

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00057/FP	Erection of one detached dwelling including hard and soft landscaping, parking and cycle and bin stores and installation of air source heat pump.	21 St Katherines Close Ickleford Hitchin Hertfordshire SG5 3XS

Submitted Plan Nos

L1258_01 L1258_LP02 L1258_03 L1258_11a L1258_BNG01 L1258_BNG11 L1258_21_B
L1258_22_B L1258_23_B L1258_24 L1258/12 REV B

1.0 Policies

SP2	Settlement Hierarchy and Spatial Distrib
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D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
NE4	Biodiversity and geological sites
T2	Parking
SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding

2.0 **Site History**

- 2.1 26/00212/S73 - Variation of condition 2 (revised plans) of planning permission 22/02765/FP granted 11.01.2023 for erection of an end-of-terrace two-bedroom dwelling following the demolition of the existing detached garage and minor alterations to the existing dwelling, together with associated parking area, private residential gardens, hard and soft landscaping for both the existing and proposed dwellings. (Development has commenced). – Pending
- 2.2 22/02765/FP - Erection of an end-of-terrace two-bedroom dwelling following the demolition of the existing detached garage and minor alterations to the existing dwelling, together with associated parking area, private residential gardens, hard and soft landscaping for both the existing and proposed dwellings. – Conditional Permission. Pre-commencement conditions requiring discharge have been discharged and works have commenced on site.

3.0 **Representations**

- 3.1 **Neighbour Consultation** – None received.

3.2 **Ecologist** – No Objection. Development can deliver ~17% of gain in biodiversity. Recommends Ecological Enhancement Plan condition.

3.3 **Environmental Health:**

Contamination – “Given the previous submissions in relation to this site, I have no objections to the proposals”. Recommends condition relating to reporting any discovery of contamination.

3.3 **Highways** – Does not wish to restrict grant of permission. Following receipt of amended construction method statement and plans demonstrating cycle and bin storage, does not object and does not require conditions.

3.4 **Parish Council** – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site comprises land adjacent to No. 21 St Katherines Close, Ickleford. It is also adjacent to the allotments. The site is within the Ickleford settlement boundary. It is within Flood Zone 1.

4.2 **Proposal**

4.2.1 Erection of one detached dwelling including hard and soft landscaping, parking and cycle and bin stores and installation of air source heat pump.

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 The site is within the settlement boundary of Ickleford, a Category A village. Policy SP2 advises that ‘general development’ will be permitted where they are sited within the defined settlement boundary of Category A Villages. Given that the site is within the settlement boundary, the proposed development would comply with Policy SP2. Furthermore, it is noted that the site benefits from an extant permission for the erection of an attached dwelling to the end of this terrace and within this parcel of land adjacent to No. 21. I consider that this is also a material consideration and should be afforded significant weight.

Sustainability:

- 4.3.3 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 1 dwelling to contribute to the district housing land supply, which the LPA cannot presently demonstrate a 5-year housing land supply. The site's location in Ickleford, a Category A Village is considered to provide sufficient access to amenities, services and public transport opportunities into the wider area. Therefore, the sustainability of the development is acceptable.

Design and Appearance:

- 4.3.4 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.
- 4.3.5 The proposed dwelling would be two storeys in height, featuring gable ended roofs to the sides, and a gabled projection to the rear. It would be detached from No. 21 with its own plot and off-street parking proposed. Faced brickwork, concrete roof tiles and fenestration details are proposed to match No. 21. Its scale and overall layout would be similar to the approved dwelling and would also reflect the existing dwellings, including No. 21. I do not consider that the location, adjacent to the side boundary would result in a cramped form of development, and would not appear out of place adjacent to the semi-detached pair. Views would be gained from the parking area and allotments to the side, however, these views are not considered to be harmed. Local character would not be undermined by the addition of the dwelling in this location due to its similarity in appearance, form and scale. A similar scale of development would arise when compared to the extant scheme, and this was deemed to have been acceptable.
- 4.3.6 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.

Standard of Amenity for Future Occupiers:

- 4.3.7 Having read the plans together with the nationally described space standards, it appears that the dwelling would comprise a two-bedroom, two-storey, three-person dwelling. Therefore, 70 sqm of floor area, with 2 sqm of built-in floor space is required. The dwelling would deliver approx. 74sqm of floor area, with sufficient built-in storage proposed. Amenity space is provided to the rear. Overlooking and dominance are not considered to arise from the existing dwellings close to the dwelling, and I therefore consider that the amenities of future occupiers would be suitably served by the building and garden area.

Impact on Neighbouring Properties:

- 4.3.8 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.

- 4.3.9 The application proposes to reposition the dwelling away from No. 21, adjacent to the opposite boundary. Its overall scale is similar to what is approved. I consider that the proposed dwelling, given its lack of significant projection beyond the rear of No. 21, is unlikely to significantly overbear the occupants of this neighbouring dwelling. It is noted that the proposed dwelling would project further at first floor level, however, this projection would measure approximately 1.2m in depth, and is therefore not unacceptable. Outlook from the dwelling is unlikely to harm privacy levels given the lack of direct sightlines into neighbouring windows and curtilages.
- 4.3.9 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.

Environmental Implications:

- 4.3.10 The proposed development, by virtue of its limited scale in general terms together with the sustainable location would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF. Ecology have made representation, and have advised that the development would deliver sufficient on-site BNG (17%). They have recommended that an Ecological Enhancements Plan condition would suitably overcome the need to deliver BNG as a result of Policy NE4 of the Local Plan 2011-2031.

Highways and Parking:

- 4.3.11 The proposed dwelling would benefit from 2 No. off-street parking spaces, and would therefore benefit from sufficient parking for a dwelling of this size. A cycle store is proposed within the rear garden, and storage for bins is also demonstrated to the rear with gate access to the rear garden. The Highways Authority have not objected to the proposal, but, following the receipt of a plan showing cycle storage, the recommended condition can be dispensed with. An amended construction method statement removing delivery routing through Greenfield Avenue has been considered and is acceptable.

Other Matters:

- 4.3.12 The previous application withdrew Class A, B and E Permitted Development rights on the grounds of the dwelling being set within a constrained site. Given the scale and location of the dwelling now proposed, I consider it to be prudent to continue to withdraw these rights on the grounds of potential overdevelopment of the plot and prospective harms to neighbouring occupiers.

4.4 Conclusion and Planning Balance

- 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 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. Any contamination that is found during the course of construction of the development permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.

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).

4. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

5. 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.

6. 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.

7. 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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, AA, 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 to comply with Policy D1 and Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

9. Prior to first occupation of the dwelling hereby approved, the cycle and bin stores as shown on plan ref. L1258_24 shall be constructed on site.

Reason: To comply with the provisions of the North Herts SPD Parking Provision at New Developments.

10. The development hereby approved shall be constructed in accordance with the Construction Method Statement received 26 March 2026 and plan L1258/12 REV B received 26 March 2026, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety, to comply with Policy T2 of the Local Plan and Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan.

11. The dwelling hereby permitted shall be built in external materials to match the existing dwellinghouse, No. 21 St Katherines Close, unless otherwise agreed in writing by the LPA.

Reason: To protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

12. The scheme of Ecological Enhancements shall be implemented prior to first occupation of the dwelling hereby approved.

Reason: To comply with the requirements for delivering measurable gains of biodiversity, to comply with Policy NE4 of the Local Plan 2011-2031.

13. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

Biodiversity Net Gain

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

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

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

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

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

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

apply.

Proactive Statement:

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

Informative/s:

1. 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) Debris and deposits on the highway: 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.

AN5) Gravel / shingle driveways: 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.

AN6) Avoidance of surface water discharge onto the highway: 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.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 31 March 2026	