

DELEGATED FILE NOTE

CASE OFFICER: ...Vicki Wood.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00064/FPH	Widening of existing vehicular access, replacement wooden gate and hardscaping works	Sells Close House High Street Barley Hertfordshire SG8 8HY

Submitted Plan Nos

Location Plan Existing and Proposed Driveway Entrance Driveway Entrance Proposal Plan and Elevations

1.0 Policies

1.0 **Local and National Policy**

1.1 **National Planning Policy Framework 2024 (NPPF)**

Section 2 – Achieving sustainable development

Section 12 – Achieving well-designed places

Section 14 - Meeting the challenges of climate change, flooding and coastal change

Section 16 – Conserving and enhancing the historic environment

1.2 **North Hertfordshire Local Plan 2011-2031 (NHLP)**

Strategic Policies

Policy SP1 – Sustainable Development in North Hertfordshire

Policy SP2 – Settlement Hierarchy and Spatial Distribution

Policy SP9 – Design and Sustainability

Policy SP13 – Historic environment

Development Management Policies

Policy D1 – Sustainable design

Policy D2 – House extensions, replacement dwellings and outbuildings

Policy D3 – Protecting living conditions

Policy HE1 – Designated heritage assets

Policy HE4 - Archaeology

2.0 **Relevant Site History**

2.1 None.

3.0 **Representations**

3.1 **Press, Site and Neighbour Consultation** – None received.

3.2 **Barley Parish Council** – No objection.

3.3 **HCC Highway Authority** – No objection.

3.4 **NHC Ecology** – No objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site lies on the west side of the High Street and is within the Barley Conservation Area. Sells Close House is a detached residential dwelling sited to the rear of nos.1-3 Sells Close Cottages and which benefits from its own existing vehicular access located north of the cottages.
- 4.1.2 The application site is within the settlement boundary for Barley where development is generally acceptable subject to policy requirements.

4.2 **Proposal**

- 4.2.1 Widening of existing vehicular access, replacement wooden gate and hardscaping works.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:
- The acceptability of the design of the proposed development and its resultant impact on the locally listed building and the character and appearance of the Conservation 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.

Design

- 4.3.2 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Section 12 – Achieving well-designed places). Paragraph 131 of the NPPF states that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*. In this regard, Policy D1 and D2 of the North Hertfordshire Local Plan are consistent with the objectives set out within the NPPF.
- 4.3.3 The proposed widening of the existing access would involve the removal of a 1.8 metre section of the existing white painted timber boundary fencing to the north of the existing gated vehicular access and its replacement with a white painted timber double gated vehicular access and associated piers. The proposed design of the gate, piers and kerb edging would match that of the existing.
- 4.3.4 In order to facilitate the works, it would be necessary to crown lift a Holly tree located north of the existing access.
- 4.3.5 No objection has been received from the Highway Authority.
- 4.3.6 I am satisfied that the design of development is acceptable and in accordance with Policy D1 of the Local Plan and Section 12 of the NPPF.

Impact on Heritage Assets

- 4.3.7 Within a Conservation Area, the Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of the Listed Building and Conservation Areas Act (1990). Furthermore, Section 16 of the NPPF sets out guidance relating to sustaining and enhancing heritage assets. In this regard, Policy HE1 of the Local Plan is consistent with the NPPF.
- 4.3.8 When considering the impact of proposed development on the significance of a designated heritage asset (such as a Conservation Area), the NPPF notes that great weight should be given to the asset's conservation; the more important the asset, the greater the weight should be.
- 4.3.9 The proposed development would not have any significant impact on the character and appearance of the conservation area. The proposed design and materials are considered sympathetic to the locality and to the conservation area and there would not be any harm to the heritage significance of the conservation area.
- 4.3.10 I am satisfied that the development is acceptable and in accordance with Policy HE1 of the Local Plan and Section 16 of the NPPF.

Archaeology

- 4.3.11 When considering the impact of proposed development on the significance of a designated heritage asset (such as archaeology), the NPPF (Section 16 – Conserving and enhancing the historic environment) notes that great weight should be given to the asset's conservation; the more important the asset, the greater the weight should be. In this regard, Policy HE4 of the Local Plan is consistent with the NPPF.
- 4.3.12 The proposed development is of a minor scale within an already built-up area and is unlikely to disrupt subterranean heritage.
- 4.3.13 I am satisfied that the development is in accordance with Policy HE4 of the Local Plan and Section 16 of the NPPF.

Impact on Neighbouring Properties:

- 4.3.14 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the Local Plan..
- 4.3.15 No objections have been received and given the minor scale of the development I am satisfied that there would be no impact on existing residential amenity.
- 4.3.16 I am satisfied that the proposal is in accordance with Policy D3 of the Local Plan and Section 12 of the NPPF.

Highways and Parking:

- 4.3.17 The dwelling is served by sufficient off-street parking spaces which would not be affected by the proposed development and is therefore considered to be in accordance with Policy T2 of the Local Plan.

Biodiversity Net Gain (BNG)

- 4.3.18 This is a householder application which is exempt from BNG legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Environmental Implications:

- 4.3.19 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the Local Plan, which sets out that development proposals should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.
- 4.3.20 In my view, the proposed development would be unlikely to have any significant implications for the local environment in terms of carbon emissions and therefore would be generally in accordance with Policy D1 of the Local Plan and Section 14 of the NPPF.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and in accordance with Policies SP1, SP2, SP9, SP12, D1, D2, D3, HE1 and HE4 of the Local Plan 2011-2031 and Sections 2, 12, 14 and 16 of the NPPF.

4.5 **Alternative Options**

- 4.5.1 N/A

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 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.

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.

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Signed  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 28 March 2025	