



PLANNING APPEAL - STATEMENT OF CASE

Glencoe Villa, Snailswell Lane, Ickleford, SG5 3TS

Job Ref: 21/130

Date: July 2026



Prepared by Tom Donovan BA (Hons), MA, MRTPI on behalf of

PETER GEORGE TOWN PLANNING



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Section 1: Introduction & Background

Introduction

- 1.1 Peter George Town Planning has been instructed by Mr and Mrs Del Basso (the Appellant) to submit an appeal on their behalf against the decision of North Hertfordshire District Council (the Council) for their refusal to grant planning permission (ref. 26/00637/FP, decision notice attached as

Appendix 1) for the erection of a detached dwelling with associated detached garage and outbuildings.

- 1.2 Application reference 26/00637/FP was refused by the Council by notice dated 14 May 2026 (attached as **Appendix 2**) for the following reasons:

“1. The proposed development constitutes inappropriate development in the Green Belt and causes harm to the openness of the Green Belt. The harm by reason of inappropriateness, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal is therefore contrary to Chapter 13 of the National Planning Policy Framework and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011-2031.



2. *The proposed outbuildings and associated domestic development would result in a materially greater impact on the openness and rural character of the site than the previously approved development. The proposal would undermine the effectiveness of the planning condition previously imposed to remove permitted development rights, the necessity of which was confirmed through a dismissed appeal. The development is therefore contrary to the National Planning Policy Framework and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011-2031.”*

- 1.3 The appellant considers that the Council erred in refusing to grant planning permission. The reasons for this are set out in the following statement.

Relevant Planning History

Ref.	Proposal	Decision
26/01362/FP	Erection of a detached five-bedroom dwelling with associated detached garage and outbuildings, access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced).	Refused 10/07/2026
26/00637/FP	Erection of a detached five-bedroom dwelling with associated detached garage and outbuildings, access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced).	Refused 14/05/2026
25/01822/FP	Erection of one detached 5-bed dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced)	Granted 09/09/2025



24/01868/S73	Removal of condition 9 of planning permission 23/00505/S73 granted 20.04.2023 for the erection of one detached four bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding.	Refused 08/10/2024 Appeal dismissed 30/04/2025
24/01191/NMA	Alterations to type, size and position of fenestration and minor revisions to the detailing and materiality of the proposed (as Non-Material Amendment to planning permission 23/00505/S73 granted 20.04.2023)	Granted 18/06/2024
23/00505/S73	Variation of Condition 2 (approved plans and details) of planning permission 22/00172/FP granted 28/03/2022 for the erection of one detached four-bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding.	Granted 19/04/2023
22/02627/S73	Variation of condition 2 (revision of dwelling design) of previously approved planning permission 22/00172/FP granted 28/03/2022 - erection of one detached four-bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding.	Refused 08/12/2022 Appeal Dismissed 13/12/2023
22/00172/FP	Erection of one detached four-bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding.	Granted 28/03/2022
21/01300/FP	Erection of one detached 3-bed dwelling.	Refused 14/06/2021
20/01168/FP	Erection of one detached single storey 3-bed dwelling.	Granted 27/10/2020



Section 2: Analysis of the Site and Surroundings

The Appeal Site

- 2.1 The appeal site comprises an irregular parcel of land situated to the northern side of Snailswell Lane connected to *Glencoe Villa*, a large detached residential dwelling to the south-west. Although well-connected to the main part of the village, the site is located beyond the defined settlement boundary of Ickleford and is thus located within the Green Belt.

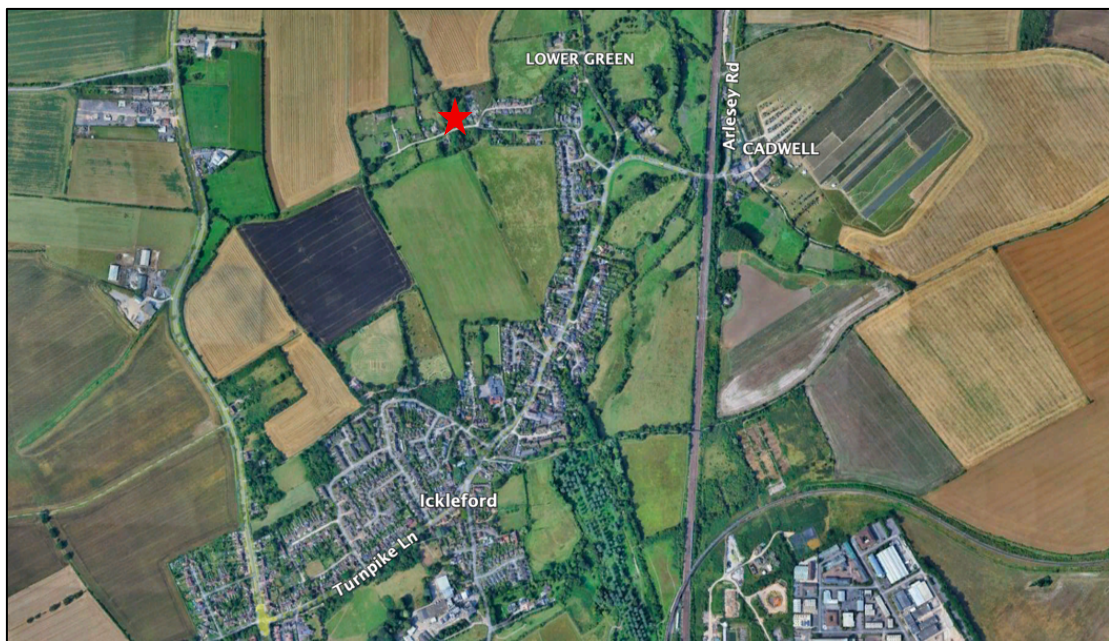


Figure 1 – Site Location

- 2.2 The site was formerly used as a coal and storage yard, and a number of structures and large areas of hardstanding were previously located within the site associated with this former use. Part of the site was used as



residential garden in association with the existing dwelling to which it is currently related.

- 2.3 The site has an existing vehicular access at the southern end onto Snailswell Lane with the site containing a significant amount of hardstanding to accommodate cars and larger industrial/commercial vehicles in association with its commercial use.
- 2.4 Planning permission has previously been granted at the site for different iterations of a detached dwelling and associated development. The house being erected on site is being done so in association with application ref. 25/01822/FP granted 9th September 2025.
- 2.5 The site is primarily surrounded by existing residential development forming a relatively loose-knit arrangement around Snailswell Lane. There are several properties further along Snailswell Lane to the west, the majority of which are reasonably sizable, detached properties within generous grounds. There is also a small estate of park homes immediately to the east of the site (to the north/north-east of Snailswell Lane).



- 2.6 The site does not contain or lie adjacent to any assets of historic significance, nor is it situated within a conservation area. The site lies within Flood Zone 1 and is not understood to be at risk of fluvial or pluvial flooding.

Wider Context

- 2.7 The site lies within Ickleford which is identified as a large settlement in the North Hertfordshire District Local Plan. It has a range of services including a primary school, pubs and shops, sports and recreation facilities and a village hall.
- 2.8 The village is well served by local bus services. The nearest bus stops being located on Arlesey Road; probably no more than a 5-minute walk from the site. These provide regular services to Hitchin, Letchworth Garden City and other nearby villages and towns.
- 2.9 Ickleford is moreover connected by footpaths to Hitchin along both Arlesey Road and Bedford Road enabling residents of Ickleford to access the many facilities in Hitchin.



Section 3: The Development Proposal

Overview

3.1 The proposed description of development is as follows:

“Erection of a detached five-bedroom dwelling with associated detached garage and outbuildings, access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (retrospective application).”

3.2 The proposed dwelling would largely be as per that approved under application ref. 25/01822/FP in terms of its design, form, dimensions and architectural characteristics. However, the previously approved single-storey flat roof extension to the west-facing flank elevation of the proposed dwelling has been fully enclosed to form an orangery.

3.3 The proposal includes a detached garage positioned adjacent to the approved driveway. The building would provide parking for two cars, together with an open-sided carport bay and would be of single-storey, flat-roofed form. Its external walls would be constructed in brickwork matching the principal dwelling, thereby ensuring that it reads as a visually related



and subordinate element of the overall residential development. A separate bin store would also be provided in association with the dwelling.

- 3.4 Two further detached outbuildings are proposed to the rear of the dwelling. One would provide a domestic gym together with an adjoining shed, whilst the other would provide a home office with an associated store and WC. Both buildings would be single-storey and flat-roofed, with external walls constructed in brickwork matching the main house and doors and windows designed to reflect its architectural style.
- 3.5 The proposed buildings would be wholly ancillary to the residential use of the dwelling. Their scale, height, design and siting would ensure that they remain clearly subordinate to the principal house and are perceived as being used in ancillary to its use and enjoyment.
- 3.6 The garage would be located close to the principal access and driveway, where a parking-related building would ordinarily be expected, while the gym, office and storage buildings would be positioned behind the dwelling within the more enclosed part of the residential site.



Section 4: Relevant Planning Policy

Basis for Determining Planning Applications/ Appeals

- 4.1 Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act together require that planning applications for planning permissions be determined in accordance with the Development Plan, read as a whole, unless material considerations indicate otherwise.

The Tilted Balance

- 4.2 The Framework is a material consideration in decision making. The Council are unable to demonstrate a five-year supply of land for housing and so the Tilted Balance is engaged. This means that planning permission should be granted unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Therefore, the primary concern when assessing the Appeal is conflicts with policies within the Framework. However, the development plan context will still assist.



The Development Plan

4.3 The development plan context for the planning appeal is provided by:

- **North Hertfordshire Local Plan 2011-2031 (adopted November 2022)**

4.4 The following policies are considered relevant to the consideration of this appeal:

- Policy SP1: Sustainable Development in North Hertfordshire
- Policy SP2: Settlement Hierarchy and Spatial Distribution
- Policy SP5: Countryside and Green Belt
- Policy SP6: Sustainable Transport
- Policy SP8: Housing
- Policy SP9: Design and Sustainability
- Policy SP11: Natural Resources and Sustainability
- Policy SP12: Green Infrastructure, Landscape and Biodiversity
- Policy T1: Assessment of Transport Matters
- Policy T2: Parking
- Policy D1: Sustainable Design
- Policy D2: House Extensions, Replacement Dwellings and Outbuildings
- Policy D3: Protecting Living Conditions
- Policy D4: Air Quality
- Policy NE2: Landscape
- Policy NE4: Biodiversity and Geological Sites
- Policy HE11: Contaminated Land



Other Material Considerations

National Policy & Guidance

- 4.5 The Framework is a material consideration, as is the Planning Practice Guidance (PPG).

Supplementary Planning Guidance/Other Documents

- Vehicle Parking at New Development SPD (September 2011)



Section 5: Planning Analysis

Background & Key Issues

- 5.1 The Council refused the application for two reasons, albeit both are essentially green belt reasons for refusal. Accordingly, we consider that the key issue in the determination of the appeal is whether the proposed development would be inappropriate development in the Green Belt, and if so, whether very special circumstances exist that would outweigh this and any other harm.
- 5.2 A secondary issue is whether granting planning permission would undermine the effectiveness of the planning condition previously imposed to remove permitted development rights.

Main Issue: Green Belt

Whether Inappropriate

- 5.3 Policy SP5 of the North Hertfordshire Local Plan (NHLP) states that planning applications in the Green Belt will be considered in line with the National Planning Policy Framework (the Framework).



5.4 Paragraph 154 of the Framework establishes that development in the Green Belt is inappropriate unless it falls within one of the specified exceptions.

Paragraph 155 provides a further exception for certain forms of development on grey belt land where the stated criteria are satisfied.

5.5 ‘Grey belt’ is defined in the glossary to the Framework as follows:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

5.6 It was common ground between the parties when application ref. 25/01822/FP was determined that the appeal site constituted grey belt land. Indeed, in recommending approval of that application, the Council’s Planning Officer expressly concluded at paragraph 4.3.4 of the delegated report (Appendix 2) that the site met the definition of grey belt.



- 5.7 By contrast, the delegated report prepared in respect of the appeal application (attached as **Appendix 3**) contains no assessment of whether the site constitutes grey belt land and makes no reference to paragraph 155 of the Framework. Nor does it explain why the Council has departed from the conclusion reached only months earlier when determining application ref. 25/01822/FP. That omission is significant because paragraph 155 is central to determining whether the proposal constitutes inappropriate development.
- 5.8 In any event, with due consideration given to the PPG guidance regarding the consideration of ‘grey belt’ matters, we consider that the site makes no contribution to purpose (a) of the Green Belt given that the site is not adjacent to a large-built up area (Ickleford is a village, whereas the PPG confirms that large built-up areas refer to towns). The site itself has a high degree of self-containment and would not make a substantial contribution to preventing sprawl even if it were at the edge of a large built-up area.
- 5.9 The site furthermore makes no contribution to purposes (b) and (d) given that it firstly makes no contribution in preventing coalescence between towns, and secondly that it does not lie within the setting of a historic town.



5.10 The appeal site comprises previously developed land and, for the reasons discussed above, does **not** strongly contribute to purposes (a), (b) or (d) of the Green Belt purposes. Accordingly, it meets the definition of grey belt; a position that the Council have previously accepted as noted above.

5.11 Paragraph 155 of the Framework states that:

“The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

b. There is a demonstrable unmet need for the type of development proposed;

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and

d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.”

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;



5.12 In terms of the first part of this criterion, the site meets the definition of grey belt land for the reasons discussed above.

5.13 Regarding the second part of this criterion, the PPG provides guidance regarding the consideration of the impact of releasing or developing grey belt sites on the remaining Green Belt in the plan area to be assessed. This states that:

“In reaching this judgement, authorities should consider whether, or the extent to which, the release or development of Green Belt Land would affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way.”

5.14 The appeal site forms only a small part of North Hertfordshire’s extensive Green Belt, which covers almost half of the district. Its redevelopment would therefore have no material effect upon the ability of the remaining Green Belt to continue performing the five Green Belt purposes across the plan area. Accordingly, the proposal would not fundamentally undermine the purposes of the remaining Green Belt, as required by paragraph 155(a).

b. There is a demonstrable unmet need for the type of development proposed;



- 5.15 Footnote 56 notes that, in the case of applications involving the provision of housing, a demonstrable unmet need for the type of development proposed, means the lack of a five-year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Test was below 75% of the housing requirement over the previous three years.
- 5.16 The Council's Five-Year Housing Land Supply Update (November 2025) (attached as **Appendix 4**) sets out that the Council are currently only able to demonstrate a 2.6-year supply of land for housing. Accordingly, there is a demonstrable unmet need for new housing development.
- 5.17 The proposed development would thus be compliant with limb (b) of paragraph 155 of the Framework.
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework;
- 5.18 LP Policy SP2 regards Ickleford as one of the five main villages in the only tier below the district's main urban areas including Hitchin, Letchworth Garden City and so on. It has a range of services including a primary school, pubs and shops, sports and recreation facilities and a village hall.



- 5.19 The village is well served by local bus services. The nearest bus stops being located on Arlesey Road; probably no more than a 5-minute walk from the site. These provide regular services to Hitchin, Letchworth Garden City and other nearby villages and towns.
- 5.20 The site is set amongst existing housing within the north-western part of the village with good access to services within the main part of the village for pedestrians, cyclists and other road users. Accordingly, it is considered that the site is a sustainable location for new housing taken account of paragraphs 110 and 115 of the Framework.
- 5.21 The above position is reinforced by the position adopted by the Council in approving the following applications
- Application ref. 25/01790/FP for one detached dwelling at ‘Land Known as The Orchard, Snailswell Lane, Ickleford’ (decision notice, committee report, and location plan attached as **Appendix 5**). This site is located a short distance to the west of the appeal site, and it was concluded by the Council that the site is sustainable.
 - Application ref. 25/03113/FP for two detached dwellings at ‘2 Snailswell Lane, Ickleford’ (decision notice, delegated report, and location plan attached as **Appendix 6**). The site is a short distance to



the south-east of the appeal site, and it was concluded by the Council that the site is sustainable.

d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.

5.22 Not applicable: Development is not major development.

Summary

5.23 As discussed above, it is considered that the proposed development meets the definition of grey belt land and is moreover in full accordance with the requirements of Paragraph 155 of the revised Framework. Accordingly, it would **not be inappropriate development** in the Green Belt.

Secondary Issue: Earlier Planning Conditions and Appeal Decision

5.24 Planning permission has been granted for a detached dwelling on the site on several occasions since October 2020. In each case, the Council imposed conditions removing permitted development rights for extensions and alterations under Class A, and outbuildings under Class E of the General Permitted Development Order.



5.25 The rationale for those conditions must be understood in the context of national policy applicable at the time the original permissions were granted. Prior to the publication of the revised Framework in December 2024, redevelopment of previously developed land within the Green Belt was required to preserve openness and not result in a materially greater impact on the Green Belt than the existing development. Against that policy background, it was understandable that the Council wished to retain control over future extensions and outbuildings that might incrementally erode openness.

5.26 The existence of those conditions does not, however, determine the outcome of the present appeal. The issue before the Inspector is not whether future unspecified development should be capable of being carried out under permitted development rights, but whether the specific development now proposed is acceptable having regard to the current national policy framework.

5.27 That distinction is reflected in the previous appeal relating to the removal of the permitted development condition (appeal ref. APP/X1925/W/24/3353630, attached at **Appendix 7**). That appeal concerned whether future extensions and outbuildings should be capable of being



undertaken without the need for a further planning application. By contrast, the present appeal relates to a defined proposal comprising a detached garage and two ancillary outbuildings, all of which have fixed dimensions, siting, design and appearance and are capable of detailed planning assessment.

- 5.28 The Inspector's decision on the previous appeal is therefore a material consideration, but it provides only limited assistance in determining the present appeal as, although the appeal was determined following publication of the revised Framework, it did not address whether the appeal site constitutes Grey Belt land or whether paragraph 155 applied to the proposal. Those issues are central to the determination of this appeal and therefore require independent consideration.

Subsequent Planning Application and Paragraph 155

- 5.29 Following refusal of the application, which is the subject of this appeal, the Council refused a subsequent application for substantially the same development under reference 26/01362/FP (decision notice and delegated report attached as **Appendix 8**). Whilst that decision is not itself before the Inspector, it assists in clarifying the Council's current position. In particular, the accompanying delegated report accepts that the principle of the



dwelling has already been established and identifies the principal issue as whether the proposed detached garage and ancillary outbuildings are acceptable in Green Belt terms.

5.30 The Council's reasoning appears to proceed on the basis that paragraph 155 of the Framework is of limited relevance because the principle of the dwelling has already been established and the present proposal relates only to ancillary domestic buildings. Respectfully, that interpretation is not supported by the wording of the Framework. Paragraph 155 applies to "*the development of homes, commercial and other development*" and requires the development proposed to be assessed against its stated criteria. It does not distinguish between a proposal for a dwelling alone and a proposal comprising a dwelling together with ancillary domestic buildings.

5.31 Nor does the Framework suggest that paragraph 155 ceases to apply simply because a proposal includes ancillary buildings associated with an approved dwelling. Once paragraph 155 is engaged, the relevant question is whether the development proposed, taken as a whole, satisfies its requirements. The Framework contains no distinction between a proposal comprising a dwelling alone and one comprising a dwelling together with ancillary domestic buildings. For the reasons set out earlier in this Statement, it is



submitted that the appeal proposal satisfies each of the requirements of paragraph 155.

- 5.32 The proposed garage and outbuildings would be single-storey, ancillary structures proposed to be subordinate to the principal dwelling in terms of their scale, height and function. They form part of a single residential planning unit and would not materially alter the spatial or visual relationship between the approved development and the surrounding Green Belt.
- 5.33 It follows that the Council's reliance upon the earlier removal of permitted development rights and the previous appeal decision does not provide a sound basis for refusing the application. The Inspector is required to determine this appeal having regard to the development now proposed and the current policy framework. For the reasons set out above, the proposed garage and ancillary outbuildings form part of the overall residential development, which satisfies the requirements of paragraph 155 of the Framework and should not therefore be regarded as inappropriate development in the Green Belt.

Other Matters



5.34 There are no other material considerations weighing against the appeal.



Section 6: Summary & Conclusions

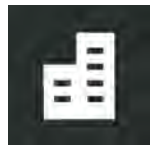
- 6.1 This Statement of Case accompanies an appeal against North Hertfordshire District Council's refusal of planning permission for the erection of a detached dwelling with associated detached garage, outbuildings and associated works at Glencoe Villa, Snailswell Lane, Ickleford.
- 6.2 As demonstrated throughout this Statement, the appeal site constitutes grey belt land, and the proposed development satisfies each of the requirements of paragraph 155 of the National Planning Policy Framework. The proposal therefore falls within the exception to inappropriate development contained within the Framework and should not be regarded as inappropriate development in the Green Belt.
- 6.3 The Council's second reason for refusal is similarly unsustainable. The existence of a condition removing permitted development rights, and the previous appeal relating to that condition, do not determine the outcome of the present appeal. Rather, the Inspector is required to assess the specific development now proposed against the current national policy framework. The Council's subsequent interpretation that paragraph 155 is of limited relevance because the proposal includes ancillary domestic

buildings is not supported in the wording of the Framework. The proposed garage and outbuildings form part of the overall residential development and fall to be assessed as part of that proposal.

6.4 The Council's housing land supply position establishes the demonstrable unmet need required by paragraph 155(b) and also engages paragraph 11(d) of the Framework. However, given the extant permission for a dwelling on the site, the Appellant does not rely upon the appeal proposal as delivering an additional dwelling over and above the permitted fallback. Rather, the significance of the housing land supply position is that it satisfies the relevant policy test and confirms the continued unmet need for housing within the district.

6.5 Finally, should the Inspector consider that controls are necessary regarding the future use of the proposed garage and ancillary outbuildings, those matters could readily be addressed through appropriately worded planning conditions. Such conditions could ensure that the buildings remain ancillary to the enjoyment of the dwelling and prevent their use as separate residential accommodation or for commercial purposes. These controls would provide certainty that the buildings would remain functionally associated with the approved dwelling.

6.6 Consequently, in the absence of any material planning reasons to the contrary, it is respectfully requested that the appeal be allowed, and planning permission granted for the proposed development.



APPENDIX 1: Decision Notice Application Ref. 26/00637/FP



www.north-herts.gov.uk

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Peter George Town Planning
Nine Hills Road
Cambridge
CB2 1GE

Applicant:

Mr and Mrs A Del Basso

PARTICULARS OF DEVELOPMENT

Application: 26/00637/FP

Proposal: Erection of a detached five-bedroom dwelling with associated detached garage and outbuildings, access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced).

Location: Glencoe Villa, Snailswell Lane, Ickleford, Hitchin, Hertfordshire, SG5 3TS

Refused Plan Nos: PO1A PO2A PO3A PO4A PO5 PO6 PO7 PO8B

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **REFUSE** the development proposed by you in your application received with sufficient particulars on 19 March 2026.

1. The proposed development constitutes inappropriate development in the Green Belt and causes harm to the openness of the Green Belt. The harm by reason of inappropriateness, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal is therefore contrary to Chapter 13 of the National Planning Policy Framework and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011-2031

2. The proposed outbuildings and associated domestic development would result in a materially greater impact on the openness and rural character of the site than the previously approved development. The proposal would undermine the effectiveness of the planning condition previously imposed to remove permitted development rights, the necessity of which was confirmed through a dismissed appeal. The development is therefore contrary to the National Planning Policy Framework and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011-2031

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied 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: 13 May 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 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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.



APPENDIX 2: Delegated Report Application Ref. 25/01822/FP

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01822/FP	Erection of one detached 5-bed dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced)	Glencoe Villa Snailswell Lane Ickleford Hitchin Hertfordshire SG5 3TS

Submitted Plan Nos

PO1E PO2F PO3F PO4F PO5 PO7 PO8A

1.0 Policies

SP5	Countryside and Green Belt
D1	Sustainable design
D3	Protecting living conditions
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land

2.0 **Site History**

2.1 Extensive planning history at this site. Relevant applications are as follows:

2.2 **24/01191/NMA** - Alterations to type, size and position of fenestration and minor revisions to the detailing and materiality of the proposed (as Non-Material Amendment to planning permission 23/00505/S73 granted 20.04.2023)

Agreed

2.3 **23/00505/S73** - Variation of Condition 2 (approved plans and details) of planning permission 22/00172/FP granted 28/03/2022 for the erection of one detached four bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding.

Conditional Permission

2.3 **22/00172/FP** - Erection of one detached four-bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding.

Conditional Permission

3.0 **Representations**

- 3.1 **Ickleford Parish Council** – None received.
- 3.2 **Hertfordshire Highways** – No objections.
- 3.3 **Environmental Heath** – No objection subject to condition.
- 3.4 **Hertfordshire Ecology** – None received.
- 3.5 **Hertfordshire Archaeology** – No comments.
- 3.6 **Waste and Recycling** – None received.
- 3.7 **Beds and River Ivel Drainage Board** – Guidance given on ground conditions for soakaways being investigated and constructed in accordant with latest regulations.
- 3.8 **Site Notice and Neighbour Consultation** – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site comprises land to the east and north of a detached two storey dwelling (Glencoe Villa), which slopes up gently to the rear. The site has been used for a coal merchant business in association with Glencoe Villa, with various associated buildings and structures remaining within the site. The site contains trees at the rear and east.
- 4.1.2 The wider locality has a rural character with a small number of dwellings nearby on the north edge of Ickleford, with a caravan park to the east. The site is in the Green Belt.

4.2 **Proposal**

- 4.2.1 The application seeks planning permission for the erection of one detached 5-bed dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced)
- 4.2.2 The background and planning history for this site is material to this application.
- 4.2.3 Planning permission under ref. 22/00172/FP was granted on 28 March 2022 for the erection of a 4-bedroom dwelling on the site. This followed an earlier consent for a detached dwelling under ref. 20/01168/FP granted 27 October 2020 for a three-bedroom dwelling.

This planning permission was first varied under ref. 23/00505/S73, and then subsequently under ref. 24/01191/NMA. These sought revisions to the design, form and size of the dwelling originally approved under the 2022 consent. The NMA approved in 2024 introduced a fifth bedroom, albeit the description of development of the host consent wasn't amended to reflect this change.

All relevant pre-commencement conditions associated with application ref. 23/00505/S73 have been discharged/approved, and construction of the development

began in March 2025. Accordingly, it is considered that application ref. 23/00505/S73 has been successfully implemented.

- 4.2.4 As such, the proposal submitted under this application is largely as per that approved under application ref. 23/00505/S73 and varied under application ref. 24/01191/NMA in terms of its design, form, dimensions and architectural characteristics. However, the previously approved dwelling would be supplemented by a single-storey flat roof extension to the west-facing flank elevation of the proposed dwelling. This would have a similar design to the main part of the dwelling and would measure approximately 4.2m in width, 10m in depth and 3.1m in height. Moreover, as the description of development was not amended to reflect the change agreed under the NMA, this proposal is also seeking formal approval for the fifth bedroom.

No alterations are proposed to the approved site layout including the approved residential garden size, vehicular access, and car parking to serve the proposed dwelling.

4.3 **Key Issues**

- 4.3.1 The principle of the erection of a detached dwelling on the site has been established through the grant of planning permission ref. 23/00505/S73 which has been lawfully implemented and is extant. As such, the principle of development is acceptable in principle.
- 4.3.2 The site is within the Green Belt. As set out in the officer report under ref. 23/00505/S73, the dwelling was granted on the basis that the proposed development involved the redevelopment of previously developed land (PDL) and that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development. Accordingly, it was found to not be inappropriate development in the Green Belt.
- 4.3.3 Paragraph 154(g) has been revised in the NPPF, and this now states the following for inappropriate development under PDL:

“g) 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 proposed extension would add a relatively modest single-storey extension to the west facing flank wall of the proposed dwelling. It would increase the size of the approved dwelling by a small amount in context with the overall floor area and scale of the revised scheme, at approximately 4.2m in width, 10m in depth and 3.1m in height, which would not cause substantial harm to the Green Belt when compared to the impact of the consented scheme. Therefore, it is considered that the proposal would not be inappropriate development in the Green Belt in accordance with Paragraph 154 (g) of the NPPF.

- 4.3.4 Notwithstanding the above, the site is also considered to be Grey Belt, which weighs in favour of the proposal.
- 4.3.5 The additional fifth bedroom is the product of internal alterations at first floor, with no external changes required to facilitate this. As such, this is considered acceptable.
- 4.3.6 The proposed extension to the dwelling would measure approximately 4.2m in width, 10m in depth and 3.1m in height, with a flat roof. This extension would be part boot/plant room and part open sided pergola. The materials are to match that of the host dwelling as approved, which is suitable. Given the size of this site and the scale of the extension relative to the approved dwelling, the additional extension is considered appropriate in design and scale.
- 4.3.7 No other matters are proposed to be amended under this proposal.
- 4.3.8 All conditions applied to the previous consents will be transferred over to and amended where required to this application.

4.4 **Conclusion**

- 4.4.1 The proposal is considered acceptable in planning terms against the relevant Local and National planning policies.

4.5 **Alternative Options**

- 4.5.1 None.

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 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. Prior to occupation, the new dwelling shall incorporate an Electric Vehicle (EV) ready domestic charging point.

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.

3. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted, as approved under application ref: 24/01166/DOC, shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

4. The landscaping shall be in accordance with the details approved under planning ref: 24/01244/DOC. The condition read as follows:

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

- 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
- e) elevations and floor plan details of the cycle and bin storage

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

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.

6. Under planning application ref: 24/01245/DOC, a phase 1 and 2 contaminated land report was submitted to the Council as per parts a) and b) of the condition. These details were considered acceptable but part c) is still outstanding, as per the below:

Prior to any permitted dwelling being occupied a remediation strategy to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. 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. Two bat tubes and two swift boxes shall be installed into the fabric of the new building prior to its occupation. Both should be installed above 5m with a clear flight path to and from the entrance. Bat boxes should be positioned in a south / south-westerly direction. Swift boxes should be positioned under the eaves and away from direct sunlight.

Reason: In the interests of ecology and in line with Policy NE4 of the Local Plan.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no enlargement as set out in Classes A, 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 the openness of the Green Belt.

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  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 9 September 2025	



APPENDIX 3: Delegated Report Application Ref. 26/00637/FP

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00637/FP	Erection of a detached five-bedroom dwelling with associated detached garage and outbuildings, access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced).	Glencoe Villa Snailswell Lane Ickleford Hitchin Hertfordshire SG5 3TS

Submitted Plan Nos

PO1A PO2A PO3A PO4A PO5 PO6 PO7 PO8B

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
SECN13	Protecting Green Belt Land
SECN12	Achieving well-designed places
SP1	Sustainable development in North Herts
SP5	Countryside and Green Belt
T2	Parking

2.0 **Site History**

- 2.1 25/01822/FP Erection of one detached 5-bed dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced) **Approved**
- 2.2 **24/01868/S73** Removal of condition 9 of planning permission 23/00505/S73 granted 20.04.2023 for the erection of one detached four bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding. **Refused 08/10/2024** for:

1. The removal of Condition 9 of planning permission 23/00505/S73 would allow for the construction of outbuildings and extensions within the application site. This could result in development within the Green Belt that could be inappropriate and result in harmful loss of openness. It is therefore considered that Condition 9 is justified in order to allow the Local Planning Authority to assess possible future development within the Green Belt through the submission of a planning application. The application for the removal of Condition 9 from planning permission 23/00505/S73 is considered to fail to comply with the provisions set out within Policy SP5 of the adopted Local Plan; and Section 13 of the National Planning Policy Framework.

- 2.2 **23/00505/S73** - Variation of Condition 2 (approved plans and details) of planning permission 22/00172/FP granted 28/03/2022 for the erection of one detached four bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding – **Approved 20/04/23.**

- 2.3 **22/02627/S73** - Variation of condition 2 (revision of dwelling design) of previously approved planning permission 22/00172/FP granted 28/03/2022 - erection of one detached four-bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding – Refused 09/12/22 for:

1. The proposed development constitutes inappropriate development in the Green Belt and causes harm to the openness of the Green Belt. In addition to the harm by reason of inappropriateness, other harm is identified through loss of openness. The harm by reason of inappropriateness, and the other harm identified, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal does not comply with Policy SP5 of the adopted Local Plan; and Section 13 of the National Planning Policy Framework.

2. The proposed development by reason of its design, siting and appearance would be detrimental to the character and appearance of the locality. The proposal does not comply with Policies SP9 and D1 of the adopted Local Plan; and Section 12 of the National Planning Policy Framework.

Appeal dismissed 13/12/23.

- 2.4 **22/00172/FP** - Erection of one detached four-bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding – **Approved 28/03/22.**

- 2.5 **21/01300/FP** - Erection of one detached 3-bed dwelling – **Refused 15/06/21** for:

1. The proposed development constitutes inappropriate development in the Green Belt and causes harm to the openness of the Green Belt. In addition to the harm by reason of inappropriateness, other harm is identified through loss of openness. The harm by reason of inappropriateness, and the other harm identified, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal does not comply with Policies 2 and 3 of the 1996 Adopted Local Plan; Policies SP1 and SP5 of the Emerging Local Plan; and Section 13 of the National Planning Policy Framework.

2.6 **20/01168/FP** - Erection of one detached single storey 3-bed dwelling – **Approved 27/10/20.**

3.0 **Representations**

3.1 **Parish Council** – No comments received

3.3 **Environmental Health** – The application is for a dwelling for which contamination information was submitted for previous applications. Based on the previously approved information and remediation strategy, I have no objections to the proposals subject to the following condition being placed on any decision notice should you be minded to grant approval.

3.4 **Highways officer** – The Highway Authority commented previously (2025) on a similar application. The amendments and changes to this current application present no highway related concerns. The proposed development is not expected to result in any material impact on the safety or operation of the surrounding highway network. Accordingly, the Highway Authority raises no objection, subject to the standard informatives being applied as previously.

3.5 **Herts Ecology** – As there are no material changes that would warrant amended comments in this case, our previous advice still stands.

3.6 **UPPER OUSE WATER MANAGEMENT BOARD** - Please also note that the watercourse on the boundary of this site under the statutory control of the Board. In accordance with the Board's byelaws, no development should take place within 9 metres of bank top, without the Board's prior consent, this includes any planting, fencing or other landscaping.

3.7 **Neighbours –**

Woodlands, Snailswell Lane – Objection

*loss of privacy
Overdevelopment

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site comprises land to the east and north of a detached two storey dwelling (Glencoe Villa), which slopes up gently to the rear. The site has been used for a coal merchant business in association with Glencoe Villa, which had various associated buildings and structures remaining within the site and some trees, most of which have been removed.

4.1.2 The wider locality has a rural character with a small number of dwellings nearby on the north edge of Ickleford, with a caravan park to the east.

4.1.3 The application site lies within the Green Belt wherein there is a strong presumption against inappropriate development. Planning permission has previously been granted for

a new dwelling at the site subject to conditions, including the removal of permitted development rights for extensions and outbuildings in the interests of safeguarding the openness of the Green Belt.

4.2 Proposal

- 4.2.1 This application seeks to erect a detached five-bedroom dwelling with associated detached garage and outbuildings, access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced).
- 4.2.2 The proposed dwelling would largely be as per that approved under application ref. 25/01822/FP in terms of its design, form, dimensions and architectural characteristics. However, the previously approved single-storey flat roof extension to the west-facing flank elevation of the proposed dwelling has been fully enclosed compared with this earlier consent. Furthermore, a detached garage is proposed immediately adjacent to the driveway, and two detached outbuildings proposed to the rear of the dwelling.

4.3 Key Issues

- 4.3.1 The key issues for consideration are whether the principle is acceptable, and design, and neighbour amenity.

Principle of Development

- 4.3.2 Whilst the principle of a dwelling has previously been accepted on the site, the current application must be assessed on its own merits having regard to the cumulative impact of the proposed amendments and additional outbuildings.
- 4.3.3 The proposed single storey side extension, proposed triple garage (two spaces enclosed spaces and one carport style bay) and 2 new outbuildings to facilitate a gym and office, when considered alongside the approved dwelling and associated domestication of the site, would materially increase the built form across the site. The scale, spread and massing of development would exceed that previously considered acceptable and would result in development beyond what could reasonably be regarded as limited or appropriate within the Green Belt.
- 4.3.4 The proposal would therefore represent inappropriate development in the Green Belt.

Impact on Openness of the Green Belt

- 4.3.5 Openness has both spatial and visual dimensions. The proposed outbuildings would introduce additional built form and associated domestic paraphernalia into an otherwise open rural setting. Collectively, the amendments would intensify the domestic presence on the site and reduce the perception of openness.
- 4.3.6 Although the structures will be single-storey in form, the cumulative impact of multiple buildings, hardstanding and associated residential activity would result in a materially greater impact on the openness of the Green Belt than the approved scheme

- 4.3.7 The proposal would therefore conflict with the fundamental aim of Green Belt policy as set out in the NPPF and with the relevant policies of the North Hertfordshire Local Plan

Very Special Circumstances

- 4.3.8 No very special circumstances have been advanced which clearly outweigh the identified harm to the Green Belt by reason of inappropriateness and loss of openness, together with any other harm identified.

Previous planning permission and Appeal Decisions

- 4.3.8 Significant weight is attached to the previous refusals and appeal decision particularly in the dismissing the removal of the condition restricting permitted development rights. The Inspector accepted that unrestricted additions and outbuildings could cumulatively harm the openness of the Green Belt and that such controls were necessary and reasonable.
- 4.3.9 The current proposal effectively seeks to introduce development of the type and scale that the condition and subsequent appeal decision sought to prevent. The proposal therefore directly conflicts with the reasoning of the appeal decision and reinforces the conclusion that further outbuildings would be harmful to the openness of the Green Belt.

Character and appearance

- 4.3.10 The dwelling with the additional extension and outbuildings will use the same materials as previously granted dwelling. Given that the majority of the dwelling has been commenced and near completion the proposed design of the additional extension is in keeping. The proposed development is considered to be of an acceptable design.

Neighbour amenity

- 4.3.11 Due to the siting and design of the dwelling and additional outbuildings I do not consider that it would appear overbearing, cause loss of light, privacy and amenity to other nearby dwellings. Impacts on residential amenity are acceptable.

4.4 Conclusion

- 4.4.1 The proposed amendments and additional outbuildings would constitute inappropriate development within the Green Belt. The proposal would result in a harmful erosion of openness through the cumulative increase in built form and domestication of the site. Substantial weight is attached to this harm.

The proposal would conflict with Chapter 13 of the NPPF and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011–2031. The proposal would also conflict with the conclusions of the previous dismissed appeal relating to the removal of permitted development rights.

- 4.4.2 In the absence of material planning reasons or very special circumstances to the contrary it is my view that planning permission is **REFUSED**.

5.0 Recommendation

5.1 That planning permission be **REFUSED** for the following reason:

1. The proposed development constitutes inappropriate development in the Green Belt and causes harm to the openness of the Green Belt. The harm by reason of inappropriateness, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal is therefore contrary to Chapter 13 of the National Planning Policy Framework and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011-2031
2. The proposed outbuildings and associated domestic development would result in a materially greater impact on the openness and rural character of the site than the previously approved development. The proposal would undermine the effectiveness of the planning condition previously imposed to remove permitted development rights, the necessity of which was confirmed through a dismissed appeal. The development is therefore contrary to the National Planning Policy Framework and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011-2031

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied 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 Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
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Date: 13 May 2026	
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APPENDIX 4: Five-Year Housing Land Supply Update (November 2025)

Five-Year Housing Land Supply Update

November 2025



**North
Herts**
Council

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INTRODUCTION

Introduction

North Hertfordshire's Local Plan (NHLP) was adopted on 8 November 2022. Since the National Planning Policy Framework (NPPF) was updated on 20 December 2024, the rules for demonstrating a five-year housing land supply have changed and we must now show how housing delivery is expected to roll out over the plan period.

The updated NPPF requires us to identify and update, each year, a supply of specific deliverable sites sufficient to meet a minimum five years' worth of housing against our adopted strategic housing requirement, or against local housing need where strategic policies are more than five years old.

The five-year supply must include a buffer to strengthen prospects of delivery:

- **5%** to ensure choice and competition, or
- **20%** where there has been significant under-delivery over the previous three years, or
- From 1 July 2026 a 20% buffer will be required for decision-making if our housing requirement was adopted within the last five years against an earlier version of the Framework **and** that requirement is 80% or less of the most up-to-date local housing need calculated using the standard method. Will shall keep this element under review.

How this affects North Hertfordshire

We are no longer protected by the transitional provisions in earlier versions of the NPPF that previously guarded five-year supply positions tied to recently adopted local plans. That change means we must now demonstrate a compliant five-year housing land supply under the current Framework tests.

Purpose of this update

This Five-Year Housing Supply Update sets out our position as of **31 March 2025** and explains how that position should be applied to relevant planning applications and decisions.

What to expect next

This Update explains our delivery trajectory, the sites included in the five-year supply, and any buffer applied. It provides the transparent, up-to-date evidence decision-makers and applicants need to understand how housing supply is being met across North Hertfordshire.

This report sets out the figures underpinning our Objectively Assessed Needs, forming a key foundation for the preparation of our Local Plan. In addition, we've included indicative calculations based on the Government's New Standard Method for assessing Local Housing Need. These figures are provided for context only, as we are currently unable to formally progress our Local Plan Update, pending the publication of the necessary regulations by Government.

FIVE-YEAR HOUSING REQUIREMENT

Five-Year Housing Requirement

Our Local Plan requires us to provide land for a minimum of 13,000 homes between 2011 and 2031. That target translates to an annual requirement of 650 homes. We monitor residential land availability every year, and this statement records the position as at 31 March 2025, prepared in line with national [Planning Practice Guidance \(PPG\)](#).

Paragraph 31 of the PPG directs us to make up any past shortfall within the next five years using the Sedgefield approach. During plan preparation we chose a different, more measured route to address historical under-delivery which involved spreading the shortfall across the remaining Plan period. The Examining Inspector agreed with this approach and confirmed it as the most appropriate method for calculating our five-year housing land supply.

‘...the Council proposes to use the ‘three-stepped approach’...in combination with applying the ‘Liverpool’ method, spreading the shortfall in delivery since the beginning of the Plan period across the remainder of the Plan period...I am of the firm view that it is the most appropriate in this case and should form the basis for future calculations of the district’s five-year housing land supply.’¹.

Policy IMR1 in the NHLP sets out our approach clearly:

- We apply the **Liverpool approach**, meeting the accumulated shortfall over the remainder of the Plan period rather than compressing it into the next five years.
- Once the combined annual requirement and any remaining shortfall are established, we apply a buffer if required, reflecting the most recent Housing Delivery Test outcome.

Policy IMR1: Five Year Housing Land Supply

In order to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing, we will:

- Deliver the total housing requirement of 13,000 net dwellings over the plan period on a stepped basis. The Council’s five-year housing land supply will be measured against housing requirement targets of:
 - 350 dwellings per annum for the plan period from 2011 to 31 March 2020;
 - 500 dwellings per annum for the plan period from 1 April 2020 to 31 March 2024; and
 - 1,120 dwellings per annum for the remainder of the plan period from 1 April 2024 to 2031.
- Add any shortfall in housing delivery since the plan’s start date, spread evenly over the remaining plan period, to the calculation of the requirement;
- Ensure that the supply of specific, deliverable sites included a buffer (moved forward from later in the plan period) in line with national planning policy; and
- Monitor housing completion and permissions on an ongoing basis to ensure the housing trajectory is based upon robust and up-to-date information and assumptions.

Stepped housing delivery

Liverpool Approach

As such, the annual housing requirement that should be used for calculating our five-year housing land supply is that set out in Policy IMR1: Five Year Housing Land Supply, of our

¹ Paragraph 113 [Inspectors Report](#)

Local Plan:

- 350 dwellings per year from 2011 to 31 March 2020
- 500 dwellings per year from 1 April 2020 to 31 March 2024; and
- 1,120 dwellings per year from 1 April 2024 to 2031.

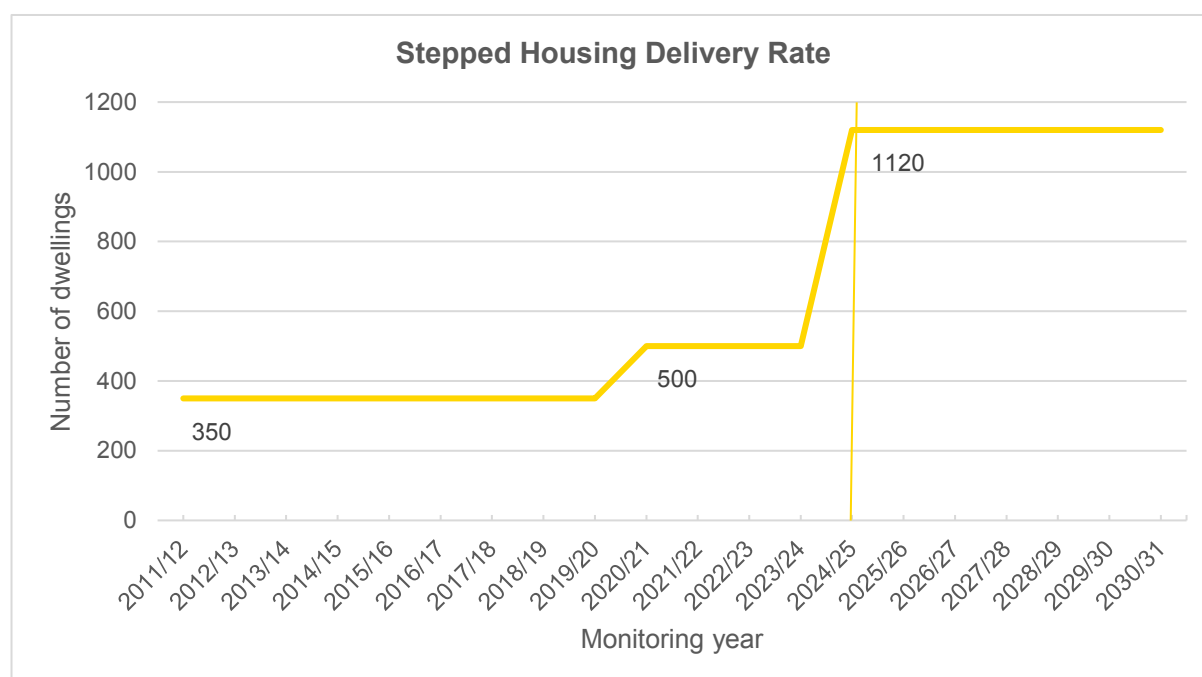


Fig 1 – Stepped housing delivery rate

Annual housing requirement figure	1,120
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Table 1 – Annual housing requirement figure to 31 March 2025

Table 2 presents our cumulative net housing completions from the Local Plan base date of 1 April 2011 through to the current monitoring date.

The PPG² requires any shortfall to be measured from this adopted plan start date. The table therefore sets out, year by year, how many homes have been completed and highlights the aggregated shortfall against the Plan target since the Plan period began.

Table 2 shows that since 2020/21 our annual housing completions have not met the Plan requirement, and the cumulative shortfall has continued to increase across the Plan period. As of 31 March 2025, our district faces an undersupply of 1,253 dwellings.

² (Paragraph: 031 Reference ID: 68-031-20190722, Revision date: 22 July 2019)

Monitoring year	Annual net housing completions	Annual housing completion target	Annual net housing surplus/shortfall	Cumulative net housing completions	Cumulative housing completion target	Cumulative net housing surplus/shortfall
2011/12	384	350	34	384	350	34
2012/13	291	350	-59	675	700	-25
2013/14	259	350	-91	934	1,050	-116
2014/15	180	350	-170	1,114	1,400	-286
2015/16	341	350	-9	1,455	1,750	-295
2016/17	539	350	189	1,994	2,100	-106
2017/18	282	350	-68	2,276	2,450	-174
2018/19	220	350	-130	2,496	2,800	-304
2019/20	318	350	-32	2,814	3,150	-336
2020/21	593	500	93	3,407	3,650	-243
2021/22	333	500	-167	3,740	4,150	-410
2022/23	445	500	-55	4,185	4,650	-465
2023/24	425	500	-75	4,610	5,150	-540
2024/25	407	1120	-713	5,017	6,270	-1,253

Table 2 – Cumulative net housing completions and shortfall in housing provision 2011/12 to 2023/24

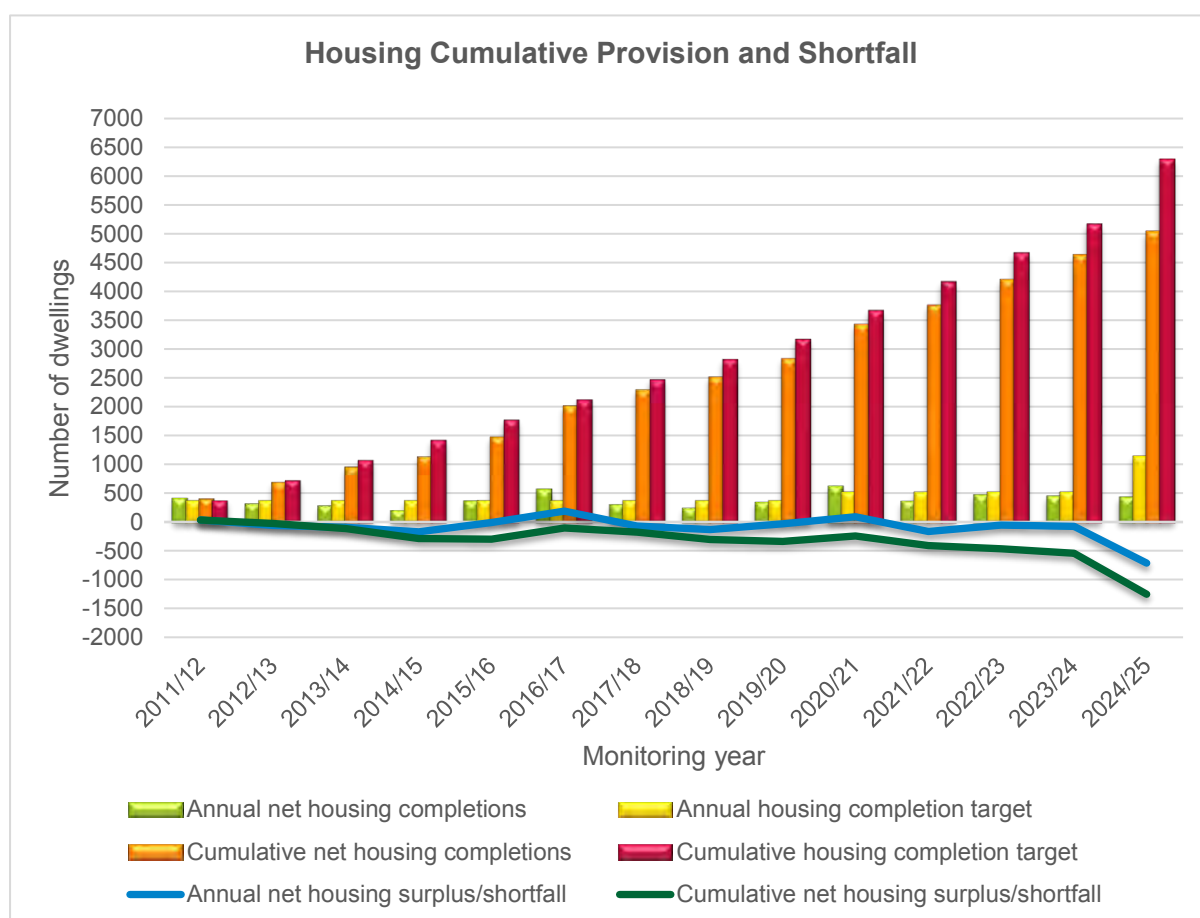


Fig 2 - Cumulative net housing completions and shortfall in housing provision 2011/12 to 2023/24

Under the Liverpool approach, this historic shortfall will be made up evenly over the remainder of the Plan period, so delivery of the 1,253 homes is spread across each year up to 2031. This approach smooths expectations for developers and communities, reduces pressure on the next five years, and provides a realistic, deliverable trajectory for meeting the Plan target by the end of the period.

Annualised requirement to provide for historic undersupply of housing using the Liverpool approach (1,253/6)

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Table 3 – Annualised requirement for historic undersupply of housing

Paragraph 79 of the 2024 NPPF says that where an authority has experienced significant under-delivery of housing over the previous three years, an additional buffer should be added to the supply of specific deliverable sites.

The latest [Housing Delivery Test](#) (HDT) result for North Hertfordshire (published in December 2024) was 105%, so no delivery buffer is required for our five-year supply.

The HDT assesses actual housing delivery over the prior three years and is published

annually by government. Consequences by HDT band:

- >95% = No further action required.
- <95% = Authority must prepare an Action Plan.
- <85% = Action Plan plus a 20% buffer on the five-year supply.
- <75% = Action Plan, 20% buffer, and the presumption in favour of development.

Because our HDT score exceeds 95%, we do not apply an additional buffer when calculating our five-year housing land supply. This confirms that recent delivery performance (as of March 2023) is strong enough that no compensatory uplift is needed to improve the prospect of meeting planned supply.

The formula for the HDT calculation is:

$$\text{HDT \%} = \frac{\text{Total net homes delivered over three-year period}}{\text{Total number of homes required over 2-year 8-month period}^3}$$

Our results for the last published year (2023) are shown in Table 4.

ONS code	Area name	Number of homes required			Number of homes required
		2020/21	2021/22	2022/23	
E07000099	North Hertfordshire	333 ⁴	500	500	1,333
Number of homes delivered		Number of homes delivered		Score	Consequence
2020/21	2021/22	2022/23			
618	335	447	1,400	105%	None

Table 4 – HDT score 2024

The updated NPPF (December 2024) has reintroduced the 5% buffer for calculating five-year housing land supply to preserve choice and competition in the land market, reinforcing the expectation that we factor a modest uplift into supply figures to support a healthy, competitive development environment.

Following the steps above, the total five-year requirement is:

Annual homes requirement for 2024/25	Annual shortfall (Table 3)	Total annual requirement	5-Year requirement	Annual 5% buffer	Total 5-year requirement including buffer
1,120 ⁵	209 ⁶	1,329	6,645	332	6,976

Table 5 – Five-year housing requirement for North Herts, 2024/5 – 2028/29

³ For the 2023 measurement, there is a reduction in the period for measuring total homes required – usually this would be measured over a 3-year period, but an 8-month period has been used for the 2020/21 monitoring year; requirement is assessed from 1 August 2020, meaning that 243 days are assessed. This is to account for the considerable variations in levels of housing delivery as local planning authorities and construction industry faced disruption on a national, regional, and local level due to the pandemic. No adjustment was made in the 2021/22 and 2022/23 monitoring years

⁴ This figure differs from the 350-figure set out in the Local Plan - this includes the Covid-related adjustments applied by Government to the annual target figures.

⁵ From 2024/25, the annual housing requirement increases from 500 to 1,120 dwellings per year.

⁶ Rounded up from 208.83

New Standard Methodology

In December 2024 the Government published a revised standard method alongside the updated NPPF, producing a new method of calculating indicative local housing need figures for our area.

The calculation sets our annual local housing need at 1,043 homes⁷ (published 22 May 2025) and is expected to remain in force until the affordability ratios are next updated in March 2026. This is an increase from the [figure published in December 2024](#). The affordability ratio that is used to calculate the standard method Local Housing Need figure has deteriorated and therefore our housing number has increased.

The updated standard method effectively resets the baseline for housing need, removing the obligation to make up past shortfalls under the old figures and, in practical terms, allows us to “start again” on meeting housing targets. This change means historic under-delivery no longer automatically increases our current requirement, so the focus shifts to delivering against the newly calculated need going forward.

Following the same steps as previous, the total five-year requirement looks like this:

Annual homes requirement of 2024/25	Annual shortfall	Total annual requirement	5-Year requirement	Annual 5% buffer	Total 5-year requirement including buffer
1,043	0	1,043	5,215	261	5,476

Table 6 – Five-year housing requirement for North Herts - new standard method, 2024/5 – 2028/29

As stated previously, this is an indicative calculation based on the Government’s New Standard Method for assessing Local Housing Need. These figures are provided for context only, as we are currently unable to formally progress our Local Plan Update, pending the publication of the necessary regulations by Government. However, we expect to transition to this figure upon the publication of the new regulations for plan making and will use the most up to date figures for any emerging housing target for the development of the new Local Plan update.

⁷ https://www.turley.co.uk/sites/default/files/pdf/file/2025-05/turley_lpdf_-_revised_standard_method_analysis_may2025_0.pdf

DELIVERABLE HOUSING SUPPLY

Deliverable Housing Supply

We have identified an annual supply of sites that can realistically deliver homes within the next five years.

The NPPF defines “deliverable” housing sites as those that are:

- Available now,
- In a suitable location for development now, and
- Achievable with a realistic prospect of delivering homes within five years.

Two important distinctions follow:

- Part (a): Non-major sites with planning permission, and all sites with detailed permission, should be treated as deliverable until permission expires, unless there is clear evidence they will not deliver within five years (for example, viability issues, lack of demand, or long-term phasing).
- Part (b): Major sites with outline permission, sites allocated in a development plan, sites with a grant of permission in principle, or sites on a brownfield register are only deliverable where there is clear evidence that completions will start within five years.

For sites that require extra proof of deliverability, notably outline permissions, allocated sites, permissions in principle, and brownfield register entries, PPG suggests the following types of evidence:

- Current planning status - progress on reserved matters, linked planning performance agreements and discharge of conditions.
- Developer commitment - written agreements with the local planning authority confirming expected start dates and build-out rates.
- Concrete site preparation - firm progress on site assessments and pre-application work.
- Practical constraints and mitigation - information on viability, ownership, infrastructure delivery, or successful bids for infrastructure funding.

We are also able to draw on the [Housing and Economic Land Availability Assessment](#) to demonstrate deliverability.

All sites we have identified meet the NPPF and PPG deliverability tests by being:

- Available now,
- Situated in suitable locations, and
- Achievable within a five-year horizon.

We have grouped sites against the Annex 2 tests so it's clear which require additional

evidence, and which do not.

Part A (normally deliverable)

- Sites under construction
- Sites with detailed planning permission
- Sites with prior notification

Part B (require clear evidence to demonstrate deliverability)

- Sites with outline permission or subject to S106 agreements
- Allocated deliverable housing sites

These Part B sites will only be treated as deliverable where there is demonstrable, site-specific evidence that housing completions will begin within five years.

Units deliverable withing 5 years	
Part A	Sites under construction
	691
	Sites with detailed planning
Part B	372
	Sites with Prior Notification
	84
Part B	Sites with Outline Permission/S106
	387
	Deliverable sites
	1,882
Total	
3,416	

Table 7 – Summary of supply of deliverable housing identified 31 March 2025

In addition to the deliverable sites above, we include a windfall allowance to reflect smaller sites likely to come forward during the Plan period. This approach follows the Local Plan examination recommendations and provides useful flexibility to support delivery.

Paragraph 98 states

‘Also within the supply are 440 new houses on small windfall sites, and 257 on large windfall sites. Windfall delivery is planned for in both the first five years of the Plan from adoption and in the remaining years afterwards.’

We include a windfall figure because it builds careful contingency into the housing supply without double-counting our identified sites, reflecting the Inspector’s view that modest, site-specific opportunities, particularly in town centres. It can also help speed delivery, allowing the Plan to remain responsive to changing market signals and local development opportunities over time.

Monitoring year	Small sites	Large sites	Total
2025/26	-	-	-
2026/27	25	-	25
2027/28	35	-	35
2028/29	50	-	50
2029/30	60	43	103
Final Total	170	43	213

Table 8 – Total supply of windfall housing identified 31 March 2025



Fig 3 – Total gross windfall completions since the start of the Plan period

Our projected windfall figures are deliberately conservative, grounded in actual delivery since the Plan period began in 2011. Figure 3 plots the number of sites recorded as “windfall” through the development management process and logged by Hertfordshire County Council, showing a reliable record that supports our cautious assumptions.

CONCLUSIONS

Conclusions

Local Plan Figures

Our total requirement for housing delivery from 1 April 2025 – 31 March 2030 in our District is **6,976 dwellings**. This incorporates the objectively assessed housing need annual rate of 1,120 dwellings per year, the annual shortfall of 209 dwellings, totaling 1,044 dwellings per year, and the 5% buffer amounting to 332.

Total supply of deliverable housing identified	31 March 2025
Total number of dwellings under construction	691
Total number of dwellings with detailed planning permission	372
Total number of dwellings with prior notification (including -10% for non-implementation of under ten dwellings)	84
Total number of dwellings with outline permission/S106 (including -10% for non-implementation of under ten dwellings)	387
Total number of dwellings for other 'Deliverable' sites	1,882
Total number of dwellings for windfall sites	213
Total identified supply	3,629

Table 9 – Total supply of deliverable housing identified 31 March 2025

Table 9 shows that the **total supply of deliverable housing identified by the Council for that five-year period is 3,629 dwellings**.

This means we can demonstrate a deficit of **3,347 dwellings** over the five-year period of 2025/26 – 2029/30.

Table 10 shows that we can demonstrate a five-year land position of **2.6 years** against our adopted housing requirement. This figure falls below the five-year requirement.

Five-year housing supply calculation		
A	Objectively Assessed Need (OAN) (dwellings per year)	1,120
	OAN over 5 years	5,600
B	Remaining Local Plan period (years)	6
C	Completions 1 April 2011 – 31 March 2024	5,017
D	Target 1 April 2011 – 31 March 2024	6,270
E	Shortfall against target on 31 March 2024 (D – C)	-1,253
F	Target 1 Apr 2025 – 31 Mar 2030	5,600
G	Surplus / Shortfall to be delivered in 5yr period (E / 6 x 5)	1,044
H	Buffer to be applied (5%) based on 2023 HDT consequence	332
I	Total 5yr requirement (F + G + H)	6,976
J	Dwellings for sites under construction	691
K	Dwellings granted permission or prior approval	456
L	Dwellings granted outline permission or subject to S106	387
M	Other dwellings considered 'deliverable'	1,882
N	Dwellings from Windfall sites	213
O	Total deliverable dwellings (supply) 1 Apr 2024 – 31 Mar 2029 (J + K + L + M + N)	3,629
P	Total Years Housing Supply ((O / I) x 5)	2.6

Table 10 – Five-Year Housing Land Supply Calculation

New Standard Method

Our 5-year housing land supply under the standard housing method is also shown for comparison purposes and would be used if the new plan-making system had come into force and we were able to give formal notice to start preparing a new Local Plan.

Our total requirement for housing delivery from 1 April 2025 – 31 March 2030 in our District is **5,215 dwellings**. This incorporates the new standard method housing need annual rate of 1,043 dwellings per year, no shortfall, and the 5% buffer amounting to 261.

Table 8 shows that the **total supply of deliverable housing identified by the Council for that five-year period is 3,629 dwellings**.

This means there is a deficit of **1,586 dwellings** over the five-year period of 2025/26 – 2029/30.

Table 11 shows that we can demonstrate a five-year land position of **3.3 years** using the Governments New Standard Methodology. This figure falls below the five-year requirement.

Five-year housing supply calculation		
A	New Standard Method Local Housing Need (LHN) (dwellings per year)	1,043
	LHN over 5 years	5,215
B	Remaining Local Plan period (years)	6
C	Completions 1 April 2011 – 31 March 2024	5,017
D	Target 1 April 2011 – 31 March 2024	6,270
E	Shortfall	0
F	Target 1 Apr 2025 – 31 Mar 2030	5,215
G	Surplus / Shortfall to be delivered in 5yr period (E / 6 x 5)	0
H	Buffer to be applied (5%) based on 2023 HDT consequence	261
I	Total 5yr requirement (F + G + H)	5,476
J	Dwellings for sites under construction	691
K	Dwellings granted permission or prior approval	456
L	Dwellings granted outline permission or subject to S106	387
M	Other dwellings considered 'deliverable'	1,882
N	Dwellings from Windfall sites	213
O	Total deliverable dwellings (supply) 1 Apr 2024 – 31 Mar 2029 (J + K + L + M + N)	3,629
P	Total Years Housing Supply ((O / I) x 5)	3.3

Table 11 – Five-Year Housing Land Supply Calculation – New Standard Method



APPENDIX 5: Decision Notice, Committee Report, and Location Plan Application

Ref. 25/01790/FP



www.north-herts.gov.uk

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

MSAD Architectural Design Ltd
Bancroft House
34 Bancroft
Hitchin
SG5 1LA

Applicant:

Mr S Patel

PARTICULARS OF DEVELOPMENT

Application:	25/01790/FP
Proposal:	Erection of one self-build dwelling including hard and soft landscaping, parking and creation of vehicular crossover off Snailswell Lane
Location:	Land Known As The Orchard, Snailswell Lane, Ickleford, Hertfordshire, SG5 3TS
Plan Nos:	1153 - 01D 1153 - PL01B 1153 - PL02A 1153 - PL03C

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 21 July 2025, subject to the following condition(s):

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.

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. 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 bricks has been submitted to and approved in writing by the local planning authority. Where height allows swift bricks should be used.

Reason: To ensure development secures biodiversity enhancements in accordance with Policy NE4 of the Local Plan

4. No development shall commence until full details (in the form of scaled plans and/or written specifications) illustrating the design, layout, and construction of the connection between the edge of Snailswell Lane (Public Right of Way) where it meets the proposed driveway have been submitted to and approved in writing by the Local Planning Authority.

The details shall include:

The precise interface between the Public Right of Way and the driveway

Reason: To ensure a safe, suitable, and satisfactory connection between the Public Right of Way and the development in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and to protect the amenity and safety of all users.

5. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The

Construction Management Statement shall include details of:

Access arrangements to the site.

Traffic management requirements.

Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas).

Siting and details of wheel washing facilities.

Cleaning of site entrances, site tracks and the adjacent public highway.

Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.

Provision of sufficient on-site parking prior to commencement of construction activities.

Post construction restoration/reinstatement of the working areas and temporary access to the public highway. This should also include Pre and Post construction images of the access.

Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding which must be kept within the site boundary, pedestrian routes and remaining road width for vehicle movements

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).

6. Prior to the first use of the development hereby permitted the vehicular access surface shall be bound for the first 3 meters into the site. 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).

7. Prior to the first commencement of the development hereby permitted, a plan for cycle storage is to be provided and be designed in line with design standards contained in Chapter 11 of the Cycle Infrastructure Design' DfT Local Transport Note 1/20 (July 2020). Prior to first occupation the approved design shall be fully implemented and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

8. Prior to the commencement of the development hereby permitted full details of a comprehensive hard and soft landscaping scheme (including planting details) and all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

All approved hard standing and boundary treatments shall be completed prior to the first occupation of the development.

The approved soft landscaping / planting details shall be carried out before the end of the first planting season following either the occupation of the (first) dwelling 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 ensure the development is comprehensively landscaped in the interests of visual amenity. Local Plan Policies D1 and N2.

9. 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 the development is commenced and the approved details shall be implemented on site.

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.

10. 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.

11. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to 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.

12. Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority

agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building 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.

13. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding properties. The development shall be carried out as approved.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to comply with Policy D1 of the Local Plan

14. 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, C and E of Part 1 (and any further new class that may be introduced by way of an update) 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.

15. Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the Non-Statutory Technical Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, the 1% AEP (1 in 100 year) and the 1% AEP (1 in 100) plus climate change critical storms. Infiltration testing shall be carried out to inform the detailed drainage design; if infiltration is not viable, a detailed drainage strategy based on discharging to the ordinary watercourse south of Snailswell Lane at the greenfield runoff rate shall be submitted to the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of North Hertfordshire District Council.

16. 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.

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. AN1) 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 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.

AN2) 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-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during

works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

Signed:



Shaun Greaves
Development and Conservation Manager

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

Date: 19 February 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.

<u>Location:</u>	Land Known As The Orchard Snailswell Lane Ickleford Hertfordshire SG5 3TS
<u>Applicant:</u>	Mr S Patel
<u>Proposal:</u>	Erection of one self-build dwelling including hard and soft landscaping, parking and creation of vehicular crossover off Snailswell Lane
<u>Ref. No:</u>	25/01790/FP
<u>Officer:</u>	Thomas Howe

Date of expiry of statutory period: 15 September 2025

Extension of statutory period: 27 November 2025

Reason for Delay: To overcome planning objections, and to find a suitable committee date.

Reason for Referral to Committee:

This application was called into planning control committee by Councillor Louise Peace on 13 August 2025. The reasons given are:

1. Impact on neighbour amenity and negative visual impact on the street scene.
2. Lack of safe and sustainable access.
3. Impact on ecology.
4. Flooding and foul drainage issues.

1.0 **Site History**

- 1.1 No previous history.

2.0 **Policies**

- 2.1 Decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application. If decision takers choose not to follow the National Planning Policy Framework, where it is a material consideration, clear and convincing reasons for doing so are needed.
- 2.2 Section 38(5) of the Planning and Compulsory Purchase Act 2004 sets a hierarchy of development plan documents and material considerations such as the NPPF, in that where a conflict is identified, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

2.3 North Hertfordshire District Local Plan (The Local Plan) 2011 – 2031

Policy SP1: Sustainable Development in North Hertfordshire
Policy SP2: Settlement Hierarchy and Spatial Distribution
Policy SP5: Countryside and Green Belt
Policy SP9: Design and Sustainability
Policy HS3: Housing mix
Policy D1: Sustainable Design
Policy D3: Protecting living conditions
Policy D4: Air quality
Policy NE2: Landscape
Policy NE4: Biodiversity and geological sites
Policy NE7: Reducing flood risk
Policy NE8: Sustainable drainage systems
Policy NE10: Water conservation and wastewater infrastructure

2.4 National Planning Policy Framework (NPPF) (December 2024)

Section 2: Achieving sustainable development
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places and beautiful places

2.5 Vehicle Parking at New Development SPD

2.6 Ickleford Neighbourhood Plan

Policy E2 – Protecting the Landscape
Policy E3 - Rural Character
Policy SD1 - Development within the settlement boundary
Policy SD2 – New Housing Development
Policy SD3 – High Quality Design
Policy SD4 - Provision of Energy Efficient Buildings
Policy SD5 - Water Management
Policy MTT2 – Car Parking

3.0 Representations

3.1 Neighbour Consultation –

6x Objections:

- Conflict with Green Belt Policy.
- Breaches Policy SP2 and Ickleford Neighbourhood Plan Policy SD1.
- Does not respect local character.
- Lack of a proven need or wider public benefit.
- Overdevelopment of the site and harm to local character.
- Precedent would be set for development on Snailswell Lane.
- Harm to residential amenity. Loss of privacy, light and overshadowing.
- Conflict with users of the BOAT along Snailswell Lane. Poor road surface impacts upon pedestrian use.
- Damage to the BOAT surface would be unacceptable and cause disruption.
- Loss of biodiversity. Existing site is a habitat for various wildlife.

- Surface water pooling occurs, and the development would increase overland flow of water.
- No SuDS strategy has been presented.
- Harm to openness of the Green Belt.
- Intensification of vehicle traffic would potentially conflict with other users of the road and BOAT.
- Visual and Spatial openness harm to the Green Belt.
- Inaccurate comparison to neighbouring dwellings in terms of scale.

3.2 **Parish Council** – Objection.

3.3 **Anglian Water** – September 2025 –

Wastewater Treatment – Within the acceptance parameters and can accommodate the flows from the proposed growth.

Used Water Network – Sewerage network has capacity for anticipated foul flows. Recommends informative should developer seek to connect to the sewerage network.

Surface Water Disposal – Preferred method of surface water disposal is a SuDS system, with connection to a sewer being the last option. Recommends objection as there is insufficient information of how surface water will be discharged.

3.4 **Anglian Water** – November 2025 –

Surface Water Disposal – Following receipt of additional information, the proposed SuDS system would not relate to Anglian Water operated assets. Therefore, they are unable to provide comments. Recommends seeking advice from LLFA or the Internal Drainage Board. Also recommends consultation with The Environment Agency.

3.5 **Environmental Health** –

Contaminated Land – Recommends condition.

Noise – No Objections.

Air Quality – Recommends EV charger and informatives.

3.6 **HCC Footpaths and Highways** – Snailswell Lane is a Byway Open to All Traffic. The BOAT must remain unobstructed during the development. A temporary traffic regulation order is required should this be disrupted or blocked. User safety is to be protected by the developer. *“The location of the proposed development is approximately 50m from the sealed-surfaced all purpose highway to the east, prior to construction, the un-sealed section of Snailswell Lane leading up to the development site should be re-surfaced to a Highways sealed-standard in order to accommodate building traffic and increased vehicular use that will result from the development.”*

3.7 **Highways** – Unable to support until further details of the connection to the Public Right of Way. Details of proposed works in this area must be provided. *“no kerbing, resurfacing, or alterations to the surface of the Right of Way will be permitted under any circumstances.”*

January 2026 – Does not wish to restrict grant of permission and recommends conditions.

3.8 Ickleford Parish Council – Objection:

- Site is within the Green Belt.
- 1.5 storey height is not in keeping with surrounding area.
- Development would be too large for the plot/site.
- Loss of privacy to Glenmore, to the south.
- Questions designation of land as 'Grey Belt'.
- Access and egress to the site would be dangerous.
- Insufficient space to turn a small vehicle.
- Vehicle traffic damages surface material of BOAT.
- BOAT is unsafe for vehicles, horses and pedestrians.
- Further damage will be caused to the BOAT.
- Lack of appropriate drainage on Snailswell Lane cause harm from surface water runoff associated with the development.
- Questions potential ecological impacts of development.
- Seeks preservation of hedging to site.
- Questions provision of mitigation measures for ecological impacts of the development.
- Does not consider enhancements to suitably overcome harm by way of a loss of habitat within the site.
- Asks for developments in Ickleford to be halted until Anglian Water upgrade the sewage system to accommodate foul water and run-off water.
- Exacerbation of back washing from sewage system into homes and gardens.

3.9 North Herts Ecologist –

September 2025 – Asks for Ecological Appraisal. Need to determine a baseline for ecological value of the site to provide some degree of uplift. It is noted that a mature apple tree was recently removed and advises that this tree should be included in any calculations.

November 2025 – No ecological objection to development. Not subject to mandatory BNG, as it is a self-build scheme. Recommends inclusion of condition for an Ecological Enhancement Plan (as required by Policy NE4 of the Local Plan).

3.10 Lead Local Flood Authority – Awaiting response.

3.11 Councillor Louise Peace:

Objection –

- Harm to neighbour amenity. Due to height in relation to The Mildens.
- Development does not comply with Design Code prepared for the Ickleford Neighbourhood Plan.
- Principle of development is contrary to Policy SD1.
- Lack of sustainable access to the site.
- Questions whether development would comprise Grey Belt development due to sustainability issues.
- Harm to Ecology, questions felling of trees within the site, and advises of animal sightings within the site.
- Seeks submission of Preliminary Ecological Appraisal.
- Development would exacerbate existing problems with standing water during heavy rainfall, and issues of the sewerage system backing up the systems.
- Seeks a Grampian condition to confirm with Anglian Water than the existing sewerage system can support additional capacity.

4.0 Planning Considerations

4.1 Site and Surroundings

- 4.1.1 The application site comprises a parcel of land off Snailswell Lane, adjacent to Mildens and a parcel of land adjacent to Glendale, residential dwellings. The site is outside of the settlement boundary for Ickleford, but is in Lower Green, part of the built core of Ickleford. The site is brushed over by the Green Belt.

4.2 Proposal

- 4.2.1 Planning Permission is sought for the erection of one self-build dwelling including hard and soft landscaping, parking and the creation of a vehicular crossover off Snailswell Lane.

4.3 Key Issues

- 4.3.1 The key issues for consideration are as follows:

- The principle of the development.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Principle of Development:

- 4.3.2 Principle of the Development in the Green Belt

- 4.3.3 The site is in the Green Belt, as designated by the Local Plan 2011-2031. Paragraphs 154 and 155 within the NPPF set out which types of development are not inappropriate, with those paragraphs stating:

154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

155. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Policy SP2 permits general development within the defined settlement boundaries of Category A villages, of which Ickleford is one. The site is outside of the defined settlement boundary, and therefore, the proposed development would not comply with SP2 of the Local Plan 2011-2031.

- 4.3.4 Turning to Paragraph 154 of the NPPF, I consider that exception e) is relevant to the proposal. Appeal decisions within the district has concluded that development outside of settlement boundaries defined by the Local Plan, but that would be physically related to Category A settlements, can comply with exception e) in respect to being in a village, but still needs to comprise in-filling.
- 4.3.5 The proposed site plan indicates that the development would erect 1 No. dwelling on a plot of land bound immediately by development to the west and south and leaving a small gap to development to the east. I consider that in-filling would occur given the site would be filling a gap on the road and would be bound by development to 3 sides.
- 4.3.6 Snailswell Lane feeds onto the main road through Ickleford, and the site is in a group of dwellings that are not separated by significant swathes of open space or green fields sites. Generally, there is a continuous link of residential curtilages linking this group of dwellings along Snailswell Lane and the built core of Ickleford. I consider the proposal site to sit within the village of Ickleford, taking account of appeal decisions and the relevant material considerations beyond boundary designations in Local Plan documents. It is noted that the development would not comply with Policy SD1 of the Ickleford Neighbourhood Plan, given the site is outside of the adjusted Ickleford Settlement boundary. This is acknowledged, however, given the above assessment of the siting of the development in relation to the built core of Ickleford, I do not consider that the development would significantly undermine the spirit of this policy.
- 4.3.7 For the reasons discussed above, I consider that the proposal would be infill development albeit the site is not within the defined settlement limits of Ickleford as set out in the Policies Map of the Local Plan. Taking account of appeal decisions on this matter and the site may be treated as being within the village for the purpose of application of NPPF Paragraph 154. The proposal would therefore not constitute inappropriate development in the Green Belt.

- 4.3.8 Notwithstanding the above conclusion, the applicant has proposed that the site constitutes Grey Belt, and the development would be appropriate development for that reason. The applicants' position is that the site makes no contribution at all to purposes a) or b) of the Green Belt. The applicant is mute on purpose d), but the position of no contribution is assumed.
- 4.3.9 It is agreed that the site does not strongly contribute to the preventing neighbouring towns merging into one another (purpose b)) or preserving the setting and special character of historic towns (purpose d)).
- 4.3.10 Purpose a) is to check the unrestricted sprawl of large built up areas. Planning Practice Guidance (Paragraph: 005 Reference ID: 64-005-20250225) makes clear that villages should not be considered large built-up areas. Illustrative features of a strong contribution are being free from existing development; lack physical features in reasonable proximity to restrict or contain development; be adjacent or near to a large built-up area; and, if developed, would result in an incongruous pattern of development.
- 4.3.11 As a direct result of the close relationship between Hitchin and Ickleford, the Green Belt surrounding Ickleford remains near to Hitchin as a large built-up area and thereby can contribute strongly to checking the sprawl of Hitchin as a large built-up area. The site is free from development as it stands and does lack physical features at its north boundary as it exists. That said, the site is limited in its scale, and if the site were developed, the resultant development would not result in an incongruous pattern of development or extend or sprawl development beyond an existing rear boundary line. As a result, the site under consideration does not contribute strongly to purpose a). There are no strong reasons for refusal pursuant to the application of footnote 7 policies. The site can be considered Grey Belt by definition, and the proposed development would accord with parts a., b. and c. of paragraph 155 of the NPPF (part d. of paragraph 155 is not applicable to this development).
- 4.3.12 Concluding, it is acknowledged that the site is not within the defined settlement boundary of Ickleford, running contrary with Policy SP2 of the Local Plan and policy SD1 of the Neighbourhood Plan, however, as above, I consider that the principle of development should be supported due to compliance with exception e) of Paragraph 154 of the NPPF by virtue of the site being considered within the village notwithstanding the boundaries drawn in Local Plan and Neighbourhood Plan documents. In addition, the site is considered to meet the definition of Grey Belt and would accord with the policy requirements to be considered appropriate development as set out by paragraph 155 of the NPPF.

Sustainability:

- 4.3.13 The three pillars of sustainable development are the economic, social and environmental pillars. The proposal would provide economic benefits by the use of local contractors and businesses for construction, maintenance and other servicing when occupied. Social benefits would arise from the provision of a dwelling on a windfall site, contributing to the district housing land supply, which the LPA cannot presently demonstrate a 5-year housing land supply. The site is considered to be in a sustainable location, in close proximity to the centre of Ickleford, a Category A village, according to the North Herts Local Plan 2011-2031. Various amenities would be in close proximity to the site, with easy access to means of public transport close to the site, therefore, the sustainability of the development is acceptable.

Design and Appearance:

- 4.3.14 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Policy D1 is consistent with Section 12 of the National Planning Policy Framework. Policy SD3 of the Neighbourhood Plan is relevant to design and appearance in-so-far as it requests development be high quality design, and that development that accords with the Ickleford Design Code will be supported. Policy SD3 of the Neighbourhood Plan is positively worded and indicates support where the development accords with the Ickleford Design Code (final report March 2023). The policy was inspected and considered to accord with the Development Plan, however, where conflict is identified with other material considerations, such as the NPPF which is dated 12 December 2024, the conflict should be resolved in favour with the NPPF.

Appearance

- 4.3.15 The proposal seeks to erect a 1.5 storey, chalet bungalow style dwellings centrally with the plot, adjacent to The Mildens. 2 No. dormers are proposed to the principal roof slope, with a gable end to this elevation, and 3 No. dormers to the rear. The roof would feature half hips, and a relatively tall ridge with low eaves forming a cat slide. The street scene nearby comprises bungalows and chalet bungalows with driveways and screening to their principal boundaries. I consider that the proposed dwelling would suitably fit into the prevailing grain of development to this part of the district, and do not consider that it would appear adverse or out of place. The scale of development proposed is similar to other dwellings along Snailswell Lane and is considered to suitably sit within the grain of development found locally. It is considered that the roof profile, window details, and general appearance of the building would accord with the principles set in ID.01 – Local Character of the Ickleford Design Code.

Scale, Layout, Access and Landscaping

- 4.3.16 The proposed layout comprises a gated access off Snailswell Lane, with a pea shingle driveway leading up to the dwelling, with grass and amenity space to the front, with a patio surrounding the dwelling, with grass, hedging and a tree to the rear garden. The layout would comprise a similar built density to the surrounding grain of development, and would leave space around the dwelling, therefore not resulting in overdevelopment or the erosion of local character and vernacular. The provision of green space and soft landscaping are both welcomed and are considered to be acceptable. It is noted that a gated access is proposed, however, other dwellings along Snailswell Lane, notable, to the east benefit from a gate to their driveways. I do not consider that this would be adverse in this location. I consider it is prudent to restrict permitted development rights owing to the relationship between the dwelling and the neighbouring dwelling, and due to its periphery location and plot size. The scale proposed, for a 3-bed dwelling is considered to sit suitably within the local street scene, and the scale of dwellings locally. It is noted that Ickleford Neighbourhood Plan encourages support for 'smaller homes', with specific reference to 3 bed dwellings. The scale proposed is considered to be acceptable. The one and a half storey height, width, building lines and landscaping would suitably meet the requirements of Policy SD3 of the Ickleford Neighbourhood Plan.
- 4.3.17 The proposed development is therefore considered to be in compliance with policy D1 of the Local Plan, policies SD2 and SD3 of the Neighbourhood Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

- 4.3.18 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.19 The Milderns comprises a chalet bungalow that neighbours the site to the west, and the proposed dwelling would sit level with this neighbour, at ground floor level, not projecting beyond the principal and rear elevations of this neighbour along its adjoining east flank. Given the chalet style of the host dwelling, the first floor is unlikely to dominate this neighbour, and the lack of ground floor projection is not considered to result in dominance for this neighbour. Some light is likely to be lost during the morning and early afternoon owing to the dwelling's position to the south-west of The Mildens, and this is acknowledged. This is not considered to be significant to warrant objection given that light loss would predominantly relate to the garden rather than the main dwelling, and the windows on the neighbouring property addressing the development site are secondary windows to the rooms which they serve, or utility/shower rooms.. Outlook from the chalet is not considered to allow for losses of privacy arising from viewing aspects into window and the curtilage. This would comply with the provisions of Ickleford Neighbourhood Plan SD3 given it would respect the amenities of existing neighbours to the site.
- 4.3.20 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Future Living Conditions:

- 4.3.21 Space standards for 3 bedroom, two storey dwelling range from 84 sqm to 102 sqm, for 4 persons to 6 persons respectively. Proposed is 152 sqm of internal floor area, therefore far exceeding the minimum space requirement for a dwelling of this type and size. The dwelling would benefit from front and rear amenity spaces and would be dual-aspect. There are no noise generating uses nearby that would significantly detract from the future occupants of the house. Therefore, a suitable standard of built amenity would be afforded. The presence of neighbouring dwelling is not considered to be significantly harmful or adverse for the windows and amenity spaces in terms of dominance or losses of light.

Highways and Parking:

- 4.3.22 The proposed development would be served by a minimum of two parking spaces that are off-street, therefore impacts to parking provision locally would not be harmful.
- 4.3.23 Highways have withdrawn their objections as of comments received January 2026, recommending conditions. Previous objections sought clarification of details regarding the relationship between the site access and the public right of way along Snailswell Lane. Following the submission of information, and discussions with Highways, this objection was withdrawn. Conditions are recommended by the Highways Authority, comprise the submission of details for edging of the driveway where it would meet the Right of way, for the submission of a Construction Method Statement, for the surface material to be bound, and for drainage to stop water flow into the ROW, and for a plan

for cycle storage within the site. Informative are also recommended. I consider that these conditions are reasonable.

- 4.3.24 County Council Rights of Way team have made representation. Their comment advises that Snailswell Lane is a public right of way (ROW), and at no point should be obstructed. If any closure is necessary, a Temporary Traffic Regulation Order must first be applied for. Construction traffic should give priority to any and all users of the ROW, with appropriate safety measures being put into place to ensure the safety of the public. The ROW officer advised that the byway must be maintained to a sufficient standard, and that it is not considered to be up to a sufficient standard for heavy goods vehicles deliveries. The officer confirmed that this upgrade is not enforced upon the developer, and that there are no plans to increase the standard to which the surface will be maintained. Inspections would be taken place before construction starts, and the developer would be required to make good of the surface and repair any damage caused upon completion of the build.

Environmental Implications:

- 4.3.25 The proposed dwelling would incorporate energy efficiency measures, with a target for zero carbon emissions, as described by the Planning Statement. Included would be passive solar gain, high quality thermally efficient materials, loft and wall insulation, double glazing, and solar panels. These measures are welcomed and are considered to comply with Policy SD4 of the Ickleford Neighbourhood Plan, and Policy SP9 of the Local Plan 2011-2031.
- 4.3.26 The application is not bound to delivering BNG as it would comprise a self-build dwelling. Ecology have recommended the inclusion of a condition requiring an Ecological Enhancement Plan and note that the submitted Preliminary Ecological Assessment does not foresee detrimental ecological impacts from the proposal. I consider that that the recommended condition would result in compliance with Policy NE4 and is therefore reasonable and acceptable.
- 4.3.27 The site is within Flood Zone 1, as defined by online mapping. The area is susceptible to surface water flooding, with 1 in 1000-year events posing a risk to the front driveway area of the site. Anglian Water have not objected to the proposal, with their representation advising that there are no known assets within the site boundary. They also advise that the wastewater treatment infrastructure possesses sufficient capacity to accommodate the anticipated flows from the dwelling. Anticipated foul flows into the sewerage network would have available capacity for the development. A consultation request has been sent to the Lead Local Flood Authority for assessment as to the risks from surface water drainage. There is a hierarchy of surface water drainage systems of which discharge into a combined sewer is a last resort. This hierarchy is followed through in building regulations for applications, such as this one, which is not captured by a statutory requirement for the LLFA to be consulted. As above, the LLFA are not obliged to respond to consultation requests on non-major development proposals however, in this case we would value a response. In the event that the LLFA do not respond substantively, it remains the view that the application should be approved, as building regulations capture the hierarchy of surface water drainage which would resolve the concerns raised in respect to standing water. The application is being brought to planning control committee in advance of response as surface water drainage solutions are just one of the reasons for call in, and the LLFA response is not essential to the determination of this application.

Planning Balance:

- 4.3.28 The delivery of a home on a windfall site is considered to be viewed favourably. The principle of the development in the Green Belt is supported, and no reasons for objection are raised from other material planning considerations. At present, the district cannot demonstrate a 5 year housing land supply, and therefore, the delivery of a home should be afforded strong weight. The tilted balance would be engaged, as no assets discussed within footnote 7 would be harmed, or would give a strong reason for refusing planning permission. No material considerations would outweigh these benefits weighing favourably in the tilted balance.

Conditions:

- 4.3.29 The applicant has agreed to the requested pre-commencement conditions.

4.4 Conclusion

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 Alternative Options

- 4.5.1 None applicable.

5.0 Recommendation

- 5.1 That planning permission be **GRANTED** subject to a) the expiry of the deadline for the Lead Local Flood Authority to respond to the consultation request, or b) a response being received from the Lead Local Flood Authority with any conditions requested being added, and 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. 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 bricks has been submitted to and approved in writing by the local planning authority. Where height allows swift bricks should be used.

Reason: To ensure development secures biodiversity enhancements in accordance with Policy NE4 of the Local Plan

4. No development shall commence until full details (in the form of scaled plans and/or written specifications) illustrating the design, layout, and construction of the connection between the edge of Snailswell Lane (Public Right of Way) where it meets the proposed driveway have been submitted to and approved in writing by the Local Planning Authority.

The details shall include:

The precise interface between the Public Right of Way and the driveway

Reason: To ensure a safe, suitable, and satisfactory connection between the Public Right of Way and the development in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and to protect the amenity and safety of all users.

5. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Statement shall include details of:

Access arrangements to the site.

Traffic management requirements.

Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas).

Siting and details of wheel washing facilities.

Cleaning of site entrances, site tracks and the adjacent public highway.

Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.

Provision of sufficient on-site parking prior to commencement of construction activities.

Post construction restoration/reinstatement of the working areas and temporary access to the public highway. This should also include Pre and Post construction images of the access.

Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding which must be kept within the site boundary, pedestrian routes and remaining road width for vehicle movements

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).

6. Prior to the first use of the development hereby permitted the vehicular access surface shall be bound for the first 3 meters into the site. 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).

7. Prior to the first commencement of the development hereby permitted, a plan for cycle storage is to be provided and be designed in line with design standards contained in Chapter 11 of the Cycle Infrastructure Design' DfT Local Transport Note 1/20 (July 2020). Prior to first occupation the approved design shall be fully implemented and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

8. Prior to the commencement of the development hereby permitted full details of a comprehensive hard and soft landscaping scheme (including planting details) and all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

All approved hard standing and boundary treatments shall be completed prior to the first occupation of the development.

The approved soft landscaping / planting details shall be carried out before the end of the first planting season following either the occupation of the (first) dwelling 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 ensure the development is comprehensively landscaped in the interests of visual amenity. Local Plan Policies D1 and N2.

9. 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 the development is commenced and the approved details shall be implemented on site.

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.

10. 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.

11. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to 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.

12. Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building 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.

13. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding properties. The development shall be carried out as approved.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to comply with Policy D1 of the Local Plan

14. 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, C and E of Part 1 (and any further new class that may be introduced by way of an update) 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.

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. AN1) 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 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.
AN2) 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-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
AN3) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the

satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

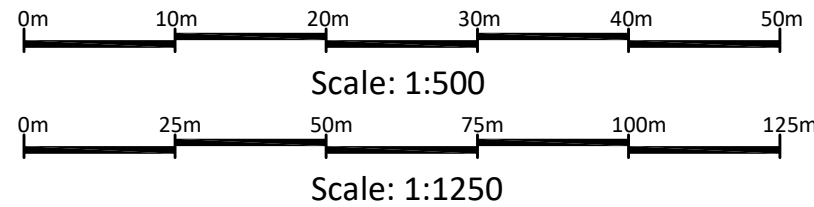




Location Plan @ 1/1250



Site Plan @ 1/500



MSAD

Notes

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BUILDING REGULATIONS

All work is to comply with the relevant Building Regulations and all statutory notices are to be given to the chosen Building Control at the appropriate stages of the project.

CDM

All design and construction is to be in accordance with the Construction, Design and Management Regulations 2015.

DESIGN CRITERIA

All of the contractors' works on site are to comply with and meet the approval of the relevant British Standards and the Local Authority's Design Guides, including Building Control and Planning Departments.

DIMENSIONS

Please note, all dimensions on the drawing are shown in millimeters, unless otherwise stated and should be checked prior to any works on site. It is the responsibility of the client or appointed contractor to notify the designers of any discrepancies of the walls and general layouts.

DO NOT SCALE FOR CONSTRUCTION PURPOSES

MATERIALS

Please note, all the materials specified and the construction details shown, are not to be changed without the full knowledge and prior approval of the agent; as any changes may have a detrimental effect on the designed/required carbon emissions of the structure as designed.

----- 100mm foul drain

----- Water main

Address: Land North of Snailswell Lane
Ickleford
SG5 3TS

Drawing Size	Scale	Drawn by
A3	1/500 1/1250	PH
Job No.	Work Stage	Drawing No.
1153	Proposed	01D

Rev.	Description	Date	Drn	Chk
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**Site & Location Plans
As Proposed**

**M Scott /
Architectural
Design**

BANCROFT HOUSE
34 BANCROFT
HITCHIN
HERTS SG5 1LA
www.msad.uk
Tel:01462 422440



APPENDIX 6: Decision Notice, Delegated Report, and Location Plan Application

Ref. 25/03113/FP



www.north-herts.gov.uk

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Intouch Planning Ltd
4 Ennismore Close
Letchworth Garden City
SG6 2SU
United Kingdom

Applicant:

Mr Joshi

PARTICULARS OF DEVELOPMENT

Application: 25/03113/FP

Proposal: Erection of two semi-detached 4-bedroom dwellings including ASHPs to side elevations, associated photovoltaic solar panels to rear roof slopes, hard and soft landscaping, parking and creation of two vehicular crossovers off Snailswell Lane. (Amended plans received 01/04/26).

Location: 2 Snailswell Lane, Ickleford, Hitchin, Hertfordshire, SG5 3TP

Plan Nos: 2026-01B 2026-02B 2026-03B 2026-04B 2026-05A 2026-06A

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 23 December 2025, subject to the following condition(s):

Biodiversity Net Gain

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. No development shall commence until a Construction Method Statement has been submitted to
and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Method Statement shall include details of:
 - Access arrangements to the site.
 - Traffic management requirements.
 - Construction and storage compounds
 - Cleaning of site entrances, site tracks and the adjacent public highway.
 - Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
 - Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
 - Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding which must be kept within the site boundary, pedestrian routes and remaining road width for vehicle movements

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).

4. Before the development hereby approved is first occupied, all on site vehicular areas shall be accessible and surfaced 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.

5. Before the development hereby approved is first occupied, the new accesses serving the development shall be completed in accordance with the approved in principle plan, drawing number 2026/02 revision B, and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction. This includes the visibility splays as shown at the top of this plan, maintained in perpetuity, within which there shall be no vertical obstruction between 600mm and 2 metres.

Reason: To ensure the provision of an access appropriate for the development in the interests of highway safety and convenience.

6. No development shall take place until 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.

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

7. In the event that contamination is found 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 prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the Environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

8. The windows at first floor level on the side elevations of the development hereby permitted shall be permanently glazed with obscure glass.

Reason: To safeguard the privacy of the occupiers of the adjacent dwelling and to comply with Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

9. 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, C, and E of Part 1 (and any further new class that may be introduced by way of an update) 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.

10. Prior to the first occupation of the dwelling(s) hereby approved, details of the Air Source Heat Pump(s) shall be submitted to the LPA and approved in writing and installed on site (for each dwelling).

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

11. No gates shall be provided across the access to the site.

Reason: In the interests of local visual amenity and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

12. 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.

13. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to 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.

14. Prior to the commencement of the development hereby permitted full details of a comprehensive hard and soft landscaping scheme (including planting details) and all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

All approved hard standing and boundary treatments shall be completed prior to the first occupation of the development.

The approved soft landscaping / planting details shall be carried out before the end of the first planting season following either the occupation of the (first) dwelling 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 ensure the development is comprehensively landscaped in the interests of visual amenity. Local Plan Policies D1 and N2.

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.

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.

3. 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.

4. Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto 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.

Further information is available by telephoning 0300 1234047.

5. The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.
6. Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf.

Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

7. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2.
8. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2.
9. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104

of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Signed:



Shaun Greaves
Development and Conservation Manager

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

Date: 8 May 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 £309 per request or £89 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.

DELEGATED FILE NOTE

CASE OFFICER: ...William Thompson.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/03113/FP	Erection of two semi-detached 4-bedroom dwellings including ASHPs to side elevations, associated photovoltaic solar panels to rear roofslopes, hard and soft landscaping, parking and creation of two vehicular crossovers off Snailswell Lane. (Amended plans received 01/04/26).	2 Snailswell Lane Ickleford Hitchin Hertfordshire SG5 3TP

Submitted Plan Nos

2026-01B 2026-02B 2026-03B 2026-04B 2026-05A 2026-06A

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions

T1	Assessment of transport matters
T2	Parking
SP5	Countryside and Green Belt
SP8	Housing
SP9	Design and Sustainability
NE4	Biodiversity and geological sites
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN14	Meeting climate change,coastal,flooding

2.0 **Site History**

2.1 None relevant

3.0 **Representations**

3.1 **Ickleford Parish Council** – Objection:

- ☐ Concerns that the land is better suited as a garden for the purposes of Green Belt and self-sufficiency.
- ☐ Concerns that the proposed dwellings have too many bedrooms and would be unaffordable to local residents.
- ☐ Concerns that the lane would be unduly affected by additional vehicles.
- ☐ Concerns that the current drainage/sewerage system is outdated and insufficient to accommodate further development.

Ward councillor notified, agreed that the application may be determined under delegated powers.

3.2 **HCC Highways** – No objection with conditions and informatives.

3.3 **NHC Ecology** – No objection with conditions.

3.4 **Anglian Water** – No objection with informatives (initial objection removed after additional information provided).

3.5 **Environmental Health (Combined)** – No objection with recommended condition for land contamination and EV charging.

3.6 **HCC Waste and Recycling** – Objections but with informatives subject to an approval and a reminder that bins would be collected from the kerb.

3.7 **Site Notice and Neighbour Consultation** – One received in objection:

- ☐ Concerns about flooding in the area exacerbating from additional housing. Feels one dwelling would respond more positively to local context.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is identified as the western portion of the residential garden to the host dwelling of no.2 Snailswell Lane, Ickleford. The application site is washed over by the Green Belt. The application site would infill between 2no. pairs of semi-detached dwellings. The application site lies just outside the settlement boundary of Ickleford.

4.1.2 The subject plot is approximately 0.08ha in area and is broadly rectangular with a rear dog leg. The plot is currently residential curtilage and includes a few small sheds/greenhouses. The subject land is predominantly flat. There is a network of public rights of way in very close vicinity of the site also leading directly into the built core of Ickleford.

4.2 **Proposal**

- 4.2.1 Erection of two semi-detached 4-bedroom dwellings including ASHPs to side elevations, associated photovoltaic solar panels to rear roof slopes, hard and soft landscaping, parking and creation of two vehicular crossovers off Snailswell Lane.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:

- ☐ Principle of the development - whether development is inappropriate within the Green Belt and effect upon the openness of the Green Belt.
- ☐ The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- ☐ The impact that the proposed development would have on the living conditions of neighbouring properties.
- ☐ The impact that the proposed development would have on car parking provision in the area.
- ☐ The impact that the proposed development would have on the environment.

Location

- 4.3.2 The application site is washed over by the Green Belt, just west of the settlement boundary of Ickleford. Policy SP1 of the Local Plan supports the principles of sustainable development in North Hertfordshire within key settlements as the main focus for housing, employment and new development. Policy SP2 of the Local Plan identifies that provision is made in the NHLP for housing development within Ickleford.

Green Belt

- 4.3.3 The site is washed over by the Green Belt, as designated by the Local Plan 2011-2031. Paragraphs 154 and 155 within the NPPF set out which types of development are not inappropriate, with those paragraphs stating:

154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

155. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

a) mineral extraction;

b) engineering operations;

c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

4.3.4 Policy SP2 permits general development within the defined settlement boundaries of Category A villages. Ickleford is not explicitly identified as a Category A village, but is identified as one of five villages where a greater amount of development has been allocated. The site is outside of the defined settlement boundary, and therefore, the proposed development would not strictly comply with SP2 of the Local Plan 2011-2031.

- 4.3.5 Turning to Paragraph 154 of the NPPF, I consider that exception e) is relevant to the proposal. Appeal decisions within the district have concluded that development outside of settlement boundaries defined by the Local Plan, but that would be physically related to Category A settlements, can comply with exception e) in respect to being in a village, but still needs to comprise in-filling.
- 4.3.6 The proposed site plan indicates that the development would erect 2no. dwellings on a plot of land bound by development to the north, east and west, with a field to the south between the site and the main built core of Ickleford. I consider that in-filling would occur given the site would be in line with other dwellings, has a proposed new highway access to Snailswell Lane like that of the host dwelling, and would be bound by development.
- 4.3.7 Snailswell Lane feeds to Arlesey Road, which feeds into the built core of Ickleford, and the application site lies between 2no. pairs of semi-detached dwellings within a larger group of dwellings that are not separated by significant swathes of open space or green fields sites. Generally, there is a continuous link of residential curtilages linking this group of dwellings along Snailswell Lane and the built core of Ickleford. I consider the proposal site to sit within the village of Ickleford, taking account of appeal decisions and the relevant material considerations beyond boundary designations in Local Plan documents.
- 4.3.8 For the reasons discussed above, I consider that the proposal would be infill development albeit the site is not within the defined settlement limits of Ickleford as set out in the Policies Map of the Local Plan. Taking account of appeal decisions on this matter and the site may be treated as being within the village for the purpose of application of NPPF Paragraph 154. The proposal would therefore not constitute inappropriate development in the Green Belt.

Design and Appearance:

- 4.3.9 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings to incorporate design that is sympathetic to the main building in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 12 of the National Planning Policy Framework.

Appearance

- 4.3.10 This section of Snailswell Lane is characterised by 2no. pairs of two-storey semi-detached dwellings with hipped roof forms and white render external finish. Dwelling nos. 1-3 sit comfortably within their plots with spacious side/rear gardens; dwelling no.4 sits within a much smaller plot. The proposed siting of the new pair of two-storey semi-detached dwellings is considered acceptable as it lie between these existing dwellings and would not be isolated in the countryside.
- 4.3.11 The proposed pair of 2no. two-storey semi-detached dwellings would be slightly taller (~0.45m) than the neighbouring dwellings at 8.1m; however, given the hipped roof form and distance between dwellings, this would appear comparable. In footprint, size and siting, the dwelling would be considered to relate acceptably to its plot by not appearing cramped and being sufficiently set away from the boundaries.
- 4.3.12 The design would be comparable to the neighbouring dwellings given the hipped roof form, white smooth render and red brick plinth walls, clay roof tiles and white aluminium fenestration. Therefore, the external materials are considered appropriate to the character of the locality. The design includes an open porch canopy to each entrance door, side tandem parking (3no. spaces per dwelling), cycle parking, bin storage, rear solar panels and an ASHP to the open side elevation of each dwelling. Environmental Health (Noise) have not objected to the provided details.
- 4.3.13 The fenestration design is typical of the area with all side elevation windows marked as obscure glazed and non-opening below 1.7m from floor level. The first-floor side elevation windows have been conditioned to be obscure glazed.

Layout and Access

- 4.3.14 The proposal seeks 2no. new dropped kerbs (1no. per dwelling), separated by the retained ash tree and beech hedge, connecting to the public highway of Snailswell Lane. The driveways would be suitably large. The dwellings would benefit from a garden and amenity space and would not result in an overly crowded form of development. Bin collection points are to the front of the site adjacent to the entrance. Due to the rural location, relationship with the host dwelling, and for the consideration of harm to the Green Belt, I consider it is prudent to withdraw permitted development rights from Classes A, AA, B, C, E, Part 1, Schedule 2 of the GPDO (2015).

Landscaping

- 4.3.15 Details of the proposed hardstanding are mainly shown to surround the dwellings at an appropriate depth to provide a driveway and terrace; so, the extent and location of the hardstanding is considered to be acceptable and would not result in an unacceptable urbanising impact upon the rural area. Soft landscaping would comprise grass and trees to the amenity areas, with hedging to the boundaries. Overall, the landscaping details proposed would be acceptable.
- 4.3.16 The proposed development is therefore considered to be in compliance with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

Impact on Neighbouring Properties:

- 4.3.17 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.18 Regarding neighbour amenity, the main dwelling to be affected by the proposed new dwellings would be no.2 Snailswell Lane, the host dwelling, to the east. The proposed dwellings are not considered harmful to no.2 due to the proposed distance from it, its design, and the fact that the upper floor side elevation window would be obscure glazed. The size of the remaining rear garden for no.2 is considered acceptable. Concerns have been raised about flooding on the main road; however, the new proposed dwellings would lie within flood zone 1 and a proposal of this size and siting is unlikely to materially worsen flooding/drainage issues. Regarding the western neighbour, the proposal would be sufficiently set away from the main dwelling and the side elevation windows would be obscure glazed.
- 4.3.19 Given the above, it is considered that the proposed development would not result in an unacceptable detrimental impact upon the living conditions of neighbouring occupiers, as to be objectionable, in terms of over-dominance, shading or loss of privacy and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Standard of Amenity for Future Occupiers:

- 4.3.20 The proposed development would deliver the sufficient internal floorspace to satisfy the nationally described space standards for a dwelling of this size for up to 6-7 persons. The dwelling would benefit from amenity space and is not considered to be harmed by the presence of neighbouring dwellings. Therefore, the internal standard of amenity for future occupiers is considered to be acceptable.

Highways and Parking:

- 4.3.21 The proposed development would have each dwelling served by a minimum of two off-street parking spaces. The Highways Authority have not objected on safety or sustainability grounds, stating *the county council considers Snailswell Lane not to be a traffic sensitive road*. Suitable cycle parking is demonstrated. Therefore, impacts to parking provision locally would not be harmful and the proposal complies with Policies T1 and T2 of the NHLP.

Environmental Implications and BNG:

- 4.3.22 The Council Ecologist has made the following comments:

The November 2025 Statutory Biodiversity Metric records a baseline value .35 Habitat Units and .08 Hedgerow Units. The post-development habitats of the site are valued at .26 Habitat Units and .06 Hedgerow Units, resulting in a net loss of 25% in habitat units and 21% loss of hedgerow units. It is disappointing to see the loss of trees from the site and the biodiversity gain hierarchy needs to be considered when determining whether biodiversity units can be secured off site. Given there is no available public open space it is acceptable for the applicant to source the unit shortfall by purchasing off site units.

The November 2025 Ecological Appraisal (EA) did not find any evidence of protected species using the site but does make recommendation for ecological enhancements. The North Herts Local Plan advises development should consider the inclusion of integrated features in the built fabric of dwellings such as bat, bird and bee bricks which are referred to in the EcIA

Therefore, the standard BNG condition and an ecological enhancements shall be applied.

- 4.3.23 Regarding flooding/sewerage concerns, Anglian Water have not objected to the details submitted. They have stated that *the sewerage network at present has available capacity for the anticipated foul flows* and have not objected to the surface water disposal.
- 4.3.34 A Construction Management Plan and Biodiversity Gain plan are conditioned to be submitted but the result is expected to be generally in compliance with Section 14 of the NPPF and Local Plan Policy NE4.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and complies with both local and national planning policies.

4.5 **Alternative Options**

- 4.5.1 None applicable.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** given 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. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Method Statement shall include

details of:

- Access arrangements to the site.
- Traffic management requirements.
- Construction and storage compounds
- Cleaning of site entrances, site tracks and the adjacent public highway.
- Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding which must be kept within the site boundary, pedestrian routes and remaining road width for vehicle movements

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).

4. Before the development hereby approved is first occupied, all on site vehicular areas shall be accessible and surfaced 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.

5. Before the development hereby approved is first occupied, the new accesses serving the development shall be completed in accordance with the approved in principle plan, drawing number 2026/02 revision B, and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction. This includes the visibility splays as shown at the top of this plan, maintained in perpetuity, within which there shall be no vertical obstruction between 600mm and 2 metres.

Reason: To ensure the provision of an access appropriate for the development in the interests of highway safety and convenience.

6. No development shall take place until 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.

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

7. In the event that contamination is found 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 prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the Environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

8. The windows at first floor level on the side elevations of the development hereby permitted shall be permanently glazed with obscure glass.

Reason: To safeguard the privacy of the occupiers of the adjacent dwelling and to comply with Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

9. 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, C, and E of Part 1 (and any further new class that may be introduced by way of an update) 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.

10. Prior to the first occupation of the dwelling(s) hereby approved, details of the Air Source Heat Pump(s) shall be submitted to the LPA and approved in writing and installed on site (for each dwelling).

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

11. No gates shall be provided across the access to the site.

Reason: In the interests of local visual amenity and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

12. 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.

13. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to 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.

14. Prior to the commencement of the development hereby permitted full details of a comprehensive hard and soft landscaping scheme (including planting details) and all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

All approved hard standing and boundary treatments shall be completed prior to the first occupation of the development.

The approved soft landscaping / planting details shall be carried out before the end of the first planting season following either the occupation of the (first) dwelling 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 ensure the development is comprehensively landscaped in the interests of visual amenity. Local Plan Policies D1 and N2.

Biodiversity Net Gain

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. 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.

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.

3. 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.

4. Where loose gravel or shingle is used, a suitable measure to prevent material spilling onto the road/footpath/verge must be installed. It is an offence under section 148 of the Highways Act 1980 to deposit debris onto 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.

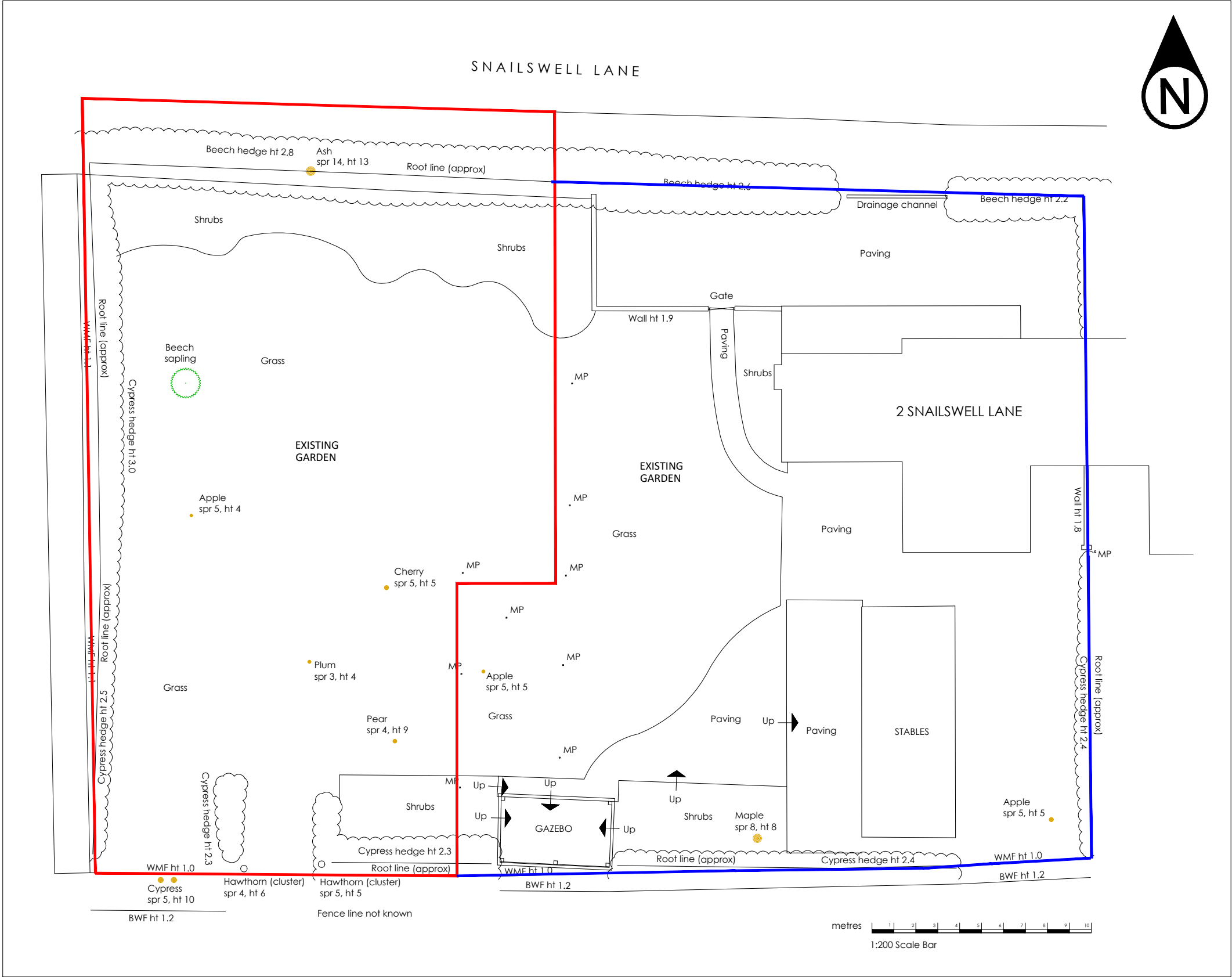
Further information is available by telephoning 0300 1234047.

5. The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.
6. Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf.

Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

7. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2.
8. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2.
9. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

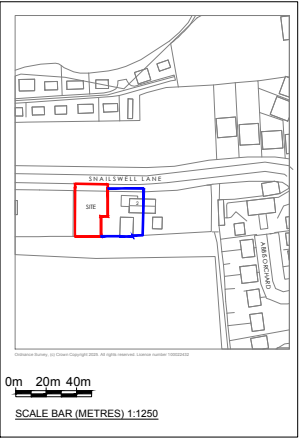
Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 8 May 2026	



EXISTING BLOCK PLAN
1:200

KEY:

— SITE BOUNDARY



LOCATION MAP
1:1250

LIST OF REVISIONS:

--

CLIENT:

Mr Joshi

DATE:

13.NOV.2025

DRAWING TITLE:

PLANNING
EXISTING
BLOCK PLAN +
LOCATION MAP

SCALE:

1:200 @ A3
AS SHOWN

NOTES:

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PROJECT REF:

2 SNAILSWELL LANE
ICKLEFORD HITCHIN,
HERTS

DRAWING REF:

2026 / 01

REV:

B



APPENDIX 7: Appeal Decision Letter Appeal Ref. APP/X1925/W/24/3353630



Appeal Decision

Site visit made on 18 February 2025

by **B Astley-Serougi BA(Hons) LLM MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 APRIL 2025

Appeal Ref: APP/X1925/W/24/3353630

Glencoe Villa, Snailswell Lane, Ickleford, Hertfordshire SG5 3TS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr and Mrs A Del Basso against the decision of North Hertfordshire District Council.
 - The application Ref is 24/01868/S73.
 - The application sought planning permission for the erection of one detached four-bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding. Without complying with a condition attached to planning permission Ref 23/00505/S73 dated 19 April 2023.
 - The condition in dispute is No 9 which states that: *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no enlargement as set out in Class A, and no development under Class 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.*
 - The reason given for the condition is: *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 the openness of the Green Belt.*
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published in December 2024. The parties have been provided with the opportunity to comment on the implications of the revisions to their cases. I have taken account of the revised Framework, and any comments made, in my determination of the appeal as necessary.

Background and Main Issue

3. Planning permission was granted for the erection of one detached four-bedroom dwelling with associated access, car parking, hard and soft landscaping.¹ The approved scheme was found to be not inappropriate development in the Green Belt. The appellant subsequently had a variation of condition application granted in April 2023². The appeal before me seeks to vary condition nine of the previously granted variation of condition permission.

¹ Planning Application Ref: 22/00172/FP

² Planning Application Ref: 23/00505/S73

4. The Council indicates that condition nine is necessary to ensure that the proposal remains acceptable in Green Belt terms, particularly with regard to maintaining the openness of the Green Belt.
5. The Decision Notice and Officer Report indicate that removing the condition would likely have a harmful impact on the openness of the Green Belt. Given this background, the effect of the proposal on the Green Belt is a relevant matter for consideration.
6. Taking into account the background, the main issues are, the effect of the development, without the condition in place, on:
 - the Green Belt, including (i) whether or not the proposal would be inappropriate development in the Green Belt and if relevant (ii) the effect upon the openness of the Green Belt, and
 - if the development is inappropriate, whether any harm by reason of inappropriateness, and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Green Belt

7. The appeal site is identified as being located in the Green Belt. Accordingly, Policy SP5 of the North Hertfordshire Local Plan 2011-2031 (the LP) seeks to restrict inappropriate development in accordance with the Framework. The Framework establishes that inappropriate development is by definition harmful to the Green Belt. Therefore, inappropriate development should not be approved except in very special circumstances.
8. Paragraph 154(g) of the Framework indicates that the construction of new buildings in the Green Belt should be regarded as inappropriate, except for a number of exceptions. One of these exceptions includes limited infilling or the partial or complete redevelopment of previously developed land (PDL) provided that it would not have a substantial harm on the openness of the Green Belt when compared to the existing development.
9. The appellant refers to the wording of paragraph 154(g) prior to the most recent revision of the Framework. It stated that a new building in the Green Belt would be considered as not inappropriate when the limited infilling or the partial or complete redevelopment of PDL would not have a *greater impact* (my emphasis) on the openness of the Green Belt than the existing development. The current Framework, amongst other things, substitutes 'greater impact' with 'substantial harm'. The appellant considers that had the appeal scheme been determined under the latest revision of the Framework, a larger development would likely have been granted permission and therefore, any additions to the appeal scheme before me under permitted development rights would not constitute substantial harm.
10. However, there is no definition of either 'greater impact' or 'substantial harm' for planning purposes. Consequently, it is a matter of planning judgement as to whether additions permissible under permitted development rights would be inappropriate and result in substantial harm on the openness of the Green Belt.

Openness

11. The approved scheme under 23/00505/S73 was found by the Council to result in a dwelling which would be considered as not inappropriate in the Green Belt. This was because the scale and height of the eaves would result in a development smaller than a previously refused variation of condition application³ and an eaves height similar to those approved on the dwelling approved by the original planning permission⁴. Condition nine was imposed to prevent the possibility of inappropriate development like that which was assessed and refused by the Council in the 2022 variation of condition application and dismissed on appeal⁵.
12. Class A Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (the GPDO) limits the size and height of extension or alterations that are permitted. However, sizable extensions could be permitted via Class A in certain circumstances to achieve extensive enlargements because of this permitted development right.
13. The appeal scheme would be visible from the road and from the Public Right of Way that is located to the eastern boundary of the site. Consequently, extensive additions permitted by Class A Part 1 would likely result in a substantial harmful impact upon the openness of the Green Belt in conflict with paragraph 154(g) of the Framework. Accordingly, such alterations would undermine the acceptability of the approved scheme due to further enlargement to its scale and massing.
14. The appeal site is adjacent to a limited number of dwellinghouses as well as a small estate of park homes. The houses are part of a linear development and therefore are bordered by fields. To the rear of the site are open agricultural fields and therefore whilst there are other dwellings proximate to the appeal site, the overall character is rural. The Council have previously granted an application for a dwelling on the site and whilst this does result in an acceptance of a level of domestication of the appeal site, it does not equate to the acceptance of sizable extensions. Given the appeal site abuts open fields and the overall rural character of the Green Belt and surrounding area, condition nine provides a safeguard against any scale of future extensions that would result in harm to the openness of the Green Belt. It is therefore necessary to retain the condition to make the approved scheme acceptable.
15. Class E Part 1 of the GPDO permits any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure. It also permits a container used for domestic heating purposes for the storage of oil or liquid petroleum gas. The right does establish that the development must not exceed 50% of the total area of the curtilage. Given the linear form of development on Snailswell Lane and consequently its relatively exposed siting, the addition of much of the developments permitted by Class E would likely lead to an unacceptable reduction in the visual and spatial openness of the Green Belt.
16. Planning Practice Guidance states that conditions restricting the future use of permitted development rights may not pass the test of reasonableness or necessity and need to be precisely defined⁶. In this case I find condition nine is

³ Planning Application Ref: 22/02627/S73

⁴ Planning Application Ref: 22/00172/FP

⁵ Planning Appeal Decision: APP/X195/W/23/3321454

⁶ Planning Practice Guidance Paragraph 017 Reference ID: 21a-017-20190723

precisely defined by reference to the specific provisions of the GPDO and is confined to the areas associated with Classes A and E.

17. The appellant refers to examples in the GPDO where there is a restriction on permitted development rights for sites within national parks or conservation areas. The appellant states that it is therefore reasonable to conclude that if it was the intention to limit permitted development rights in the Green Belt the GPDO would have done so. Notwithstanding the fact that permitted development rights have not been withdrawn in total or in part in the Green Belt in the GPDO, I have found in this case that there is clear justification for removing permitted development rights under Class A Part 1 and Class E Part 1 of the GPDO. This is because the potential for the enlargement of the approved scheme would likely result in it being materially larger than the approved scheme and similar to the previously refused and dismissed appeal scheme⁷. Accordingly, this would fail to accord with paragraph 154 (g) of the Framework. Furthermore, given the location of the appeal site and its close relationship with the open character of the Green Belt which I have identified above, development under Class A Part 1 would result in significant harm to the spatial and visual openness of the Green Belt.
18. For the reasons given above, I find that the development under Class A Part 1 and Class E Part 1 of the GPDO would likely cause substantial harm to the openness of the Green Belt and conflict with Policy SP5 of the LP and fail to accord with paragraph 154(g) of the Framework. This would amount to the clear justification to restrict Class A and Class E of Part 1, Schedule 2 of the GPDO.

Other Considerations and Very Special Circumstances

19. Development under Class A Part 1 and Class E Part 1 of the GPDO would lead to a loss of openness of the Green Belt. Substantial weight is given to the harm to the Green Belt and development should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt, and any other harm resulting from the proposal, are clearly outweighed by other considerations.
20. I do not have the full details of the cited appeal decisions at St Vincents Lane, West Malling⁸, Newmarket Road, Stow-Cum-Quy⁹ and Sandy Lane, Guildford¹⁰ and therefore cannot be certain that they are wholly comparable to the appeal before me. The Inspector in the Sandy Lane appeal decision highlighted that the appeal site was on article 2(3) land given it was located in an Area of Outstanding Natural Beauty (now designated as a National Landscape in the Levelling Up and Regeneration Act 2023). Therefore, it was already subject to a further level of restriction unlike the appeal site before me.
21. Regarding the appeal decision at Newmarket Road the Inspector describes the dwelling having been extensively renovated and extended as well as being enclosed on all sides with fencing and gates. Additionally, the planning history of this other site, including a planning refusal and appeal dismissal for a larger scheme, has not been shown to be similar in this case. Consequently, it is not directly comparable to the appeal site before me.

⁷ Planning Application Ref: 22/02627/S73 Planning Appeal Decision Ref: APP/X1925/W/23/3321454

⁸ Planning Appeal Decision Ref: APP/H2265/W/20/3264915

⁹ Planning Appeal Decision Ref: APP/W0530/W/21/3272766

¹⁰ Planning Appeal Decision Ref: APP/Y3615/W/22/3290698

22. There is limited information before me to establish whether the appeal site in the St Vincents Lane appeal decision is comparable to the appeal before me. The appeal decision is concise and again I cannot be certain that the planning history is directly comparable to the appeal before me. Nevertheless, each case is determined on its own merits including its own planning context.
23. Accordingly, I have found condition 9 is reasonable and necessary and the other considerations before me do not clearly outweigh the harm that I have identified. Accordingly, the very special circumstances necessary to justify development under Class A Part 1 and Class E Part 1 of the GPDO do not exist.

Conclusion

24. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

B Astley-Serougi

INSPECTOR



APPENDIX 8: Decision Notice and Delegated Report Application Ref. 26/01362/FP



www.north-herts.gov.uk

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Peter George Town Planning
Nine Hills Road
Cambridge
CB2 1GE

Applicant:

Mr and Mrs A Del Basso

PARTICULARS OF DEVELOPMENT

Application: 26/01362/FP

Proposal: Erection of one detached five-bedroom dwelling with associated detached garage and outbuildings, access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding. (Development has commenced).

Location: Glencoe Villa, Snailswell Lane, Ickleford, Hitchin, Hertfordshire, SG5 3TS

Refused Plan Nos: PO1A PO2A PO3A PO4A PO5 PO6 PO7 PO8B

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **REFUSE** the development proposed by you in your application received with sufficient particulars on 22 May 2026.

1. The proposed outbuildings and detached garage, by reason of their scale, siting and cumulative built form, would result in an unjustified increase in development

within the Green Belt, causing harm to its openness. Whilst the site benefits from planning permission for a dwelling, and the applicant contends that the land constitutes Grey Belt as defined by the National Planning Policy Framework, that does not establish the acceptability of additional domestic outbuildings beyond those previously approved. The proposal would materially exceed the development that has been accepted in principle, and the applicant has failed to demonstrate that the additional buildings satisfy the relevant policy tests applicable to development within the Green Belt or that they would preserve openness and avoid conflict with the purposes of the Green Belt. The proposal is therefore contrary to Section 13 of the National Planning Policy Framework and Policies SP5, D1 and D2 of the North Hertfordshire Local Plan 2011-2031.

2. The proposed outbuildings and associated domestic development would result in a materially greater impact on the openness and rural character of the site than the previously approved development. The proposal would undermine the effectiveness of the planning condition previously imposed to remove permitted development rights, the necessity of which was confirmed through a dismissed appeal. The development is therefore contrary to the National Planning Policy Framework and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011-2031

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied 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: 10 July 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 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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.

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01362/FP	Erection of one detached five-bedroom dwelling with associated detached garage and outbuildings, access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding. (Development has commenced).	Glencoe Villa Snailswell Lane Ickleford Hitchin Hertfordshire SG5 3TS

Submitted Plan Nos

PO1A PO2A PO3A PO4A PO5 PO6 PO7 PO8B

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
NP4	Ickleford NP
SECN12	Achieving well-designed places
SP2	Settlement Hierarchy and Spatial Distrib
SP5	Countryside and Green Belt
SP9	Design and Sustainability
T2	Parking
SPDVP	Vehicle Parking at New Development
SPDDS	Design Supplementary Planning Document
SECN13	Protecting Green Belt Land

2.0 **Site History**

- 2.1 **26/00637/FP** Erection of a detached five-bedroom dwelling with associated detached garage and outbuildings, access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced). **Refused 14/05/2026 for**
- 1. The proposed development constitutes inappropriate development in the Green Belt and causes harm to the openness of the Green Belt. The harm by reason of inappropriateness, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal is therefore contrary to Chapter 13 of the National Planning Policy Framework and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011-2031*
- 2. The proposed outbuildings and associated domestic development would result in a materially greater impact on the openness and rural character of the site than the previously approved development. The proposal would undermine the effectiveness of the planning condition previously imposed to remove permitted development rights, the necessity of which was confirmed through a dismissed appeal. The development is therefore contrary to the National Planning Policy Framework and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011-2031*
- 2.2 **25/01822/FP** Erection of one detached 5-bed dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced) **Approved**
- 2.3 **24/01868/S73** Removal of condition 9 of planning permission 23/00505/S73 granted 20.04.2023 for the erection of one detached four bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding. **Refused 08/10/2024 for:**
- 1. The removal of Condition 9 of planning permission 23/00505/S73 would allow for the construction of outbuildings and extensions within the application site. This could result in development within the Green Belt that could be inappropriate and result in harmful loss of openness. It is therefore considered that Condition 9 is justified in order to allow the Local Planning Authority to assess possible future development within the Green Belt through the submission of a planning application. The application for the removal of Condition 9 from planning permission 23/00505/S73 is considered to fail to comply with the provisions set out within Policy SP5 of the adopted Local Plan; and Section 13 of the National Planning Policy Framework.*
- 2.4 **23/00505/S73** - Variation of Condition 2 (approved plans and details) of planning permission 22/00172/FP granted 28/03/2022 for the erection of one detached four bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding – **Approved 20/04/23.**

- 2.5 **22/02627/S73** - Variation of condition 2 (revision of dwelling design) of previously approved planning permission 22/00172/FP granted 28/03/2022 - erection of one detached four-bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding – Refused 09/12/22 for:
- 1. The proposed development constitutes inappropriate development in the Green Belt and causes harm to the openness of the Green Belt. In addition to the harm by reason of inappropriateness, other harm is identified through loss of openness. The harm by reason of inappropriateness, and the other harm identified, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal does not comply with Policy SP5 of the adopted Local Plan; and Section 13 of the National Planning Policy Framework.*
 - 2. The proposed development by reason of its design, siting and appearance would be detrimental to the character and appearance of the locality. The proposal does not comply with Policies SP9 and D1 of the adopted Local Plan; and Section 12 of the National Planning Policy Framework.*

Appeal dismissed 13/12/23.

- 2.6 **22/00172/FP** - Erection of one detached four-bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding – **Approved 28/03/22.**
- 2.7 **21/01300/FP** - Erection of one detached 3-bed dwelling – **Refused 15/06/21** for:
- 1. The proposed development constitutes inappropriate development in the Green Belt and causes harm to the openness of the Green Belt. In addition to the harm by reason of inappropriateness, other harm is identified through loss of openness. The harm by reason of inappropriateness, and the other harm identified, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal does not comply with Policies 2 and 3 of the 1996 Adopted Local Plan; Policies SP1 and SP5 of the Emerging Local Plan; and Section 13 of the National Planning Policy Framework.*
- 2.8 **20/01168/FP** - Erection of one detached single storey 3-bed dwelling – **Approved 27/10/20.**

3.0 **Representations**

- 3.1 **Parish Council** – *The Parish Council has reviewed the submitted site layout plans and notes the presence of an access point on the eastern side of the site. Whilst the plans do not currently identify this as a vehicular access, the Parish Council is concerned that the layout could potentially allow for future vehicular use.*

The Parish Council therefore requests that, should North Hertfordshire District Council be minded granting planning permission, a condition be imposed restricting the eastern access point to pedestrian access only and preventing its use for vehicular access or egress.

The Parish Council considers such a condition to be reasonable and necessary in the interests of highway safety and to provide clarity regarding the intended use of the access arrangements serving the development.

- 3.3 **Environmental Health** – The application is supported by land contamination reports including a remediation strategy document which I have previously approved on other applications. I, therefore, have no objections to the proposals subject to the following condition being placed on any decision notice should you be minded to grant approval.
- 3.4 **Highways officer** – Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission
- 3.5 **Herts Ecology** – As development has commenced on site BNG will not apply and no ecological information has been provided, hence I have no comments to make. Should the officer be minded to approve an Ecological Enhancement Plan condition may be attached.
- 3.6 **UPPER OUSE WATER MANAGEMENT BOARD** – requires further information on SUDs
- 3.7 **Neighbours** – no third party replies received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site comprises land to the east and north of a detached two storey dwelling (Glencoe Villa), which slopes up gently to the rear. The site has been used for a coal merchant business in association with Glencoe Villa, which had various associated buildings and structures remaining within the site and some trees, most of which have been removed.
- 4.1.2 The wider locality has a rural character with a small number of dwellings nearby on the north edge of Ickleford, with a caravan park to the east.
- 4.1.3 The application site lies within the Green Belt wherein there is a strong presumption against inappropriate development. Planning permission has previously been granted for a new dwelling at the site subject to conditions, including the removal of permitted development rights for extensions and outbuildings in the interests of safeguarding the openness of the Green Belt.

4.2 **Proposal**

- 4.2.1 This application seeks to erect a detached five-bedroom dwelling with associated detached garage and outbuildings, access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding (Development has commenced).
- 4.2.2 The proposed dwelling would largely be as per that approved under application ref. 25/01822/FP in terms of its design, form, dimensions and architectural characteristics. However, the previously approved single-storey flat roof extension to the west-facing flank elevation of the proposed dwelling has been fully enclosed compared with this earlier consent. Furthermore,

a detached garage is proposed immediately adjacent to the driveway, and two detached outbuildings proposed to the rear of the dwelling.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are whether the principle is acceptable, and design, and neighbour amenity.

Principle of Development

- 4.3.2 Whilst the principle of a dwelling has previously been accepted on the site, the current application must be assessed on its own merits having regard to the cumulative impact of the proposed amendments and additional outbuildings.
- 4.3.3 The proposed single storey side extension, proposed triple garage (two spaces enclosed spaces and one carport style bay) and 2 new outbuildings to facilitate a gym and office, when considered alongside the approved dwelling and associated domestication of the site, would materially increase the built form across the site. The scale, spread and massing of development would exceed that previously considered acceptable and would result in development beyond what could reasonably be regarded as limited or appropriate within the Green Belt.
- 4.3.4 The application site lies within the Green Belt where the fundamental aim of national and local planning policy is to prevent urban sprawl by keeping land permanently open. Policy SP5 of the North Hertfordshire Local Plan and Section 13 of the National Planning Policy Framework (NPPF) seek to ensure that development within the Green Belt preserves its openness and does not conflict with the purposes of including land within it.
- 4.3.5 The site benefits from an extant planning permission for the erection of a five-bedroom dwelling. As such, the principle of a replacement dwelling has already been established through that permission. The applicant contends that the site should be regarded as Grey Belt land, as defined within the NPPF. Whilst that argument is acknowledged, it is of limited relevance to the determination of the current application. The relevance of Grey Belt is limited in this case, as the current proposal does not relate to establishing the principle of a new dwelling on previously undeveloped Green Belt land, but instead concerns the provision of additional domestic outbuildings and a garage associated with a dwelling that has already been accepted in principle. The Grey Belt provisions within the NPPF are primarily concerned with identifying areas of Green Belt land where the development of housing (and other development) may be considered appropriate, subject to the relevant policy tests being met. There is no shortage of existing outbuildings within gardens through the District and therefore it is the view of the LPA that Grey Belt policy does not apply in this case.
- 4.3.6 The extant planning permission has established the principle of the dwelling on the site. However, it does not establish the principle of additional domestic outbuildings. These elements were specifically considered under previous applications, where planning permission for outbuildings was refused. In addition, permitted development rights for outbuildings and other domestic additions were removed from the original planning permission to prevent the uncontrolled proliferation of built development that could erode the openness of the Green Belt. A subsequent application to remove that condition was dismissed at appeal (app ref

AP/24/00032/REF), with the Inspector concluding that unrestricted additions and outbuildings could cumulatively harm the openness of the Green Belt and that such controls were necessary and reasonable.

- 4.3.7 The current proposal effectively seeks to introduce development of the type and scale that the condition and subsequent appeal decision sought to prevent. The proposal therefore directly conflicts with the reasoning of the appeal decision and reinforces the conclusion that further outbuildings would be harmful to the openness of the Green Belt.
- 4.3.8 The current proposal therefore falls to be assessed on whether the proposed outbuildings and detached garage are acceptable in their own right. The concept of Green Belt cannot reasonably be relied upon to revisit or extend the established principle of development beyond that already approved. The key consideration is whether the additional buildings would preserve the openness of the Green Belt and accord with Policies SP5, D1 and D2 of the North Hertfordshire Local Plan and the relevant provisions of the NPPF. The previous appeal decision is a significant material consideration in this assessment, as it confirms the need to carefully control additional built development on the site in the interests of safeguarding the openness and character of the Green Belt.

Impact on Openness of the Green Belt

- 4.3.9 Openness has both spatial and visual dimensions. The proposed outbuildings would introduce additional built form and associated domestic paraphernalia into an otherwise open rural setting. Collectively, the amendments would intensify the domestic presence on the site and reduce the perception of openness.
- 4.3.10 Although the structures will be single-storey in form, the cumulative impact of multiple buildings, hardstanding and associated residential activity would result in a materially greater impact on the openness of the Green Belt than the approved scheme
- 4.3.11 The proposal would therefore conflict with the fundamental aim of Green Belt policy as set out in the NPPF and with the relevant policies of the North Hertfordshire Local Plan

Very Special Circumstances

- 4.3.12 No very special circumstances have been advanced which clearly outweigh the identified harm to the Green Belt by reason of inappropriateness and loss of openness, together with any other harm identified.

Character and appearance

- 4.3.13 The dwelling with the additional extension and outbuildings will use the same materials as previously granted dwelling. Given that the majority of the dwelling has been commenced and near completion the proposed design of the additional extension is in keeping. The proposed development is considered to be of an acceptable design.

Neighbour amenity

- 4.3.14 Due to the siting and design of the dwelling and additional outbuildings I do not consider that it would appear overbearing, cause loss of light, privacy and amenity to other nearby dwellings. Impacts on residential amenity are acceptable.

4.4 **Conclusion**

- 4.4.1 The proposed amendments and additional outbuildings would constitute inappropriate development within the Green Belt. The proposal would result in a harmful erosion of openness through the cumulative increase in built form and domestication of the site. Substantial weight is attached to this harm.

The proposal would conflict with Chapter 13 of the NPPF and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011–2031. The proposal would also conflict with the conclusions of the previous dismissed appeal relating to the removal of permitted development rights.

- 4.4.2 In the absence of material planning reasons or very special circumstances to the contrary it is my view that planning permission is **REFUSED**.

5.0 **Recommendation**

- 5.1 That planning permission be **REFUSED** for the following reason:

1. The proposed outbuildings and detached garage, by reason of their scale, siting and cumulative built form, would result in an unjustified increase in development within the Green Belt, causing harm to its openness. Whilst the site benefits from planning permission for a dwelling, and the applicant contends that the land constitutes Grey Belt as defined by the National Planning Policy Framework, that does not establish the acceptability of additional domestic outbuildings beyond those previously approved. The proposal would materially exceed the development that has been accepted in principle, and the applicant has failed to demonstrate that the additional buildings satisfy the relevant policy tests applicable to development within the Green Belt or that they would preserve openness and avoid conflict with the purposes of the Green Belt. The proposal is therefore contrary to Section 13 of the National Planning Policy Framework and Policies SP5, D1 and D2 of the North Hertfordshire Local Plan 2011–2031.
2. The proposed outbuildings and associated domestic development would result in a materially greater impact on the openness and rural character of the site than the previously approved development. The proposal would undermine the effectiveness of the planning condition previously imposed to remove permitted development rights, the necessity of which was confirmed through a dismissed appeal. The development is therefore contrary to the National Planning Policy Framework and Policies SP5 and D2 of the North Hertfordshire Local Plan 2011–2031

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied 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 Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 10 July 2026	