

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01929/FP	Erection of detached dwelling and detached garage.	Land East Of 2 Scarp Close Ashwell Hertfordshire SG7 5FP

Submitted Plan Nos

178 OS 00 Rev_B 178 SKD 01 Rev_A 178 SKD 02 Rev_A 178 SKD 03 Rev_A 178 SKD 05 Rev_A 178 SKD 10 Rev_A 178 SKD 20 Rev_A 178 SKD 30 Rev_A 178 SVY 01 Rev_A

1.0 Policies

SP1 Sustainable development in North Herts

SP2 Settlement Hierarchy and Spatial Distrib

SP9 Design and Sustainability

D1 Sustainable design

D3 Protecting living conditions

SECN12 Achieving well-designed places

T2 Parking

2.0 **Site History**

2.1 None at site.

Adjacent properties on Scarp Close

2.2 21/01825/FP - Erection of one detached 4-bed dwelling as amended by plans received 17th September 2021 (revision of previously approved planning application 20/01712/FP granted 28.09.2020).

2.3 21/02650/FP - Erection of two detached 4-bedroom dwellings and garages, including alterations to existing vehicular access (as amended by plans received 18th March 2023).

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – 2 objections received.

- Concerns about cliff stability / collapse / erosion.

- Overlooking and overshadowing
- Concerns about tree planting along cliff edge.
- Concerns over outbuildings placed close to cliff edge.

3.2 **NHC Ecology** – No objection subject to condition.

3.3 **Ashwell Parish Council** – Objection.

“At the Ashwell Parish Council meeting on 3rd September concerns were raised regarding the application in respect of it not being in line with the Neighbourhood Plan as it is noted that the Study has a proposed ensuite which could make the dwelling a 4 bed dwelling which is contrary to the NP.

It was also noted that the ridgeline may be visible from the skyline on the approach to the village. Therefore I would like to advise that the application is not supported by the Parish Council but should it go ahead to request the above is taken into account.”

3.4 **Waste and Recycling** – None received.

3.5 **HCC Highways** – No objection.

3.6 **HCC Archaeology** – No objection subject to condition.

3.7 **Environmental Health (combined)** - No objection subject to conditions.

3.8 **Procedural Note**

The Parish Council has raised as objection as a statutory consultee. In accordance with

Paragraph 8.4.5 of the Council Constitution the ward councillors were written to on 19st September 2025 advising that the case officer was likely to have a contrary view to that of the Parish Council and therefore the letter sought whether the Ward Councillors were supportive of the Parish Council position. No comments were received by the deadline dated 27th September 2025. Accordingly, this application may be considered under powers delegated to the Development Control and Conservation Manager.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is an area of grassland adjacent to Scarp Close on the south side of Ashwell Street. The proposal seeks to utilise the existing driveway which serves No 1 and 2 Scarp Close built under **21/02650/FP**. The application site is located within the settlement boundary for Ashwell. The application site sits at a higher ground level than Ashwell Street and would sit significantly higher than the adjacent street of Broadchalke Copse which was a former chalk quarry. The application site slopes upwards in a southerly direction.

4.2 **Proposal**

4.2.1 Planning permission is sought for the erection of one part 1 ½ storey and part single storey, 4-bedroom dwelling. The dwelling would have two bedrooms on the first floor and a master bedroom and study / bedroom on the ground floor. The dwelling would have two gabled roofs connecting by a single storey flat roof link and a detached two car garage with a gable roof.

4.2.2 The proposed materials are:

Roof – Slate tile

Windows – Aluminium or PVC casement windows

Walls – Black timber board cladding, yellow gaunt clay bricks

Doors – Aluminium or PVC with glazed panels

Vehicle Access – Gravel.

4.2.3 The dwelling would sit approximately 70m from the highway and would have a staggered built form and would be recessed approximately 1m into the ground level, sitting approximately 5m tall from the existing ground level.

4.3 **Key Issues**

4.3.1 The key considerations are:

- The Principle of Development
- Design/Impact on the Character of the Area
- Impact on the Amenities of Neighbouring Properties/Future Occupiers
- Highways and Parking
- Landscaping

The Principle of Development

4.3.2 The site is within the village of Ashwell, which is a Category A village as designated in Policy SP2 of the Local Plan, stating that *“In Category A villages, general development will be allowed within the defined settlement boundaries”*. The application site is located within the defined settlement boundary therefore, the proposed development is considered in line with Policy SP2 of the Local Plan and Policy ASH1 of the Neighbourhood Plan.

Design/Impact on the Character of the Area

4.3.3 Policy D1 of the Local Plan states that planning permission will be granted for development proposals that respond positively to local context and create or enhance the public realm. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. This is echoed in Section 12 of the NPPF.

- 4.3.4 The dwelling has been designed with a simple form and materials which would be sympathetic to the neighbouring dwellings on Scarp Close and to help guise the dwelling as a simple pair of barns. The dwelling is predominantly single storey to respond positively to its position on the hill, detracting its visual dominance. The proposed siting of the dwelling would continue the building line of No.2 Scarp Close.
- 4.3.5 The proposed development is therefore considered to respond positively to local context, in accordance with Policies SP9 and D1 of the Local Plan and Policy ASH4 of the Neighbourhood Plan.

The Impact on Neighbouring Dwellings/Future Occupiers

- 4.3.6 Policy D1 of the Local Plan also requires that development proposals meet or exceed the nationally described space standards. Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions. These considerations are echoed within Section 12 of the NPPF.

Impact to no.2 Broadchalke Copse

- 4.3.7 The design and access statement is supported by a section drawing (figure 8) which demonstrates the relationship between the proposed dwelling and the existing neighbouring dwelling of no.2 Broadchalke Copse. These dwellings are approximately 18.65m apart and would be set back sufficiently to not be visible from the first-floor windows. In my view, I consider that the proposed dwelling would not be considered overbearing or overshadowing. No front windows have been proposed and therefore would not occasion any overlooking.

Impact on no.2 Scarp Close

- 4.3.8 The proposed dwelling would be suitably set away from this neighbour and predominantly single storey, as such it would not harm neighbouring amenity. Whilst side rooflights are proposed, these are positioned within the roof to prevent overlooking of neighbouring privacy, no other side windows are proposed.

Impact to future occupiers

- 4.3.9 The proposed dwelling at approximately 150sqm would comply with the minimum nationally described space standards for a 4 bedroom/5-person property (97 sqm), would have a suitable amount of private amenity space, and would see all habitable rooms achieve suitable levels of natural light. It is therefore my view that the proposal would not result in any harm to the reasonable living conditions and well-being of future occupiers.
- 4.3.10 As such, the scheme will not give rise to any materially adverse impacts upon the reasonable living conditions and well-being of neighbouring properties and would provide acceptable living conditions for future occupiers. This is in accordance with Policies D1 and D3 of the Local Plan.

Highways and Parking

- 4.3.11 The site would be accessed via the existing access which serves no.1 and no.2 Scarp Close. The Highway Authority have formally commented on this application, stating no objection with informatives. It is not considered that a single dwelling in this location would have a significant material impact on traffic and highway safety in this area. The proposal provides adequate space to allow for vehicles to turn and exit the site in forward gear and adequate parking to satisfy Policy T2 of the Local Plan.

Landscaping / Ecology.

- 4.3.12 The site will deliver a 10% Biodiversity Net Gain on site mainly through the provision of traditional orchard planting along the north, east and west boundaries of the site. The development will meet the requirement to deliver measurable net gains for biodiversity as required by Policy NE4 of the NHLP. The Council's Ecologist raises no objections subject to the inclusion of an Ecological Enhancement Plan condition.

Waste Storage

- 4.3.13 It is considered that the proposal would have ample room to site the bins to the front of the dwelling, the resident will be required to drag the bins to the end of the driveway for collection in line with the neighbouring dwellings.

Sustainability and Environmental Implications

- 4.3.14 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 North Herts Local Plan, which sets out that development proposal 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.
- 4.3.15 The proposed development, would have no significant implications for the local environment in terms of carbon emissions. I am therefore satisfied that the proposal would be generally in compliance with Section 14 of the NPPF and Policy SP1 of the Local Plan.

Other Matters

- 4.3.17 Although Environmental Health has requested a condition for an EV Charger. This is now a building regulation requirement, as such the doubling up of conditions would not be required.
- 4.3.18 Given the relatively constrained nature of the site, it is deemed necessary that the Permitted Development Rights for classes A to E of the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1, be removed by condition to control future development on the site.
- 4.3.19 With regard to the neighbour representation concerning cliff stability. The agent provided the following response:

“We looked into this when designing the foundations of the driveway that runs along the side of the cliff and commissioned a geotechnical study for that purpose. The conclusion of that study was that the road needs a base of supporting soil/ground spreading out like a pyramid at a 45 degree angle from the vertical. Any erosion of the cliff outside that pyramid (above/ to the side of the 45 degree line) is irrelevant- because it is not ground that is supporting the new structure. Both in the case of the road and the currently proposed house there would need to be erosion of at least 3m in depth (road) or 15m (proposed house), in order for the supporting ground to be effected. So, in short, I do not believe erosion is likely to effect our proposals - unless it is equivalent to an excavation 3m deep- which would be obvious to see and alarming.

No study of the condition of the cliff slope has been carried out- as it was not considered to affect the proposals and is not on the applicant’s land. I would assume that any netting or pinning to guard against falling debris from the steeper parts would be the responsibility of the owners of the slope, which is within the property boundary of 2 Broad Chalke close.”

4.3.20 As such, I am minded to agree with the agent on this matter.

4.4 **Conclusion**

4.4.1 The proposal is considered acceptable in planning terms and in accordance with Policies SP1, SP2, SP9, D1, D3, T1 and T2 of the Local Plan, as well as Section 12 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 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 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 required 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. Provision to be made for public engagement and interpretation
 8. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.
4. 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 condition (A)
5. 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 condition (A) and the provision made for analysis and publication where appropriate.
6. In the event that contamination 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, in accordance with BS10175:2011. 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.

7. No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as the inclusion of integrated bird/bat and bee boxes in buildings/structures, and hedgehog holes in fences has been submitted to and approved 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.

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

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.

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. 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 County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

2. 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-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 6 October 2025	