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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 J Northern

PARTICULARS OF DEVELOPMENT

Application: 25/01672/S73

Proposal: Variation of Condition 1 (approved plans and details) of planning permission 24/00151/FP granted at appeal on 08.04.2025 for Erection of four link-detached 3-bedroom dwellings with garaging, access and landscaping.

Location: Site Of Former Downs Barns, Ashwell Road, Bygrave, Hertfordshire, SG7 5EE

Plan Nos: PO1A PO2A PO3A PO5A PO6A PO7A PO8A PO9A P10A

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 27 June 2025, subject to the following condition(s):

Planning Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: PO1A, PO2A, PO3A, PO5A, PO6A, PO7A, PO8A , PO9A & P010A.

Reason: To ensure that the development is carried out in accordance with the plans approved to provide certainty

2. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures specified in the submitted 'Ecological Impact Assessment' by Green Environmental Consultants dated September 2021

Reason: In the interests of nature conservation and to protect the habitat of protected species . To comply with Policy NE4 of the Local Plan.

3. (a) Prior to the commencement of development of Dwelling 4 (as depicted upon approved plan PO1A) hereby permitted, a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors shall be submitted to and approved in writing by the local planning authority. It shall identify the current and past land uses of this site (and adjacent sites) with a view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.
(b) If the local planning authority is of the opinion that the report which discharges condition (a) above indicates a reasonable likelihood of harmful contamination, then Dwelling 4 shall not be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the local planning authority which includes:
(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
(ii) The results from the application of an appropriate risk assessment methodology.
(c) Other than the development that is necessary for the discharge of this condition, Dwelling 4 shall not be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the local planning authority.
(d) Dwelling 4 shall not be occupied, or brought into use, until:
(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the local planning authority.
(e) Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site shall be brought to the attention of the local planning authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by the local planning authority and subsequently fully implemented prior to the occupation of Dwelling 4

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

4. Dwelling 4 shall not be constructed above ground level until samples of all external facing materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved sample details. Other approved dwellings shall be constructed in accordance with details approved under Council reference 23/02836/DOC.

Reason: In the interests of visual amenity and to comply with Policy D1 of the Local Plan

5. Dwelling 4 shall not be constructed above ground level until measures to reduce carbon emissions arising from the development particularly in terms of heating and energy systems to be installed have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details

Reason: In order to meet national and local objectives for addressing climate change.

6. Dwelling 4 shall not be constructed above ground level until full details of all hard and soft landscaping and boundary treatment (including walls / fences both within the courtyard and around the site perimeter) have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to first occupation of the development.

Reason: In the interests of visual amenity.

7. 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 completion of the development, whichever is 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: In the interests of visual amenity.

8. Prior to occupation, each new dwelling hereby permitted shall incorporate an Electric Vehicle (EV) ready charging point.

Reason: In the interests of addressing climate change

9. Before the occupation of any of the dwellings hereby permitted, the car parking facilities shown on the approved plans shall be marked out and made available

and shall thereafter be kept available solely for the parking of motor vehicles

Reason: To ensure adequate parking for the development in accordance with LPA standards

10. Before the development hereby permitted is first occupied, a scheme demonstrating how surface water is to be suitably disposed of shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the submitted details unless otherwise agreed in writing by the local planning authority.

Reason: To reduce the risk of flooding

11. 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.

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:



Shaun Greaves
Development and Conservation Manager

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

Date: 13 August 2025

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 £145 per request or £43 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 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 (LPA) 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/planning-inspectorate>. 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, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

Consent for these works may be required from the Letchworth Garden City Heritage Foundation (www.leitchworth.com/heritage-foundation) under the Scheme of Management or leasehold covenants. If you do not already have their approval, you are advised to contact the Heritage Foundation on home@leitchworth.com or 01462 476017 to confirm whether you also need to submit an application to them.