

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/01836/FP	Erection of one self-build detached 1-bed bungalow including vehicular and pedestrian access.	Land Adjacent To 16 Betjeman Road Royston Hertfordshire SG8 5UP

Submitted Plan Nos

3430 - 01B

1.0 Policies

National Planning Policy Framework, 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 11 – Making effective use of land
Section 12 – Achieving well-designed places
Section 15 – Conserving and enhancing the natural environment

North Hertfordshire Draft Local Plan 2011-2031

Policy SP1 Sustainable Development in North Hertfordshire
Policy SP2 Settlement Hierarchy and Spatial Distribution
Policy SP6 Sustainable Transport
Policy SP8 Housing
Policy SP9 Design and Sustainability
Policy SP12 Green Infrastructure, Biodiversity and Landscape
Policy T1 Assessment of Transport Matters
Policy T2 Parking
Policy D1 Sustainable Design
Policy D3: Protecting living conditions
Policy NE2: Landscape
Policy NE4 Biodiversity and Geological Sites
Policy NE5: Protecting open space

Supplementary Planning Document

Vehicle Parking at New Development SPD (2011)
Design

2.0 **Site History**

2.1 **23/02447/FP** Erection of one detached 2-bed bungalow including vehicular access and associated works. **REFUSED**

Reason 1: The proposed dwelling, by reason of its siting, scale and layout would appear as a discordant and cramped development harming the established character of a well laid out and considered local context. The proposal fails to respond positively to the sites local context, would fail to maintain the character of the site's surroundings and would not create or enhance public realm. No evidence has been provided that the open green space is surplus to requirements. No justification for the loss of open space has been provided, nor has mitigation been put forwards. Accordingly, the proposal fails to comply with the policy provisions of the development plan, specifically, Policies SP9, D1 and

NE5 of the North Herts Local Plan, as well as Section 12 of the National Planning Policy Framework.

Reason 2: The proposed development, by reason of the restricted plot size , would fail to provide sufficient amenity space provision for the prospective future occupiers of the new dwelling result in poor living conditions. As such the the proposals would fail to meet the requirements of Policy D1 and D3 and Appendix 5 of the Local Plan and Section 12 of the National Planning Policy Framework.

2.2 24/00895/FP Erection of one detached 1-bed bungalow including vehicular access and associated works. **REFUSED**

Reason 1 - The proposed dwelling, by reason of its siting, scale and layout would appear as a discordant and cramped development harming the established character of a well laid out and considered local context. The proposal fails to respond positively to the sites local context, would fail to maintain the character of the site's surroundings and would not create or enhance public realm. No evidence has been provided that the open green space is surplus to requirements. No justification for the loss of open space has been provided, nor has mitigation been put forwards. Accordingly, the proposal fails to comply with the policy provisions of the development plan, specifically, Policies SP9, D1 and NE5 of the North Herts Local Plan, as well as Section 12 of the National Planning Policy Framework.

Reason 2 - The proposed development, by reason of the restricted plot size , would fail to provide sufficient amenity space provision for the prospective future occupiers of the new dwelling result in poor living conditions. As such the the proposals would fail to meet the requirements of Policy D1 and D3 and Appendix 5 of the Local Plan and Section 12 of the National Planning Policy Framework.

Reason 3 - The application fails to demonstrate that a net gain in bio-diversity would be achieved on site, contrary to the provisions of Policy NE4 of the North Herts Local Plan 2011 -2031.

Reason 4 - Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons: There is insufficient information supplied with this application to enable the Highway Authority to reach a recommendation. In the absence of the necessary information, the Highway Authority recommends refusal due to doubt over possible implications for highway safety and convenience.

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation – None**

3.2 **Royston Town Council – No objection received**

There was an OBJECTION for the previous scheme

Members of Royston Town Council raised an OBJECTION to this application as it is an overdevelopment of the site.

3.3 **Environmental Health – Conditions recommended.**

Noise:

There is no information relating to noise. I have no objections on this matter but recommend the following informatives: During the construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to. During the construction phase no noisy activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no noisy work at any time.

Contaminated Land:

The application is not supported by any information on land contamination. However, I do recommend that the following condition is placed on any decision notice should you be minded to grant approval. 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.

Local Air Quality:

North Herts Council have specific air quality planning guidance that can be found at <http://www.north-herts.gov.uk/home/environmental-health/pollution/air-quality/air-quality-and-planning>

Application of the guidance to a development of this scale and location defines the site as being a MINOR scale development and so the following condition is recommended to ensure that appropriate local air quality mitigation is provided.

3.6 **Hertfordshire Highways – NO OBJECTION**

Recommendation - Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions

3.7 **Waste and Recycling – Comments received.**

For houses, waste collection is a kerbside service; therefore, residents must be able to take their bins to the kerbside for emptying. Bins must be accessible to crews directly from the kerbside, without pulling distances.

Adequate off-street storage must be provided for bins, and storage areas need to have sufficient space for all necessary waste and recycling containers.

The surface to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins this should be 1 metre with a maximum gradient of 1:12.

3.8 Ecology

I would have no objection to the proposal.

The application is not subject to mandatory Biodiversity Net Gain as it is a self-build but NPPF expectations for development to deliver a net gain for biodiversity would still apply. The existing site appears to be covered in bramble scrub which in itself is valuable for wildlife. The proposed tree and shrub planting will go some way to mitigate the loss of this but the inclusion of integrated bird and bee bricks in the new bungalow would also be beneficial. If minded to grant a the following condition is advised;

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 and bee bricks and hedgehog holes in fences, has been submitted to and approved in writing by the local planning authority. The approved measures must be implemented on site prior to the first occupation of the first dwelling hereby approved and retained on site thereafter.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework.

4.0 Planning Considerations

4.1 Site and Surroundings

- 4.1.1 The site is a small area of scrub amenity green space located immediately adjacent No.16 Betjeman Road Royston on the turning head in front of No 16. This proposal encroaches on land fronting No. 16 with the removal of the double garage.

4.2 Proposal

- 4.2.1 Planning permission is sought for the erection of one 1-bed bungalow dwelling.
- 4.2.2 The proposal is a resubmission of previous refused schemes.

4.3 Key Issues

- 4.3.1 The key considerations are:

- ☐ The Principle of Development
- ☐ Design/Impact on the Character of the Area
- ☐ Impact on the Amenities of Neighbouring Properties/Future Occupiers
- ☐ Highways and Parking

The Principle of Development

- 4.3.2 The site is located within the Settlement of Royston where Local Plan Policy SP2 supports the development of housing within the settlement boundary. Development of the site for housing would therefore be supported in principle under Policy SP2. National and local planning policies seek to increase housing densities in urban areas as

far as this is consistent with the principles of good design and place making. As such, the site is considered sustainable and appropriate in principle for development to meet the majority of the development needs of the District in accordance with Policy SP2 of the Local Plan. As such, there are no objections to the broad principle of development in this location.

Five-Year Housing Land supply

- 4.3.3 Though the Local Plan is still within its date range of 2011 – 2031, the Council does not have a 5-year supply of deliverable housing land (5YHL). The current published position is 3.9 years supply. The tilted balance set out at paragraph 11 (d) of the NPPF would be engaged. Therefore, a there is a presumption in favour in terms of harm and benefits should be applied, whereby planning permission should be granted unless the application of policies in the NPPF that protect areas of assets of particular importance provides a strong reason for refusing the proposal ; or the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF take as a whole.

Design/Impact on the Character of the Area

- 4.3.4 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. These considerations are echoed in Section 12 of the NPPF.
- 4.3.5 The proposed dwelling would be situated on a small, parcel of land immediately adjacent to No.16 and No. 1 Thomas Way. The site is currently an overgrown amenity area and part of the front garden and siting of No.16 double garage. The scrub area positively contributes to the spacing of the existing dwellinghouse on the end of the road and turning head situated next to the site. It is wholly considered that areas of land such as this were purposefully designed to be free from built form and contribute to the character of the area. The estate is very dense and as a result, the contribution that these few areas of open space make to the area as a whole cannot be overstated. This matter is discussed further under policy NE5: Protecting open space, later within this report.
- 4.3.6 The amended external design of the dwelling from the previous application is unobjectionable in broad terms, utilising hipped roofs, which are common in this estate, matching the existing materials palette you see on Betjeman Road which consists of mainly red or bluff facing brickwork.
- 4.3.7 It is considered that a detached bungalow dwelling in this location would be completely at odds with the prevailing urban grain of this estate, which is comprised of detached two storey properties. The proposal would appear incongruous within the street scene, due to its prominent position in the turning head, which in my view would be harmful to the character and appearance of the area. Even with the encroachment into No. 16s front garden, the size of this plot is small, such that it is considered that the proposed dwelling would appear overly contrived/cramped in this context given that there would be a small amenity space provided for the bungalow. Even though the proposed dwelling is outlined to meet the criteria for an accessible and adaptable disabled home does not outweigh the harm identified in my opinion. As such, in my opinion, the proposed development is

not well designed and would not respond positively to the sites local context, and would therefore be contrary to Policies SP9 and D1 of the Local Plan and Section 12 of the NPPF.

Impact on the Amenities of Neighbouring Properties/Future Occupiers

- 4.3.8 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.
- 4.3.9 The proposed dwelling is even closer to the front of No.16 than the previous refused scheme to allow the separation from No 1 Thomas Way. However, the proposed dwelling would still have a negative impact given the proximity of the proposed dwelling to No 1 Thomas Way's rear garden.
- 4.3.10 As such, by virtue of the close proximity of the proposed dwelling to No.1 Thomas Way and No. 16 Betjeman Road although single storey, it is wholly considered that the proposed dwelling would result in unacceptable harm to the reasonable living conditions and well-being of neighbouring properties. This is deemed contrary to Policy D3 of the Local Plan and Section 12 of the NPPF.
- 4.3.11 Overall, the overdevelopment of the site results in a poor level of amenity for future occupiers. The proposed dwelling has been amended from the previous refused scheme and is now proposed to be a one bedroom bungalow, which has approximately 52 sqm of internal floor space and would therefore meet the standards as set by the Nationally Prescribed Space Standards.. All habitable rooms would have access to appropriate levels of natural light and future occupiers would likely have an acceptable standard of amenity.

Highways and Parking

- 4.3.12 Policy T2 of the Local Plan and the Vehicle Parking at New Development SPD state that dwellings of 1 bedroom should provide at least 1 parking space. This scheme would therefore comply with this requirement. With the encroachment into No 16 front garden and the resulting removal of the existing double garage, No 16's parking has been reduced from 4 spaces to two open spaces along the boundary with No.15. There is on-street parking on Betjeman Way in proximity to the site and there are no parking restrictions. However, even if there was a lack of parking provision contrary to Policy T2 and the Vehicle Parking at New Development SPD, the existence of on-street parking is such that the proposal would be unlikely to cause significant harm to highway safety.
- 4.3.13 The Highway Authority have been consulted on this application and have provided no objection subject to conditions. Therefore the previous reason for refusal on highway matters has been overcome.

Biodiversity net gain

- 4.3.14 The application is not subject to mandatory Biodiversity Net Gain as it is a self-build but NPPF expectations for development to deliver a net gain for biodiversity would still apply. The existing site appears to be covered in bramble scrub which in itself is valuable for wildlife. The proposed tree and shrub planting will go some way to mitigate

the loss of this but the inclusion of integrated bird and bee bricks in the new bungalow would also be beneficial.

4.4 **Conclusion**

- 4.4.1 The Council has an adopted Local Plan. The proposal would deliver one additional dwelling which will help boost the supply of housing land as encouraged by Section 5 of the NPPF. However, this provision is of very minor benefit in terms of housing supply and is afforded limited weight in the planning balance.
- 4.4.2 The benefits associated with the proposed development would include modest economic benefits of employment during construction and purchase of materials. These benefits are afforded limited weight by reason of the size of the development scheme. It could also be considered that the new dwelling would increase use and sustainability of surrounding infrastructure. Again, by reason of the limited size of the development, limited benefits are considered to arise. In terms of social benefits, the proposal would deliver a small dwelling that could meet the needs of the community, although the provision of a single dwelling in this regard would be a limited social benefit.
- 4.4.3 In environmental terms, whilst the dwelling would be located in a sustainable urban area, the proposal would result in significant harm to the character and appearance of the area as identified above, by reason of its detached design, the small plot size and the contrived form of development, and the loss of an open, green amenity space in this estate that was clearly planned when the estate was permitted. The proposal is of a poor design that would not respond positively to local context and would therefore be contrary to Policies SP9, NE5 and D1 of the Local Plan and Section 12 of the NPPF. It is considered that this should be awarded significant weight in the planning balance.
- 4.4.4 Moreover, as set out above, the proposed dwelling would result in materially adverse harm to the reasonable living conditions and well-being of No.1 Thomas Way given it siting along the shared boundary. This is deemed contrary to Policy D3 of the Local Plan and Section 12 of the NPPF. This should be given significant weight in the planning balance.
- 4.4.5 Overall, it is considered that the proposed development would conflict with Policies SP9, D1, NE5 and D3 of the Local Plan and Section 12 of the NPPF. These conflicts are not outweighed by the very modest benefits associated with this proposal when weighed in the planning balance against the policy framework as a whole.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A

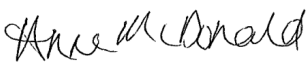
5.0 **Recommendation**

- 5.1 That planning permission be **REFUSED** for the following reasons:

1. The proposed dwelling, by reason of its siting, scale and layout would appear as a discordant and cramped development harming the established character of a well laid out and considered local context. The proposal fails to respond positively to the sites local context, would fail to maintain the character of the site's surroundings and would not create or enhance the public realm. Accordingly, the proposal fails to comply with the policy provisions of the development plan, specifically, Policies SP9, and D1 of the North Herts Local Plan, as well as Section 12 of the National Planning Policy Framework.
2. The proposed development, by reason of the restricted plot size , would fail to provide sufficient amenity space provision for the prospective future occupiers of the new dwelling result in poor living conditions. As such the the proposals would fail to meet the requirements of Policy D1 and D3 and Appendix 5 of the Local Plan and Section 12 of the National Planning Policy Framework.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 10 October 2025	