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| <u>Location:</u>  | Highover Farm, Highover Way, Hitchin, Hertfordshire, SG4 0RQ                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <u>Applicant:</u> | Gill-Hudson Homes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <u>Proposal:</u>  | Change of use and external alterations to former agricultural buildings comprising grade II listed threshing barn and non-listed courtyard buildings. Partial demolition of courtyard building between proposed Units 1 and 2 to facilitate access. Single-storey rear extension to facilitate Unit 10. Subdivision and two-storey rear extension to farmhouse to form Units 11 and 12. Erection of new building for two dwellings (Units 13 and 14). Partial demolition and modify building for cycle storage to Units 2 to 8 inclusive. Erection of building to accommodate 2 car port spaces for Unit 5 and refuse storage for Units 2-8 inclusive. Detached bin enclosure / cycle store buildings for Units 9 - 14 inclusive. Hard and soft landscaping in association with the provision of private and communal space. Boundary treatment, installation of 14no. EV charging points, installation of solar PV array on south facing roof slopes of Unit 14 and both the cycle and refuse storage buildings serving Units 2 - 8 including provision of BNG area. |
| <u>Ref. No:</u>   | 25/01420/FP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <u>Officer:</u>   | Sarah Kasparian                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

**Date of expiry of statutory period:** 19 August 2025

**Extension of statutory period:** 20 March 2026

**Reason for Delay**

Due to detailed negotiations, receipt of amended plans, subsequent re-consultation and viability review. Joint consideration with application ref. 25/01383/LBC

**Reason for Referral to Committee**

Site area

1.0 **Relevant History**

1.1 There is no planning history for the application site.

1.2 This application site is adjacent to outline planning permission ref. 18/01154/OP. Both sites are within a Strategic Housing Site ref. HT1.

2.0 **Policies**

2.1 North Hertfordshire District Local Plan 2011-2031 adopted 8<sup>th</sup> November 2022

Policy SP5: Countryside and Green Belt  
Policy SP6: Sustainable transport  
Policy SP7: Infrastructure requirements and developer contributions  
Policy SP9: Design and sustainability  
Policy SP10: Healthy communities  
Policy SP11: Natural resources and sustainability  
Policy SP12: Green infrastructure, biodiversity and landscape  
Policy T1: Assessment of transport matters  
Policy NE1: Strategic green infrastructure  
Policy NE2: Landscape  
Policy NE4: Biodiversity and geological sites  
Policy NE6: New and improved open space

The application site is associated with the Strategic Housing Site under Policy SP17: Site HT1 'Highover Farm, Hitchin' in the NHDC Submission Local Plan 2011-2031.

## **2.2 Supplementary Planning Documents**

North Hertfordshire and Stevenage Landscape Character Assessment

## **2.3 National Planning Policy Framework (NPPF) (2021)**

Section 2: Achieving sustainable development  
Section 5: Delivering a sufficient supply of homes  
Section 8: Promoting healthy and safe communities  
Section 9: Promoting sustainable transport  
Section 12: Achieving well-designed places  
Section 13: Protecting Green Belt land  
Section 14: Meeting the challenge of climate change, flooding and coastal change  
Section 15: Conserving and enhancing the natural environment  
Section 16: Conserving and enhancing the historic environment

## **2.4 Hertfordshire County Council**

Local Transport Plan (LTP4 – adopted May 2018)

## **3.0 Representations**

### **Statutory Consultees**

- 3.1 NHC Environmental Health** – No objection subject to a condition relating to a phase 2 land contamination report.
- 3.2 NHC Urban Design Officer** – No objection. Additional comments were made on detailed elements of the scheme, which the applicant reviewed alongside the Conservation Officers comments.
- 3.3 NHC Conservation Officer** – No objection, subject to conditions. Various comments on the detail of the scheme were made, and the applicant has amended the drawings.
- 3.4 NHC Waste and Recycling** – No response received.
- 3.5 Place Services Landscape** – There is concern about the relationship of the site to the main Highover Farm site and the approved Strategic Masterplan. In particular, the

proposed rear gardens of the Threshing Barn to the 'Threshing Barn Green', an area of 'semi-natural' greenspace to the north of the listed building. The landscape consultant is concerned about the type of boundary treatment proposed, that it should maintain open and visual relationship between the Green and the Barns by being low at 1.2m and 'open' (ie not close boarded fencing). More detail is needed on this. It is noted that the middle of the farmyard to remain visually permeable. More detail is needed on the future maintenance of new trees and of the proposed grass areas. There was a question about the retention of tree T1077, but it has been confirmed to be removed and replaced with a new tree, which will continue to be protected by the existing Tree Preservation Order.

- 3.6 **HCC Growth and Infrastructure Unit** – No objection, subject to planning contributions towards County Council services.
- 3.7 **LLFA** – Initially there was objection as there was no relevant documentation regarding flood risk and drainage matters. Once a FRA was amended the LLFA now raise no objection subject to conditions.
- 3.8 **HCC Ecology** – No objection subject to conditions.
- 3.9 **HCC Archaeology** – The application site is likely to have an impact on heritage assets of archaeological interest and therefore there is no objection subject to a suitable condition for a Written Scheme of Investigation setting out pre-commencement investigation, recording and analysis of the historic building and development area.
- 3.10 **HCC Highway Authority** – No objection, subject to a range of conditions, including a pedestrian audit, road safety audit, detail drawings and implementation, cycle parking, electric vehicle charging points, and Construction Method Statement; and informatives relation to storage of materials, obstructions of public highway, the need for s278 agreements with the highway authority, and management and service arrangements for private and/or unadopted roads.

### **Neighbour and Local Residents**

- 3.11 The application has been advertised via 74 neighbour notification letters, the display of a site notice and a press notice. A total of three representations have been received from adjacent residents to the farmyard 'objecting to the proposals', although officers note there is support for the conversion of the barns in principle.
- 3.12 The objections and the issues raised by residents are summarised as follows:
- Note that the landscape plan and tree plan do not align, clarity is needed on which trees will be retained and works to existing trees
  - Concern about the impact of the proposals on wildlife including hedgehogs, newts, bats and badgers, and noting the need for updated bat surveys for the license to the issued
  - Concern about the hours of operations and future construction including the noise and dust pollution
  - Concern about the noise increase from proposed residential properties on existing residents
  - Question about location of new boundary treatment and what that will comprise
  - Concern about overlooking and impact on privacy from proposed new dwellings and the gardens to existing residents
  - Note that the access to the farmyard from Highover Way floods

- Concern about the increased traffic along Highover Way towards the farmyard and level of access from the farmyard development into site allocation ref. HT1 for 700 homes, including emergency access

3.13 Other matters:

- Concern about work currently being undertaken before permission is given
- Concern that letters sent to neighbours took two weeks to arrive, limiting the consultation window

3.14 Officers are aware that the applicant and developer of the site has undertaken various works to the site including vegetation clearance and removing the slate from the roofs to preserve and reuse them later. The Conservation Officer approved a schedule of work to remove the slate on the Threshing Barn to protect the structure. Officers understand there has also been investigation into drainage at the site. None of this work comprises development and therefore does not require planning permission or listed building consent.

3.15 Although neighbour letters took longer than they should have on this occasion there is always opportunity for representations to be sent by email any time prior to determination and comments will be taken into account.

#### 4.0 **Planning Considerations**

##### 4.1 **Site and Surroundings**

4.1.1 The application site is located at the end of Highover Way, tucked behind existing residential properties at the end of Highover Way and Armour Rise. The farmyard was historically associated with the fields to the north of the site, all of which is allocated for Strategic Housing development. There is a paddock area to the north-east of the application site left out of this application and out of the outline application strategic housing development but has the potential to be developed and gain access from the larger development site. There is an existing pond located within the paddock area close to the application site.

4.1.2 The farmyard comprises a large farmhouse, a Grade II listed Threshing Barn, a range of other timber framed and brick-built barns, and two less substantial modern structures in the middle of the farmyard used for storage. The farmyard and house have clearly not been occupied for a long time; the farmhouse is boarded up and vegetation has overtaken parts of the existing buildings. Some of the buildings are in a state of disrepair, and at risk of collapse due to a lack of ongoing maintenance.

4.1.3 There are some protected trees within the site, which are in a variety of conditions. The southern boundary is defined alongside existing residential properties; and the eastern boundary is defined by an established hedgerow. The western and northern boundaries are currently not defined by any particular topographical or landscape feature; the north boundary runs part way across the main track into the larger development site and so is not marked out just yet.

4.1.4 The site is accessed via the end of Highover Way, which is not a through route. There is an un-surfaced access road from the end of the road towards the farmyard and also serves a row of terraced properties known as Highover Cottages. This access is owned by Barratt David Wilson, and planned to provide a new surfaced foot and cycle way into the strategic housing development. There will be no vehicular traffic into the larger site from Highover Way. There is currently some informal car parking alongside this access road.

## 4.2 **Proposal**

- 4.2.1 The proposal is for the change of use of the former agricultural buildings at Highover Farmyard together with limited demolition and external alterations to the buildings, in order to facilitate the provision of 14 residential units.
- 4.2.2 Residential mix will comprise 100% market homes of which five will have two bedrooms, five will have three bedrooms and four will have four bedrooms.
- 4.2.3 In terms of demolition, part of the barn forming the western boundary will be demolished to facilitate the driveway into the farmyard. The timber frame building to the north of the access is retained and its part of the brick barn that will be demolished to enable vehicular access. Within the middle of the farmyard are two modern structures. One will be removed and replaced with a bin store and car port; the other will be partly demolished to open up the space in the yard and provide cycle storage.
- 4.2.4 There will be a single storey rear extension to the barn along the eastern boundary, to facilitate a unit there. There will also be alterations and extensions to the farmhouse in order to subdivide it into two residential units.
- 4.2.5 There will be new boundary treatment to define rear gardens for new residential properties, where the fronts of new units will face into the yard. The new yard will generally be open with hardstanding, providing access to the new units with green landscaping and cycle parking. There will be a path access in the north-eastern corner of the site into one of the new parks on the strategic housing allocation. Proposals include electric vehicle charging points, solar photo-voltaic panels on various roof slopes, and provision of an ecological area.
- 4.2.6 The application is supported by the following plans and documents:
- 2208.PL.01 Location Plan
  - Amended 2208.PL.02F Proposed block master plan with measured survey
  - Amended 2208.PL.03C Proposed ground floor plans with measured survey
  - Amended 2208.PL.04B Proposed first floor plans with measured survey
  - Amended 2208.PL.05F Proposed block master plan
  - Amended 2208.PL.06C Proposed ground floor plans
  - Amended 2208.PL.07B Proposed first floor plans
  - Amended 2208.PL.08B Proposed elevations Units 1, 2 and cycle
  - Amended 2208.PL.09B Proposed elevations Units 3, 4, 5, 6, 7 and 8
  - Amended 2208.PL.10B Proposed elevations Units 9, 10 and refuse
  - 2208.PL.11 Proposed elevations Units 11 and 12
  - Amended 2208.PL.12A Proposed elevations Units 13 and 14
  - Amended 2208.PL.13A Proposed boundary treatments
  - 7219\_01 Surface water drainage layout
  - 7219\_02 Drainage details
  - 7219\_04 External works details
  - 7219\_05 Catchment areas
  - 7219\_06 Exceedance flow path
  - 7219 Drainage Design Statement and Calculations
  - 20250819-FRA-B Flood Risk Assessment
  - 21939 MBS Global Survey Existing Elevations
  - 21939 MBS Global Survey Existing Floor Plans
  - 21939 MBS Global Survey Roof Plans

- 7219 Structural Appraisal of Removal of Roof Covering
- 5521 Tree Constraints Plan
- 5521 Arboricultural Method Statement and Tree Protection Plan
- 5521 Arboricultural Impact Assessment Report and Plan
- HFH 01 Landscape plus specification maintenance notes
- 002\_4250115\_DK Transport Technical Note Issue 3 by Glanville
- 4250115-SK004 I3 Swept Path Assessment
- 4250115-SK005 I3 Swept Path Assessment
- 4250115-SK006 I3 Swept Path Assessment
- 4250115-SK007 I3 Swept Path Assessment
- 4250115-SK008 I3 Visibility Splay Assessment
- R18029 V1 Historic Environment Desk Based Assessment by PCA July 2025
- 2025/1533 Phase 1 Desktop Study by Ground Science Solutions July 2025
- Preliminary Ecological Appraisal and Bat Report by Cotswold Wildlife Surveys July 2024
- Reptile and Amphibian Survey Report by Cotswold Wildlife Surveys September 2024
- Nocturnal Bat Survey Report by Cotswold Wildlife Surveys September 2024
- Statutory BNG Metric June 2025
- M005066 Viability Report by Kirkby Diamond June 2025
- Sustainability Report by AP Consulting Engineers May 2025
- Planning Statement by Collins and Coward Ltd May 2025
- Heritage Statement by Collins and Coward Ltd May 2025

### 4.3 Environmental Impact Assessment

- 4.3.1 For certain types of development proposals, a screening opinion is necessary to determine if it is likely to result in significant environmental effects and, consequently, require an Environmental Impact Assessment (EIA). This screening process is undertaken by the local planning authority.
- 4.3.2 As part of the outline application for the larger part of HT1 ref 18/01154/OP, an Environmental Statement was submitted, which was considered to constitute Schedule 2 development.
- 4.3.3 There are some principles to follow when assessing whether development comprises EIA development. According to a judgement known as *Wingfield v Canterbury CC* four factors become known and helpful in assessing whether two sites should be considered as one for the purpose of EIA regulations. These are as follows together with officers' commentary:
- **Common ownership:** The two sites (Highover Farmyard and the larger part of the site comprising fields to the north of the farmyard) used to be in the same ownership but are not any longer. The whole site allocation is now in three separate ownerships: one large and two much smaller land parcels. Outline permission was issued in 2024 for the wider development which went through a master planning process. This application is for the conversion of existing buildings, including a Grade II listed building, comprising a relatively small proposal for a total of 14 units.
  - **Simultaneous determinations:** Outline permission (18/01154/OP) was granted in November 2024. This planning application was submitted in June 2025. The determinations will not be simultaneous.
  - **Functional interdependence:** The two applications are separate, albeit both for housing development. Vehicular access to the larger site is taken primarily from Stotfold Road and then from High Dane, whereas the farmyard has existing and

continued vehicular access and right of way from Highover Way. Both projects could proceed one without the other. It is noted that a non-motorised route will be installed from Highover Way towards the larger Highover Farm site, which can run alongside the entrance, and new roadway into the farmyard.

- **Stand-alone projects:** Both projects are justified on their own merits and are pursued independently. Neither project is an integral part to each other or a wider scheme: where the farmyard development relates primarily to a bespoke range of barn conversions; whereas the larger development is significantly larger, owned and to be developed by a national housebuilder.

4.3.4 In conclusion Officers view is that given the very limited scale of this development, separate ownerships, different types of development, and separate nature of this project compared to that of application ref 18/01154/OP, the farmyard development, subject of this application, does not constitute EIA development and therefore does not require an ES. This is taking into account the ownership, determination timescales, functional interdependence and standalone character of the two projects in line with the 'Wingfield Principles' set out above. This decision is relevant only for the purpose of a screening opinion pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The screening opinion, dated January 2017, was reviewed on submission of this application, and no changes to circumstances were identified to justify an alternative decision, so the determination of the application progresses as not 'EIA development'.

#### 4.4 Legal basis of determining the Planning application

4.4.1 Members will be familiar with the standard legal advice that is set out at the end of each planning Control Committee report which advises that legislation requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. This approach was developed within Section 54A of the Town and Country Planning Act 1990 (as amended). It is also re-emphasised within Section 38(6) of the Planning and Compensation Act 2004, which reads as follows:

4.4.2 *'if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise'.*

### 5. Key Issues

5.1 The key issues for consideration of this planning application are as follows:

- 1) Policy background and provision of housing
- 2) Masterplanning and site-specific requirements
- 3) Impact of the development on heritage assets
- 4) Archaeology
- 5) Impact of the development on the character and appearance of the area
- 6) Impact on amenity of existing and future residents
- 7) Impact of the local highway network, access and parking
- 8) Flood risk and drainage
- 9) Ecological, trees and landscaping considerations
- 10) Sustainability
- 11) Environmental health considerations
- 12) Viability and planning obligations

#### 5.1 Policy background and provision of housing

- A. The North Hertfordshire Local Plan 2011-2031 (NHLP) was adopted by the Council in November 2022. NHLP Policy SP1 on sustainable development in the district is the backbone for considering proposals. It requires the main role of key settlements, such as Hitchin to be the main focus for new development. Proposals should '*deliver an appropriate mix of homes, jobs and facilities that contribute towards the targets and aspirations of this Plan*', '*provide the necessary infrastructure...*', '*protect [the] environment*', and '*secure any necessary mitigation measures that reduce the impact of development...*'
- B. Policy SP2 identifies a significant housing need in the district which is for '*at least 13,000 new homes*' over the plan period. Hitchin is planned to accommodate around 1,800 in total between this Strategic Housing Site, other smaller site allocations for housing, sites within the existing urban area and any other 'windfall sites'. This site does form part of Site HT1 under Policy SP17 for 'approximately 700 homes' for which outline planning permission was granted for the main part of the site allocation ref 18/01154/OP for 'up to 700 homes'. It is noted that the farmyard was excluded from the outline application, and development of the site masterplan, due to the emerging statutory listing of the Threshing Barn at the time the outline application was submitted. The Threshing Barn was listed ref 1452743 on 2 May 2018. This farmyard site would contribute an additional 14 units in addition to the maximum 700 units permitted on the main part of the site, which stays within the estimate for the site allocation overall.
- C. As set out in the Council's most recent Housing Land Supply Update (November 2025), the total requirement for housing delivery in the District from 1 April 2025 to 31 March 2030 is 3,629 dwellings. The Council therefore can only demonstrate a five-year land position of 2.6 years against our objectively assessed housing need of 1,120 homes per annum, annual shortfall and 5% buffer. This figure falls below the five-year figure as required in the NPPF. Paragraph 11 of the NPPF states that: 'Plans and decisions should apply a presumption in favour of sustainable development... For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay'.
- D. Where a five-year supply of deliverable housing sites cannot be demonstrated, para. 11 (d) of the NPPF confirms that where 'the policies which are most important for determining the application are out-of-date' [including the housing land supply]...unless (i) there are protected areas or assets of particular importance (i.e. Green Belt and heritage assets) which provide a strong reason for refusing the development proposed or (ii) 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination', permission should be granted. This process is known as the '*tilted balance*'.
- E. For the application site, as the development plan is out of date, the proposals should 'be approved without delay'. Officers note the position on the Council's 5-year housing land supply, meaning that the tilted balance is engaged and the remainder of this report will balance up the issues for consideration and conclusion at the end. The need for this housing is evident. The delivery of this site is relatively small but realistically delivered in the short-term (next 5 years) and given that full planning permission is sought.
- F. The proposals therefore accord with the NHLP Policies SP1, SP2 and SP17. The delivery of market housing here would weigh positively in the planning balance to a significant degree given the small scale of housing provision. The contribution of financial obligations toward affordable housing would also weigh positively in the planning

balance, despite the off-site provision and reduction on the commuted sum (see section 5.12 below), the contribution in the planning balance is still very significant.

## 5.2 Masterplanning and site-specific requirements

- A. NHLP Policy SP9 'requires Strategic Masterplans to be produced for Strategic Housing Sites and other significant development', defined at over 100 units. As the site is within site allocation HT1 on the proposals map the farmyard should have been included in the masterplan, however at the time the Threshing Barn was in the process of being statutory listed and so it was excluded, acknowledging that it could be developed independently. The listed building was considered as part of the masterplanning process and determination of the outline application ref. 18/01154/OP, and the farmyards functional independence was also considered achievable in principles (due to independent vehicular access) to ensure the site could still be developed separately.
- B. The conclusion of the Officers report for that outline application was that the proposals were in accordance with the NPPF and the NHLP and would enable the delivery of a 'strategic housing site' allocated in the adopted local plan.
- C. However, it was also acknowledged that the farmyard and adjacent paddock was not included in the outline planning application and subsequent masterplan, due to the imminent listing of the Threshing Barn. It was considered that this land could have been developed separately, whilst taking into account how any proposal would fit into the existing masterplan and requirements of Policy SP17. This section of the report therefore considers that dynamic:

- *Neighbourhood-level retail facilities providing approximately 500m<sup>2</sup> (net) of retail and food and beverage floorspace;*

The proposals in this application do not compromise this element of the masterplan.

- *Principal access from Stotfold Road with provision for sustainable modes of transport and comprehensive integration into the existing pedestrian and cycle, public transport and road networks;*

The farmyard has an existing vehicular entrance and right of way from Highover Way, this will be maintained, although the location will be moved from the southernmost corner to be along the range of barns facing southwest.

The owner of the main HT1 site also owns the access road up to the metalled edge of Highover Way and is obliged to provide a 3m wide pedestrian and cycle route from the end of Highover Way, so the new access to the farmyard will be able to work with that.

There will also be a footpath leading from the top northern corner of the farmyard into what will be a park alongside the farmyard and towards the main park in the middle of the larger HT1 site, known as 'Highover Park' on the masterplan. The path will ensure there is a permeable route through and promoting a development of integrated communities. The width and material of the path will be the same as that on the larger site, enabling a consistent appearance.

It should also be noted that the paddock land appears to now be landlocked, where access could not be gained through the farmyard, and should not be in order to comply with Policy SP17 regarding 'principal access from Stotfold Road'. It is understood that Barratts David Wilson have an obligation in the acquisition of the land to deliver access

to the paddock within 5 years, which would enable the future development of that plot with access from Stotfold Road.

- *At least 7 serviced plots for self-build development;*

The proposals in this application do not compromise this element of the masterplan.

- *Approximately two hectares of land reserved for provision of a new primary school;*

The proposals in this application do not compromise this element of the masterplan.

- *Appropriate separation distances from the adjoining railway embankment to safeguard residential amenity;*

The proposals in this application do not compromise this element of the masterplan.

- *Lower density development and / or green infrastructure provision as informed by detailed landscape assessments at the north of the site to: i. maintain appropriate visual and physical separation between Hitchin and Letchworth Garden City; ii. address surface water flood risk; and iii. respect the setting of the scheduled burrows to the north-east;*

The proposals in this application do not compromise this element of the masterplan.

- *Sensitive consideration of other designated and non-designated heritage assets at Highover Farm including the Grade II listed Threshing Barn;*

The masterplan reflects this principle, with Threshing Barn Green adjacent to the farmyard; and this application has also been made with that principle in mind, where buildings are to be converted, rather than demolished. This will be further assessed in the section for heritage assets below.

- *Undertake Contaminated Land Preliminary Risk Assessment, particularly relating to current and historic agricultural use; and*

The proposals in this application do not compromise this element of the masterplan. The Environmental Health Officer raises no objection and recommends a suitable condition.

- *Undertake ecological appraisal in relation to Stotfold Road Verges and Hitchin Railway Banks Wildlife Sites.*

The proposals in this application do not compromise this element of the masterplan.

- D. Overall, the proposals are in accordance with the approved Strategic masterplan for the site, as approved by 18/01154/OP, as well as NHLP Policy SP17 for site allocation ref. HT1. This weighs as neutral in the planning balance.

### **5.3 Impact of the development of heritage assets**

- A. Section 66 (1) of The Planning (Listed Building and Conservation Area) Act 1990 (the LBCA Act) stipulates that when considering whether to grant planning permission for development which affects a listed building, or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses. Effect upon listed buildings therefore should be given considerable importance and weight. Relevant factors include the extent of assessed harm and the heritage value of the heritage asset in question.

- B. Paragraph 194 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution to their setting and where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Paragraph 195 of the NPPF confirms that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting their setting) taking account of the available evidence and any necessary expertise.
- C. NHLP Policy SP13 confirms that the Council will balance the need for growth with the proper protection and enhancement of the historic environment. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset's conservation and the Management of its setting. Regarding designated heritage assets, NHLP Policy HE1 stipulates that planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they will, amongst other things, lead to less than substantial harm to the significance of the designated heritage asset and this harm will be outweighed by the public benefits of the development, including securing the asset's optimum viable use. This policy reflects paragraph 208 of the NPPF which confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- D. The Conservation Officer considers that the building is at risk, although it is not identified on the national register or on the Council's 'at risk' register, therefore Policy HE2 is applicable, which states that proposals will be supported that *'seek to conserve or provide new uses for designated heritage assets identified [as being at risk] that are justifies and propiate to the significance of the asset to return a heritage asset to beneficial use'*.
- E. The application is accompanied by a Heritage Statement (HS) prepared by Collins and Coward Ltd. This considers the impact of the proposed development on the identified heritage assets. With the exception of archaeology matters which are considered separately below, the designated Heritage Assets within the application site to be the Threshing Barn (Grade II). The site is not located within a Conservation Area. The other buildings in the farmyard including the farmhouse are locally listed and therefore 'non-designated heritage assets' (NHDA).
- F. For the avoidance of doubt, the internal and external alterations to the listed building (the Threshing Barn) are dealt with in the accompanying listed building application. From a heritage perspective, this planning application is concerned with the proposed new residential use of the listed building and other buildings, external alterations of all the listed building, other buildings and demolition works, and the impact of all new development on the setting of the listed building. These will be assessed here:
- G. The listed buildings and structures across the site are in varying states of disrepair. Intervention is therefore both necessary and important to secure their long-term protection. Residential uses of the larger buildings is considered to be optimal from a heritage perspective providing the immediate and long-term protection.
- H. Regarding the external alterations to the buildings, this is set out in the description and proposals above. For the Threshing Barn itself the building is in a poor state of repair

with external materials and roof slates that have fallen away. The building has not been used for some time and use by pigeons is extensive. There have been some minor unsympathetic repairs in the past, which pre-dates the listing of the building. There would be some inherent harm caused through the conversion of the building, and the subdivision to create two new homes, however the proposal will secure a new viable use for the building, which is supported. The proposed alterations internally and externally are sympathetic to the structure, character and appearance of the listed building and have been well thought out in discussion with the Conservation Officer. There would be some harm to the fabric of the listed building as a result of subdivision and conversion to the standards required for residential use, however the benefit of securing a new viable use for the building, as stated previously is supported. A range of conditions are recommended to secure the details of the proposals.

- I. The external alterations to the other buildings within the farmyard, including the former farmhouse have also been considered with care for subdivision and extension sensitively proposed to take account of the existing layout of buildings and the yard. The proposals would result in the demolition of a section of existing brick barn along the western side of the yard that is not statutorily listed to facilitate access to the site, as well as demolition of an existing modern former farm structure in the centre of the site and part of another structure, the remainder of which will form a cycle store. Again, a range of conditions are recommended to secure the details of the proposals.
- J. In relation to the setting of the listed building, much of the existing built form will be retained as a result of the proposals. There will be some demolition, as well as extension and two newbuild units. The openness within the farmyard will be retained and enhanced, and appreciation for the enclosure of the farmyard as a whole will also be respected as a result of the retention of most of the existing buildings. The external alterations are sensitively designed and will conserve and enhance the farmyard character, whilst facilitating the residential use of the site which will secure the long-term viable use of the site and buildings. Overall, there will be some degree of harm to the setting of the listed building.
- K. The proposals will result in identified harmful impacts on the listed building itself, and the setting of the listed building, as a result of external alterations, including new buildings, extensions and demolition of existing structures. However, the proposals also deliver a range of meaningful heritage benefits by securing the long-term viable re-use of the listed building as well as the non-designated heritage assets, as buildings which are in a state of disrepair at present and 'at risk' as identified by the Conservation Officer. The re-use of the site will help preserve the listed building and enhance the appearance of the existing farmyard. Overall, it is considered that this would equate to harm to significance that would be 'less than substantial'. Para. 215 of the NPPF confirms that '*this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*'. The public benefits arising from the proposal in the form of provision of new housing is considered to weigh positively against the harm to the heritage assets.

## **5.4 Archaeology**

- A. The application site is not located within an Area of Archaeological Significance (AAS). Wilbury Hill to the north is an AAS approximately 1km to the north which contains a Scheduled Ancient Monument.
- B. NHLP Policy HE4 on Archaeology states that permission for development proposals affecting heritage assets with archaeological interest will be granted provided that: a. developers submit an appropriate desk-based assessment and, where justified, an

archaeological field evaluation. Policy HE4 as modified also states that 'Areas of as yet, unknown archaeology may be identified during research, or through the planning or plan making process. These sites or areas should be treated in the same way as archaeology areas and areas of archaeological significance'. The NPPF para.199 sets out the same approach to sites of archaeological significance as other heritage assets, in that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'. Para. 203 also requires 'in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

- C. The site is not supported by any specific archaeological investigations but with County Archaeologist has reviewed the proposals. It is noted that the Historic Environment Record (HER) identifies that the farmstead is shown on the 1844 tithe map as 'High-Over Farm'. The name, meaning 'the high bank or slope' is documented since the thirteenth century. From the mid fifteenth century Highover was owned by wealthy wool merchants named Pulter and regarded as a manorial estate. In 1690 it consisted of the farmhouse, outbuildings, barns, stables and land, both arable and pasture. The current house is timber-framed and probably of sixteenth or seventeenth century date (HER17200), and the Threshing Barn dates from at least the 17<sup>th</sup> century, as noted above, along with the hay barn. It is noted that an Iron Age and Roman site has been revealed to the north of the farm (within the wider HT1 site) suggesting activity from these periods as well.
- D. Therefore, given the history of the application site, the proximity of this site to other heritage assets, and the likely impact of the proposed development on assets of archaeological interest there is no objection in principle, subject to conditions relating to a written scheme of investigation for the archaeological recording of historic buildings prior to development, a recording of the interventions taken as a result of the development, an evaluation of the development area, and for appropriate excavation and monitoring. This should be followed by an analysis of the results, production of a report and publication of the results.
- E. By way of conclusion on archaeology, officers consider that the risk of harm to archaeological heritage assets is managed appropriately as a result of the proposed development. The proposals are therefore in accordance with the NPPF and NHLP Policy HE4. This matter weighs as neutral in the planning balance.

## **5.5 Impact of the development on the character and appearance of the area**

- A. NHLP SP9 requires development to be '*well designed and located and responds positively to its local context*' which is reiterated in Policy D1 on Sustainable Design.
- B. The farmyard is adjacent to the existing urban area and allocated as part of HT1 for new housing. The retention of existing buildings and their conversion would respond well to local context by retaining historic buildings. The reuse of the farmyard has been well designed to consider interaction with the existing development and development as part of the masterplan.
- C. Policy SP9 also requires consideration against '*detailed policy requirements set out in this Plan and have regard to the Design SPD*'. This assessment has already been undertaken above in regard to Policy SP17.
- D. Relevant elements in Policy D1 on 'Sustainable design' require proposals to '*take all reasonable opportunities, consistent with the nature and scale of the scheme, to:*

- *create or enhance public realm;*

The farmyard will be regenerated; it will be open for access and the buildings reused and brought back to life. The proposals will overall make a great improvement on the immediate vicinity. Public realm is provided, although landownership is private, there will be a footpath through to link the farmyard to new surrounding communities.

- *optimise the potential of the site by incorporating Sustainable Drainage Systems (SuDS);*

This has been assessed and the LLFA raise no objection; landscaping is provided in and around the barns within the site and surface water can be dealt with on site.

- *reduce energy consumption and waste;*

There will inevitably be an increase in energy consumption compared to the existing situation. In principle the reuse of the buildings will reduce waste. However, the applicant has provided a sustainability statement with the application which states that the proposals will exceed various building regulations requirements by using Air Source Heat Pumps and some solar PV where suitable on site. This will be explored in more detail later in this report.

- *retain existing vegetation and propose appropriate new planting;*

Some of the trees on site are protected and as far as possible these are retained. The site was very overgrown when the applicant acquired the site, and much of the vegetation has been cleared. This is taken into account in the analysis of the site for ecology and BNG calculations. However, the overgrown parts of the site would have needed to have been cleared at some point to enable the use of the site for residential gardens. New planting is proposed in the form of residential gardens and also landscaping and small greenspaces within the farmyard. Hard standing is limited as far as possible and greenspaces encouraged through negotiations on the site. Officers considered that lower-level planting was more appropriate within the farmyard setting, and there is proposed tree planting along the path in the northern corner.

- *maximise accessibility, legibility and physical and social connectivity both internally and with neighbouring areas;*

This has been achieved, by relocating the vehicular access to reduce the angle to the right from the end of Highover Way, and the introduction of the footpath in the northern corner. This is appropriate and proportionate to the scheme.

- *future proof for changes in technology and lifestyle;*

On this small scheme, which is made more difficult in this context due to the reuse of existing buildings, but scope is provided for M4(3) units (except for the listed Threshing Barn) to enable future adaptability. The development will provide Air Source Heat Pumps and Solar PV, which is advance thinking ahead of when it would not be possible in the future to buy new gas boilers, as well as supported by the Sustainability SPD. The site provides a range of house types to accommodate different household sizes. The site also includes EV charging points for all units as well as a range of cycle parking options.

- *design-out opportunities for crime and anti-social behaviour; and*

The development is an inward-looking development, with front elevations facing in, and a good level of surveillance from rear elevations out of the site. There is one vehicular access into the site, and two pedestrian entrances, otherwise boundaries will have appropriate boundary treatment for backing onto existing residential gardens, and the future Threshing Barn Green open space.

- *minimise the visual impact of street furniture and parking provision;*

There will be very limited street furniture within the farmyard, to maintain that open perspective, and reflect this historic context of the site. Parking will be visible, although the layout ensures there will not be more than 4 spaces next to each other before a landscaped break. The applicant has tried to distribute parking around the site ensuring cars would be discreet as much as possible, including a car port for one unit and using buildings to 'hide' parking spaces.

- E. In terms of the units themselves, the existing buildings are being retained and much of the character will come from existing barns. Some structures are to be removed or adapted to enable the development. The existing brick barns and timber framed barns will retain their historic external appearance, and the Conservation Officer has negotiated and provided conditions to ensure the finish of the units.
- F. There are two new build semi-detached units in the southern corner, which will comprise one three-bedroom two storey house and one two-bedroom single storey bungalow. The form of these units reflects the taller gabled barns and shallower side projection which can be seen elsewhere in the farmyard. However, these units will have facing brickwork on the lower storey and be clad in vertical timber boarding on the upper storey, with black rainwater and eaves detail and a slate roof covering. This will complement the existing and historic farm buildings, without looking pastiche.
- G. Overall, the proposals are in accordance with NHLP Policies SP9 and D1 on the design of the scheme. This weighs as neutral in the planning balance.

## **5.6 Impact on amenity of existing and future residents**

- A. Concern has been raised from residents living nearby to the proposed development with regard to impact on their amenity as a result of the development as a whole.
- B. NHLP Policy D3 states that '*planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions*'. Supporting text identifies harm in terms of traffic, parking, loss of daylight and sunlight noise, overlooking, pollution and dominance.
- C. In the short term, it is noted that there would likely be at least some impacts to existing neighbouring properties during the construction phase due to construction noise and traffic in the vicinity. Whilst various conditions would be imposed on the grant of planning permission, which seek to minimise this impact (for example, construction method statements and construction hours etc), there is likely to be at least some impact and disturbance, even if it is kept at a minimal level and appropriate hours. All construction traffic will come from Highover Way and inevitably some larger vehicles, which will impact on residents around the site, albeit it relatively short-term impact to the length of the construction phase. Traffic, deliveries and vehicles can be managed through a Construction Traffic Management Plan, which will be agreed in consultation with the highway authority. It is therefore considered that the construction phase of this proposal will have an overall adverse impact on existing residential amenity, with the benefit that it would be temporary.

- D. Regarding longer term impact of the proposed development on existing residents of Highover Way and Armour Rise, there will be two new build semi-detached units that introduce new built form closer to existing houses 80-86 Highover Way and 1-4 Armour Rise. The closest will be no.84 which will be side on to plot 14 with a distance of 16.5m, separated by a 'BNG area' rather than amenity space. Other units have greater distances of 24-30m with rear elevations facing plots 13 and 14 at different angles, which is an acceptable relationship as the garden depth on all existing and proposed plots is good at around 10-12m minimum. 8 Armour Rise would be closer to plots 11 and 12 (the former farmhouse) which is an existing building. The former farmhouse is to be subdivided and extended to form plot 12, but still the distance from no.8 is significant at 34.6m and the plots would be at an angle to each other and therefore not considered to create an unduly negative relationship for existing or future residents.
- E. Plots 2 and 3 of the farmyard are close to Highover Cottages. These are existing buildings and attached to the listed building. The only extended part of plot 2 would be a gable feature on the to create a first floor, which would look in the direction of Highover Cottages. The gable window would be 33m away from Highover Cottages and facing a side elevation. The garden to the new gable window would then be at an angle and not directly overlooked, over current vegetation, although that vegetation might reduce as a result of the new foot and cycleway from Highover Way into the larger HT1 site. This is not considered to result in an unduly negative relationship either.
- F. All other proposed plots at the farmyard are away from existing residential properties. Future residents on the larger HT1 sit will also be set back away from the farmyard due to the listed building, and so once all new residential development is in place all new residents will be aware of the relationship of the buildings, which is considered to protect the amenity and privacy of future residents in their homes and gardens.
- G. In relation to the amenity of future residents of the application site, all proposed plots comply with or exceed the 'Technical housing standards – nationally described space standards'. All properties will have private amenity space, with the smallest comprising 35sq.m. properties and would comprise a logical and useable space. These gardens for plots 5-8 are all similar in layout and size and would back onto the Threshing Barn Green open space. The size and location are informed by the existing buildings and the extent of the site, however they would have immediate view and access to the new greenspace to be delivered on the larger site. The development as a whole is fairly enclosed in character and with greenspaces provided within the yard area there is scope for residents, especially children to use the open space as well as private gardens. Given these circumstances this is considered acceptable. The other gardens are all substantial and plot 11, comprising the main original part of the farmhouse would benefit from the land around it, which contains some of the protected trees on site.
- H. Officers consider that this will offer future residents a good standard of residential amenity in accordance with NHLP Policy D1 and D3. This matter weighs as neutral in the planning balance.

## **5.7 Impact of the local highway network, access and parking**

- A. NHLP Policy SP6 on 'Sustainable transport' requires a range of elements towards accessibility and promoting sustainable transport, including working with the county council *'to ensure that a range of sustainable transport options are available to all potential occupants and users. This may involve new or improved pedestrian, cycle and passenger transport...links and routes...'*

- B. NHLP Policy T1 sets out how to assess applications in relation to transport. These include highway safety and *'mechanisms to secure any necessary sustainable transport measured and/or improvements to the existing highway network...'*
- C. The Highway Authority (HA) has responded to the consultation, who have no objection to the proposals subject to conditions and informatives. Their response outlines the character of the site, its position in relation to highway safety, and the pedestrian, cycle, PRow and bus networks. The HA notes the position in relation to the larger Highover Farm development, and how it will interact with the new foot and cycle way to be installed from the end of Highover Way and the accessibility to the farmyard site.
- D. The HA state: *'In accordance with Part 3 of the Hertfordshire Design Guide 'Place and Movement, Planning and Design Guide' it is considered that the development reflects a P3/M1 road. As the road will serve 14 dwellings, after the turning for Highover Cottages, the road will reflect a Mews cul-de-sac. Highover Farm is located at the northern end of Highover Way, which forms a cul-de-sac. Vehicle access will be achieved via the existing access off Highover Way but the access will be improved, widened and surfaced... To allow for two large cars to pass each other on the bend, the access road which incorporates a 90 degree bend, is proposed to be 5.5m wide widening to 6.9m within the site's eastern half to serve a number of driveways and the eastern most six dwellings...Swept path assessment shows that the 12.1m Refuse Vehicles are able to enter and depart the site in forward gear.'*
- E. During the pre-application discussions both Hertfordshire Highways and the LPA requested that the refuse turning head was provided to the west of the proposed car port and bin store, however the applicant has shown that it would not be possible without impacting on car parking space.
- F. Regarding trip generation, it is noted that the change of use from a farm use to residential unit will increase the projected number of trips to and from the site, although the types of vehicles would no longer comprise farm vehicles. The TRICS database for similar sites demonstrates that the increase would be minimal and therefore not considered that the impact of the development would be severe in accordance with para. 116 of the NPPF 2024.
- G. In terms of active travel, the HA notes that the applicant has not addressed how pedestrians will be able to access key destinations such as shops, schools, bus stops etc to promote active travel. In principle the site is in a sustainable location adjacent to the existing urban area of Hitchin, and the future scenario of the larger part of Highover Farm development being delivered and opening up increased links. The HA requests a condition requiring a pedestrian audit of the site to identify any deficiencies that create barriers and submit proposals to rectify that. Any improvements identified in the audit, such as dropped kerbs, tactile paving, crossings, will be required to be delivered under a S278 agreement, under 'Strand 1' works. In addition, the HA is also seeking a 'strand 2' contribution towards sustainable transport which as set out in the HCC Toolkit would be £9,861 per dwelling. Based on 14 units this comes to £138,054 (index linked to March 2024). It is noted that the highway authority have not provided specific projects that this contribution would go towards, which is not compliant with The Community Infrastructure Levy Regulations (2010) s122, and no response to officers further request for information. Nevertheless, Officers predict that there would be a range of projects for the site to contribute toward given the Strand 2 projects listed for the larger Highover Farm site, however the larger site is due to contribute approximately £3.4m in financial contributions (and indexed linked). This will be considered in the 'viability and planning obligations' section of the report below.

- H. It is noted that the internal layout of the site can only support visibility splays for a 10mph internal speed limit. The cobbled rumble strip on entering and leaving the site acts as a gateway feature, together with the 90-degree turn into the site promotes a character where traffic needs to slow down and considered by the HA to act as a traffic calming measure. The HA considers that there is scope for detailed highway requirements to be delivered, however a Road Safety Audit Stage 1 will need to be the subject of a condition.
- I. It is noted that from the end of Highover Way the land is privately owned. The new access therefore will not be adopted. However, as waste lorries will be accessing the site, and the proposed mono-block surfacing, the internal road needs to be constructed to adopted standards in order to accommodate heavy vehicles and not cause damage to the road surface.
- J. The HA comments on parking provision. Officers agree that the shortfall in one visitor parking space would not create a highway safety concern. The reduction of one space was considered alongside other planning matters. Otherwise, there is a range of provision for two parking spaces for each unit that meet the size requirements, arranged logically for each unit. There will be some car port provision, otherwise parking spaces are not covered. The applicant has indicated locations for electric vehicle charging points for each new dwellings, which is in accordance with the regulations. Cycle parking is provided for each unit in individual outbuildings and some within the communal outbuilding. Each unit will also have short term visitor cycle parking close to front doors using an unobtrusive floor bolt. Other visitor parking is provided in communal area using Sheffield stands.
- K. Regarding construction of the site, it is inevitable that there will be some disruption to the highway network and inconvenience to local residents as a result of construction activities, in particular the construction traffic using what is at present a quiet no-through road of Highover Way. The site benefits from an existing mature landscaped boundary to help contain construction noise and dust. The construction phase is temporary and will be controlled by a Construction Method Statement secured by condition.
- L. The proposal will result in some highway harm in terms of an increase in trip generation, but which will be mitigated by physical works. The proposals are therefore in accordance with the NPPF and NHLP Policy T1. The harm weighs as neutral in the planning balance.

## **5.8 Flood risk and drainage**

- A. National policy on issues relating to flooding is set out in the NPPF at para. 170-182. This emphasises the importance of considering the potential for flooding for new developments particularly in areas identified as high risk. It also requires the considerations of including sustainable drainage solutions where necessary and appropriate.
- B. NHLP Policy NE7 on Reducing Flood Risk sets out that a Flood Risk Assessment is prepared to support applications for planning permission in accordance with national guidelines, and that development takes account of reducing flood risk, does not increase flood risk elsewhere, minimise residual flood risk, sensitively designed flood prevention and mitigation where applicable, and protection of overland flow routes and functional floodplain.
- C. The application is accompanied by a Foul and Surface Water Design Statement prepared by consultants EAS (August 2025). This considered the risk to flooding from surface water. The site has some existing concrete hardstanding around the barns but is primarily '*laid to rough landscape and hardcore*'. The site is located within flood zone

1, signalling the site has the lowest probability of fluvial flooding. This application seeks full planning permission for 14 units and includes new hardstanding of which the majority would be permeable block paving, some landscaped areas and some impermeable footpath surfaces. The submitted design statement includes provision for surface water run off being discharged directly into the ground, as well as soakaways using granular hoggin material and '*permafilter geotextile*' for catching contaminants.

- D. The Lead Local Flood Authority (LLFA) has assessed the submitted information and now raises no objection, with concern previously on the existing buildings intersected with flood levels alongside the increase of vulnerability of the site due to the change of use. The FRA was updated to include further resilience and resistance measures on site. The LLFA confirmed that their concerns had been addressed to some degree and recommends a series of conditions to deal with detail on the SUDS management and maintenance scheme, details of flood resilient and resistance measures, and a survey and verification report.
- E. To conclude, there is no objection from the LLFA subject to conditions, and so the proposals are therefore in accordance with the NPPF and NHLP Policy NE7. This is neutral in the planning balance.

## **5.9 Ecological, trees and landscaping considerations**

- A. Chapter 15 of the NPPF requires decisions to contribute to and enhance the natural environment. NHLP policies SP1, SP12, NE4, NE6 and NE8 seek to protect, enhance and manage the natural environment. This application was submitted after the BNG requirements came into effect in February 2024.
- B. The application is supported by an Ecological Appraisal (dated). It is acknowledged that this site was principally characterised by intensively managed arable land. Other habitats identified include the plantation of broadleaved woodland, neutral semi-improved grassland, tall ruderal vegetation, amenity grassland and some hardstanding. By way of a summary, there was found to be low to moderate potential for bats in some trees around the application site, but no current presence of roosting bats. An outlier badger sett is also identified within the site. There will be impact on nesting and foraging birds of the arable land, which can be mitigated against by providing scrub and avoiding disturbance during nesting seasons. The presence of great crested newts is highly unlikely.
- C. Here is a summary of the county ecologist comments:
- A 'bat mitigation class license' will be required from Natural England for the proposed works as it will result in the loss of three bat roosts across the site.
  - There is evidence of a barn owl roosting in one barn, although was not present during a site visit. Bird and bat boxes should be secured by condition.
  - It is noted that surveys have confirmed reptiles are not present on site and there will be a negligible effect on great crested newts.
  - The proposed BNG onsite is considered to be 'significant' enhancement, which should be secured by condition including a Landscape and Ecological Management Plan (LEMP). The net gain of 11.14% comprising an on-site uplift of 0.52 habitat units shows that there is 'reasonable confidence' that the biodiversity obligations can be discharged.
- D. There is a Tree Preservation Order within the site. TPO/057 includes the following:
- G1 – comprising three lime and a horse chestnut and are to be retained

- G2 – comprising two horse chestnut of which one retained, and one to be removed and replaced with a mature lime tree as agreed with the applicant
  - T3 – to be retained. The new build unit 14 will create a 9% incursion into its RPA
  - G4 – to be retained, comprising a group of three lime trees
  - G5 – to be retained, comprising a walnut and a beech tree to the rear of 80 and 82 Highover Way. The extension to unit 12 will incur about 5% into the RPA
  - T5 – Holly to be retained close to the boundary with 8 Armour Rise
- E. Most of the trees are category B or C, which are worth retaining. The site and its trees have not been managed in recent years. There are other trees of a similar quality within the site that will also be retained. The proposals include the removal of a horse chestnut which is rated category C tree and located very close to existing buildings. The applicants arboriculturist proposed to remove it and we have agreed that it will be replaced instead slightly further away from the building. This tree will remain part of the TPO, and its replacement will be secured by condition. It is noted information has been submitted for the protection of trees however a condition is recommended to ensure the proper assessment of the protection of existing trees on site during construction.
- F. Regarding landscaping, there are pockets of greenspace around the site, including two good sized areas provided for BNG. There will also be amenity gardens for all properties, some are significant in size and provide for the trees that are currently protected within the site. Within the central farmyard there will be smaller area of green space and landscaping; the aim in pre-application discussions was to retain the yard as an open space to appreciate the former farmyard character, and so much of this space will provide for car parking, cycle parking, bin storage and low-level landscaping. While the principle of the soft landscaping plans is acceptable more detail is needed on the type of planting proposed and where; and in turn this needs to be assessed by a landscape professional. In particular, planting will be needed along the estate fencing shown to the rear of the Threshing Barn and units 5-8 facing onto the larger Highover Farm site. Estate fencing is proposed to retain the openness of this greenspace, setting of the listed building and character and appearance of the farmyard complex, but these areas will form the amenity space for these units and so an element of landscaping should be included in order to protect the amenities of those residents.
- G. The proposals are in accordance with the NPPF and NHLP Policies NE4, NE6 and NE8. It is considered that given the proposed biodiversity net gain on site, together with the on-site enhancement with bird and bat boxes to replace habitat that is lost, and that landscaping is suitable subject to conditions. The overall impact of this proposal for ecology and landscaping is neutral in the planning balance.

## 5.10 Sustainability

- A. Section 2 of the NPPF requires the sustainability credentials of development proposals to be considered. Paragraph 8 sets out the three strands of economic, social and environmental, and in particular in point c) *'using natural resource prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'*.
- B. The Council declared a Climate Emergency in 2019 which pledged to do everything in the Council's power to achieve zero carbon emissions in North Hertfordshire by 2030. The Council adopted a Climate Change Strategy to promote carbon neutral policies. NHLP Policy D1 sets out criteria on sustainable design of proposals, which includes the need to reduce energy consumption and waste, improve water efficiency and future proof for changing in technology and lifestyle. Policy SP9 also on design seeks the inclusion of a broad range of sustainability measures in developments. Policy NE12 on renewable

and low carbon energy development supports the principle of renewable energy subject to the assessment of impacts. The Sustainability SPD sets out an approach for assessing the compliance level of measures proposed. Measures can be categorised as bronze, silver and gold, where bronze is the basic level of compliance with building regulations, and gold is highest standard thinking about Future Homes standards, BREEAM, Passivehaus and LETI.

- C. A range of sustainability measures have been assessed by the applicant's consultants in their Sustainability Statement prepared by AP Consulting Engineers (dated May 2025). The statement has assessed the proposals based on development as part conversion of existing buildings (twelve units) and part new build (two units) using the Be Lean, Be Clean, Be Green model. Unfortunately, the Statement does not acknowledge the Council's specific local policy or Sustainability SPD and therefore needs to be updated to structure the energy and sustainability proposals in line with the structure of that document.
- D. Here are some general comments on the Themes set out in the Sustainability SPD:

**Theme 1: Optimising passive design and fabric performance** – The Statement does not expressly consider passive design, although it is acknowledged that much of the proposal relates to the conversion of existing building. It is clear that the proposed fabric used for the conversions has been considered though regarding thermal fabric performance. The last table on page 3 states that there could be a 2.88% improvement on fabric efficiency compared to Building Regulations 2021 on the new building and 4% on the conversions, which would score as bronze compared to the SPD. The EPC rating would be C across the site, also scoring bronze. These are welcomed aspirations and to be secured by condition.

**Theme 2: Achieving low-carbon energy** – The development will seek to deliver a range of low-carbon energy generation solutions including solar panels and air source heat pumps. This has the potential to reach a higher than bronze category for residential development, demonstrating that 75% or 100% of dwellings energy demand is supplied from on-site renewable energy. This is not clear in the current statement and silver as a minimum should be pushed for in an updated Statement secured by condition given the feasible use of solar PV panels and ASHP. These are welcomed aspirations but not confirmed or secured improvements. As solar PS has limited application on the existing barns due to heritage considerations, ASHP have more scope to be sensitively located and designed. New build element should include both PV and ASHP. Details will be required through an updated Statement subject of a pre-commencement condition.

**Theme 3: Minimising carbon footprint** – There is no whole life carbon assessment in the submitted Statement and should be reflected in an updated Statement secured by condition. This will be secured by condition.

**Theme 4: Healthy placemaking** – There is no assessment of this in the submitted Statement and should be reflected in an updated Statement. Due to the scale of the site, there is probably limited opportunity for healthy placemaking to be included. However, some assessment of the wider placemaking elements and how it links to the Highover Farm scheme and existing built-up area would be useful and secured by condition.

**Theme 5: Promoting biodiversity** – As confirmed in the ecology section of this report, the application is supported by necessary surveys and overall will result in a biodiversity net gain over 10%. This theme has the potential to reach the silver level in the SPD. This is covered by separate conditions.

**Theme 6: Sustainable travel** – As described in the highways section of this report, the proposals include integration of the wider foot and cycle path network into the structure of the site, and provision for cycle parking across the site. EV chargers are now required for all residential properties. Due to the scale of the site, there is limited scope for this to be included. However, some assessment of the wider placemaking elements and how it links to the Highover Farm scheme and existing built-up area would be useful and secured by condition.

**Theme 7: Conserving water** – The Statement in its current form supports reduced water use at 107 litres per person per day, which is supported and would be better than bronze level, but not reduced enough to reach Silver. There is scope for other water saving measures such as grey water recycling and / or water butts, which should be considered in the updated Statement.

**Theme 8: Incorporating sustainable drainage** – As set out in the flood risk and drainage section of this report the proposals include several drainage features to deal with surface water. This category meets the bronze level.

**Theme 9: Historic Buildings** – No details appear to have been provided in relation to this Theme. See SPD for information and guidance for measures that could be considered. Other similar schemes relation to the conversion of historic buildings to residential in the district have comprised – additional insulation to walls, roof areas and floors; refurbished windows; improved draught proofing to doors; capping and ventilation of chimneys; under-floor heating system; energy efficient lighting and; improved ventilation measures. This should be considered in the updated Statement.

- E. The proposal has the potential to exceed existing minimum standards over a few of these themes as set out in the Sustainability SPD. Where standards are met at a broadly bronze level, this would weigh as neutral in the planning balance. The details of how the development will deliver specific levels across all the themes will need to be confirmed via the submission of detailed, correctly reference and updated Energy and Sustainability Statement secured by condition. The updated Statement should focus on addressing comments made above.

## **5.11 Environmental health considerations**

- A. Regarding noise, no information has been submitted with the application, and the Environmental Health Officer raises no objection subject to a condition requiring details to be submitted on how to control noise and dust during construction in a Construction Environmental Management Plan.
- B. In relation to contaminated land, there is also no information submitted with the application and the Environmental Health Officer raises no objection subject to a condition requiring appropriate level of investigation, scheme of remediation if required, and a validation report, given the site former use as a farmyard.
- C. The Environmental Health Officer raises no objection to the scheme in terms of impact on air quality, due to the minor character of the development. It is noted that Electric Vehicle Charge Points are included in the plans, which is also a building regulation. There will be a condition, as recommended by the Highway Authority on their retention once installed.

- D. Having assessed the submitted information, the Council's Environmental Health Officer has not raised any objections subject to conditions. These matters on environmental health are neutral in the planning balance.

## **5.12 Viability and planning obligations**

- 5.12.1 In considering planning obligations in relation to this development NPPF para. 57 advises that: '*Planning obligations should only be sought where they meet all of the following tests:*
- *necessary to make the development acceptable in planning terms;*
  - *directly related to the development; and*
  - *fairly and reasonably related in scale and kind to the development.'*
- 5.12.2 This is reflected in the CIL Regulations. NHLP Policy SP7 sets out infrastructure requirements and developer contributions that are '*necessary in order to accommodate additional demands resulting from the development*'. This policy reflects the NPPF principles set out above. It also cites the recently adopted Development Contributions SPD 2023 and the update to Development Contributions adopted by the County Council.
- 5.12.3 The applicant has submitted a viability appraisal to accompany the planning application, which has been independently tested by Dixon Searle Partnership (DSP) over the course of several months. The position taken on various matters such as build costs and profit levels varies between the applicant's assumptions and estimates proposed by DSP. Between all these assumptions, the appraisal indicates that a range of financial contributions could be supported.
- 5.12.4 The HCC Growth and Infrastructure team has requested contributions of £196,461 toward education, SEND, library, youth and fire and rescue services, and waste recycling and transfer stations, plus a monitoring fee. The highway authority also requests £138,054 toward active and sustainable travel, although without expressly identifying projects.
- 5.12.5 There have been no requests from the district council services, except for the provision of affordable housing. NHLP Policy HS2 the site with 14 units should provide 25% affordable housing, of which 65% should be social tenure and 35% should be intermediate tenures. However the site is within the HT1 site allocation, which calls for provision of 40% affordable housing. The applicant argues that providing onsite affordable housing would not be appropriate in this setting, where the majority of the buildings would be conversions. The applicant states that it is unlikely that a registered provider would be willing to take on units in a bespoke setting, and also that the inclusion of affordable homes would impact on the sales values of market units, although this is a possibility the applicant has not provided evidence for the level of impact stated.
- 5.12.6 The Housing Strategy team at the Council state that if a commuted sum is accepted, it should be calculated in accordance with the Developer Contributions SPD para. 5.2.25. This is also on the basis that the applicant cannot provide off-site provision. The applicant is a developer, rather than a landowner and so off-site provision is not feasible. The equivalent provision of 25% on this scheme would be a third of the total units on site for the commuted sum. The Housing Officer proposes a commuted sum, in accordance with the Developer Contributions SPD to be £568,260. This has been reassessed by DSP who have stated, with taking into account the GIU contributions and other assumptions, there would be £493,373 remaining to go towards off-site affordable housing in the form of a commuted sum. This is agreed with the applicant.

- 5.12.7 Based on a pragmatic approach to ensure housing delivery, the conclusion of Officers is that, with financial contribution toward HCC GIU services as well as a commuted sum toward affordable housing, the scheme would be viable. In this instance, Officers are recommending that the highway contribution is not sought from the developer in this case. Given the relatively small contribution requested from this site compared to the larger site, its close spatial relationship, and the provision in the recommended conditions for a 'pedestrian audit', the priority due to the viability issues on site should be given to the financial contribution toward affordable housing.
- 5.12.8 The applicant agrees to pay those contributions and Officers are confident that this is achievable, whilst maximising the developers' contributions toward planning obligations in accordance with the NPPF, NHLP Policies SP7 and HS2, and the Developer Contributions SPD. The contribution toward affordable housing and other planning obligations weighs very significantly in favour of the scheme.
- 5.12.9 The agreed heads of terms for a S106 legal agreement are as follows:

| Element                       | Detail                                                                                                                                                                                                                                                                                                                                                                    | Justification                                                                                                                                                           |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Affordable housing            | Commutated sum of £493,373 toward the off-site provision of affordable housing (indexed linked to January 2023)                                                                                                                                                                                                                                                           | NHDC Developer Contributions Supplementary Planning Document (SPD) 2023<br><br>NHLP Policy HS2 Affordable Housing                                                       |
| Secondary Education (HCC)     | Towards the expansion of The Priory Secondary School and/or provision serving the development (£154,230 index linked to BCIS 1Q2024)                                                                                                                                                                                                                                      | Policy SP7 Infrastructure requirements and developer contributions<br><br>Developer Contributions SPD<br><br>HCC 'Guide to Developer Infrastructure Contributions' 2022 |
| Childcare Services (HCC)      | Towards increasing the capacity of 0-2 year old childcare facilities at Highover Farm Primary School and/or provision serving the development (£831 index linked to BCIS 1Q2024)<br><br>Towards increasing the capacity of 5-11 year old childcare facilities at Highover Farm Primary School and/or provision serving the development (£169 index linked to BCIS 1Q2024) | As above                                                                                                                                                                |
| Special Educational Needs and | Towards new Severe Learning Difficulty (SLD) special school places                                                                                                                                                                                                                                                                                                        | As above                                                                                                                                                                |

|                                      |                                                                                                                                                                                                                                                                                                                     |          |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Disabilities (SEND) (HCC)            | (EAST) and/or provision serving the development (£27,285 index linked to BCIS 1Q2024)                                                                                                                                                                                                                               |          |
| Library Services (HCC)               | Towards increasing the capacity of Hitchin Library and/or provision serving the development (£3,827 index linked to BCIS 1Q2024)                                                                                                                                                                                    | As above |
| Youth Services (HCC)                 | Towards the delivery of youth work with young people in the area and/or provision serving the development (£2,291 index linked to BCIS 1Q2024)                                                                                                                                                                      | As above |
| Waste Service Recycling Centre (HCC) | Towards increasing capacity at Letchworth Recycling Centre or a new recycling centre in Baldock and/or provision serving the development (£2,740 index linked to BCIS 1Q2024)                                                                                                                                       | As above |
| Waste Service Transfer Station (HCC) | Towards the new Northern Transfer Station and/or provision serving the development (£3,832 index linked to BCIS 1Q2024)                                                                                                                                                                                             | As above |
| Fire and Rescue Service (HCC)        | Towards expansion of Baldock fire station and/or provision serving the development (£1,256 index linked to BCIS 1Q2024)                                                                                                                                                                                             | As above |
| Monitoring fee to HCC                | These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions. | As above |

## 6 Planning Balance

- 6.12 This site at Highover Farmyard was allocated for housing as part of site allocation HT1 under NHLP Policy SP17 for housing. This site was excluded from the masterplan subject to the outline application for up to 700 homes and other development under 18/01154/OP due to the statutory listing of the Threshing Barn. This proposal is for 14 units. Notwithstanding the site allocation, as identified in the foregoing section of this report, the tilted balance applies due to the housing land supply position the council is in at this time.
- 6.13 Before addressing the overall planning balance in line with the NPPF, the heritage balance should be considered first, which also falls within the planning balance of any other harm. The NPPF confirms that heritage assets are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance. As identified in this report, the proposals would result in both benefits and harms to the heritage asset. The harms identified means that the proposal would result in 'less than substantial harm'

(at the low end of the spectrum) to the significance of the designated heritage asset (the listed Threshing Barn).

- 6.14 This harm should then be weighed against the public benefits. The public benefits that would be delivered as part of the proposals would comprise the reuse of the listed building and surrounding buildings which are in a state of disrepair, as well as the provision of much needed market and affordable housing in the district. Accordingly, he NPPF does not provide a clear reason for refusing the development proposed in relation to the heritage balance.
- 6.15 The following table summarises this matters that weigh in favour and against the proposal:

| Issue                                            | Effect                                     | Weight           |
|--------------------------------------------------|--------------------------------------------|------------------|
| Delivery of 14 market homes                      | Benefit*                                   | Significant      |
| Financial contribution toward affordable housing | Benefit*                                   | Very significant |
|                                                  |                                            |                  |
| Impact on heritage assets                        | Harm* (low level of less than substantial) | Great            |
| Financial contribution towards highways          | Harm                                       | Limited          |
|                                                  |                                            |                  |
| Compliance of the HT1 masterplan                 | Neutral*                                   | None             |
| Well-designed scheme                             | Neutral*                                   | None             |
| Impact on trees and landscaping                  | Neutral*                                   | None             |
| Impact on ecology                                | Neutral*                                   | None             |
| Residential amenity                              | Neutral                                    | None             |
| Highways and traffic                             | Neutral*                                   | None             |
| Flood risk and drainage                          | Neutral*                                   | None             |
| Archaeology                                      | Neutral*                                   | None             |
| Environmental health                             | Neutral*                                   | None             |
| Sustainability credentials                       | Neutral*                                   | None             |
| Financial contribution towards services          | Neutral*                                   | None             |

*Table 1: Planning Balance Summary (\*conditions and obligations recommended)*

## 7 Overall Assessment

- 7.12.1 This is part of an allocated housing site in the adopted Local Plan, and it will contribute to the housing land supply. As the Council is currently unable to demonstrate a 5-year housing land supply, the tilted balance of paragraph 11(d) of the NPPF 2024 is engaged. The several collective benefits of the development, including the delivery of market housing and the financial contribution toward delivery of affordable housing are described as significant and very significant. There are adverse effects identified regarding the impact on heritage assets, which weigh 'limited' against the proposal, as set out in the table above.
- 7.12.2 Overall, this limited adverse impact of granting planning permission for this proposed development would not significantly and demonstrably outweigh the more abundant benefits of delivering housing, when assessed against the policies in the NPPF 2024 taken as a whole. The proposed development therefore benefits from the presumption in favour of sustainable development which is a material consideration.

7.12.3 The proposal would accord with the development plan as a whole and other material consideration do no indicate otherwise. Accordingly, it is recommended that planning permission be granted for this full application.

## 8 **Alternative options**

8.12 No alternative options applicable.

## 9 **Pre-commencement conditions**

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

## 10 **Legal Implications**

10.12 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

## 11 **Recommendation**

11.12 That full planning permission is resolved to the **GRANTED** subject to the following:

- The completion of a satisfactory legal agreement;
- The applicant agreeing to extend the statutory period in order to complete the agreement as required;
- Providing delegated powers to the Development and Conservation Manager to update conditions and informatives with minor amendments as required; and
- Conditions as set out below:

### **1. Time limit**

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. Approved plans**

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. Detailed soft landscaping scheme and tree replacement**

Prior to the occupation of the development hereby permitted full details of a comprehensive soft landscaping scheme (including planting details) shall be submitted to and approved in writing by the Local Planning Authority. The approved soft landscaping / planting details shall be carried out before the end of the first planting season following either the occupation of the

(first) dwelling 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.

Included in the submitted details, following the felling hereby permitted removal of Horse Chestnut 1077 being carried out, a replacement extra heavy standard Lime tree with a stem girth of 18 to 20cm and standing at approximately 4 to 5 metres in height, shall be planted within the same vicinity of the removed tree. The replacement tree planting shall be carried out in the first full planting season following the felling. Any trees which within a period of 5 years from planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with another of a similar size and species. For the purpose of this requirement, the planting season shall mean the period from November – February.

Reason: To ensure the development is comprehensively landscaped in the interests of visual amenity. Local Plan Policies D1 and N2.

#### **4. Tree protection**

No works or development including demolition shall take place before a scheme for the protection of the existing trees (other than those the removal of which has been granted express permission in writing by the Local Planning Authority) has been submitted to and approved in writing by the Local Planning Authority. Such a scheme will comply with the provisions of BS5837 ("Trees in relation to construction – 1990") and BS 3998 ("Recommendations for tree works – 1989"). The approved scheme for the protection of the existing trees shall be implemented BEFORE DEVELOPMENT COMMENCES and be maintained in full until the development has been completed

Reason: To ensure protection during construction works of trees, hedges and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area are not impaired in accordance with the NPPF and North Hertfordshire Local Plan Policies NE4.

#### **5. Detailed hard landscaping scheme**

Prior to the occupation of the development hereby permitted full details of a comprehensive hard landscaping scheme including materials shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation or use of the development the hard standing shall be installed as approved and shall thereafter be permanently retained and maintained. Reason: To ensure the development is comprehensively landscaped in the interests of visual amenity. Local Plan Policies D1 and N2.

Reason: To ensure satisfactory landscape treatment of the site in accordance with the NPPF and North Hertfordshire Local Plan Policy NE4.

#### **6. Ecology – Installation of Bat and Bird Boxes**

Prior to the first occupation of the development, details of the number, design and exact locations of the ecological enhancement features recommended within the ecological reports—including a minimum of two integrated bat boxes, one multi-chamber bat box, one Barn Owl box, and a minimum of two integrated universal swift boxes—shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to occupation and retained thereafter for the lifetime of the development.

To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the North Herts Local Plan policy NE4.

## **7. Landscape and Ecology Management Plan (LEMP)**

No development shall take place (including demolition, ground works or vegetation clearance) until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. This should include the establishment of wildflower grassland (other neutral grassland), new native tree planting, as detailed in the Statutory Biodiversity Metric (Completion Date 24 June 2025).

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

## **8. Details of boundary treatment**

No development above ground level shall take place before details including materials of all walls (including any retaining walls), fences, gates or other means of enclosure to be erected in or around the development have been submitted to and approved in writing by the local planning authority. Prior to first occupation or use of the development the walls (including any retaining walls), fences, gates or other means of enclosure shall be erected as approved and shall thereafter be permanently retained and maintained.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area, and to satisfactorily protect the residential amenities of nearby residents and future residents of the development. To comply with Policies D1 and D3 of the North Hertfordshire Local Plan.

## **9. Conservation – slate removal**

As agreed by the case officer by email on 29 July 2025 the existing slates shall be temporarily removed and stored securely on site ready for reuse. The roofs shall be temporarily covered with battened down tarpaulin for the brick-built buildings and battened down felt for the farmhouse. For the Threshing Barn and timber framed building (known as the 'corner grouping', as agreed by the case officer by email on 10 September 2025 the existing slates shall be temporarily removed and stored securely on site ready for reuse. The roofs shall be temporarily covered with battened down plastic sheets and tarpaulin. As part of the conversion works and prior to occupation the temporary roof coverings shall be replaced with either salvaged or new natural slate.

Reason: To ensure that the buildings are kept weather and watertight to ensure special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

## **10. Conservation – natural slate**

The roofs of all buildings shall be recovered with natural slate unless otherwise agreed and approved in writing by the Local Planning Authority. A sample of the slate shall be submitted to and approved in writing by the Local Planning Authority prior to the roofs being covered. The roofs thereafter shall be built in accordance with the approved slate sample.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

## **11. Conservation – steelwork details**

Details of any steelwork interventions to the barn forming Unit 2 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any steel work. Thereafter the steel work shall be undertaken in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

## **12. Conservation – unit 2 gable**

Details of the method of constructing the south-west facing projecting gable to Unit 2 (Elevation 6 of drawing no. 2208.PL.08B) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of this gable. Thereafter the gable shall be undertaken in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

## **13. Conservation – insulation details**

Section details of all roof and wall insulation work for units 1, 2, 5, 6, 7, 8, 9 and 10 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the insulation works. Thereafter this work shall be undertaken in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

## **14. Conservation – facing brickwork**

A sample panel(s) of the facing brickwork for:

- i) North wall of Unit 1,
- ii) Units 9 and 10,
- iii) Units 11 & 12, and
- iv) Units 13 & 14

shall be submitted to and approved in writing by the Local Planning Authority prior to the plinths being constructed. Thereafter these areas of brickwork shall be built in accordance with the approved sample panel(s).

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

## **15. Conservation – arches over windows**

The arches over window and door openings in Units 13 and 14 shall be brick-faced unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

#### **16. Conservation – timber windows**

All new windows and doors shall be manufactured in timber unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

#### **17. Conservation – sash windows**

Section details of all new vertical sliding sash windows to be installed at the farmhouse shall be submitted to and approved in writing by the Local Planning Authority prior to their manufacture. Thereafter, the windows shall be installed in accordance with the approved window section details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

#### **18. Conservation – casement windows**

Where new windows are indicated to be side hung casements, these shall be flush casements unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

#### **19. Conservation – sliding screens**

The vertical-boarded sliding screens to the front elevations of Units 6, 7 and 8 shall be installed prior to the occupation of these units unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

#### **20. Conservation – rainwater goods**

All new rainwater goods shall be black metal or cast-iron effect, details of which shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the rainwater goods shall be installed in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grouping at Highover Farm under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

#### **21. Removal of Permitted Development Rights Classes, AA and E**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes AA and E of Part 1 (and any further new class that may be introduced by way of an update) 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" relating to increasing the height of dwellings through the provision of additional storeys and construction of outbuildings should be retained within planning control in the interests of the character and amenities of the area and to comply with Policies D1 and D3 of the North Hertfordshire Local Plan 2011 to 2031.

## **22. Highways – pedestrian audit**

No development shall commence until a detailed pedestrian audit to identify where potential improvements could be made to the walking, cycling or public transport network to mitigate the developments impact and encourage use of more sustainable modes of transport is submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before occupation of the development.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

## **23. Highways – road safety audit**

Before commencement of the development, a Stage 1 Road Safety Audit (RSA) for the vehicle access proposals, with particular attention to pedestrian routes and safety, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the recommendations, if any, shall only be carried out in accordance with the report.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

## **24. Highways – detailed plans**

No development shall commence until detailed technical plans are submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of the vehicle access and associated highway works identified in the RSA1 and pedestrian audit. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before commencement of work of the development.

Reason: To ensure the provision of a vehicle access which is safe, suitable, and sustainable for all highway users.

## **25. Archaeology – part 1**

No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as required by the evaluation
3. The programme for post investigation assessment [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation

6. Provision to be made for archive deposition of the analysis and records of the site investigation

7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan Policy HE4 and the NPPF 2024.

## **26. Archaeology – part 2**

The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (ref. condition Archaeology – part 1).

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan Policy HE4 and the NPPF 2024.

## **27. Archaeology – part 3**

The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan Policy HE4 and the NPPF 2024.

## **28. Highways – vehicular access**

Prior to the first occupation/use of the development hereby permitted the vehicular access shall be installed in accordance with the approved detailed technical plans and thereafter retained and maintained at all times at the position shown. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

## **29. Highways – public highway**

Prior to the first occupation/use of the development hereby permitted, the measures on the public highway shall be installed in accordance with the approved details prior to occupation of the development.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018). The cycle parking shall be constructed and laid out in accordance with the approved plans, agreed details and completed prior to occupation of the development hereby approved and shall thereafter be retained and maintained.

## **30. Electric Vehicle Charging Points**

The Electric Vehicle Charging Points and associated infrastructure details forming part of the planning application submission and indicated on the approved plans shall be implemented and brought into operation prior to the occupation of any residential unit hereby approved or any commercial use hereby approved commencing. Thereafter the Electric Vehicle Charging Points shall be permanently retained available for use at all times.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP9 and D4.

### **31. Highways – Construction Method Statement**

No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Statement shall include details of:

- Access arrangements to the site.
- Traffic management requirements.
- Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas).
- Siting and details of wheel washing facilities.
- Cleaning of site entrances, site tracks and the adjacent public highway.
- Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
- Provision of sufficient on-site parking prior to commencement of construction activities.
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding which must be kept within the site boundary, pedestrian routes and remaining road width for vehicle movements

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

### **32. EH – Phase 2 investigation**

No development approved by this permission shall take place until a Phase 2 investigation report, as recommended by the previously submitted Ground Science Solutions Ltd report dated 14<sup>th</sup> July 2025 (Ref: 2025/1533), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

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

### **33. EH – Phase 2 validation report**

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.

### **34. Energy and Sustainability Statement**

Notwithstanding the submitted Sustainability Statement, no development shall commence until an updated Sustainability Statement has been submitted to and approved by the Local Planning Authority in line with the nine themes of the Sustainability SPD. The approved measures must be implemented on site for each dwelling hereby approved prior to its first occupation and thereafter retained.

Reason To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with the Sustainability SPD 2024 and North Hertfordshire Local Plan Policies SP9 and D1.

## **INFORMATIVES**

Ecology:

### **1. Bat informative**

A bat licence from Natural England is required to deliver this development. It will / may be a criminal offence if works proceed without a bat licence. It will / may also be a criminal offence if the terms of conditions of the bat licence, including in particular the mitigation and compensation requirements under the licence (which may require certain measures to be delivered before the development works start), are not adhered to.

### **2. Bird informative**

Vegetation removal or building works must avoid the bird nesting season (**1 March–30 September**) unless a pre-works check by a suitably qualified ecologist confirms absence of active nests. A 5 m buffer around any active nest will be applied.

## **HIGHWAY INFORMATIVES:**

The Highway Authority recommends inclusion of the following Advisory Notes (ANs) to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Obstruction of public highway land: 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 website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

**Road Deposits:** It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on 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. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

**New or amended vehicle crossover access (section 278):** Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

**Highway to remain private:** The applicant is advised that all new highway routes within the development site are likely to remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

#### Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. 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.