

DELEGATED FILE NOTE

CASE OFFICER: ...Harriet Sanders.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00184/PIP	Erection of one detached bungalow following demolition of existing double garage	Bury Lodge Ickleford Bury Old Hale Way Hitchin Hertfordshire SG5 3UW

Submitted Plan Nos

458-PL-01 458-PL-02

1.0 Policies

SP1	Sustainable development in North Herts
SP2	Settlement Hierarchy and Spatial Distrib

SP5	Countryside and Green Belt
SP6	Sustainable transport
SP8	Housing
D1	Sustainable design
D3	Protecting living conditions
NE4	Biodiversity and geological sites

2.0 **Relevant Planning History**

2.1 18/03080/FP - Erection of one 3-bed dwelling and double car port following demolition of existing garage block (as amended by drawings received 13th June 2019). Conditional Permission 25/09/2019.

- ☐ The acceptability of the above approved scheme was based on the trade of volume as a result of the removal of several buildings on the site. The existing double garage was excluded from this calculation and its retention was approved as part of the conditional permission.
- ☐ Condition 14 of the consent removes PD rights for Class A, B, C and E Part 1 of Schedule 2.

3.0 **Representations**

3.1 A site noticed was posted on site and neighbour consultation carried out. No comments have been received.

3.2 Consultee responses:

- ☐ Area Highway Development Control Manager – no objection.
- ☐ Env Health (Contaminated Land) – no objection in principle. Would require a phased land contamination investigation either up front or via condition at a later stage.

- ☐ Env Health (Noise And Other Nuisances) – no objection.
- ☐ Env Health (Air Quality) – no objection.
- ☐ Waste And Recycling Services Manager – no issue with this planning request.
- ☐ North Herts Council Ecologist – *“I would have no objection to the principle of a new dwelling at the above site. As the site is previously developed with hardstanding and no natural habitats present it would not be subject to mandatory 10% Biodiversity Net Gain, nevertheless the inclusion of ecological features to benefit wildlife would be encouraged.”*
- ☐ Natural, Historic And Built Environment – archaeology – no comment.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site consists of the driveway and parking area outside of Bury Lodge, Ickleford. The site is flat and forms part of a walled in concrete yard area. There is a detached double garage in the south west corner. The site is bounded to the east, south and west by brick walls and to the north by Bury lodge. Access is gained through an opening in the west wall. The access road links the site to Arlesey Road to the west.
- 4.1.2 The site sits within a small enclave of dwellings including the flatted development of Ickleford Bury to the west, Bury Lodge to the north and sitting lower than the site, Riverside Lodge to the east and two more dwellings beyond.
- 4.1.3 The wider surrounding area is open and semi rural to the east, south and south west with the village of Ickleford to the north and Bowmans Mill site to the west.
- 4.1.4 The site is linked to Ickleford village via the access road and a footpath into the village.
- 4.1.5 The site is outside of the village settlement of Ickleford and is within the Green Belt.

4.2 **Proposal**

- 4.2.1 The application seeks permission in principle for the demolition of the double garage and the erection of a bungalow. The submitted plan 458-PL-02 shows a bungalow sited in the south east corner with a small outdoor amenity area to the rear of the property and two parking spaces to the side.

4.3 **Key Issues**

- 4.3.1 Planning Practice Guidance (PPG) explains that permission in principle is an alternative way of obtaining planning permission for housing led development as part of a two-stage procedure. Permission in principle applications involve two stages. Stage 1 ('permission in principle stage'), is limited to the consideration of location, land use and the amount of development. In the event of an approval, the remaining matters would be considered in a technical details application (Stage 2) (i.e. the 'technical details consent').

- 4.3.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals and permission in principle, must be determined in accordance with the development plan, unless material considerations indicate otherwise. This application is a Stage 1 Permission in Principle application therefore matters for consideration are limited to location, land use and the amount of development.

Location

- 4.3.3 The site is located outside the village boundary and within the Green Belt.
- 4.3.4 Local Plan policy SP2 identifies the district's settlement hierarchy and spatial distribution where development will be supported. Development outside of these locations will be permitted where this is supported by an adopted Neighbourhood Plan. The site falls outside the boundary of the Ickleford Neighbourhood Plan and therefore there of no presumption in favour of development at the site.
- 4.3.5 The site sits within the Green Belt where all development is considered to be inappropriate subject to exceptions listed at para 154 of the NPPF. Para 154 states that development in the Green Belt is inappropriate unless one of a list of exceptions applies. Relevant to this site is exception g):

"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."

- 4.3.6 The proposal cannot be considered to be infilling due to its siting in the corner of the yard and the nature of the grain of development of the small enclave of dwellings in the locality.
- 4.3.7 Turning to whether the site can be considered to be previously developed land, the NPPF defines previously developed land in the glossary as:

"Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed."

- 4.3.8 From the planning history at the site it is understood that the existing concrete yard including the hardstanding and walls are lawful development including the double garage. The site can therefore be considered previously developed land. This therefore meets the exception criterion g) of para 154 of the NPPF subject to the clause that it *"would not cause substantial harm to the openness of the Green Belt."*

- 4.3.9 The proposal is for a low level bungalow within an existing courtyard bounded by walls on three sides and Bury Lodge on the remaining side. The walls and double garage already create a sense of built form. The removal of the double garage would trade off some of the new volume of the bungalow. The siting of a bungalow within the courtyard walls would not cause substantial harm to the openness of the Green Belt in this location.
- 4.3.10 The site can therefore be considered to meet the exception criterion g) of para 154 and would not be inappropriate development in the Green Belt.
- 4.3.11 The site is a relatively sustainable location within walking distance of village amenities and bus routes into Hitchin. The site is already in residential use. Therefore, it is considered that the residential development is appropriate in this location.

Land Use

- 4.3.12 The site forms part of the land that was included within the red line boundary of the consent 18/03080/FP for the new dwelling Bury Lodge. The site therefore has residential use. The principle of the use of the land for residential purposes is therefore already established.
- 4.3.13 The site is a sustainable location within walking distance of village amenities and bus routes into Hitchin.

Amount of Development

- 4.3.14 This Permission in Principle application is asking the LPA whether one bungalow dwelling in this location is an acceptable amount of development. Given the existing residential land use and meeting the exception criterion of the NPPF for appropriate development in the Green Belt, it has been established above that the principle of a dwelling on this site could be supported.
- 4.3.15 However, this would be subject to meeting the following requirements:
- ❑ Siting, scale and design – the site is constrained and the proposed layout on the submitted plans would not be supported. The scale and siting of any dwelling on this site would need to relate sympathetically with the locality and be of an appropriate scale and design.
 - ❑ Impact on neighbour amenity – consideration would need to be given to the impact of a dwelling on this site on Bury Lodge to the north and Riverside Lodge to the east.
 - ❑ Amenity of future occupiers including outdoor amenity space – the site is constrained and whilst a dwelling may be acceptable in principle, the size and design of the dwelling, including good quality outdoor amenity space must be provided.
 - ❑ Parking provision to meet standards.
- 4.3.16 In conclusion, a dwelling could be supported on the site in principle. However, the site is small and constrained and the design of the dwelling would need to robustly meet the points set out above.

Other matters

- 4.3.17 Matters such as vehicular and pedestrian access, parking, scale, design and appearance, landscaping, relationship with neighbours and environmental matters such as land contamination, flood risk and ecological issues would be considered at the technical details stage should if a further application was made.

4.4 **Conclusion**

- 4.4.1 The proposed development in principle is in accordance with the policies of the Local Plan and the NPPF and is acceptable in terms of the location of development, the proposed land use and the amount of development.

4.5 **Alternative Options**

- 4.5.1 None applicable

5.0 **Recommendation**

- 5.1 That planning permission be GRANTED.

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	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 27 February 2026	

