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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Crawshaw Architects LLP
27 Almeida Street
London
N1 1TD

Applicant:

Mr Sam Sheppard

PARTICULARS OF DEVELOPMENT

Application: 25/02115/FP

Proposal: Conversion of 3 existing agricultural buildings to provide 8 residential units, including gardens and formation of vehicular access.

Location: Kirby Manor Farm, Northfield Road, Ashwell, Baldock, Hertfordshire, SG7 5JQ

Plan Nos: 164 OS 00 164 SVY 01 164 SVY 05.01 164 SVY 05.02 164 SVY 05.03 164 SVY 06.01 164 SVY 06.02 164 SVY 06.03 164 SVY 10.01 164 SVY 10.02 164 SVY 10.03 164 SVY 20 164 PP 01 164 PP 05.01 164 PP 05.02 164 PP 05.03 164 PP 06.01 164 PP 06.02 164 PP 06.03 164 PP 10.01 164 PP 10.02 164 PP 10.03 164 PP 10.04 164 PP 10.05 164 PP 10.06 164 PP 20.01 164 PP 20.02 164 LD 01

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **GRANT PERMISSION** for the development proposed by you in your application received with sufficient particulars on 3 December 2025, subject to the following condition(s):

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.

Planning 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. Prior to the occupation of the development hereby approved, details including materials and elevations of the bin store shall be submitted to and approved in writing by the Local Planning Authority.

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

4. No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- o A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;
- o A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study);
- o A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation)

All such work shall be undertaken in accordance with BS:10175:2011 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health and the wider environment.

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

5. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall be informed by an up to date ecological appraisal and include the following;

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason: To safeguard local biodiversity and to comply with Policy NE4 of the Local Plan

6. 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.

7. 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, except for the provision of cycle stores under condition 9 below.

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.

8. 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.

9. No dwelling shall be occupied until provision is made within the site for the storage of bicycles to serve each dwelling. Details of storage buildings for bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to their construction.

Reason: To make provision cycle parking to encourage active travel and in accordance with the provisions of Policy T2 of the North Hertfordshire Local Plan 2011 to 2031.

10. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for:
 - a) the parking of vehicles of site operatives and visitors.
 - b) loading and unloading of plant and materials.
 - c) storage of plant and materials used in constructing the development.
 - d) the hours of construction works.
 - e) wheel washing facilities.
 - f) measures to control the emission of dust and dirt during construction.

The approved construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interests of the amenities of the area and in accordance with Policy D3 of the North Hertfordshire Local Plan 2011 to 2031

11. Prior to the installation of external lighting, full details including height, hours of operation, design, location of lighting, intensity and shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall preclude the inclusion of motion sensors. The lighting installation shall then be

carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of the appearance of the locality within the countryside and protection of neighbour amenity in accordance with Policies NE4 and D3 of the North Hertfordshire Local Plan 2011 to 2031.

12. Notwithstanding details of proposed boundary treatment in the submitted landscaping scheme (Drawing No. 164 LD 01) prior to occupation of the development hereby permitted details of the height of proposed boundary treatment shall be submitted to and approved in writing by the local planning authority, and the boundary wall with Kirby Manor farmhouse will be no less than 2.5metres measured from the highest point along the boundary within the neighbouring property and constructed in Arlesey White bricks. The boundary treatment shall be completed in accordance with the approved details before the buildings are occupied.

Reason: To safeguard and enhance the appearance of the development and the amenity of the locality and to comply with policies D1 and D3 of the North Hertfordshire Local Plan 2011 to 2031.

13. Notwithstanding the details in the submitted drawings, the development shall not include red external render. 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 any works above slab level are commenced. The approved details shall be implemented on site and thereafter retained.

Reason: To ensure that the development will have an acceptable appearance which better reflects and 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.'

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
Development and Conservation Manager

Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Date: 28 January 2026

The Council's Privacy Notice is available on our website: <https://www.north-herts.gov.uk/home/council-data-and-performance/data-protection/information-management-gdpr>

NOTES

- 1 **Failure to satisfy conditions may invalidate this permission and/or result in enforcement action. Particular attention should be paid to the requirements of any condition in bold.**
- 2 Applicants will need to pay a compliance fee where they request confirmation in writing of any planning consent, agreement or approval (commonly known as discharge of conditions) required by one or more conditions or limitations attached to a grant of planning permission.
- 3 The fee is £298 per request or £86 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse.

The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available via the Council's website:
www.north-herts.gov.uk/home/planning/planning-applications/submit-planning-application
- 4 If the development hereby permitted is one that will require a new postal address/es then please contact the Council's **street naming and numbering service** on 01462 474431 or email SNN@north-herts.gov.uk who will advise you on how to apply for the new address/es.

Any proposed sales and/or marketing name to be adopted by the developer should be forwarded to the **street naming and numbering service**, prior to any publication of the site details and sales information.
- 5 If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development or to grant it subject to conditions, then

you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

However, if an enforcement notice has been served for the same or very similar development the time limit is 28 days from the date of the LPA decision or 28 days from the date the enforcement notice was served.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

6 Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

7 The District Council and County Highway Authority wish to ensure that, in the implementation of the development, hereby approved, the highway verge adjacent to

the property is not damaged or does not become unsightly due to the stationing of skips, parking of vehicles, storing of building materials etc thereon. Your attention is, therefore, drawn to the provisions of Section 131 of the Highways Act 1980 and to the Hertfordshire County Council Bylaws 1955 (specifically relating to grass margins and verges in Letchworth Garden City) by virtue of which such actions, unless authorised by the prior grant of a licence, constitute a prosecutable offence. Persons responsible for undertaking the development and any associated works are, therefore, strongly encouraged to take appropriate steps to ensure that no breach of the said legislation occurs during the course of such activities. In the event of any damage being caused it will be expected that suitable reinstatement is undertaken upon completion of the development. Failure to do so could also result in legal action being pursued. To obtain information regarding the issue of licences, contact Hertfordshire Highways, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG138DQ or telephone 0300 1234 047.

8 **Cadent Gas Informative:**

Cadent Gas own and operate the gas infrastructure within the area of your development. Contact our Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email plantprotection@cadentgas.com Alternatively you can register on www.beforeyoudig.cadentgas.com This service is free of charge.

THIS PLANNING PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYELAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.