

DELEGATED FILE NOTE

CASE OFFICER: ...Anne McDonald.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02335/S73	Change to wording of conditions 2, 12 and 15 of planning permission reference 24/02563/S73 granted 10.01.2025 for Variation of condition 2 (revised plans) of planning permission 24/01031/S73 granted for erection of eight dwellings comprising of 3 pairs of semi-detached dwellings (6 x 3-bed) and two detached 4-bed dwellings including integral garages (plots 1 and 8) with a new access spur from the Lodge Court, on-site parking, landscaping.	Land At Turnpike Lane And Adjacent To 4 Manor Close Turnpike Lane Ickleford Hertfordshire

Submitted Plan Nos

TH152_A_PL_08_001_C5 TH152_A_PL_08_002_C8 TH152_A_SE_08_001_C4 TH152-A_EL_06-07_001_C3 TH152_A_S_XX_001_C3 TH152_A_SE_06-07_001_C4 TH152_A_PL_06-07_001_C7 TH152_A_PL-06-07_002_C8 TH152_A_EL_-08_001_C3

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions
HE1	Designated heritage assets
HS3	Housing mix
NE8	Sustainable drainage systems
NP4	Ickleford NP
SECN11	Making effective use of land
SECN12	Achieving well-designed places
SP1	Sustainable development in North Herts
SPDVP	Vehicle Parking at New Development
T1	Assessment of transport matters
T2	Parking

Ickleford Neighbour Plan

- ☐ E2 – Protecting the landscape.
- ☐ E3 – Rural Character.
- ☐ E4 – Biodiversity.
- ☐ SD1 – Development within the settlement boundary.
- ☐ SD2 – New housing development.
- ☐ SD3 – High quality design.
- ☐ SD4 – Provision of energy efficient buildings.
- ☐ SD5 – Water Management.
- ☐ MTT2 – Car parking.

2.0 Site History

- 2.1 18/02785/FP - proposed 7 dwellings on the site and was withdrawn.
- 2.2 20/00891/FP proposed 5 dwellings with a new access spur road off Lodge Court with parking, landscaping, formation of a pedestrian footpath and communal open space. This application was refused at Planning Control Committee and allowed at appeal.
- 2.3 21/03464/S73 was submitted to vary conditions 2, 6, 8, 9 and 10 imposed on the appeal decision for application 20/00891/FP and was granted conditional permission.
- 2.4 22/01448/FP proposed 5 dwellings and was granted planning permission in October 2022.
- 2.5 22/03105/S73 sought to vary condition 2 imposed on application 22/01448/FP and was granted planning permission.
- 2.6 Applications to agree details for conditions imposed on planning permission 22/01448/FP have been submitted and agreed. These are:
- 23/00735/DOC for condition 6 landscaping;
 - 23/00736/DOC for condition 11 Construction Traffic Management Plan;
 - 23/00737/Doc for condition 13c archaeology; and
 - 23/00738/DOC for condition 14 ecology.
- 2.7 23/02650/FP – Erection of 8 dwellings comprising 3 pairs of semi-detached dwellings (6 x 3-bed) and two detached 4-bed dwellings including integral garages (plots 1 and 8) with a new access spur from Lodge Court, on-site parking and landscaping. Conditional permission.
- 2.8 24/01031/S73 – Variation of condition 2 of 23/02650/FP granted 16/02/24 for the erection of 8 dwellings comprising of 3 pairs or semi-detached dwellings (6 x 3-bed) and two detached 4-b3ed dwellings including integral garages (plots 1 and 8) with a new access spur from Lodge Court, on-site parking and landscaping. Conditional permission.
- 2.9 24/02563/S73 – Variation of condition 2 (revised plans) of planning permission 24/01031/S73 granted for erection of eight dwellings comprising of 3 pairs of semi-detached dwellings (6 x 3-bed) and two detached 4-bed dwellings including integral garages (plots 1 and 8) with a new access spur from the Lodge Court, on-site parking, landscaping.

- 2.10 Application 24/01031/S73 changed the footprint size, height and external design of the dwellings in comparison to the parent permission 23/02650/FP. While application 24/02563/S73 sought to retain the scheme approved under application 24/01031/S73, with the addition of a car port structure between the front boundary of plot 7 and the side boundary of plot 8 backing on to the southern boundary of the site.

3.0 **Representations**

3.1 **HCC Archaeology** – no comment.

3.2 **HCC Highways** – does not wish to restrict the grant of planning permission.

3.3 **NHDC Environmental Health** – no objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is land on the south side of Turnpike Lane to the west of Lodge Court and Manor Close. The land, formerly, was part of the grounds of Ickleford Manor house which lies to the east of Lodge Court. The neighbouring buildings, Waltham Cottage and numbers 3 – 6 Lodge Court are all listed buildings and Waltham Cottage is within the Ickleford Conservation Area. The vehicle access for Lodge Court cuts through the northern part of this site, although this is set back from the road with a belt of mature trees between the access lane and Turnpike Lane itself which are covered by a blanket TPO, which also extends along Turnpike Lane to the west. Under the provisions of the Local Plan 2011 – 2031 this land is now land within the settlement boundary for Ickleford. The houses are being constructed and works are well progressed on site.

4.2 **Proposal**

4.2.1 The S73 application is seeking the following changes:

- the installation of an air source heat pump (ASHP) for each dwelling;
- minor changes to the amount of external paving in the rear gardens of plots 1, 2 and 6 and the garden shed for plot 2 being relocated within the garden;
- minor changes to the finished floor levels of the houses in plots 7 and 8;
- the consideration of the sustainability measures submitted for consideration under condition 20 application ref. no. 25/01787/DOC.

4.3 **Key Issues**

4.3.1 **Principle** – the principle of residential development on this site is long established with the above stated planning history.

4.3.2 **ASHPs** – an ASHP is to be located in the side or rear garden for each plot which means they will be screened from the public views from the front street scene and will have no adverse impact on the setting of the development or the amenity of neighbour plots. There is no objection to the addition of ASHPs to each plot and no objection is raised to this change.

- 4.3.3 Garden paving – there is no objection to the change in the paving layout for these plots. The main patio area is rear of the dwelling and is the same size for each plot. The shed for plot 2 is being re-located from rear of the house to the end of the rear garden as the ASHP for plot 2 is now being located where the shed was. There is no objection to this change which will not have a material impact on the finish of the development.
- 4.3.4 Levels – the approved plans for application 23/02650/FP shows a FFL for plot 8 of 54.22 and a elevation height of just under 7.1m. The plans for this S73 application, show a FFL for plot 8 of 54.45 and an elevation height of just over 7.2m. I understand that the pitch of the roof has been slightly reduced to accommodate the raised FFL. In my view this increase in the ridge height is minor and not a significant enough change to have a noticeable adverse impact on the appearance of the dwelling when viewed from the neighbours in Lodge Court or Manor Close and no objection is raised to this change.
- 4.3.5 The application also makes reference to the a minor change in the height of the dwelling in plots 6 and 7. These plots have had a minor reduction in height to an elevation height of 8.55m from an approved height of 8.8m. There is no objection to this change which will not have a material visual impact in the setting of the development.
- 4.3.6 Sustainability measures – A Sustainability Statement has been submitted for consideration which sets out that the scheme is to:
- utilises U-Value targets to maximise fabric efficiency and reduce energy demand;
 - have high efficiency double-glazing;
 - natural ventilation;
 - ASHPs;
 - PV panels;
 - SAP calculations that show that the Building Regulations part L requirements are exceeded.
- 4.3.7 These measures are considered to be acceptable and the recommended condition will state compliance with the details set out in this report.

4.4 **Conclusion**

- 4.4.1 No objection is raised to the application which is considered to comply with the aims of Local Plan Policies SP1, SP9, D1, D3, NE2, NE4 and T2. The application is therefore recommended for conditional permission.
- 4.4.2 As all other matters are the same as the previous schemes and there are no further points for consideration.
- 4.4.3 As this is a S73 application the requirements of the national 10% BNG are not applicable.

4.5 **Alternative Options**

- 4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

4.6.1 As works are well commences on site, non applicable.

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.

2. The external materials are to be in accordance with the schedule of materials approved under application reference number 24/02583/DOC unless otherwise agreed in writing.

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.

3. The hard surfacing materials shall be in accordance with the details set out on the submitted plan, drawing number TH152_A_S_XX_001_C3, unless otherwise agreed in writing with the Local Planning Authority.

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. The tree protection measures are to remain on site for the duration of the construction 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

6. The landscaping of the development is to be in accordance with the schedule of landscaping approved under application reference number 24/02668/DOC unless otherwise agreed in writing.

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.

7. No gate(s) shall be erected across the access to the site for the life of the development without prior written consent from the Council first being obtained.

Reason: In the interests of highway safety so that vehicles are not forced to wait in the carriageway while the gates are being opened or closed

8. Prior to the first occupation of the development hereby permitted all internal vehicular access roads (5.5m wide), footways and parking areas shall be provided and thereafter retained at the position as shown on the drawing number 301.A3 PL05.

Arrangement 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: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

9. Prior to the first occupation of the development hereby permitted the a pedestrian crossing with tactile provision onto Turnpike Lane, shall be provided. These works shall be constructed to the specification and satisfaction of the Highway Authority in consultation with the Local Planning Authority and shall be secured and undertaken as part of the S278 works.

Reason: To ensure satisfactory pedestrian access into the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

10. Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 43 metres shall be provided to each side of the access where it meets the highway and such splays shall always be maintained free from any obstruction between 600mm and 2.0 metres 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)

11. The development shall be built in accordance with the details agreed in the Construction Traffic Management Plan agreed under application ref. no. 23/00736/DOC.

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).

12. Prior to the first occupation of the development hereby permitted, each dwelling shall have installed one electric vehicle charging point that is ready for use by the occupier, which shall be maintained and retained for the life of the development.

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.

13. Prior to the first occupation of the development hereby permitted, secure cycle storage is to be provided in the rear gardens of plots 2, 3, 4, 5, 6 and 7.

Reason: To comply with the requirements of the Vehicle Parking SPD.

14. Prior to the first occupation of the development hereby permitted, bin stores are to be provided in the side / rear garden of all the houses in accordance with the details agreed under application ref. no. 25/00147/DOC.

Reason: To prevent bins from being stored in the frontage of the houses in accordance with LP Policies D1 and D3.

15. The ecology measures to be implemented on site prior to the first occupation of the development hereby approved shall be in accordance with the scheme of measures approved under application 24/02669/DOC.

Reason: To protect bio-diversity on the site in accordance with LP Policy NE4.

16. Prior to the first occupation of the development hereby permitted, the surface water drainage works shall have been implemented in accordance with details that are to be agreed under case ref. no. 25/00592/DOC.

Reason: To prevent surface water flooding. LP Policy NE8.

17. 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 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

18. 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. 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.

19. The sustainability measures, as set out in the Sustainability Statement dated July 2025, shall be implemented in the development hereby approved.

Reason: To address the climate emergency in accordance with Local Plan Policy D1.

Biodiversity Net Gain

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.

Informative/s:

1. HIGHWAYS INFORMATIVES:

1. 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 authorized 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-roadsandpavements/business-anddeveloperinformation/developmentmanagement/highways-developmentmanagement.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-roadsandpavements/business-anddeveloper-information/businesslicences/businesslicences.aspx> or by telephoning 0300 1234047.

3. Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roadsandpavements/business-anddeveloperinformation/developmentmanagement/highways-developmentmanagement.aspx>

4. 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.

2. ENVIRONMENTAL HEALTH INFORMATIVES:

1. During the construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

2. During the change of use phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

3. EV CHARGING POINT SPECIFICATION INFORMATIVE:

Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments).

- o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed determination point within a garage or an accessible enclosed termination point for future connection to an external charge point.

- o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).

- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 21 November 2025	