

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02845/FP	Erection of one 3-bed dwelling following demolition of existing outbuilding including parking and landscaping (as amended by plan no. 101A)	The Kennels Hexton Hitchin Hertfordshire SG5 3JG

Submitted Plan Nos

2023-27-101A 2023-27-102 2023-27-103

1.0 **Relevant Planning Policy**

1.1 North Hertfordshire Local Plan 2011 – 2031

Policy SP2: Settlement Hierarchy and Spatial Distribution

Policy SP5: Countryside and Green Belt

Policy T2: Parking

Policy D1: Sustainable Design

Policy D3: Protecting Living conditions

Policy D4: Air quality

Policy NE3: The Chilterns Area of Outstanding Natural Beauty (ANOB)

Policy NE4: Biodiversity and geological sites

Policy HE4: Archaeology

1.3 National Planning Policy Framework (2024)

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 11: Making effective use of land

Section 12: Achieving well-designed and beautiful places

Section 13: Protecting Green Belt land

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the natural environment

1.4 Supplementary Planning Guidance and Documents

- ☐ Design SPD 2011
- ☐ Vehicle Parking at New Developments 2011
- ☐ Sustainability SPD

2.0 **Site History**

- 2.1 23/02727/FP: Change of use and conversion of existing outbuilding to one 3-bed dwelling to include single storey front and rear extensions following demolition of existing front extension with parking and landscaping. Granted but not implemented.

3.0 **Representations**

- 3.1 Herts Highways: 'Does not wish to restrict the grant of planning permission'
- 3.2 Waste Services:
Provides advice on waste provision and collection.
- 3.3 Gardens Trust: Raise no objections but request additional landscaping.
- 3.4 Natural England:
'No objection'
- 3.5 NHDC Ecologist: Advises that BNG is not required but requests an EEP condition
- 3.6 NHDC Environmental Health:

Requires Phase II land contamination investigation report (now received) and EV charging point.
- 3.5 Site Notice / Adjoining occupiers: No response
- 3.6 Herts Historic Environment Officer: 'No comments to make'
- 3.7 Hexton Parish Council: No response
- 3.8 Chilterns Conservation Board:
No response

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.2 Detached outbuilding, formerly part of 1 Meg Cottages, located on the south side of the Hexton Manor estate access road approximately 550 metres east of Hexton Manor.

The site is within the Green Belt and AONB.

A Scheduled Ancient Monument (Moated Site in Pegsdon List Entry 1009587) is located to the north east.

4.2 **Proposal**

- 4.2.1 The proposals as amended by plan No. 101A received on 19th June 2025 , is for the erection of one 3-bed dwelling following demolition of existing outbuilding including parking and landscaping (as amended by plan no. 101A)

The existing and proposed areas and volumes are provided as follows:

Existing Areas and Volumes:

Floor area = 171.1 sqm

Footprint = 179.6 sqm

Total Volume = 526.8 m3

Maximum Height = 5.3 m

Proposed Areas and Volumes:

Floor area = 142.4 sqm

Footprint = 84.3 sqm

Total Volume = 553.7 m3

Maximum Height = 7.2 m

The proposal is to use clay tiles and render to match the existing immediately to the east as well as similar and timber framed windows.

4.3 **Key Issues**

4.3.1 The key issues are as follows:

- ☐ Principle of development
- ☐ Impact on character and appearance of the area
- ☐ Impact on Heritage Assets
- ☐ Environmental issues
- ☐ Living conditions
- ☐ Access and parking considerations

4.3.2 **Principle of development**

4.3.3 Hexton is a small village located within the Green Belt. The application site is outside of the Hexton village category 'A' boundary and within the Green Belt designation in the current local plan.

4.3.4 Policy SP5 of the Emerging Local Plan states at paragraph c) that the LPA :

Will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated;

4.3.5 Paragraph 154 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and then sets out several exceptions.

Exception g) states

limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

The development can be considered PDL as the site is not in or previously used for agriculture or forestry, is not land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; is not land in a built-up areas such as residential gardens, parks, recreation grounds and allotments; and the permanent structure and fixed hard surface structure have not blended into the landscape.

In this case the proposals will result in the demolition of more floorspace than is proposed to be re-built. The applicants agents have demonstrated that there would be a small increase in volumes and significant reduction in footprint as set out below:

Existing Areas and Volumes:

Floor area = 171.1 sqm
Footprint = 179.6 sqm
Total Volume = 526.8 m³
Maximum Height = 5.3 m

Proposed Areas and Volumes:

Floor area = 142.4 sqm
Footprint = 84.3 sqm
Total Volume = 553.7 m³
Maximum Height = 7.2 m

Volume increase = +5%
Footprint reduction = 50%

The development results in the increase in height over the existing building by 1.9m however this is more than outweighed by the reduction in footprint . Even if there were to be considered some impact on openness it would not cause substantial harm given the limited scale of the development.

4.3.6 In the light of the above it is concluded that the proposals would meet exception g) of paragraph 154 of the Framework. Therefore no very special circumstances are required to be demonstrated.

4.3.7 Other harm to the Green Belt

4.3.8 In design terms the proposed dwelling is sympathetic to the immediately adjacent cottage in height, form, proportions, roof type, window details and materials. Generally

the proposed dwelling would form a high quality development and would not be harmful to the character and appearance of the area.

4.3.9 Paragraph 143 of the Framework sets out the five purposes of Green Belt. This proposal would not conflict with the five purposes of Green Belt as it would not:

- result in sprawl of a large built up area
- result in towns merging into one another;
- result in encroachment into the countryside
- affect the setting and special character of historic towns
- have any impact on urban regeneration / urban land

4.3.10 In assessing the impact of the development on the openness of the Green Belt the planning judgement must have regard to both the spatial impact of the development (i.e. the quantitative impact of new development) and a visual impact (the effect upon people's perception of openness from beyond the boundary of the application site). In terms of the spatial assessment, there would only a small increase in volume, reduction in footprint and no substantial affect upon the openness of the site and therefore any additional harm to the openness of the Green Belt. In terms of the visual impact there would be a considerable improvement in the visual appearance of the site as opposed to its current utilitarian form.

4.3.11 Impact on the character and appearance of the area

4.3.12 The existing building is rather unattractive given its kennels use and utilitarian appearance particularly the front lean to extension. Its redevelopment as a dwelling would be compatible with the residential cottages immediately adjacent to the east (Meg Cottages) and the appearance of the site enhanced through the provision of sympathetic materials.

New landscaping is proposed to the front to create a small front garden and the shingle driveway would be similar in appearance and materials to the existing estate road. There would be no change to the landscaping as all existing trees and hedges around the site are to be retained. A condition withdrawing permitted development rights for extensions and outbuildings would ensure that the character of this part of the estate is maintained.

The proposal would result in an enhancement to the site and the immediate surroundings. It is considered that the proposals will have a positive effect on the character and appearance of the area. I consider that the proposal would be consistent with the aims of Policy SP9 which seeks to support new development where it is well designed and located and responds positively to its local context.

4.3.13 Heritage impact

4.3.14 Hexton Manor (Grade II) and the Registered Park and Garden and the nearby SAM are the three heritage assets potentially affected.

The site has no longer any historical or functional connection with Hexton Manor a listed building to the west and the building would not affect the setting of that residence due to

its distance from the site. The impact of the proposals on the significance of Hexton Manor would be neutral.

Given the limited scale of the new dwelling as well as the enhancement of the site and immediate grounds it is not considered that the proposal will have any negative impact on the Registered Park and Garden or the setting of the nearby SAM.

The site consists of previously developed land and the extensions are unlikely to have any archaeological implications.

4.3.15 Environmental issues

4.3.16 The building was previously used as kennels and it is likely that there will be some contamination both within the building and the site area. The application is accompanied by a Phase I desktop contamination report and subsequent remediation strategy. As such and given the proposed residential use of the building I am of the opinion it would be appropriate to attach a contamination conditions should permission be granted for this development.

4.3.17 The site is in Flood Risk zone 1 where there is a low probability of flooding. Surface water management can be dealt with through the building regulations for this small development and it is unlikely that the site is at risk of flooding given the undeveloped landscaped area to be retained around the original building.

4.3.18 I consider that the proposed materials as set out and the proposed surfacing around the curtilage could be low key and blends to the landscape. Overall it is considered that the proposal would have no direct affect on the natural beauty of the area or the Chilterns AONB in general.

4.3.19 Living conditions

4.3.20 In terms of the living conditions of the prospective occupiers the proposed accommodation would exceed the nationally described space standards for new dwellings and the garden area would provide more than adequate outdoor space for the occupants. The proposals would meet the general requirements of Policy D1 of the Local Plan.

4.3.22 The nearest affected neighbours are those at Meg Cottages however the proposed dwelling is separated from these dwellings so as to not result in any adverse impact on the living conditions of the adjoining occupiers. In any event it is a compatible residential use. The proposal would meet the requirements of Policy D3 of the local plan.

4.3.23 Highways, access and parking

4.3.24 The existing kennels is accessed off the private drive into the estate from the main road around Hexton Lodge to the south and its gated access. This will continue to be the main vehicular access to the new property. No new access is proposed off the main village road. The Highway Authority raise no objection to the access arrangements.

Sufficient parking to meet the needs of the occupants is provided on the new driveway/ hardstanding to the front of the new property.

Refuse provision will be as currently undertaken for Meg Cottages.

4.3.25 Biodiversity

4.3.26 This application is exempt from the requirement to achieve Biodiversity Net Gain under the Environment Act 2021 as it is de- minimis however the Council's Ecologist has recommended an Ecological Enhancement Plan condition should permission be granted.

4.3.27 Bat surveys have revealed that the building has a high potential for roosting bats. Subject to the development being carried out in accordance with a submitted bat activity and emergence report the application will demonstrate a net gain for biodiversity in accordance with Policy NE4 of the Local Plan.

4.3.28 Climate Change and sustainability

4.3.29 The proposed development, by virtue of its limited scale would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with the criteria set out in Policy D1 'Sustainable Design' of the North Hertfordshire Local Plan 2011-2031 and Section 14 - 'Meeting the challenge of climate change, flooding and coastal change' of the NPPF 2023.

4.3.30 It is recommended that a sustainability strategy is submitted to ensure that the development complies with the Council's sustainability SPD.

4.3.30 The Planning Balance

4.3.31 The Local Planning Authority cannot currently demonstrate a five year supply of housing land as required by the NPPF (currently 3.9 years as set out in the Five Year Housing Land Supply Position Statement (May 2024) . The provision of one dwelling would contribute to this shortfall but not significantly so and therefore I can only attribute very limited weight to this benefit.

4.3.32 The proposal replace a redundant building and recycle previously developed land. There would also be a removal of an unsightly front extension and landscape improvements. These positive aspects of the scheme are acknowledged and I attach moderate weight to them in the planning balance.

4.3.33 The proposal is not considered inappropriate development in the Green Belt.

4.3.34 There would be no harm to designated heritage assets. The impact would be neutral in my view. There would be no harm to the natural environment.

- 4.3.35 The balance is in favour of granting planning permission in my view given the positive aspects of the scheme and the securing of a new dwelling to the Council's housing stock. Accordingly it is recommended that planning permission be granted.

4.4 **Conclusion**

- 4.4.1 The proposal is acceptable in planning terms.

4.5 **Alternative Options**

- 4.5.1 None applicable

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 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.

4. Prior to above slab level works an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as hibernacula, the inclusion of integrated bird/bat and bee boxes in buildings/structures, has been submitted to and approved in writing by the local planning authority. The approved measures must be implemented on site prior to the first occupation of the first dwelling hereby approved and retained on site thereafter.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework

5. The development hereby permitted shall be carried out in accordance with the mitigation and compensation measures set out in the submitted 'Emergence and Activity Bat Survey' dated 27th June 2024 by Cherryfield Ecology. The developer shall obtain the necessary Protected Species Licence from Natural England in accordance with the survey recommendations.

Reason: To ensure the protection of protected species in accordance with Policy NE4 of the Local Plan.

6. The development hereby permitted shall be carried out and completed in accordance with the remediation strategy report submitted by HESI Site Investigations dated May 2025.

Reason: In the interests of human health and to comply with Policy NE11 of the Local Plan.

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, E and F 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 HE1 of the North Hertfordshire Local Plan 2011 to 2031. In addition, as the building is being extended to the limit of a proportionate addition to the original building to facilitate the conversion, it is reasonable to remove permitted development rights to prevent further inappropriate additions harming the openness and purposes of the Green Belt and to ensure further additions comply with Policy SP5 of the Local Plan and Section 13 of the NPPF.

8. Prior to the commencement of above slab level works of the development, a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation. The approved measures must be implemented on site for each dwelling hereby approved prior to its first occupation.

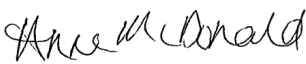
Reason: To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with Policies SP9 and D1 of the North Hertfordshire Local Plan 2011 to 2031

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. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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: 8 July 2025	