

Appeal 6009246

Questionnaire

Appeal type	Planning
Appeal procedure	Written
Appeal site	Woodcotes, Fears Green, Sandon, SG9 0QZ
Agent contact details	James Salmon
Local planning authority	North Hertfordshire
Application number	25/02883/FP

Constraints, designations and other issues

Is a planning appeal the correct type of appeal?	Yes
Changes a listed building	No
Affects a listed building	No
Affects a scheduled monument	No
Conservation area	No
Protected species	Yes
Green belt	No
Is the site in a national landscape?	No
Designated sites	No
Tree Preservation Order	No
Gypsy or Traveller	No
Public right of way	No
Total site area	6500 m ²

Environmental impact assessment

Schedule type	Other
Issued screening opinion	No
Received scoping opinion	No
Did Environmental statement	No

Notifying relevant parties

List of neighbours' addresses that you notified about the application	Consultation.docx - awaiting review
Type of Notification	A site notice Letter/email to interested parties A press advert
Site notice	D9F6894B041B4DC4B3933C BDACAF59CB.pdf - awaiting review
Letter sent to neighbours	ufm34_Standard_Acknowledgment.pdf - awaiting review
Press advert	comet 04-12-25.pdf - awaiting review
Appeal notification letter	2502883FP copy of appeal consultation letter.pdf - awaiting review 2502883FP List of those notified of appeal.pdf - awaiting review

Consultation responses and representations

Statutory consultees	Yes Internal Consultees: North Herts Council Ecologist Env Health (Contaminated Land) Env Health (Noise And Other Nuisances) Env Health (Air Quality) Waste And Recycling Services Manager External Consultees:
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Responses or standing advice	Yes
Uploaded consultation responses and standing advice	D64E9CB8E9084B3A92E844F87666AF52.pdf - awaiting review 721F29D2DDF24C10B23B7662BF584B80.pdf - awaiting review 5159F47C09744ECB8BBF2EAB236C173F.pdf - awaiting review ED247A33BC15424DAD500CD8072611A7.pdf - awaiting review
Representations from other parties	Yes
Uploaded representations from other parties	Representations.docx - awaiting review

Planning officer's report and supplementary documents

Planning officer's report	8220571AF7BA4EB88DFBB644CFC5E83B.pdf - awaiting review
Policies from statutory development plan	T1.pdf - awaiting review T2.pdf - awaiting review SP12.pdf - awaiting review CGB4.pdf - awaiting review SP5.pdf - awaiting review SP10.pdf - awaiting review SP1.pdf - awaiting review SP6.pdf - awaiting review SP2.pdf - awaiting review CGB1.pdf - awaiting review Local Plan 2011-2031 Front Page.pdf - awaiting review NE4.pdf - awaiting review SP9.pdf - awaiting review NE2.pdf - awaiting review Policies D1, D2 and D3.pdf - awaiting review
Emerging plan	No

Supplementary planning documents	Yes
Uploaded supplementary planning documents	SPD Vehicle Parking at New Development.pdf - awaiting review
Community infrastructure levy	No

Site access

Will the inspector need access to the appellant's land or property?	Yes
Reason for Inspector access	To observe material considerations including location, character.
Will the inspector need to enter a neighbour's land or property?	No
Potential safety risks	Yes Buildings are redundant. Potential vehicle movements.

Appeal process

Appeal procedure	Written representations
Appeals near the site	No
Are there any proposed conditions?	Yes 1. HMMP The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority and including; (a) a non-technical summary; (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];

(c) the planned habitat creation and enhancement works in accordance with the approved Biodiversity Gain Plan;
(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.
The agreed measures are to be implemented on site prior to the first occupation of the first dwellinghouse hereby approved and shall remain on site thereafter.

2. EEP

No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features to include integrated bird/bat and bee boxes in buildings/structures and hedgehog holes in fences has been submitted to and approved in writing by the local planning authority.

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

3. Owls

Prior to the commencement of the development hereby permitted details of the design and location of a barn owl box to be located within the vicinity of the site shall be submitted to and

approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and permanently provided and maintained for the lifetime of the development.
Reason: In the interests of nature conservation. To comply with Policy NE4 of the Local Plan.

4. Lighting Strategy

A lighting design strategy for biodiversity for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall;

- a) identify those areas/features on site to which bats and other nocturnal species are particularly sensitive and that are likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to reach key areas of their territory, for example, for foraging,
- and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.
Under

no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

5. BNG

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that

planning permission granted for the development of land in England is deemed to have been

granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

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

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

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

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

6. Contamination 1

No development approved by this permission shall take place until a Phase 2 investigation report, as recommended by the

previously submitted
Castledine
Environmental Ltd report
dated 10th October 2024
(Ref: 3823D P1 Jani -
Buntingford),
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 prevent
unacceptable risk to Human
Health and Controlled Waters
and to
prevent pollution of the
Environment in accordance
with the aims and Paragraphs
187(f), 196 and 197 of the
National Planning Policy
Framework (December 2024).

7. Contamination 2

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.

8. Contamination 3

In the event that contamination not identified in the ground investigations to date is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with BS10175:2011. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

Reason: To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the Environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

9. Landscaping

Prior to the commencement of the development hereby permitted full details of a comprehensive hard and soft landscaping scheme (including planting details) and all boundary treatments shall be submitted to and approved

in writing by the Local
Planning Authority.

All approved hard standing
and boundary treatments shall
be completed prior to the first
occupation of the
development.

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.

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