

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02425/FP	Erection of two boundary fences (development already carried out).	The Three Horseshoes Willian Road Willian Letchworth Garden City Hertfordshire SG6 2AE

Submitted Plan Nos

Location and Site Plan and Fences 3HR.02 3HR.03

1.0 **Local and National Policy**

1.1 **National Planning Policy Framework 2024 (NPPF)**

Section 2 – Achieving sustainable development

Section 12 – Achieving well-designed places

Section 14 - Meeting the challenges of climate change, flooding and coastal change

Section 16 – Conserving and enhancing the historic environment

1.2 **North Hertfordshire Local Plan 2011-2031 (NHLP)**

Strategic Policies

Policy SP1 – Sustainable Development in North Hertfordshire

Policy SP5 – Countryside and Green Belt

Policy SP9 – Design and Sustainability

Policy SP13 – Historic environment

Development Management Policies

Policy D1 – Sustainable design

Policy D3 – Protecting living conditions

Policy HE1 – Designated heritage assets

Policy HE4 - Archaeology

2.0 **Relevant Site History**

2.1 Various applications on the site, full history on case file.

3.0 **Representations**

3.1 **Press, Site and Neighbour Consultation** – Two comments have been received from nos. 1 and 2 Manor Cottages, Willian.

1 Manor Cottages

- ☐ Damage to tree root system as a result of the construction of the boundary fencing.
- ☐ Works being undertaken in the absence of obtaining planning permission.
- ☐ Hours of works and the impact on existing residential amenity.

- ☐ Lack of consultation and conduct of works following removal of existing fencing and resultant impact on neighbouring amenity for a period of time prior to the construction of new fencing.
- ☐ No objection to the boundary fencing itself.

2 Manor Cottages

- ☐ Supports the construction of the boundary fencing.

3.2 **LGCHF** – None received.

3.3 **NHC Conservation Officer** – None received.

3.4 **HCC as Highways Authority** – No objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The Three Horseshoes PH is a grade II listed building and lies within the Willian Conservation Area and the Green Belt.

4.1.2 Listed Building Consent is not required for the development.

4.1.2 The site is located off Willian Road with the public house garden being sited to the rear of the building off Baldock Lane and to the west and forward of Manor Cottages where the land forms a border with residential gardens.

4.2 **Proposal**

4.2.1 Erection of two boundary fences (development already carried out).

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the Conservation Area.
- The impact of the development on the Green Belt.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on the environment.
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Impact on the Green Belt

4.3.2 Section 13 of the National Planning Policy Framework (NPPF) notes that great importance should be attached to the Green Belt and that the main aim of Green Belt policy is to keep land permanently open. Paragraph 153 states that inappropriate development should not be approved except in very special circumstances. Paragraph 154 provides for some exemptions to development in the Green Belt.

- 4.3.3 Policy SP5 of the Local Plan seeks to “recognise the intrinsic value of the countryside” which is supportive of suitable development where it “would not result in inappropriate development or where very special circumstances have been demonstrated”. This accords with the principles set out in Section 13 of the NPPF. Para 154 c) supports extensions and/or alterations to buildings “provided that it does not result in disproportionate additions over and above the size of the original building”.
- 4.3.4 Given the minor scale of the proposed works, I am satisfied that the development would represent a proportionate alteration of an existing building, thereby representing an exception to inappropriate development in the Green Belt in accordance with Policy SP5 of the Local Plan and Section 13 of the NPPF.

Design

- 4.3.5 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 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 to communities”. In this regard, Policy D1 of the Local Plan is consistent with the objectives set out within the NPPF.
- 4.3.6 The timber picket style fencing and associated gate is positioned to the west side boundary of the land immediately to the rear of the building and has an approximate height of one metre. The remaining section of fencing is to the east side boundary where this meets with the party boundary of residential gardens to manor Cottages. The fencing in this location is approximately 1.8 metres in height with a section of trellis above adding a further approximate 0.6 metres.
- 4.3.7 I am satisfied that the location of the public house garden to the rear of the building would not result in any harm to the street scene and is considered acceptable and in accordance with Policy D1 of the Local Plan and Section 12 of the NPPF.

Impact on Heritage Assets

- 4.3.8 Within a Conservation Area and where the development impacts a listed building, the Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area and to ensure the development does not occasion harm to the listed building. Furthermore, Section 16 of the NPPF sets out guidance relating to sustaining and enhancing heritage assets. In this regard, Policy HE1 of the Local Plan is consistent with the NPPF.
- 4.3.9 When considering the impact of proposed development on the significance of a designated heritage asset the NPPF notes that great weight should be given to the asset’s conservation; the more important the asset, the greater the weight should be.
- 4.3.10 No response has been received from the Conservation Officer, however given the minor nature of the works, which are works on existing boundary lines of the listed building curtilage, I am satisfied that the development would not result in harm to the setting of the listed building or to the character and appearance of the William Conservation Area and is in accordance with Policy HE1 of the Local Plan and Section 16 of the NPPF.

- 4.3.11 In terms of archaeology, the proposed development is of a minor scale within an already built-up area and is unlikely to disrupt subterranean heritage.
- 4.3.12 I am satisfied that the development is in accordance with Policy HE4 of the Local Plan and Section 16 of the NPPF

Impact on Neighbouring Properties:

- 4.3.13 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the Local Plan.
- 4.3.14 Two comments have been submitted, one of which offers support for the fencing and one which does not object to the fencing but raises matters which are outside of the remit of planning legislation. Having considered the points raised, I am satisfied that there would be no impact on existing residential amenity as a result of the fencing and is in accordance with Policy D3 of the Local Plan and Section 12 of the NPPF.

Highways and Parking:

- 4.3.15 Vehicle parking at the premises is unaffected by the development.

Biodiversity Net Gain (BNG)

- 4.3.16 This development is considered exempt from BNG Legislation, defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, due to it falling under the scope of the 'de minimis' exemption.

Environmental Implications:

- 4.3.17 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 proposals should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.
- 4.3.18 In my view, the proposed development would be unlikely to have any significant implications for the local environment in terms of carbon emissions and therefore would be generally in accordance 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 in accordance with Policies SP1, SP2, SP5, SP9, SP13, D1, D2, D3 and HE1 of the Local Plan 2011-2031 and Sections 2, 12, 14 and 16 of the NPPF.

4.5 Alternative Options

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

4.6.1 N/A

5.0 **Recommendation**

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

1. The development hereby permitted shall be 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.

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 16 December 2025	