3.4 In accordance with the above conclusions I am satisfied that the principle of the conversion scheme would be compliant with the Framework, Saved Policy 6 and Emerging Policies SP5, CGB1 and CGB5.

4.3.5 Impact on designated heritage assets
The proposed development would involve the conversion of and extension to a

grade II listed barn and the conversion of an attached curtilage-listed barn.

4.3.6 I have consulted the Senior Conservation Officer on the proposal and a number of amendments have been sought during the application process. Ultimately, whilst the Case Officer and Senior Conservation Officer have held discussions with the applicant in order to encourage a different overall approach for the site, the amended scheme is considered to more sensitively address the listed barn's external appearance when compared with the earlier submission and result in the listed barn being better revealed. Moreover it is considered that the conversion of the existing later agricultural buildings would not cause harm to the setting of the listed barn of the curtilage-listed building alongside.

4.3.7 It is considered that, subject to a number of suitably worded conditions, the proposal satisfies the provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and as supported by the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031 (Proposed Submission, October 2016).

4.3.8 Visual impact

Wider visual impact

The application site is somewhat secluded due to its position set back from Waterloo Lane. However, within the context of the wider countryside, the site is somewhat exposed to the northern and western boundaries. The scheme would not significantly alter the appearance of the site from external views although the amount of built form would be reduced and thus the overall appearance of the site will likely be improved. Moreover, the listed and curtilage-listed barns are likely to be better revealed whilst the modern agricultural building will have an improved appearance as a result of the proposal. There is an inevitability that the proposal would involve other residential paraphernalia such as boundary fencing, household garden items, parked cars etc. but I do not consider that this would have an overly negative impact. Overall I am satisfied that the proposal would not cause a significant visual impact.

4.3.9 *Design*

The layout of the scheme is heavily constrained by the position of the existing buildings however I am satisfied that the layout would be acceptable and form a reasonable grouping of buildings which, as indicated above, would better reveal the designated heritage assets. In pure design terms it is considered that the proposal would represent an improvement on the existing situation on site although Units 3 and 4 could potentially be improved upon were they considered as new builds. That said, based on the scheme as it is put before me I am satisfied that the proposal would have an acceptable design and visual impact.

4.3.10 *Visual impact – conclusions*

Overall I consider that the scheme would represent a significant improvement of the existing situation on site and thus consider that the proposal would satisfy national and local policy regarding design.

4.3.11 Impact on neighbouring properties

The nearest neighbouring residential property is Lordship Farmhouse and therefore there may be some impact due to the conversion of the listed and curtilage-listed building. However, a boundary wall is proposed to be positioned between the eastern-boundary and the boundary with the garden for Lordship Farmhouse and I am satisfied that this would ensure a sensible division between the properties to ensure that all of the properties would main a reasonable level of privacy. I do not consider that there would be any harm to living conditions of neighbouring properties in any other regard.

4.3.12 Residential guidelines and standards

The completed development would provide an acceptable standard of residential accommodation both in terms of private and public amenity and living conditions of future occupants. I am satisfied that the proposal would be acceptable in this regard.

4.3.13 Impact on highway safety

It is considered that, subject to a number of appropriately worded conditions, the proposed development would not give rise to a negative impact on the safe operation or capacity of the highway network.

4.3.14 Car parking

The Council's car parking standards require a minimum of two car parking spaces to be allocated for each residential unit. There is also a requirement to provide visitor car parking and this requirement has been met.

4.3.15 Environmental protection: contaminated land

Due to the historic use of the site it is considered that there is a strong likelihood that contamination is present at the site. Accordingly a condition is recommended that requires the submission of a Preliminary Risk Assessment (Phase I) and any further investigations which are subsequently required. This is sufficient to ensure that the proposal would be compliant with Section 15 of the Framework and Emerging Policies SP11 and NE11.

4.3.16 Environmental protection: air quality

It has been recommended that the proposal would include provision for EV-charging points for each property. However, as designated heritage assets are involved and due to the layout of the proposed development I am not satisfied that this approach would be appropriate in this case and have therefore decided to dispense with this condition in this case.

4.3.17 Ecology

It is considered that the proposal may have some impact on barn owls which may be present in the existing buildings. Accordingly, provision must be made for bat boxes for a temporary period during the construction programme and permanent bat boxes should be installed pre-occupation. Details to be agreed by condition. I am satisfied that the proposal would have an acceptable effect on the ecological value of the area.

4.3.18 Archaeology

The application site is located within an Archaeological Area of Significance and therefore the proposal may have an impact on items of archaeological significance. However, it is considered that, subject to investigations being undertaken and recorded in the proper manner, the archaeological record would be safeguarded.

4.3.19 Right of way

Holwell footpath 6 runs through the application site and in fact runs through part of one of the existing agricultural buildings. Accordingly, the footpath requires diversion and this is to be agreed as a pre-commencement condition.

4.3.20 Sustainability

The Framework advises that sustainable development should be approved without delay. In my view, the proposed development would make a joint contribution to the three facets of sustainability: social, environmental and economic and thus the proposal would be sustainable development.

4.4 **Conclusion**

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

4.5 **Alternative options**

4.5.1 Not applicable.

5.0 **Recommendation**

5.1 That planning permission is **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. (a)No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.
   (b)If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
   (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(ii) The results from the application of an appropriate risk assessment methodology.

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:
(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(e) Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

4. No development shall commence until visibility splays have been provided in full accordance with the details indicated on the approved plan number Q891/200. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

5. Prior to the commencement of the use hereby permitted the vehicular access (indicated for improvement on drawing number Q891/200) shall be upgraded / widened to a minimum width of 5.5 metres and provided with kerb radii of 8 metres in accordance with the Hertfordshire County Council construction specification for the first 15 metres as measured back from the near channel edge of the adjacent carriageway. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: In the interest of highway safety and traffic movement.

6. The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.

Reason: To minimise danger, obstruction and inconvenience to users of the highway.

7. 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 and methodology of site investigation and recording as suggested by the evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. 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 part 'a' of this condition.

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 part 'a' of this condition and the provision made for analysis and publication where appropriate.

Reason: To safeguard the archaeological record.

8. No development shall take place until details of the design, location and maintenance of temporary barn owl boxes is submitted and approved by the Local Planning Authority. The approved details will be implemented during the course of the development.

Reason: To ensure the potential for barn owl roosting on the farm during the construction phase is maintained.

9. Prior to the first occupation of the development hereby permitted, details of the design, location and maintenance of permanent barn owl boxes must be submitted and approved in writing by the Local Planning Authority. The approved details will be implement as approved.

Reason: To ensure the potential for barn owl roosting on the farm post-development is maintained.

10. Prior to the demolition of any building within the application site, the buildings must be checked for the presence of barn owls immediately beforehand and, if present, appropriate measures should be taken to ensure their safety.

Reason: To ensure barn owls are not disturbed or harmed and the risk of an offence being committed is reduced.

11. No development shall commence until further details of the circulation route for refuse collection vehicles have been submitted to the Local Planning Authority and approved in writing. The required details shall include a full construction specification for the route, and a plan defining the extent of the area to which that specification will be applied. No dwelling forming part of the development shall be occupied until the refuse vehicle circulation route has been laid out and constructed in accordance with the details thus approved, and thereafter the route shall be maintained in accordance with those details.

Reason: To facilitate refuse and recycling collections.

12. Before the occupation of any of the dwellings hereby permitted, the car parking facilities shown on the approved plan no. 42533.DR-A-110.P3 shall be marked out and made available, and shall thereafter be kept available solely for the parking of motor vehicles.

Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development.

13. Prior to the commencement of the development hereby permitted, landscaping details are to be submitted to and approved in writing by the Local Planning Authority. The submtted information should cover the following points:

a) which, if any, of the existing vegetation is to be removed and which is to be retained
b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting
c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed
d) details of any earthworks proposed

The landscaping details approved under this condition shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason:To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, C, D and E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

15. A sample of the new slate for Units 3 and 4 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that part of the development hereby approved.

Reason: To ensure that special regard is paid to preserving the setting of the listed barn and curtilage-listed outbuilding under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

16. All new windows, external doors and frames to glazed screens at Units 3 and 4 shall be constructed in timber unless otherwise agreed and approved in writing by the

Local Planning Authority and the external finish thereof shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the new windows, external doors and frames to glazed screens.

Reason: To ensure that special regard is paid to preserving the setting of the listed barn and curtilage-listed outbuilding under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

17. Full details (including bond and copings) of the 1.5m and 1.8m boundary walls to the east of Unit 1 shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the walls hereby approved.

Reason: To ensure that special regard is paid to preserving the setting of the listed barn and grade II listed farmhouse under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

18. A sample of the brick to be used for i) the ground floor facing brickwork to Units 3 and 4 and ii) the construction of the boundary walls in Condition 3 above shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the walls hereby approved.

Reason: To ensure that special regard is paid to preserving the setting of the listed barn and grade II listed farmhouse under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

19. No development hereby permitted shall commence until a Footpath Diversion Order has been confirmed by Hertfordshire County Council in association with the Local Planning Authority for Holwell Foot Path 006.

Reason: To ensure that no development takes place prior to the necessary legislation having been complied with.

20. 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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. 1) Construction standards for works within the highway:
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 website https://www.hertfordshire.gov.uk/services/highways-roads-and-

pavements/business-and-developer-information/development-management/highways-development-management.aspx

2) Bats:
Works to the listed barns would best be undertaken during winter months to ensure bats are unlikely to be present. However if not, a dawn re-entry survey immediately prior to works commencing would help to confirm continued lack of roosting.

3) Construction hours:
Construction operations related to the development should occur only between the following hours: 0800-1800 Monday to Friday, 0800-1300 on Saturdays, no working on Sundays and Bank Holidays.

Signed  Tom Rea Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 27 September 2018	