

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00996/FP	Erection of two-bed bungalow following demolition of existing stables and outbuildings including parking	Land At North Side Burrs Lane Barkway Hertfordshire

Submitted Plan Nos

Proposed Location Plan SMA/24/01A - Existing Site Plan SMA/ 24/02D Proposed Site Plan SMA/24/04
SMA/24/03B

1.0 Policies

1.0 **Planning Policy**

1.1 **North Herts Local Plan 2011- 2031**

Policy SP1: Sustainable development in North Hertfordshire
Policy SP2: Settlement Hierarchy and Spatial Distribution
Policy SP6: Sustainable Transport
Policy SP7: Infrastructure requirements and developer contributions
Policy SP8: Housing Policy
SP9: Design and Sustainability
Policy SP12: Green Infrastructure, landscape and biodiversity
Policy CGB 1: Rural Areas Beyond the Green Belt
Policy CGB4: Existing buildings in the Rural Area Beyond the Green Belt
Policy T1: Assessment of Transport matters
Policy T2: Parking
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 NE11: Contaminated land
Policy HE4: Archaeology
Policy IMR1: Five Year Housing Land Supply Policy IMR2: Local plan early review

1.2 **National Planning Policy Framework 2024**

Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment

1.3 **Supplementary Planning Documents**

Vehicle Parking Standards at new development (2011) plus Appendix 4 of the Local Plan. Design Supplementary Planning Document
Sustainability SPD

1.4 Barkway Neighbourhood Plan 2018 - 2031

The Plan was made in May 2025 following a referendum on 1st May 2025.

The following policies are relevant:

Policy BN H2 Design and Layout

Policy BN H3 Sustainable Construction

Policy BN NE3 Conserve & Enhance Biodiversity

Policy BN NE4 Important Views

Policy BN T2 Mitigating Traffic Impact

Policy BN T3 Public Rights of Way

Policy BN T5 Vehicle Parking in Residential Development

2.0 **Site History**

2.1 None relevant – see history for stable block consents (83/00193/1 , 88/01956/1).

3.0 **Representations**

3.1 Barkway Parish Council: Advises unable to comment. Recommends referral to Ecology consultant

3.2 Site Notice / Adjacent occupiers:

Two residents support the proposals with the following comments:

- ☐ Query future demand for stables
- ☐ Traffic in connection with stables will still continue
- ☐ Hope there will be no further development
- ☐ Flood risk from watercourse
- ☐ Would not want to see a two storey dwelling
- ☐ Boundary query.

3.3 Hertfordshire Highways: 'Does not wish to restrict the grant of permission subject to conditions and informatives'

3.4 NHDC Ecology: Raises no objections and recommends conditions

3.5 NHDC Environmental Health:

Contaminated land – Recommends condition

Noise and other nuisances – No objections. Recommends informatives

Air Quality – Recommends an EV charging point

3.6 NHDC Waste & Recycling Services: Provides general advice on waste storage.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site consists of an irregular shaped piece of land located at the eastern end of Burrs Lane currently in use for equestrian purposes. The site is located in the Rural Area beyond the Green Belt just outside of the settlement of Barkway a Category 'A' village in the current adopted local plan.
- 4.1.2 Residential properties (located within the village boundary) are located adjacent to the site to the west whilst the eastern side of the plot adjoins other land in equestrian use.
- 4.1.3 The site has a vehicular access onto Burrs Lane and is relatively flat lying below the level of Burrs Lane . The site is located just to the east of the Barkway Conservation Area. There are two public footpaths nearby – Barkway 012 and Barkway 013.

4.2 **Proposal**

- 4.2.1 The proposed development is for the erection of a detached two bedroom bungalow including landscaping and parking following demolition of existing equestrian buildings.
- 4.2.2 The proposals include the following detail:
 - ☐ Bungalow of approximately 105 sq metres floor area
 - ☐ Maximum height of 3.82 metres
 - ☐ Materials include black stained timber boarding, slate roof and red brick plinth.
 - ☐ Parking area
 - ☐ No alterations to vehicular access

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are the
 - ☐ The Principle of Development
 - ☐ Sustainability
 - ☐ Design, Layout and Impact on character and appearance of the area
 - ☐ Living Conditions
 - ☐ Landscaping and ecology
 - ☐ Highways, Access, parking and impact on public footpath
 - ☐ Environmental matters (Flooding, contamination, construction noise etc)
 - ☐ Planning Balance
- 4.3.2 Principle of development

4.3.3 The site is in the Rural Area beyond the Green Belt in the adopted Local Plan. Policy SP5 states the Council will operate a general policy of restraint in Rural Areas beyond the Green Belt through the application of additional detailed policies. These policies are CGB1 and CGB4. Part d) of CGB1 is considered applicable, as the proposal relates to existing rural buildings. Policy CGB4 states that planning permission for the re-use, replacement or extension of buildings in the Rural Area beyond the Green Belt will be granted provided that:

b) Any existing building to be converted for re-use does not require major extension or reconstruction; c) The resultant building(s) do not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building(s); and d) Any outbuilding(s) are sited as close as possible to the main building(s) and visually subordinate to them.

4.3.4 The existing buildings on-site measures between 2.2m - 3 metres in height maximum and have a total area of 120 sqm. The footprint of the proposed dwelling would amount to 105 sqm resulting in a 12.5 % reduction in built footprint on the site. The height of the dwelling would reach 3.82m at its highest point. In view of the reduction in footprint and spread of buildings across the site it is considered that the resultant building would not have any materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building.

4.3.5 The proposal is considered to meet c) of Policy CGB4 above.

4.3.6 In the Barkway Neighbourhood Plan at paragraph 4.1.6 it states that following a Housing Needs Survey in 2019 the prevalent number of bedrooms desired was for one or two bedroom homes. The proposal is for a two bedroom home which would seem to meet this local demand.

4.3.7 The application site is located opposite a residential property (Highfield House) and just 35 metres to the east of existing housing along Burrs Lane. It is therefore considered that the principle of residential development at this location, close to the village centre and other housing, must be considered acceptable in land use terms.

4.3.8 In this case it is considered that the development complies with the relevant LP policies for the assessment of development in the Rural Area beyond the Green Belt.

4.3.9 The National Planning Policy sets out policies relating to rural housing at paragraphs 82 to 84. The thrust of policies is to promote sustainable development in rural areas, enhance or maintain the vitality of rural communities and avoid the development of isolated homes. The site is not in an isolated location within the countryside but is located immediately adjacent a category A village boundary. It is considered therefore that the proposal would not conflict with the NPPF relating to the provision of rural housing.

4.3.10 Overall therefore the proposed development in land use and locational terms is considered to be acceptable in principle.

4.3.11 Sustainability

- 4.3.12 The overarching purpose of the planning system is to contribute to achieving sustainable development, as stated in Section 2 of the NPPF. This is considered against the three objectives of sustainable development, the economic, social, and environmental objectives.
- 4.3.13 Firstly, in terms of the economic objective, the proposed development would see the delivery of jobs during the build/construction phase which is a modest benefit. There would be on-going economic benefit during the operational phase of the development within the service industry (refuse collection, council tax, deliveries, spending within the village)
- 4.3.14 Secondly, in terms of the social objective, this would add an additional dwelling to the districts housing figures which could be delivered in a relatively short space of time, which is a modest benefit. The Council currently cannot demonstrate a deliverable fiveyear supply of housing land as required by the Framework. Any child yield from the development would support the local primary school.
- 4.3.15 The proposal will incorporate sustainable building features, such as an EV charging point and a package of other measures as set out in the submitted sustainability statement (ASHp, solar panels, high levels of thermal insulation etc) aimed at securing low carbon and energy reducing features in the construction and operational phase of the development.
- 4.3.16 The application site is a short walk (less than 5 minutes) to the centre of the village which is served by bus services and the site is adjacent to two public footpaths which provide links to other parts of the village and surrounding area. Overall, these environmental benefits are deemed appropriate relative to the scale of development proposed.
- 4.3.17 As such, it is considered that the proposal accords with the three strands of sustainability and as such are attributed due weight in the planning balance.
- 4.3.18 Design and Layout and impact on the character and appearance of the area
- 4.3.19 Policy D1 of the Local Plan states that planning permission will be granted for development proposals that respond positively to the sites local context and create or enhance the public realm. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context.
- 4.3.20 The proposal would result in the removal of unattractive and poorly maintained pair of equestrian buildings and various associated structures and piles of materials and equipment. There would be an immediate benefit to the appearance of the site through the removal of the existing development particularly as the existing buildings and site is visible from Burrs Lane and the adjacent public footpath.
- 4.3.21 The proposed dwelling has been sensitively designed with external materials that are appropriate to this edge of settlement / semi-rural location (for example black cladding

and slate roof). The building is set well back into the site and therefore will not be intrusive when viewed from the Lane and footpath. The development will therefore enhance the setting of the site and maintain the rural character of the lane. No significant works are proposed to the existing access. The proposed development is therefore considered to respond positively to local context, in accordance with Policies SP9 and D1 of the Local Plan.

4.3.22 The proposed dwelling would be set within a generous plot with scope for substantial new landscaping. The openness of the site can be maintained by restricting permitted development rights.

4.3.23 Altogether it is considered that the development is well designed and located and responds positively to its local context in accordance with Policy SP9 of the Local Plan. Accordingly, it is concluded that the development will not be harmful to the character and appearance of the area.

4.3.24 Impact on Village Views

4.3.25 BNP Policy BN NE4 seeks to protect certain views across the village and wider area. View V5 looks east across a field to the south of the site. The development is not within the view splay and therefore does not impact on this important view. View V13 looks west across the village in a long distance view from Earls Wood Policy BN NE4 states: *'It is notable for the way in which it shows the village nestling in amongst the trees on the other side of the river. The tower of St Mary Magdalene Church rises above the trees and some of the older houses on the High Street can be glimpsed through the green. It gives the sense of a contained settlement and permanence'*. Whilst the view splay includes the application site, due to the limited height of the proposed bungalow and the absence of any elevated levels on the site, the development does not encroach into this important view or result in any outward spread of the settlement.

4.3.26 Living standards and impact on neighbouring properties

4.3.27 Policy D1 of the local plan requires new residential schemes to meet or exceed the nationally described space standards and Policy D3 states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions

4.3.28 The dwelling would exceed the nationally described space standards as the standard requires 70 sqm (for a 2 bed 4 person dwelling) whilst the proposed dwelling provides approximately 105 sq m.

4.3.29 The external garden area at 200 sqm plus is considered more than large enough for the size of the dwelling and it is noted that the site is only a few minutes walk to a large area of open space at Public Open Space L2 (as noted in the Barkway NP) located to the south.

4.3.30 Sufficient parking is provided for the dwelling (at least 3 spaces can be achieved within the hardsurfaced area) and the design of the dwelling appears to provide adequate levels of light to habitable rooms.

- 4.3.31 In terms of privacy the proposed dwelling is well separated from any adjoining dwellings and is set back from the public footpath to the south. Accordingly I consider that there would be no adverse impact on the amenity of the occupiers of the new bungalow arising from views from neighbouring property.
- 4.3.32 In summary it is considered that the development will provide reasonable living standards for the occupiers of the new dwelling.
- 4.3.33 In terms of existing residents amenity the introduction of a new dwelling in lieu of the existing stable buildings would be likely to result in similar low level traffic movements if not less traffic movements. The development is for a compatible residential use and the site is of a size where it can satisfactorily accommodate the dwelling in design and layout terms so as not to result in any adverse impact on neighbouring occupiers.
- 4.3.34 The adjacent residents at Highfield House opposite the site may have views of the new dwelling however it replaces rather unsightly existing stable block buildings with a single dwelling and therefore the outlook from Highfield House is likely to be improved.
- 4.3.35 By reason of its scale, distance and orientation from neighbouring dwellings the proposed development is unlikely to result in any loss of daylight or sunlight to existing residents. In term so traffic noise there may be some additional car movements along Burrs Lane from visitors and or through deliveries however for a single dwelling this will be limited and therefore not of such a level of increase so as to constitute a noise problem for existing residents. Furthermore, it is noted that the Council's Environmental Health officer raises no objections in terms of noise and other nuisances – other than the imposition of an Informative regarding construction noise.
- 4.3.36 Overall, it is considered that the development will provide acceptable living conditions for proposed occupiers and maintain acceptable living conditions for existing residents in compliance with Policy D3 of the Local Plan.
- 4.3.37 Parking and access issues
- 4.2.38 The Council's parking standards require at least two spaces per dwelling. The proposed vehicle parking area can easily accommodate two – three parking spaces. This complies with the Council's Vehicle Parking at New Development SPD. Cycle parking provision can be secured by condition.
- 4.2.25 The development will utilise the existing access from / to the site onto Burrs Lane. The new residents will be able to access and leave the site in forward gear. The highway authority have agreed with the applicants to improve the surfacing of Burrs Lane and this has been confirmed on the amended site plan. The Highway Authority appear to be satisfied with the level of parking provision and size of spaces and the overall sustainability of the site given public footpaths nearby. Overall the Highway Authority do not raise any objections commenting as follows:

'..This level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity, therefore; the highway authority would not wish to restrict the grant of planning permission'

4.2.27 Ecology / Bio-diversity net gain

4.2.28 The submitted BNG report (May 2025) states that a 13% biodiversity net gain can be achieved and the Council's Ecology officer acknowledges this increase requesting the imposition of the standard Biodiversity Net Gain condition and an ecological enhancement plan.

4.2.29 In terms of ecological matters the application is accompanied by a Preliminary Ecological Appraisal (PEA) which makes a number of recommendations. A condition is suggested that requires the development to be carried out in accordance with the ecological enhancement measures set out in the submitted PEA.

4.2.30 The proposed development has the potential to increase bio-diversity net gain and provide an ecological enhancement in accordance with Policy NE4 of the Local Plan.

4.2.31 Impact on historic assets

4.2.32 The site is not within the Barkway Conservation Area and some distance from any listed buildings. The submitted planning statement provides an assessment of the impact of the development on the heritage assets as follows:

'The nearest listed buildings are located along the High Street – The Limes, 77 High Street and The Retreat – all Grade II listed. These assets are all approximately 100 metres or more away from the application site with their curtilages limited by surrounding development and there is modern development in the form of bungalows along Burrs Lane between the application site and these historic buildings. 5.19 It is considered that the proposed development will not result in any change to the character or significance of the Barkway Conservation Area or the above mentioned listed buildings. The development site is partly within the context of low density, low rise, modern housing along Burrs Lane where it adjoins open countryside and there is limited, if any relationship with the identified heritage assets. The development would have no material impact on these assets therefore the development will comply with Chapter 16 of the NPPF and Policies SP13 and HE1 of the Local Plan.'

I would concur with the above assessment and conclude that the development would have a neutral and satisfactory impact on local heritage assets.

4.2.32 Flood risk and contamination

4.2.33 The site is located within Flood Risk Zone 1 where there is the lowest risk of fluvial flooding. As regards stormwater, the Environment Agency Surface Water Map shows the majority of the site as being free from any significant risk of surface water flooding. Therefore, no particular mitigation is required to deal with any flood matters through

conditions. Surface water drainage associated with the new dwelling will be dealt with during the normal building control procedures.

- 4.2.34 The Council's Environmental Health officer recommends a condition with regard to land contamination.

4.2.35 Energy / Sustainability

- 4.2.36 The application is accompanied by an Energy Statement. The development will include the following carbon reducing / low energy measures:

- ☐ Solar panels
- ☐ Air source heat pump
- ☐ EV charging point
- ☐ Energy saving appliances and lighting

- 4.2.37 It is considered that the package of measures above takes account of the aims of the Council's Sustainability Supplementary Document, Policy D1 of the Local Plan and Section 14 of the Framework which seeks to mitigate the impact of development on climate change by reducing greenhouse gas emissions through the location, orientation and design of development.

- 4.2.38 The site is located immediately adjacent a category 'A' village. The village contains a primary school within a few minutes walk of the site and therefore is a garage shop in the village. The village is accessible by bus and there is a wide network of public footpaths. Although the site is just outside of the village boundary the location is considered to be sustainable given the above factors.

- 4.2.39 Given the above, it is considered that the proposed development is unlikely to have any significant impact on local climate change.

4.4 **Planning balance and conclusion**

- 4.4.1 As of May 2024 the Council cannot demonstrate a five-year supply of housing land (currently 3.9 years) as required by the NPPF. The NPPF sets out how small and medium sized sites can make an important contribution to meeting the housing requirements of an area and are often built out quickly achieving early delivery.

- 4.4.2 The proposal would make a modest but valuable contribution to the shortfall of homes in the district in a sustainable location where future occupiers would have easy access to services and facilities and consequent interaction with the community and therefore this social benefit should be given significant weight. There would also be some economic benefit from the provision of housing through the provision of employment and additional local spending in the village and wider community therefore I consider moderate weight can be attributed to this benefit.

- 4.4.3 In environmental terms whilst there will be a net gain of habitat units on site thus complying with the Environment Act legislation and Policy NE4 of the Local Plan. The provision of solar panels, an electric vehicle charging point, air source heat pump and

other energy efficient measures will assist in combating climate change although only limited weight can be given to these matters.

- 4.4.4 Compliance with the submitted drawings and supporting reports and further detail over landscaping, contamination and restrictions on permitted development can be satisfactorily dealt with or made acceptable through the imposition of planning conditions.
- 4.4.5 The Highway Authority is satisfied that the development will not give rise to any conditions prejudicial to highway safety and the Council's Environmental Health officer has no concerns over noise and disturbance. There would be a modest increase in height however the compatible nature of the development and the tidying up of the site will enhance the character and appearance of the area. Overall the benefits of housing delivery in a sustainable location, making effective use of land, biodiversity net gain and new landscaping would in my view significantly and demonstrably outweigh any (very limited) adverse harm so as to justify the granting of planning permission.

4.5 **Alternative Options**

- 4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

- 4.6.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. 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.

4. The development hereby approved shall be carried out in accordance with the recommendations in the submitted Preliminary Ecological Appraisal and Preliminary Roost Assessment dated November 2024.

Reason : In the interests of ecological enhancement and to comply with Policy NE4 of the Local Plan

5. The development hereby approved shall be carried out in accordance with the specifications set out in the submitted Sustainability Statement

Reason: To accord with Policy D1 of the Local Plan and the Council's Sustainability Supplementary Planning Document

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

A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;

A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study);

A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation)

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

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

7. Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

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

8. No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:
Access arrangements as shown on Drawing Ref-SMA/24/02D

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

9. 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 dwelling 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)

10. Notwithstanding the submitted details, no development shall commence until a scheme of both hard and soft landscape works has been submitted to and approved in writing by the local planning authority.

The landscaping works shall be carried out in accordance with the approved details

Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

Reason: To ensure that the full landscaping scheme set out in the application is improved and implemented in full in a timely manner in the interests of phasing and to ensure the development is comprehensively landscaped in the interests of visual amenity. Local Plan Policies D1 and NE2

11. 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 including Highfield House and Shoreham, Burrs Lane . 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

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, C and E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area and to comply with Policy D1 and/or Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

Biodiversity Net Gain

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply

(<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

0. Highway Infomatives:

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) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN4) 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

Environmental Health Informatives

Control on construction and open sites) should be adhered to.

During the construction phase no noisy activities shall take place outside the following hours:

Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no noisy work at any time.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 29 July 2025	