

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02882/FP	Erection of one self-build detached dwelling following demolition of existing outbuilding including parking, hard and soft landscaping.	Highwood Hitchwood Lane Preston Hitchin Hertfordshire SG4 7RY

Submitted Plan Nos

30757A_01_101 30757A_01_102 30757A_01_103 30757A_02_101 30757A_02_102(B)
30757A_02_103(A)

1.0 Policies

D1	Sustainable design
D3	Protecting living conditions

HE1	Designated heritage assets
NE11	Contaminated land
NE4	Biodiversity and geological sites
NP7	Preston NP
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN16	Conserve + enhance historic environment

2.0 Site History

- 2.1 23/01910/PNQ: Conversion of existing agricultural barn to provide one 1-bed residential unit with all associated building works. Prior Approval Granted 27/11/23
- 2.2 Extensive history to the group of buildings to the south of the site including conversion of the barns into a dwellinghouse.

3.0 Representations

3.1 Site Notice

Start Date: 04/02/2025

Expiry Date: 27/02/2025

3.2 Neighbouring Representations

No neighbouring representations have been received.

3.2 Statutory Consultees

Langley Parish Meeting – No comments received.

HCC Highways – Does not wish to restrict the grant of permission subject to conditions and an advisory note.

NHDC Waste & Recycling

Provides various advice on waste and recycling storage and collection.

Environmental Health (Contaminated Land) – No objection subject to conditions.

Environmental Health (Air Quality) – No objection subject to EV condition.

NHDC Ecology officer –

Raises no objections but recommends an ecological enhancement plan condition

4.0 Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The application site is situated to the east of Hitchwood Lane and is accessed via an existing residential gated access from the highway. The site is situated within the Green Belt and is not within a Conservation Area.

4.2 Proposal

- 4.2.1 Erection of one self-build detached dwelling following demolition of existing outbuilding including parking, hard and soft landscaping.

The proposed dwelling would be partially sited on the site of the existing outbuilding and would be of a similar floorspace. It would be single storey and contain one bedroom, one office, living room, kitchen and WC's.

External materials would be brick plinth, timber cladding and slate roof with dark stained windows. Three parking spaces would be provided and refuse storage. New tree planting is proposed.

4.3 Key Issues

Principle of the development

- 4.3.1 The proposed development does not meet any of the exceptions to inappropriate development in the Green Belt as set out in paragraphs 154 of the NPPF. This is because:

- a) It is not a building for agriculture or forestry
- b) It is not a proposals for sport or recreation
- c) It is not an alteration or extension of an existing building – it replaces it.
- d) It is a replacement building but it would not be in the same use
- e) It would not be limited infilling in a village
- f) It does not involve affordable housing
- g) It does not involve previously developed land (agricultural land is excluded from the definition of PDL in the glossary to the NPPF)

h) It does not involve any of the uses set out in h) as 'other forms of development'

4.3.2 The development site can however be considered 'Grey Belt' land as the site is within the Green Belt, can be described as 'any other land' and it is land that does not strongly contribute to any of the purposes a), b) or d) of paragraph 143 of the Framework. Furthermore, the development would not conflict with any of the criteria set out in paragraph 155 of the Framework because of the following assessment:

- a) The development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Plan due the limited site area and the fact that the development replaces an existing building. The redesignation of the site as Grey Belt does not affect the ability of all of the remaining Green Belt in the area of the Plan from serving all five of the Green Belt purposes in a meaningful way.
- b) There is demonstrable housing need – the LPA has only a 3.9 year supply of housing land
- c) The location is sustainable being only 900 metres from a category A village.
- d) The 'Golden Rules' set out in paragraphs 156 – 157 do not apply.

4.3.3 As the site is Grey Belt and accords with the provisions of paragraph 155 of the NPPF the proposed development would not be considered inappropriate development in the Green Belt.

4.3.4 **Design and Layout and impact on the character and appearance of the area.**

4.3.5 The proposed building is of modest proportions and will be partly set on the site of the existing building and would be only marginally taller.

4.3.6 External materials of the proposed scheme have been considered with respect to the original barn and the materiality of the agricultural context. The main building form is made up timber cladding on a brick plinth, in line with the existing structure, whilst the roof is upgraded from felt to a new slate finish for a higher quality design. Oak timber framing would be used for the window surrounds and black aluminium used for the windows.

4.3.7 The proposed dwelling would have a large curtilage around it comprising of garden land and parking area. In this rural location it would be important to restrict permitted development rights for extensions and outbuildings in the interests of maintaining the rural character of the area and protecting visual amenity.

4.3.8 New landscaping is proposed comprising hedges and new specimen trees. No details are given of the hardsurfacing materials. It is considered necessary to secure full details of the soft and hard landscaping by planning condition in the interests of visual amenity.

4.3.9 It is considered that the proposed building would, subject to conditions, sit acceptably within this agricultural and rural setting complying with Policy SP9 OF THE Local Plan.

4.3.10 **Impact on neighbouring property**

4.3.11 There are no nearby neighbouring properties that would be affected. The occupiers of Hitchwood House are located to the south east and although the access drive would be shared with the new property given the small scale of the development and limited traffic

movements it is not anticipated that the occupiers of Hitchwood House would be materially affected by the development.

4.3.12 Impact on historic assets

- 4.3.13 There are no immediately adjacent historic assets that area affected. Further afield there are three properties Ladygrove and Nos 1 & 2 Hitchwood Cottages on Hitchwood Lane but these properties are set in their own grounds over 230 metres away as is Hill Cottage over 300 metres distant.

The Preston Conservation Area boundary is over 900 metres distant from the site.

Given the small scale of the development contained within the grounds of Hitchwood it is considered that the development would have a neutral impact on designated historic assets. The development would therefore comply with Policy HE1 of the North Herts Local Plan.

4.3.14 Ecology and BNG

- 4.3.15 A Preliminary Roost Assessment (PRA) and additional Bat Emergence and Re-Entry Surveys (BERS) have been submitted with this application. The surveys concluded the following; PRA – The rural setting indicates a prime location for bats but due to previous damage, the existing building may not be suitable as a roost and the structure is assessed to have low value for roosting bats. Recommendation – one BERS survey required during active bat season. BERS – one BERS survey carried out with 2 surveyors. No evidence of bats recorded and habitat categorised as low value. No further surveys required.

- 4.3.16 The PRA did not reveal the presence of any protected species however a barn owl was found to be roosting inside the barn during an inspection by the planning officer with evidence of the rearing of young. Therefore a condition is recommended to require the provision of a barn owl box within the site by way of mitigation.

The application is not subject to mandatory Biodiversity Net Gain as it is a self-build scheme.

4.3.17 Flood Risk and contamination

- 4.3.18 The site is within Flood Zone 1 where there is a low risk of fluvial flooding. The only issue is managing surface water run off but given the large size of the plot it is expected that this can be easily managed by filtration and appropriate landscaping.

4.3.19 Parking and access

- 4.3.20 Access to the site is via the existing entrance and track from Hitchwood Lane. Refuse collection will be via the kerbside as is the current arrangement for Hitchwood. No objections are raised by the highway authority. Ample parking is available on site to serve the proposed dwelling.

4.3.21 Energy assessment and Climate change

4.3.22 The submitted application provides very little detail on the sustainable measures that could be incorporated into the construction and operational stages of the proposed development. As such it is recommended that a sustainability strategy is required by a planning condition. This would be in accordance with the Council's adopted Sustainability Supporting Planning Document adopted in September 2024.

4.3.23 Overall, it is expected that the scale of the development would be unlikely to have any significant impact on local climate change

4.4 **Conclusion**

4.4.1 The proposal is acceptable being generally compliant with the policies set out in the Framework as a whole and compliant with the relevant policies in the North Herts Local Plan.

4.5 **Alternative Options**

4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

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

5.0 **Recommendation**

5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

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

Reason: To ensure development secures biodiversity enhancements in accordance with Policy NE4 of the Local Plan.

5. 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:
 - o Access arrangements to the site.
 - o Traffic management requirements.
 - o Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas).
 - o Siting and details of wheel washing facilities.
 - o Cleaning of site entrances, site tracks and the adjacent public highway.
 - o Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
 - o Provision of sufficient on-site parking prior to commencement of construction activities.
 - o Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
 - o 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).

6. The cycle parking store 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.

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).

7. 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 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).

8. No development approved by this permission shall take place until a Phase 2 investigation report 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.

9. 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.

10. In the event that contamination 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 protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, C and E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument

which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area and to comply with Policy D1 and/or Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

12. Prior to the commencement of any above slab level works a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation. The approved measures must be implemented on site prior to occupation.

Reason: To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with Policies SP9 and D1 of the North Hertfordshire Local Plan 2011 to 2031

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as

not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 23 July 2025	