

DELEGATED FILE NOTE

CASE OFFICER: ...Harriet Sanders.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/03227/FP	Erection of two detached 3-bedroom dwellings including cycle stores, air source heat pumps and parking.	83 Whitehill Road Hitchin Hertfordshire SG4 9HP

Submitted Plan Nos

P1 P2 P3 P4 P5 P6

1.0 Policies

SP1	Sustainable development in North Herts
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SP2	Settlement Hierarchy and Spatial Distrib
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SP6	Sustainable transport
SP8	Housing
SP9	Design and Sustainability
T1	Assessment of transport matters
T2	Parking
D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
NE4	Biodiversity and geological sites

2.0 **Site History**

- 2.1 25/01517/FP - Erection of two 3-bed semi-detached dwellings including cycle stores and parking (amended by plan received 14/08/25). CP 19/08/2025.
- 2.2 Further details of planning history are set out in the officer report for the above most recent consent.

3.0 **Representations**

- 3.1 Neighbour notification was carried out and a site notice posted. No objections or comments of support have been received.

3.2 3 comments have been received regarding swift boxes.

3.3 Consultation responses:

- HCC Highways – does not wish to restrict the grant of permission subject to conditions.
- Env Health (Air Quality) – recommend an EV Recharging Infrastructure Condition. As this is covered by separate legislation under building control, it is not necessary to add this condition.
- Env Health (Noise and Other Nuisances) - no objection.
- Env Health (Contaminated Land) – no objection subject to conditions.
- Waste and Recycling Services Manager – no comment received at the time of writing this report.
- Herts Ecology - This application is exempt from Mandatory Biodiversity Net Gain. Recommend addition of informatives.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is land to the rear of a two-storey detached dwelling No. 83, which includes a vehicular access from Whitehill Road. No. 83 occupies the front half of the site. The rear part is undeveloped and in a poor state. It is used for storage of building materials and also contains a shipping container and a shed.

4.1.2 Ground levels slope down gradually from Whitehill Road, with the rear part of the site sitting at a lower level than No. 83. Site boundaries are comprised of high fences, and some higher vegetation and trees. The site is in a residential area comprised of detached and terraced dwellings.

4.2 **Proposal**

4.2.1 Consent is sought for:

“Erection of two detached 3-bedroom dwellings including cycle stores, air source heat pumps and parking.”

4.3 **Key Issues**

4.3.1 The key material considerations when assessing the planning merits of the proposal are:

- Principle of the development.
- Design, character and appearance.
- Potential impact on neighbour amenity.
- Future living conditions.
- Access, highways and parking.
- Trees, landscaping and ecology.

Comparison with Extant Consent 25/01517/FP

4.3.3 Consent 25/01517/FP was approved 19/08/2025 and remains live and implementable.

- 4.3.3 The current application is very similar, with the only different being the separation of the semi-detached dwellings into two detached dwellings. The dimensions and design of the dwellings and surrounding area remain the same except the siting of the dwellings is approximately 0.5m closer to the side boundaries and side facing windows in the inward facing side elevations of the two dwellings.
- 4.3.4 Therefore the principle of the proposal and the design and appearance, impact on neighbouring amenity, future living conditions, access, highways and parking, trees, landscaping and ecology have all been assessed and approved in the previously approved scheme. This can be reviewed in full in the officer report for the extant application.
- 4.3.5 It is therefore only necessary to assess the impact and acceptability of the parts of the current scheme that vary from the extant scheme.

Principle

- 4.3.6 No change – two detached dwellings remains the same in principle as the recently approved semi pair. Acceptable.

Design, character and appearance

- 4.3.7 No substantial change – the overall design and appearance of the dwellings is almost identical albeit split into detached properties with new side facing windows. Proposed materials to match existing dwelling at no 83. Acceptable.

Impact on Neighbour Amenity

- 4.3.8 The separation of the semi-detached pair into two detached dwellings would result in the bulk and mass of the dwellings moving approximately 0.5m closer to the north east and south west boundaries. However, they would remain over 1m off the boundary to the south west and approximately 3m or more off the boundary to the north east. It is not considered that this would alter the assessment of potential harm to neighbouring amenity set out in the previous officer report for the extant scheme. Acceptable.
- 4.3.9 It is reasonable and necessary to include conditions controlling the glazing and opening of the windows on the no 83A – first floor windows on side elevation facing towards no 89 Whitehill Road, and 83B – first floor window in rear elevation, as was imposed in the extant permission to protect neighbouring privacy.

Future living conditions

- 4.3.10 No material change in size and layout – acceptable.
- 4.3.11 Restrictions on glazing and opening have been imposed on the side facing elevations on both proposed dwellings facing towards each other to protect the amenity of future occupiers.

Access, highways and parking

- 4.3.12 No material change – acceptable.

Trees, landscaping and ecology

4.3.13 No material change – acceptable.

4.4 **Pre-Commencement Conditions**

4.4.1 The applicant is in agreement with the pre-commencement conditions that are proposed.

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. The following materials shall be used on the external elevations and roof of the development hereby permitted and retained as such thereafter:
 - o Walls - facing brick- Wienerberger 65mm Renaissance Multi.
 - o Roof -Spanish slate tile - Capimor dark blue/grey or similar.

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. Prior to commencement of the approved development, the following landscape details shall be submitted to include the following:
 - 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.

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

5. The approved details of landscaping 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, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

6. 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 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.

7. 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.

8. Before the development hereby approved is first occupied, all on site vehicular areas shall be accessible, surfaced and marked in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. 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: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

Prior to first occupation, the provision of facilities for cycle storage shall be made to the satisfaction of the Local Planning Authority.

Reason: To promote sustainable/active travel, in line with paragraphs 115-117 of the NPPF.

9. Prior to the commencement of the development, a 'Construction Traffic Management Plan' shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' shall identify details of:
- o the phasing of construction and proposed construction programme.
 - o the methods for accessing the site, including wider construction vehicle routing.
 - o the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
 - o the hours of operation and construction vehicle movements.
 - o details of any highway works necessary to enable construction to take place.
 - o details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
 - o details of any hoardings.
 - o details of how the safety of existing public highway users and existing public right of way users will be maintained.
 - o management of traffic to reduce congestion.
 - o control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels, and how it will be ensured dirty surface water does not runoff and discharge onto the highway.
 - o the provision for addressing any abnormal wear and tear to the highway, to include a Highways Before & After survey
 - o the details of consultation with local businesses or neighbours.
 - o the details of any other Construction Sites in the local area.
 - o waste management proposals.
 - o signage.

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). To comply with Policy T1 of the Local Plan.

10. The development shall include the ecological enhancements set out in section 5.3 of the submitted Ecological Impact Assessment (reference P3252.2.0), unless otherwise agreed in writing by the local planning authority.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the North Herts Local Plan policy NE4.

11. 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 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 and to comply with Policy D1 and Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

12. The following openings shall be obscure glazed and non opening below 1.7m from finished floor level and retained as such thereafter:

- o 83A - first floor windows on side elevation facing towards no 89 Whitehill Road;
- o 83A - all windows on side elevation facing towards no 83B;
- o 83B - first floor window in rear elevation;
- o 83B - all windows on side elevation facing towards no 83A.

Reason: In the interests of privacy and amenity. To comply with Policy D3 of the Local Plan.

13. Prior to the first occupation of either of the dwellings hereby approved, details of the Air Source Heat Pumps shall be submitted to the LPA and approved in writing and installed on site in accordance with the approved details. Such details shall include siting, size, appearance, manufacturer's specifications, and noise generation levels.

Reason: To ensure that there are no adverse impacts on the design of the dwellings hereby approved or adverse harm on the amenities of the neighbouring occupiers. To comply with Local Plan Policies D1 and D3.

14. 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 website

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

15. Obstruction of public highway land: 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 website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

16. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website

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

17. During the demolition and construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.
18. During the demolition and construction phase no noisy 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 noisy work at any time.
19. If European Protected Species (EPS), including bats and great crested newts, or evidence for them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
20. To avoid the killing or injuring of wildlife during development, best practice should keep any areas of grass as short as possible and any longer, ruderal vegetation should be cleared by hand. To avoid creating refugia that may be utilised by wildlife, materials should be carefully stored on-site on raised pallets and away from the boundary habitats. Any trenches on site should be covered at night or have ramps to ensure that any animals that enter can safely escape, and this is particularly important if excavations fill with water. Any open pipework with an outside diameter greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.
21. In order to protect breeding birds, their nests, eggs and young, demolition or vegetation clearance should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed.

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  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 17 March 2026	