

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**



17 January 2025

Our Ref Planning Control Committee 30 January 2025  
Contact. Committee Services  
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To: Members of the Committee: Councillors Elizabeth Dennis (Chair), Nigel Mason (Vice-Chair), Amy Allen, Sadie Billing, Ruth Brown, Emma Fernandes, Ian Mantle, Bryony May, Caroline McDonnell, Louise Peace, Tom Tyson and Martin Prescott

Substitutes: Councillors Val Bryant, Jon Clayden, Mick Debenham, Joe Graziano, Keith Hoskins, Steve Jarvis, Sean Nolan and Michael Muir

**NOTICE IS HEREBY GIVEN OF A**

**MEETING OF THE PLANNING CONTROL COMMITTEE**

to be held in the

**COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERON  
ROAD, LETCHWORTH GARDEN CITY, SG6 3JF**

On

**THURSDAY, 30TH JANUARY, 2025 AT 7.30 PM**

Yours sincerely,

Jeanette Thompson  
Service Director – Legal and Community

**\*\*MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL  
AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION  
ON YOUR TABLET BEFORE ATTENDING THE MEETING\*\***

## **Agenda**

### **Part I**

<b>Item</b>		<b>Page</b>
<b>1.</b>	<b>APOLOGIES FOR ABSENCE</b> Members are required to notify any substitutions by midday on the day of the meeting.  Late substitutions will not be accepted and Members attending as a substitute without having given the due notice will not be able to take part in the meeting.	
<b>2.</b>	<b>PUBLIC PARTICIPATION</b> To receive petitions, comments and questions from the public.	
<b>3.</b>	<b>CHAIR'S ANNOUNCEMENTS</b> Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chair of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
<b>4.</b>	<b>NOTIFICATION OF OTHER BUSINESS</b> Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency.  The Chair will decide whether any item(s) raised will be considered.	

5. **24/01604/FP TEMPLE DINSLEY, (FORMERLY THE PRINCESS HELENA COLLEGE), SCHOOL LANE, PRESTON, HERTFORDSHIRE, SG4 7RT** (Pages 5  
- 96)  
**REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER**

Change of use of the Former Princess Helena College and associated land from a former all-girls boarding school to 69no. private residential dwellings (Use Class C3), including the conversion of the main Grade II\* Listed House to 35no. new apartments, the conversion of the retained Teaching Block to provide 8 new apartments, the demolition of the existing sports hall building and science block and replacement with 20no. new houses and 2no. new apartments, the conversion of the Tank House and the Pump House buildings to provide 2no. detached dwellings and the erection of 2no. new dwellings located within the summerhouse plantation. The provision of cart lodges, creation of new car-park together with domestic storage units and covered parking bays to include solar PV panels, and waste storage units and the provision of new driveways and associated works. Erection of new sub-station building and plant room. In addition, the associated landscaping of the site including provision of new pathways and gates and the reinstatement of Grade II\* Listed Parks and Gardens and the provision of a new cricket pitch, associated cricket pavilion and car parking and refurbished tennis courts (as amended by plans and supporting documents received November 2024).

6. **24/01605/LBC TEMPLE DINSLEY, (FORMERLY THE PRINCESS HELENA COLLEGE), SCHOOL LANE, PRESTON, HERTFORDSHIRE, SG4 7RT** (Pages  
97 - 126)  
**REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER**

All works associated with the conversion of the Grade II\* Listed Building from the former all-girls boarding school to 35no. new apartments and the works for the reinstatement of the Grade II\* Listed Park and Garden at Temple Dinsley and all works associated with the conversion of the curtilage listed Tank House and Pump House buildings and the demolition of the existing sports hall.

7. **APPEALS** (Pages  
127 -  
164)  
**REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER**

To update Members on appeals lodged and any decisions made.

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Location: Temple Dinsley (formerly The Princess Helena College)  
School Lane Preston Hertfordshire SG4 7RT

Applicant: Mr Russell Prince - The Door PHC Ltd

Proposal: Change of use of the Former Princess Helena College and associated land from a former all-girls boarding school to 69no. private residential dwellings (Use Class C3), including the conversion of and extension to the main Grade II\* Listed House to 35no. new apartments, the conversion of the retained Teaching Block to provide 8 new apartments, the demolition of the existing sports hall building and science block and replacement with 20no. new houses and 2no. new apartments, the conversion of the Tank House and the Pump House buildings to provide 2no. detached dwellings and the erection of 2no. new dwellings located within the summerhouse plantation. The provision of a new car-park together with domestic storage units and covered parking bays to include solar PV Panels, and waste storage units and the provision of new driveways and associated works. Erection of 4 no cart lodges/ports. Erection of new sub-station building and plant room. In addition, the associated landscaping of the site including provision of new pathways and gates and the reinstatement of Grade II\* Listed Parks and Gardens and the provision of a new Cricket Pitch and associated Cricket Pavilion.

Ref. No: 24/01604/FP

Officer: Peter Bull

**Date of expiry of statutory period:** 18<sup>th</sup> October 2024

**Extension of statutory period:** 30<sup>th</sup> January 2025

**Reason for Delay:**

The initial officer report was delayed due to discussions and negotiations on various technical aspects, further information received and additional consultation exercises that was undertaken as a result.

**Reason for referral to Committee**

The site area for this application for development exceeds 1 ha and therefore under the Council's scheme of delegation, this application must be determined by the Council's Planning Control Committee.

## 1.0 **Site History**

- 1.1 The planning history of the site relates to its former boarding school use and various extensions, additions and new outbuildings to accommodate the school since the introduction of the planning system in 1947. With the exception of the following applications, the recent planning history is not considered particularly relevant to the proposals now presented:

01/01175/1 - Detached building to provide science centre. Re-alignment of path of internal driveway (as amplified by plan no 3565.309 rec'd 28.8.01) – Approved

09/01977/1 - Change of use of agricultural field to playing field. Conversion and extension of redundant barn to pavilion to serve playing field – Approved although not implemented.

11/00864/1LB - Internal alterations and extension to allow conversion of redundant barn to pavilion to serve playing field – Conditional Consent

15/01815/1 - Installation of 208 solar panels to south roof slope of Sports Hall (as amended by drawings received 10/09/2015) – Approved

17/01378/1 - Construction of a performing arts centre attached to the schools existing sports hall with associated landscaping. – Approved although not implemented

## 2.0 **Policies**

### 2.1 **North Hertfordshire District Local Plan 2011 -2031**

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy

Policy SP5: Countryside and Green Belt

Policy SP6: Sustainable transport

Policy SP7: Infrastructure requirements and developer contributions

Policy SP8: Housing

Policy SP9: Design and sustainability

Policy SP10: Healthy communities

Policy SP11: Natural resources and sustainability

Policy SP12: Green infrastructure, biodiversity and landscape

Policy SP13: Historic Environment

Policy T1: Assessment of transport matters

Policy T2: Parking

Policy HS3: Housing Mix

Policy HS5: Accessible and adaptable housing

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy D4: Air quality

Policy HC1: Community facilities

Policy NE1: Strategic green infrastructure

Policy NE2: Landscape

Policy NE4: Biodiversity and geological sites

Policy NE6: New and improved open space

Policy NE7: Reducing flood risk

Policy NE8: Sustainable drainage systems

Policy NE9: Water quality and environment

Policy NE10: Water conservation and wastewater infrastructure

Policy HE1: Designated heritage assets

Policy HE4: Archaeology

## 2.2 Preston Parish Neighbourhood Plan 2018 – 2031

Policy QL3: Local Distinctiveness

Policy EH2: Conservation Areas and Heritage Assets

Policy QL3: Local Distinctiveness:

Policy HD2: Pedestrian Links and Rights of Way:

Policy HD3: Housing Types:

Policy HD4: Tenure of Housing:

Policy HD5: Sustainability and Energy Efficiency:

Policy HD6: Design:

Policy HD7: Gardens:

Policy HD8: Flood Risk and Drainage Provisions:

Policy HD10: New Housing Development:

Policy EH1: Village Boundary, Rural Character and Setting:

Policy EH2: Conservation Areas and Heritage Assets:

Policy EH3: Open and Green Spaces:

Policy EH5: Tranquillity and Dark Skies:

Policy EH6: Views and Vistas:

Policy EH7: Protecting and Enhancing the Local and Natural Environment:

Policy EH8: Hedgerows, Trees and Verges:

Policy TC1: Safe and Sustainable Transport:

## 2.3 Supplementary Planning Documents

Developer Contributions SPD (2023)

Design SPD (2015)

Vehicle Parking Provision at New Development SPD (2011)

Sustainability SPD (2024)

North Hertfordshire and Stevenage Landscape Character Assessment

## 2.4 National Planning Policy Framework (NPPF) (2024)

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong competitive economy

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 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

## 2.5 Hertfordshire County Council

Local Transport Plan (LTP4 – adopted May 2018)

Hertfordshire Waste Core Strategy and Development Management Policies

Development Plan Document 2012

Hertfordshire Minerals Local Plan (2002 - 2016)

Hertfordshire Waste Development Framework (2011 – 2026)

## 2.6 National Planning Practice Guidance (NPPG)

Provides a range of guidance on planning matters including design, flood risk, biodiversity and planning obligations.

## 3.0 Representations

- 3.1 Preston Parish Council - supports the application generally except for the conversion of the Tank House and the Pump House into two detached dwellings which are considered inappropriate due to the risk to archaeological remains in these locations, the disturbance to wildlife and the effect these dwellings would have on the landscape of this area of the park
- 3.2 Historic England - in principle support a scheme that would put these highly graded heritage assets to a new viable use - thus securing their ongoing conservation.
- 3.3 Conservation Officer – supports the overall proposals subject to conditions
- 3.4 The Gardens Trust – no response received
- 3.5 Sport England – holding objection initially received requiring more information. More information has been provided by the applicant and a response to re-consultation will be provided verbally at the meeting

- 3.6 HCC Highways – objects to the proposal on the grounds that the application has failed to demonstrate a satisfactory policy and design-led approach to the accessibility of the proposed development for non-car mode travel, details of this are set out at in appendices to this report.
- 3.7 HCC Growth and Infrastructure Unit – no objection subject to financial contributions towards educational facilities being secured.
- 3.8 HCC Archaeology – no objection subject to conditions
- 3.9 HCC Local Lead Flood Authority – holding objection. Further details requested
- 3.10 NHC Ecology – no objection subject to conditions
- 3.11 NHC Waste and Recycling – no objection
- 3.12 NHC Environmental Health (Contaminated Land) – no objection subject to conditions
- 3.13 NHC Environmental Health (Noise) – no objection subject to conditions
- 3.14 NHC Environmental Health (Air Quality) - no objection subject to conditions
- 3.15 NHS Integrated Care Board – no objection subject to financial contribution being secured towards primary health care needs arising from the development.
- 3.16 Preston Cricket Club – supports the proposals. The provision of community sports facilities on previously private areas of the estate greatly assists the continuity and expansion of sporting opportunity for village residents and visitors.
- 3.17 Anglian Water – no objections. Advisory notes provided in event of approval.
- 3.18 The Luytens Trust – concerns about some elements of alteration in the main building and the location of allotments, overall, the proposals are supported.
- 3.19 The Ramblers – some concerned about the permissive paths through the site and aspirations for these to be designated as public footpaths.
- 3.20 Neighbours – 8 letters of support, 2 neutral comments and 8 letters of objection

Support: there is general support for the restoration and reuse of the main building and wider proposals.

Neutral: the impacts on bird populations should be mitigated by the provision of bird and bat boxes

Objections:

- Significant volume of additional supporting documents to help justify the original application creating a pseudo-scientific methodology, misleading and contradicting and not credible particularly the LVA and structural surveys
- Not a balanced proposal

- Dubious justification for Pump and Tank House conversions and associated buildings and works
- Traffic associated with construction harmful to village.
- New dwellings - Summerhouse, Harwoodhouse, Pump and Tank Houses – intrusive and harmful with associated new infrastructure inadequately justified
- Loss of and impacts on important habitats and species particularly bats, barn owls and rare parkland fungi
- Inappropriate development within the Green Belt
- 'Glint and Glare Assessment' is needed to understand solar panel impacts
- Adverse archaeological impacts
- Adverse impacts arising from new lighting associated with residential uses
- New driveways harmful
- Landscape: A further intrusion in an 18th Century Park disrupting important views in an open area of the Green Belt.
- Harmful to heritage assets
- Loss of historic features within the Tank and Pump houses
- Restrictive Covenants, Planning Conditions and Management Codes will not be sufficient to protect the long-term impacts arising from the development
- Section 106 contributions are needed
- The proposal will create a 'new' isolated housing estate with Preston experiencing all the negative impacts but none of the benefits of this large-scale development.
- Harmful landscape and visual impacts
- Cumulative amount of new development for Preston village excessive
- Absence of improved community infrastructure including village shop
- Absence of affordable homes
- Over provision of community sports facilities
- Contrary to local and neighbourhood plan policies
- Loss of sporting facilities
- New houses with their associated surroundings of garages, gardens, fencing, parking areas and cars will look totally out of place in the middle of this historic Park
- The excavations required for these new houses will damage the ancient pasture of the Park
- Vehicular congestion within the site likely
- Site maintenance including existing and new planting needs consideration

## **4.0 Planning Considerations**

### **4.1 Site and Surroundings**

- 4.1.1 The Site (27.8ha) comprises a number of statutory listed and unlisted buildings and structures centred around a Grade II\* listed country house of early C18 origin (1714). The house was substantially enlarged and remodelled in the early C20 during which time formal gardens to the west and north of the house were created. The house and garden are surrounded by C18 parkland which is a separately listed registered park and garden (also Grade II\*). The house became a school in 1935, in which use it remained until its closure in 2022.

- 4.1.2 Elements associated with the former school use of the Site exist across the site including a disused cricket pavilion, four tennis courts and associated fencing, signage and lighting columns. The formal gardens are in a poor state of repair. The north-eastern/ eastern part of the Site comprises predominantly deciduous woodland (The 'Summerhouse Plantation'). Immediately to the west of this woodland lies the 'East Drive', a tree lined driveway. The remainder of the Site is mature parkland, at the time of writing under grazing by cows. It is located within the Green Belt and it is partially located within Preston Conservation Area.
- 4.1.3 The site is outside but immediately to the east of the settlement boundary for Preston village, 5km south of the centre of Hitchin. It is bounded to the east and south by public highway – School Lane and St Albans Highway respectively. To the north and west the boundaries are edged by agricultural land. The Dower House is located on lower ground towards the north west part of the Site approximately 300m north of Temple Dinsley house. Formerly within the grounds of Temple Dinsley, this property was granted permission in 2017 for conversion into six separate residential units. For the avoidance of doubt, the Dower House is outside the application site as are the original lodge houses adjacent the St Alban's Highway vehicular access.
- 4.1.4 The Site is gently undulating, rising to the north-west of the house, with a pronounced valley extending north-east from the north side of the gardens, down which provides distant views of Letchworth. The setting is rural, with further buildings located adjacent to the south boundary.

## 4.2 The Proposal

- 4.2.1 The application seeks planning permission for the Change of use of the Former Princess Helena College and associated land from a former all-girls boarding school to 69no. private residential dwellings (Use Class C3), including the conversion of the main Grade II\* Listed House to 35no. new apartments, the conversion of the retained Teaching Block to provide 8 new apartments, the demolition of the existing sports hall building and science block and replacement with 20no. new houses and 2no. new apartments, the conversion of the Tank House and the Pump House buildings to provide 2no. detached dwellings and the erection of 2no. new dwellings located within the summerhouse plantation. The provision of a new car-park together with domestic storage units and covered parking bays to include solar PV Panels, and waste storage units and the provision of new driveways and associated works. Erection of new sub-station building and plant room. In addition, the associated landscaping of the site including provision of new pathways and gates and the reinstatement of Grade II\* Listed Parks and Gardens and the provision of a new Cricket Pitch and associated Cricket Pavilion.
- 4.2.3 The application proposals are set out in over 200 plans and drawings together with other supporting documents considering the relevant technical matters. These are as follows –
- Planning Statement (Sworders, July 2024)
  - Draft Section 106 Heads of Terms (Sworders, July 2024)
  - Statement of Community Involvement (Sworders, July 2024)
  - Design, Access and Heritage Statement (SCABAL / KPT Architects, July 2024)
  - Schedule of Materials (SCABAL/ KPT)
  - Level 3 Historic Recording (John Selby, July 2024)



- Archaeological Desk Based Assessment (Britannia Archaeology Ltd – June 2024)
- 50no, 'Significance Impact Tables' (SCABAL/KPT)
- Initial Landscape Appraisal (ILA) (SCABAL, July 2024)
- Energy Statement (CBG, July 2024)
- Energy Feasibility Report ('M & E Feasibility Report by CBG, July 2024)
- Transport Assessment (EAS, July 2024)
- Construction Traffic Management Plan (EAS, July 2024)
- Travel Plan (EAS, July 2024)
- Ecology Report (Applied Ecology, July 2024)
- Biodiversity Net Gain Assessment (Report and Metric) (Applied Ecology, July 2024)
- Biodiversity updated report and surveys (September and December 2024)
- Sports pitch and facilities report (October 2024)
- Planning Statement Addendum
- Flood Risk Assessment & SUDs Statement (EAS, July 2024)
- Arboricultural Impact Assessment & Tree Survey (Sharon Hosegood Associates, July 2024)
- Acoustic Report (Gillieron Scott Acoustic Design, July 2024)
- Phase 1 Geo-Environmental Desk Study Reports (J P Chick & Partners Ltd, June 2024)
- Asbestos Surveys (Cambridge Asbestos Removal – August 2023 and Green Shield Environmental, August 2020)
- Structural Report (AFP Consulting Engineers Ltd, May 2024)
- Method Statement for Demolition of Buildings (AFP Consulting Engineers Ltd, April 2024)

4.2.4 Revised and additional information was provided in November 2024 and these comprised

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- Revised east car park arrangement
- Additional plans and information relating to the on-site community sports facilities
- Revised arboricultural report and supporting plans
- A formal Landscape and Visual Appraisal (LVA)

4.2.5 In January 2025, a number of plans were updated and retitled for clarification purposes.

4.2.6 The residential accommodation provided would be as follows -

<b>Building</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>	<b>5 bed</b>	<b>Total</b>
Main Building (existing)	10	20	4	1		35
Teaching Block (existing)	2	5	1			8
Edwin (new)		2	2			4
Violet (new)				4		4
Sadleir (new)			4	2		6
Ithel			6			6

(new)						
Templar (proposed)			2			2
Summer House (new)					1	1
Harwood House (new)					1	1
Tank House (existing)			1			1
Pump House (existing)			1			1
TOTAL	12	27	21	6	2	69

Table 1: Residential accommodation

4.2.7 Due to the complexity of the proposals which are wide ranging and spread across the Site, they are described separately as follows -

- (i) *The conversion of and extension to the main Grade II\* Listed House to 35 new apartments the conversion of the retained Teaching Block to provide 8 new apartments* – this application extends only to the proposed residential use of the building, external alterations including new windows and two small extensions to the rear of the east wing at basement level apartment 22. For the avoidance of doubt, the proposed internal alterations to facilitate the residential use require only listed building consent. A detailed summary of the internal and external works to this building is therefore provided in the associated listed building application 24/01605/LBC also under consideration by Members.
- (ii) *The demolition of the existing sports hall building, science block and replacement with 20 new houses and 2no. new apartments* – the demolition of buildings is a building operation and due to the floor area involved and the location of these buildings, planning permission is required for their removal. The demolition of other detached stable and storage buildings within the site would normally be permitted development. However, in the circumstances they are considered as part of the overall demolition works across the site due the fact that replacement buildings are reliant on their removal. The total amount of gross internal floor area to be demolished amounts to 3,586sqm. These buildings are relatively modern having been added by the school. The new houses are located on the site of the demolished sports hall and science block and are laid out in a series of blocks - two terraces each containing six houses, one terrace of four houses, one terrace of three houses and the two apartments in a standalone block. These will be two storeys in height, have a traditional plan form with pitched tiled roofs and be constructed in brick. The buildings will have a contemporary appearance. Small private gardens are included to each house. A series of linked footpaths connect the five blocks. Vehicular access is via a hard surfaced road located to the east of the main house. Cycle and car parking to these units is provided in a new car park to the east of the main building.

- (iii) *The erection of 2 new dwellings located within the summerhouse plantation (including the demolition of a storage building)* – these are two detached properties with detached timber cart lodges (car ports) structures partly replacing an existing redundant storage building within the plantation and partly relocating unused volume from the demolished sports hall. Summerhouse is a contemporary designed two storey flat roofed detached property located partly on the footprint of the demolished storage building to the south-western boundary of the plantation. Harwood House is also a contemporary designed two storey flat roofed detached property to the north-west of the plantation. Both properties would be served from an existing access track off the East Avenue. Each dwelling would include a detached single storey cart lodge (9.8m wide, 10.3m deep and 2.7m / 3.2m high)
- (iv) *The conversion of the Tank House and the Pump House buildings to provide 2 detached dwellings* – the internal alterations to these buildings are assessed in the accompanying listed building application 24/01605/LBC. Planning permission is sought specifically for the proposed residential uses, external alterations to the buildings to facilitate the residential uses, estate style metal boundary fences, the erection of detached timber framed cart lodges (6.1 m wide, 8.6m deep and 1.9m / 2.8m high) and access drives from the existing main drive.
- (v) *The provision of a new car-park together with domestic storage units and covered parking bays to include solar PV Panels, and waste storage units and the provision of new driveways and associated works* – located to the south east of the Main Building adjacent the existing main car parking area for the former school comprises an enclosed (walled) car parking area for both residents and visitors. The majority of spaces will be covered by photovoltaic panels mounted on a metal frames and will incorporate storage areas for domestic items including bicycles. The car park also includes central free standing waste storage area, green roofed storage (for grounds equipment) and an energy centre which will house the air source heat pump system for the main building.
- (vi) *Erection of new sub-station building and plant room* – this will be located adjacent to the existing site boundary wall (west) adjacent School Lane. It will measure 4.7m wide, 7.1m deep and 2.7m high. External materials are not yet specified.
- (vii) *Associated landscaping of the site including provision of new pathways and gates and the reinstatement of Grade II\* Listed Parks and Gardens* – preliminary hard and soft landscaping proposals are set out in a variety of drawings and documents. The proposals are set out in two distinct parts. The restoration of the formal historic garden areas (originally designed by Gertrude Jekyll) immediately adjacent to the west and north of the Main Building including new planting along the lines of the original design and repairs to existing garden structures. The restoration and enhancement of the wider grounds comprises new planting, primarily trees and hedges, together with preliminary hard landscaping details associated with the new build elements.

- (viii) *The provision of a new cricket pitch, replacement cricket pavilion building, 2no. refurbished tennis courts and associated car parking* – a new adult cricket pitch will be provided on part of the former school playing field adjacent to the St Albans Highway. The proposal is to replace a redundant former pavilion and storage building in the southern section of the site with a new pavilion building. This will measure 22.2 wide, 7.2m deep and 4.6 metres in height. It will have a timber planed shiplap external appearance with a natural slate roof. There are three existing tennis courts adjacent to the East Drive. Two of these are to be refurbished for community use and one will be repurposed and extended to provide car parking facilities (19 spaces) for users of the community sports facilities.

### 4.3 Key Issues

#### 4.3.1 The key issues are:

- Principle of residential development
- Green Belt impacts
- Impact upon heritage assets
- Design, appearance and layout
- Archaeological impacts
- Visual and landscape impacts
- Residential amenity
- Housing mix and Vacant Building Credit
- Highway and access impacts
- Sports pitch impacts
- Ecology and biodiversity
- Trees impacts and proposals
- Landscaping proposals
- Flooding and drainage impacts
- Utilities and services
- Sustainability considerations
- Planning obligations
- Planning balances – Heritage, Very Special Circumstances, Final

#### Principle of development

#### *Loss of educational use*

- 4.3.2 Paragraph 88 of the NPPF *Supporting a prosperous rural economy*, seeks the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. There is no specific national or local policy that seeks the retention of educational uses.

- 4.3.3 The proposed residential development on the site will result in the loss of the current educational use. Princess Helena College was a private school for boys and girls which operated from the site since 1935. It is understood that the site provided very occasional community use before its closure primarily the use of the school swimming pool and the tennis courts in the summer and the school hall for larger functions. The village is well served by other existing community buildings including a village hall, school, recreation ground and public house. It is understood that United Learning (UL) took over the school in 2018 when it was on the verge of closure due to falling demand for places and long-standing financial pressures. Despite significant investment, the impact of the pandemic on the independent schools' market meant that the UL was unable to reverse its long-term decline. The site was marketed by specialist marketing agent, Savills, from November 2021 until its sale in the summer of 2023. During the same period, the building was also marketed by other specialist commercial agents including The Hotel Property Group. The location of the building and site away from the nearest urban area (Hitchin) and the need for significant investment in buildings and the wider grounds is believed to have probably discouraged potential other educational users. In the circumstances, an alternative use of the site is considered to be both appropriate and necessary to secure investment in heritage assets across the site.

*Residential use of the site*

- 4.3.4 Part 5 of the NPPF *Delivering a sufficient supply of homes* confirms that the Government's objective of significantly boosting the supply of homes it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 4.3.5 Part 11 of the NPPF *Making effective use of land confirms that* decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (paragraph 124). Paragraph 125 goes on to say that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and also promote and support the development of underutilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained. Part 5. *Delivering a sufficient supply of homes* of the NPPF explains that housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 83). Paragraph 84 supports the development of new homes which would re-use redundant or disused buildings and enhance the immediate setting and which also would represent the optimal viable use of a heritage asset.
- 4.3.6 The site is located immediately adjacent to but outside the settlement boundary of Preston village. The North Herts Local Plan (NHLP) Policy SP2: Settlement Hierarchy and Spatial Distribution identifies Preston as a Category A village as it includes community facilities such as a school, public house and village hall and pavilion. NHLP Policy HS3 also requires that residential proposals should provide a density, scale and character of development appropriate to its location and surroundings.

- 4.3.7 The site is immediately adjacent to existing residential development within the village settlement boundary to the west. Existing and proposed footpaths link the Site to the village. The village includes a range of local services including primary school, village hall, recreation ground with sports pitches and a public house. The site is approximately 3.5 miles from Hitchin railway station and bus interchange. A bus service (no 88) runs between the village and Hitchin. The proposal would utilise brownfield land and secure an optimal viable use for the heritage assets across the Site.
- 4.3.8 As set out in the Council's most recent Housing Land Supply Update (May 2024), the total requirement for housing delivery in the District from 1 April 2024 – 31 March 2029 is 5,990 dwellings. Currently there is a deficit of 1,359 dwellings over the five-year period of 2024/25 – 2028/29. The Council therefore can only demonstrate a five-year land position of 3.9 years against our adopted housing requirement. This figure falls below the five-year figure as required in the NPPF. Where a five-year supply of deliverable housing sites cannot be demonstrated, Paragraph 11 (d) of the NPPF confirms that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (including the housing land supply) and (i) unless 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 matter is considered further in the *Planning Balances* section at the end of this report.

*Conclusion on principle of development*

- 4.3.9 The reuse of the site for non-educational purposes is considered to be justified. The residential use of the site will secure a number of benefits – additional housing where there is shortfall across the district, the reuse of brownfield land, optimal viable use for heritage assets and a site located immediately adjoining a category 'A' village. Overall, it is considered that residential redevelopment of this site is appropriate in land use terms and cumulatively these matters weigh significantly in the planning balance.

Green Belt impacts

- 4.3.10 The site is immediately adjacent to but outside the settlement boundary for Preston. It is in the open countryside within the Green Belt. National Policy on Green Belt is set out at Section 13 of the National Planning Policy Framework (NPPF). Paragraph 137 of the NPPF confirms that the Government attaches great importance to Green Belts, where the fundamental aim of policy is to prevent urban sprawl by keeping land permanently open.
- 4.3.11 The Green Belt serves five purposes, these are set out at paragraph 138 of the NPPF and are:
- To check the unrestricted sprawl of large built-up areas;
  - To prevent neighbouring towns merging into one another;
  - To assist in safeguarding the countryside from encroachment;
  - To preserve the setting and special character of historic towns; and
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 4.3.12 NHLP Policy SP5: *Countryside and Green Belt* supports the principles of the Green Belt and recognises the intrinsic value of the countryside and confirms that the Council will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated.

*Inappropriate development*

- 4.5.13 The starting point for consideration of this application is the development plan. NHLP Policy SP5 is consistent the national policies on the Green Belt. The *Preston Neighbourhood Plan (PNP)* does not contain any specific policies relating to the Green Belt.
- 4.5.14 Paragraph 153 of the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF also sets out exceptions to this to inappropriate development at paragraph 154. There are:

*154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:*

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate.*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
  - i. mineral extraction;*
  - ii. engineering operations;*
  - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
  - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;*
  - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
  - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

4.5.15 Paragraph 153 of the NPPF stipulates that substantial weight must be given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 156 of the NPPF refers to *Golden Rules* but these are not applicable due to no 'new' or additional housing being proposed compared to existing built form.

*Appropriate development*

4.5.16 The following elements are considered to be appropriate development in a Green Belt context -

- Conversion of Grade II\* listed Temple Dinsley building, Pump House and Tank House - 're-use of the permanent building and the change of use of land (154h)
- Erection of new dwellings on the footprint of the sports hall – complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development (154g)
- Erection of cart lodges to Pump and Tank Houses - the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building" (154c). *Note: an addition to a building does not need to be physically attached to it to be considered an extension considered by the High Court in Warwick District Council v Secretary of State for Levelling Up, Housing And Communities [2022] EWHC 2145,*

4.3.17 For the avoidance of doubt, as the cricket pitch and tennis courts are on land already used for sports facilities, their use by the community does not constitute a material change of use of the land. There are therefore no implications in relation to Green Belt policy.

*Inappropriate development*

4.3.18 Elements of the proposal that are considered necessary to facilitate the new residential uses and which are considered to be inappropriate development are –

- (i) The new East Car Park together with domestic storage units and covered parking bays to include solar PV Panels, waste storage units and the provision of new driveways and associated works;
- (ii) Electricity substation;
- (iii) A 13 sqm extension to the rear of the Main Building;
- (iv) A cycle storage and switch room building;
- (v) Summer House and Harwood House including cart lodges.

4.3.19 The five purposes of the Green Belt are confirmed as being -

- A. to check the unrestricted sprawl of large built-up areas;
- B. to prevent neighbouring towns merging into one another;
- C. to assist in safeguarding the countryside from encroachment;
- D. to preserve the setting and special character of historic towns; and
- E. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.



- (i) The new East Car Park and associated development*
- 4.3.20 This is the most significant new element of the proposal. This part of the Site is undeveloped presently forming part of the grassed parkland and will have some spatial impacts. Visually, the development would result in encroachment from the solar canopies and associated storage structures although this is tempered by its lower land level and existing partial landscape screening. It will result in limited conflict with purpose (C).
- (ii) Electricity substation*
- 4.3.21 This is located in a discreet location adjacent to the western site boundary wall. It is a single storey scale and a modest footprint. It will have some minor spatial and visual impacts. It will result in limited conflict with purpose (C).
- (iii) Extension (13sqm) to the Main Building*
- 4.3.22 This is located to the rear of the Main Building forming part of Unit 2 (Larder). It will have a modest footprint and scale having a minimal spatial impact. Visually the extension will be contained being seen in juxtaposition with the Main Building. It will result in limited conflict with purpose (C).
- (iv) A cycle storage and switch room building*
- 4.3.23 This is located to adjacent to the new build terrace known as lthel. It will have a modest footprint and scale having a minimal spatial impact. Visually the extension will be contained being seen as an ancillary building to the residential terrace. It will result in limited conflict with purpose (C).
- (v) Summer House and Harwood House including cart lodges*
- 4.3.24 Two new dwellings and cart lodges (car ports) are proposed to the woodland plantation to the east of the site – Summer House and Harwood House. There is an existing redundant storage building in the south-western corner of the plantation. This is due to be demolished and replaced with a two-storey dwelling and detached single storey cart lodge with a larger footprint and volume (known as Summer House). The NPPF confirms that in certain circumstances a replacement building or the redevelopment of a site is not inappropriate development (paragraphs 154 (d) and (g)). This new dwelling would introduce a different use and would be materially larger than the existing building.
- 4.3.25 It is accepted that the scale, form and footprint of the existing sports hall building is harmful to the settings of both the main property and registered park and gardens (both of which are Grade II\* listed). Paragraph 210 of the NPPF states -

*In determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

- 4.3.26 To provide replacement buildings of the same scale, form and footprint in the same location as the sports hall building would be compliant with Green Belt policy but fail to take the opportunities for enhancement of heritage assets as set out in the NPPF. In such instances where there is policy 'friction', it is necessary to consider which should be

prioritised. The quantity of heritage assets across the site including two high level heritage assets (Grade II\*) provides reasonable justification in seeking improvements to their settings. The location of these two detached properties is chosen on the basis that (i) there is already one albeit smaller redundant storage building located within the plantation (ii) they are located sufficiently distant from the Main Building and associated curtilage buildings such that they do not affect their setting and (iii) they are located in a mid-20<sup>th</sup> century planted woodland. The proposed replacement dwellings here create a gross internal footprint of 840sqm. The 'unused' gross internal floor area following partial redevelopment of the area occupied by the sports hall and demolished storage building is 840sqm. The two proposed cart lodges each measure approximately 100sqm in area and these effectively are 'additional' areas in a Green Belt context.

- 4.3.27 To summarise, it is confirmed that the two properties in the plantation – Summer House and Harwood House – are not additional gross internal floor area but relocated and replacement floor areas. These new locations together with the proposed cart lodges are considered to create some new spatial and visual impacts within the Green Belt and are therefore considered, in part at least, to be inappropriate development. They will result in limited conflict with purpose (C).

#### *Conclusion of Green Belt*

- 4.3.28 The above confirms that elements of the proposal have been identified as being 'appropriate development' and others 'inappropriate development'. In relation to the latter, limited harm has been identified to *openness* and one of the *purposes*. Overall, limited harm has been identified to the Green Belt. The acceptability or not of these built elements depends on whether *Very Special Circumstances* (VSC) exist. This matter is considered in the later part of the report once benefits the development will deliver have been identified.

#### Impact upon heritage assets

- 4.3.29 Section 66 (1) of The Planning (Listed Buildings and Conservation Areas) 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. The LBCA Act requires special attention to be made to the desirability of preserving or enhancing the character or appearance of conservation areas. There is no reference to their setting.
- 4.3.30 Paragraph 194 of the NPPF stipulates 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.

4.3.31 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. Preston Neighbourhood Plan (PNP) policy *EH2: Conservation Areas and Heritage Assets* requires all development proposals to explain and demonstrate the impacts on local heritage assets. PNP policy *HD10: New Housing Development* requires new dwellings to maintain and contribute to the local character with particular focus on green spaces.

4.3.32 The application is accompanied by a Heritage Assessment (HA) by the Skabal and KTP Architects. This considers the impact of the proposed development on a range of identified heritage assets. With the exception of archaeology matters which are considered separately below, the designated Heritage Assets within the site application area are -

- Temple Dinsley Parkland (Grade II\*)
- Preston Conservation Area (North-West part of the site)
- Main Building House and Formal Gardens (Grade II\*)
- Pump house (curtilage listed)
- Tank house (curtilage listed)
- Piggery (Grade II)\*
- Ice house (Grade II)\*
- Gate Posts and Park Wall (Grade II)\*
- Sports hall and Teaching Block (curtilage listed)
- Science Block (

\* these buildings and structures are subject to repairs and restoration only and are addressed as part of the listed building application only

4.3.33 The house is listed at Grade II\* attributing more than special interest and representing just 5.8% of all listed buildings. The gardens and parkland are included within the Register of Parks and Gardens of Special Historic Interest at Grade II\* which places it within the top 30% of all registered parks and gardens. The NPPF confirms that such Designated Heritage Assets are of high significance.

4.3.34 Nearby Designated Heritage Assets located outside but either adjacent or near to the application site:

- Dower House (Grade II)
- The two lodges located adjacent to the St Alban's highway vehicular access (potentially curtilage listed)

4.3.35 For the avoidance of doubt, internal and external alterations to the listed buildings are matters dealt with under the accompanying listed building application. From a heritage perspective, the planning application is concerned with –

- the proposed new residential uses
- external alterations to all buildings and any demolition works
- the impacts arising from new development on the setting of listed buildings
- the impacts arising from new development on the setting of the listed registered park and garden (RPG) and
- the impact arising from new development on the setting of the conservation area.

4.3.36 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.

*Temple Dinsley Registered Park and Garden RPG (Grade II\*)*

4.3.37 The impact on the Grade II\* listed Temple Dinsley Parkland is considered as part of the planning application. It has two principal areas - Historic Lutyens Garden to the west and north of the main building and the C18 parkland to the east and south. The Historic Lutyens Garden comprises nine areas - The Forecourt, The Outer Edges of the forecourt, the Pool Garden and Pool Garden Steps, the Rose Garden one, the Herbaceous Garden, the Magnolia Garden and Rose Garden two, the Pergola Garden and North Lawn, the North Terrace and the Orchard.

4.3.38 The proposals seek the restoration of the formal landscaped gardens to the north, west and south of the Grade II\* listed Main House. Details of the garden restoration are set out a number of submitted drawings and documents. This will see a Lutyens and Jekyll inspired planting scheme, drawn from historic photographs and paintings of the property. It will also include repairs to the existing hard surfacing, terraces, walls and pergolas within the Grade II\* RPG. These are considered to be direct heritage benefits of the scheme which should be weighed in the planning balance. A range of conditions are recommended to secure the precise details of the restoration works to these elements.

4.3.39 There will be some loss of the historic parkland through the introduction of a new walled garden car park area and energy centre to the southeast of the Grade II\* listed Main House. This will have an impact on both the setting of the listed building and direct effect on the RPG which is considered to be harmful, engaging Paragraph 215 of the NPPF. This harm should be considered alongside the identified public benefits and heritage benefits of the scheme, as well as providing a viable new use for the heritage assets on the site.

*Preston Conservation Area*

4.3.40 The Preston Conservation Area extends into the northwest part of the Temple Dinsley site, taking in the main entrance drive, Grade II\* listed building, Teaching Block, formal gardens and pond to the south of the Service Wing. The Sports Hall, Pump House, Tank House and modern plantation and wider areas of parkland may be considered to fall within the setting of the Conservation Area.

- 4.3.41 The adopted Conservation Area Character Statement identifies that the Conservation Area covers the historic core of the village, with Temple Dinsley forming a key part of its significance. A *Key View (KV4)* is identified from School Lane, looking down the main drive. Areas of significance green space and trees are identified along the western edge of the Temple Dinsley site.
- 4.3.42 Overall, the direct impacts of the proposal are considered to form an enhancement to its character and appearance through the formal garden restoration and securing the future use of the listed buildings on the site. The *Key View KV4* is likely to experience some temporary change during the construction period, however it is not anticipated that this would be permanent.
- 4.3.43 In terms of indirect impacts on the setting of the Conservation Area, these are more varied. The demolition of the Sports Hall and erection of 22no. new dwellings on the site, utilising its footprint may be considered an enhancement. However, the erection of the walled garden car park within the parkland will see the loss of an area of parkland that contributes positively to the setting of the Conservation Area. Therefore, Paragraph 215 would be engaged and this harm should be weighed in the planning balance taking into account the direct heritage benefits derived from the submitted scheme, alongside other public benefits.
- Main Building (House, including Service Wing and Western Spur) (Grade II\*)*
- 4.3.44 Overall, the building is currently in poor condition due to damp and general poor maintenance over recent years. The roof finish was stolen in 2024 so temporary holding repairs have been carried out. Structural alterations have also been made which have compromised the building in several areas.
- 4.3.45 The conversion of the Main Building to 35no. apartments has been well thought out, with external alterations (new windows, a small extension and new staircase) generally limited to fabric of lesser heritage significance. There would be some inherent harm created through the subdivision of the building, however the proposal will secure a new viable use for the building which is supported. A range of conditions are recommended to secure the precise details of the proposals.
- Teaching Block (curtilage listed)*
- 4.3.46 Generally, this building has been subject to greater alteration historically and is therefore considered to be less sensitive to conversion. Nevertheless, the conversion of the Teaching Block to 8no. Apartments has been well thought out, with alterations generally limited to fabric of limited heritage significance. There would be some inherent harm created through the subdivision of the building, however the proposal will secure a new viable use for the building which is supported. A range of conditions are recommended to secure the precise details of the proposals.
- Science Block (building adjoining Conservation Area)*
- 4.3.47 This is a modern brick and tiled roof building which makes little contribution to the heritage significance of the site. There is no objection raised to its demolition on heritage grounds.

*Sports Hall (curtilage listed)*

- 4.3.48 This modern building was believed to be erected circa 1980. It is attached the listed building via a simple linking block. The footprint, scale, massing and form of this building makes no contribution to the heritage significance of the site. Its demolition has the potential to enhance the setting of the Grade II\* Main House, Grade II\* RPG and Preston Conservation Area. There is no objection raised to its removal on heritage grounds.

*Pump House (curtilage listed)*

- 4.3.49 The conversion of the Pump House to residential will incur some harmful alterations (new windows and doors) to secure a new viable use for the building. However, due to the current poor condition and redundant nature of the building the proposals are considered to be a direct heritage benefit of the scheme as it would secure the long-term maintenance and conservation of the building. A range of conditions are recommended to secure the precise details of the alterations.

*Tank House (Barn 2) (curtilage listed)*

- 4.3.50 The conversion of the Tank House to residential will also incur some harmful alterations (new windows and doors) to secure a new viable use for the building. Since the application was originally submitted, the fenestration has been revised to reduce the level of glazing proposed which will allow the building to continue to appear as a timber framed and weather boarded barn, whilst establishing the new residential use. However, due to the current poor condition and redundant nature of the building the proposals are considered to be a direct heritage benefit of the scheme as it would secure the long-term maintenance and conservation of the building. Conditions are proposed below to secure the details of the alterations.

- 4.3.51 Works to Garden Pergolas and Belvedere (curtilage listed), Piggery (Grade II), Ice-house (Grade II), Gate Posts and Park Wall (Grade II) are confined to repairs and do not require planning permission. These matters are dealt with as part of the accompanying listed building application.

*New build houses (Edwin, Violet, Sadleir, Ithel, Templar)*

- 4.3.52 There is no objection the erection of new dwellings on the site of the Sports Hall and Science Block following their demolition. The proposals seek to provide a contemporary development which is set back from the Teaching Block, providing greater space in which the curtilage listed building may be experienced. It also breaks down the scale and massing of the built form in this location, providing a new layout which responds to the adjacent listed buildings. The development also makes use of the level changes within the site, such that the new dwellings will be no higher in height than the Sports Hall such that they would only be visible in glimpsed views from the RPG and upper floors of the Main Building and Service Wing. The design of the new dwellings will provide a subtle contrast to the architectural character of the heritage assets. As such, the new build houses would not affect the significance of the RPG, setting of listed and curtilage listed buildings and setting of the Preston Conservation Area. Conditions are proposed to secure the precise details of these new houses.

#### *Harwood House and Summer House*

- 4.3.53 This area is a mid-twentieth century area of woodland which does not contribute to the significance of the above identified heritage assets. As such, the demolition of Barn 1 (Summerhouse Building) and erection of these two 5no. bed detached dwellings within the Summerhouse Plantation would not affect the significance of the RPG, setting of listed and curtilage listed buildings and setting of the Preston Conservation Area. There is no objection on heritage grounds to. Conditions are proposed below to secure the precise details of these new dwellings is recommended.

#### *Sports pavilion and car park*

- 4.3.54 These elements will be located outside of the Conservation Area, within the Registered Park and Garden to the north of the Main Building and adjacent to the St Albans Highway. They would be within the setting of the listed buildings. The pavilion will be a traditional single storey cricket sports pavilion with a pitched roof. The car park will be a repurposed tennis court and therefore there is already some visual impact arising from this. Overall, these elements are not considered to affect the significance of the RPG, setting of listed and curtilage listed buildings and setting of the Preston Conservation Area. There is no objection on heritage grounds to. Conditions are proposed below to secure the precise details of the materials for the pavilion building and any resurfacing material for the proposed car park.

#### *Overall heritage conclusion*

- 4.3.55 The proposals will result in a variety of harmful impacts on the Registered Park and Garden, Preston Conservation Area, the main listed building and the teaching block. However, the proposals also deliver a range of meaningful heritage benefits securing the re-use of heritage assets, the removal of unsympathetic buildings and structures within the grounds and the restoration of a variety of heritage assets. These benefits are considered to better reveal significance of the assets which in turn are considered to contribute towards mitigating the harm, as also described above. As acknowledged by Historic England, to secure the long terms future of heritage assets, there are certain necessary compromises that would impact upon significance, as have been set out above. Overall, it is considered that this would equate to harm to significance would be '*less than substantial*'. In this situation, paragraph 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 are considered in the *Planning Balance* at the end of this report.

#### Design, appearance, scale and layout

- 4.3.56 Section 12 *Achieving well-designed and beautiful places* of the NPPF confirms that 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities' (paragraph 131).
- 4.3.57 NHLP Policy D1 and the Design Supplementary Planning Document, clarify the expectations for the design of buildings and places which should reflect the local character of the sites surroundings.

- 4.3.58 Due to the quantity and status of heritage assets on the site, the detailed design approach for development has been heritage focussed. The proposed replacement buildings and associated development including community sports facilities on the site are traditional in plan form, scale and layout with the new dwellings having a more contemporary design and appearance. The proposals are considered broadly to both respect the setting of existing heritage assets on the site whilst also making a clear distinction between original and new buildings. Essentially, the proposals are another stage in the Site's evolution. The quality of external materials will be critical in ensuring a high-quality development across the site. Illustrative materials have been identified and specific details will need to be agreed prior to each phase of the development commencing. The dwellings known as Summer House and Harwood House are located within the treed plantation and particular care will be needed in selecting materials which are both sensitive to and enhance this natural setting.

*Conclusion on design, appearance, scale and layout*

- 4.3.59 Overall, the proposals are considered to be sympathetic to both to the setting of heritage assets on the site and are in accordance with the development plan. Conditions requiring a brick sample panel to be agreed and full details of the materials to be used for the new build elements to be agreed prior to commencement are both necessary and reasonable. This matter weighs neutral in the planning balance.

Archaeology

- 4.3.60 Policy 16 *Conserving and enhancing the historic Environment* of the NPPF sets out the importance of protecting heritage assets. NHLP Policy SP13 *Historic Environment* provides the overarching policy to ensure the protection and enhancement of heritage assets. NHLP Policy HE4 confirms that planning permission for development proposals effecting heritage assets with archaeological interest will be granted provided that a desk based assessment and where justified, an archaeological field evaluation is carried out; the preservation of archaeological remains will be preserved and where the loss of the whole or a material part of important archaeological remains is justified, archaeological recording, reporting, publication and archiving of the results of such archaeological work is undertaken before it is damaged or lost.
- 4.3.61 The application is supported by Archaeological Desk Based Assessment by Britannia Archaeology Ltd which explains the potential effects the development will have upon archaeology. It confirms that there is potential for archaeological remains specifically dating to the medieval and post-medieval periods is considered to be high. Any alterations to the main house may cause a significant impact to the character of the historic fabric and should be recorded in its current state prior to development. The Historic Building Recording also submitted in support of the application provided a detailed recording of the buildings at Temple Dinsley, including a temporal phasing of the buildings extant today. The Historic Building Recording is considered to be thorough in its detailing of the site. However, it is still possible for additional information on the building's history to be uncovered during the alterations and conversion proposed in this application. It is believed that the position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest. In the circumstances, it is both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. In the event permission is granted, appropriately worded conditions requiring a Written Scheme of Investigation (WSI) and the provision of post construction reports are considered to be sufficient to provide for the



level of investigation that this proposal warrants. The standard conditions usually imposed in such instances have been amended to allow above slab level demolition works.

*Conclusion on archaeology*

- 4.3.62 The proposal has the potential for archaeological remains specifically dating to the medieval and post-medieval periods. A WSI and associated reports would address this matter. Subject to conditions, there are no objections to the proposals on archaeological grounds. This matter weighs neutral in the planning balance.

Landscape and visual impacts

- 4.3.63 Chapter 15 of the NPPF *Conserving and enhancing the natural environment* confirms that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes (paragraph 180).
- 4.3.64 NHLP Policy NE2 confirms that planning permission will be granted for development proposals that respect the sensitivities of the relevant landscape character, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this, ensure the health and future retention of important landscape features and have considered the long-term management and maintenance of any existing and proposed landscaping. PNP *Policy EH1: Village Boundary, Rural Character and Setting* requires proposals to protect the open countryside, woodlands, hedgerows and green corridors are protected and, where practicable, enhanced. Development proposals which would unacceptably impact on these environmental assets will not be supported. PNP Policy EH6 *Views and Vistas* identifies a series of key views including one from St Alban's Highways towards Temple Dinsley (viewpoint K). Proposals are required to safeguard, respect and where practicable enhance the identified key views and vistas.
- 4.3.65 The application is supported by a variety of documents and plans which consider landscape and visual impacts arising from the proposals. These comprise a Landscape and Visual Appraisal (LVA) and garden restoration proposal document.

*The Landscape Character Assessment*

- 4.3.66 Across England 159 National Character Areas (NCA) have been identified. In this instance, it is considered that the local landscape character assessment provides the most appropriate landscape character descriptions for the size and scale of the Site. This is set out in the Hertfordshire Landscape Character Assessment (updated 2020).
- 4.3.67 The Site lies entirely within the Offley / St Paul's Walden Landscape Character Area, immediately adjacent to the Langley Scarp Landscape Character Area to the north east. Key characteristics include:
- Gently rolling upland plateau landscape;
  - Large arable areas with smaller parcels of grazing land adjacent to settlements;
  - Varying sized blocks of deciduous woodland;
  - Field pattern generally large scale.

*The submitted Landscape and Visual Assessment (LVA)*

- 4.3.68 The application is accompanied by a LVA by DRaW (a Chartered Member of the Landscape Institute) which identifies the landscape and visual effects of the proposed development. This has been carried out in accordance with best practice.
- 4.3.69 The LVA identifies nine viewpoint locations – four outside the site boundary and five inside - from which the development would be viewed from and has assessed likely effects upon landscape and visual receptors.

Viewpoint	Impact
1 (public) - Represents Preston Neighbourhood Plan View K, 'Towards Temple Dinsley'	Moderate beneficial
2 (public) - Towards the main entrance to the Site from School Lane	Minor beneficial
3 (public) -Towards the Site from Preston Village Green	No change
4 (public) - Hitchin Road in front of Preston Recreation Ground to the north east of The Site	No change
5 (public) - Preston Road, north east of The Dower House	Negligible <b>minor adverse</b>
6 (private) - Main Drive	Minor beneficial
7 (public) - East Drive	No change
8 (private) - Northern end of the east drive looking west	Moderate <b>adverse</b>
9 (private) - View south-west from the orchard	Moderate beneficial

Table 2: Landscape and visual impact summary

- 4.3.70 Whilst two adverse directions of effect have been found, it is suggested that the single minor/ moderate adverse landscape effect relates to a relatively small and discreet plot within the Site only and that wider Site level effects are found to be beneficial. There are no adverse landscape effects beyond the Site itself. Adverse visual effects relate to one glimpsed view for motorists close to the Site boundary and one private view within the Site only (8). No other adverse visual effects beyond the Site or to public receptors have been found. In conclusion, the findings by the applicant's consultant are that the majority of likely landscape and visual effects arising from the proposed development would be beneficial.

#### *Review of the LVA*

- 4.3.71 Officers broadly concur with the findings set out in LVA. The site is largely visually contained from public view due to topography and existing features – walls, buildings and landscaping – limiting the visual and landscape impacts. The demolition works together with garden restoration and building / structure enhancement works proposed will overall improve visual impacts for both public and private visitors to the site and Preston village and the wider landscape. The '*negligible minor adverse*' impacts identified from Preston Road, north-east of The Dower House can be mitigated by the careful selection of materials for Summer House and Harwood House dwellings.

*Conclusions on landscape and visual impacts*

- 4.3.72 Some minor adverse impacts are likely to result from the proposals although overall these are likely to result in landscape and visual benefits. No objections are therefore raised on landscape and visual grounds. This matter weighs as both harmful (limited) and beneficial (moderate/substantial) in the planning balance.

Residential amenity

- 4.3.73 Chapter 15 *Conserving and enhancing the natural environment* of the NPPF requires decisions to contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air, noise and other forms of pollution (paragraph 187). NHLP Policy D3 *Protecting Living Conditions* confirms that new development should protect residential amenity for existing local residents. PNP Policy HD7: *Gardens* seeks the provision of commensurately sized private gardens for new houses.

- 4.3.74 The application is supported by a number of technical documents – Phase 1 Land Contamination Report, Acoustic Design Feasibility Report and Construction Traffic Management Plan – setting out potential noise dust and other localised impacts

*Construction period impacts*

- 4.3.75 The primary impacts arising during the construction period are likely to be from delivery traffic and building and engineering operations on the site. The submitted Construction Traffic Management Plan confirms that HGV movements will only occur during periods when construction noise is permitted within the village - 08:00 – 16:00 on weekdays and 08:00 – 13:00 Saturdays. Construction hours are not set out. The Council's Environmental Health Officer has confirmed that the proposed hours for HGV movements are acceptable. In relation to noisy construction works (i.e. noisy at a residential or other sensitive receptors) 0800 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturdays. There should be no noisy works on Sundays or Bank/Public Holidays. If planning permission is granted, a condition to this effect could be reasonably included. A Community Liaison Strategy is also set out in the construction traffic management plan ('CLO') which will seek to manage and mitigate potential amenity impacts. In the event permission is granted, a condition to secure the delivery of the Strategy would be appropriate.

*Operational impacts*

- 4.3.76 The subdivision of the Main Building and other converted buildings have the potential to create noise and disturbance between residential units. An acoustic report sets out how such noise would be mitigated, and this is considered to be acceptable. According to the submitted Transport Assessment, the traffic attracted to the site will be less than the former educational use with a reduction in associated traffic noise. In relation to wider amenity considerations, it is noted that the nearest neighbouring properties are in the north at the Dower House (six units). The proposals are sufficiently distant from these properties such that they are not likely to result in any adverse residential impacts. The Council's Environmental Health Officer has confirmed that a phase 2 investigative land report is needed to clarify whether there is any land contamination and, if it is found, a remediation strategy to be agreed. This matter can be secured by condition in the event permission is granted. The proposed dwellings which will replace the demolished sports hall are arranged in a courtyard style to mimic the plan form of a farmyard that historically might

have typically existed on sites like this. Although this means that private amenity spaces will be permeable with a degree of intervisibility between them, this is considered to be a sensitive and historically appropriate design solution and given the extensive open spaces within the site – including secluded and semi-private areas - that would be accessible to future residents. Given the foregoing, there is not thought to be any unreasonable operational amenity impacts arising from the proposals.

#### *Conclusions on residential amenity impacts*

- 4.3.77 Potential operational impacts arising from the proposal - noise and contaminated land - can be mitigated by way of conditions. Similarly, construction period impacts – deliveries and construction noise - can also be managed by way of conditions in the event permission were to be granted. The proposal is considered to be in accordance with the development plan. This matter is considered to be neutral in the planning balance.

#### Housing mix and Vacant Building Credit

- 4.3.78 Section 5 of the NPPF - *Delivering a sufficient supply of homes* confirms the need to significantly boost the supply of homes with the overall aim to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community' (paragraph 60).
- 4.3.79 NHLP Policies SP8 and HS3 requires that developments to provide an appropriate range of house types and sizes. NHLP Policy HS5 sets out requirements for accessible and adaptable housing. PNP Policy HD3 *Housing Types* requires proposals to address local housing needs including the provision of two and three-bedroom houses suitable for families, local people and first-time buyers. NHLP Policy HD4 *Tenure of Housing* requires proposals to deliver a mix homes, including an element of social and affordable housing, which takes account of the most up to date study of housing needs in the neighbourhood area.

#### *Housing mix and accessibility*

- 4.3.80 As can be seen from the table set out in section 4.2 a variety of housing types are proposed. In summary, there will be 12 x one bed, 27 x two bed, 21 no three bed, 6 x four bed and 2 x five bed units. This housing mix is considered to be reasonable and satisfies the aforementioned NHLP policies.
- 4.3.81 Although the existing main building will not meet accessibility standards due to historic constraints, all of the new build dwellings (total 24 units) to be in place of the sports hall will be accessible and adaptable with the two units (Summer House and Harwood House) being also wheelchair accessible. The proposals therefore exceed the requirements of NHLP Policy HS5.

#### *Vacant Building Credit (VBC)*

- 4.3.82 Section 5 of the NPPF confirms that the "Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount" (paragraph 65). An associated footnote 30 further clarifies that "Equivalent to the existing gross floorspace of the existing buildings." This policy provides an incentive for brownfield development on sites containing vacant buildings. This requires

Affordable Housing requirements to be reduced based on the quantity of floorspace being brought back into use or replaced

- 4.3.83 The National Planning Policy Guidance (NPPG), clarifies further the approach to this matter -

*“National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace”*

*Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A ‘credit’ should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.*

- 4.3.84 The Developer Contributions SPD confirms that VBC will not apply unless it can be demonstrated that the site has been marketed for its current use for a period of at least 12 months. Paragraph 4.3.2 sets out the marketing approach to the existing educational use of the site. Officers accept that reasonable attempts to market the site for alternative educational users was undertaken.

- 4.3.85 A summary of the ‘Gross Internal Floor Area’ (GIFA) to be demolished and to be replaced with new building dwellings is set out in the following table -

Total GIFA (existing)	<b>8,380m2</b>
Demolished structures	<b>3,586m2</b>
Converted buildings	<b>4794m2</b>
New housing (a) sports hall (b) other	2,746m2 840m2
Total	<b>3,586m2</b>
Total conversion and new housing	<b>8380m2</b>

Table 3: Vacant Building Credit Gross Internal Floor Areas

- 4.3.86 The Site comprises a vacant building and brownfield land satisfying the definitions set out in the NPPF and NPPG. The proposals comprise the change of use of the existing main building and replacement buildings for demolished buildings. The proposed dwellings do not include any net gain of built floor space. The cumulative floorspace of these new dwellings will be no more than the cumulative Gross Internal Floor Area (GIFA) of the buildings to be demolished.

*Conclusion of housing mix and vacant building credit*

- 4.3.87 The proposal is considered to deliver a satisfactory housing mix and accessible housing. Given the proposal satisfies national and local policies and guidance relating to vacant building credit, it is confirmed that the proposals are not required to provide either any affordable housing or provide any commuted sums towards off-site provision. This matter is neutral in the planning balance.

Transport and Highways

- 4.3.88 Section 9. *Promoting sustainable transport* of the NPPF sets out the overarching objectives and considerations to ensure development provide sustainable options for travel i.e. travel by foot, bicycle and public transport. Paragraph 109 refers. Paragraphs 110, 115 and 116 confirm –

*110. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.*

*115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code<sup>48</sup>; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*

*116. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.*

- 4.3.89 NHP policy SP6: *Sustainable transport* confirms that the Council will seek to secure accessibility improvements and promote the use of sustainable transport modes insofar as reasonable and practicable. Paragraph 105 of the NPPF confirms that '*planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.*'
- 4.3.90 PNP Policy TC1: *Safe and Sustainable Transport* confirms proposals will be supported where amenities in the village can be readily and safely accessed by pedestrians and cyclists. Also, there should be no unacceptable increase in traffic or give rise to unacceptable highway safety risks. PNP Policy HD2: *Pedestrian Links and Rights of Way* seeks to protect existing pedestrian links and secure improvements to the wider network where possible. Policy HD6: *Design* sets out expectations for cycle parking.
- 4.3.91 The application is supported by a Transport Assessment (TA), TA addendum (TAA), a draft Travel Plan (TP) and a Construction Traffic Management Plan (CTMP) have been submitted to support the application which identified the anticipated transportation and highways matters associated with the proposed development. The TA confirms that it is estimated that the former school generated roughly 317 vehicle movements in the AM peak hour, and around 317 in the PM peak period, with close to 700 vehicle movements throughout the course of a day. The proposed uses are estimated to generate about 26 movements in the AM peak hour and 48 in the PM peak hour with approximately 292 vehicle movements throughout the course of the day. As can be appreciated from this, the proposed residential and community uses are expected to result in a significant decrease in vehicle movements during both the network peak hours, as well as through the course of the day compared to the former school use. In their consultation response, Herts CC Highways (HA) acknowledges that the development will not have an adverse impact on the highway network.

#### *Vehicular Access*

- 4.3.92 The Site is served by two vehicular accesses presently. The main entrance to the former school is off School Lane adjacent to the junction with Crunnells Green to the west of the site. The secondary access point is off the St Alban's Highway adjacent to the two lodge houses originally serving the site (now in separate ownership). The proposal seeks to retain the existing main site access point off School Lane, with vehicular entry for most residential uses and the cricket pitch gained solely using this access. The site will work with a one-way vehicular flow arrangement, as currently in place at the site, with vehicles continuing along the existing internal driveway, exiting via St Albans Highway. The proposal will retain the existing driveway that leads from School Lane, offering access to the main buildings within the site. From here residents and visitors will be able to access the relevant car parks and parking spaces. Visitors to the community sports facilities - cricket pitch and tennis courts - will access the facility by entering the site off St Albans Highway. Both access points have adequate visibility. The HA have not identified any specific technical objections to their continued use for residential purposes.

#### *Pedestrian access*

- 4.3.93 The main pedestrian access into the Site along the western boundary, opposite the School Lane/Crunnells Green junction. This route is not currently formalised, with access from the site being made through a gate and via the existing verge located on the eastern side of School Lane. There is no formal crossing point between the village and the Site. There is also a permissive footpath on the site which commences at the main vehicular site access at School Lane, running across the field at the south of the site and joining back with School Lane in the east, near to where the junction with St Albans Highway. This would provide future residents' safe access from the western portion of the site to St Albans Highway in the east, whilst avoiding a section of road with no separate pedestrian facility.
- 4.3.94 A footway runs along the western side of School Lane, commencing at Chequers Lane in the north. The footway is circa 1.8m in width and continues into the village, terminating to the south between The Red Lion Pub and Crunnells Green. There are no formal or informal crossing points along School Lane, within the vicinity of the site, although the footway does offer access to other routes that allow users to access the western expanse of the village.
- 4.3.95 The site is surrounded by a number of Public Rights of Way (PRoW) which link the existing school site to the wider village of Preston. The PRoWs link the site to Preston primary school, located to the south-west, as well as St Martins Church and Preston Playground, located to the north. No PRoWs are directly impacted by the proposals.
- 4.3.96 The proposals include a number of additional footpaths for both occupiers and members of the public. These comprise –
- New public footpath along the eastern side of School Lane connecting Crunnells Green with the existing footway approx.100m to the north;
  - Along the eastern side of Hitchin Road connecting the existing footway south of School Lane junction with Chequers Lane with the bus stop approx 40m to the north;
  - New permissive path linking the Dower House residential development in the north to an existing gate on School Lane and the main village;
  - Two new permissive paths within the site spurring from the existing permissive path from the main gate to the St Albans Highway. These will link the village to both the proposed community sports facilities in the south of the site and the public footpath network beyond.
- 4.3.97 No surfacing improvements to existing PRoW (linking the village to urban area) have been identified. The applicant has agreed to provide (via a s278 agreement) the two new public footpaths and associated crossings identified above which will link the Site to the village, including the on-site community sports facilities. In the event of permission being granted, these footpaths would be secured via condition and the permissive paths via the section 106 agreement. There would be some wider public benefit from the provision of the footpaths which would weigh in favour of the development.



#### *Cycling infrastructure*

- 4.3.98 Currently there is no specific cycling infrastructure within the village or on the surrounding local highway network. The roads serving Preston are, not unusually, relatively narrow and therefore not particularly conducive to cycling. However, the recreational Cycle Route 16 runs through Preston, offering an unbroken connection from the site to the southern side of Hitchin. The HA has considered whether there was potential to upgrade existing PRowS adjacent to Preston village to bridleways which would allow for cycle use. However, affected landowners are against the idea of dedicating the rights of way to bridleway status. No other road improvements for cycling have been identified and, in the circumstances, there are no improvements sought to cycling infrastructure as part of the development.

#### *Public transport*

- 4.3.99 Currently the number 88 bus route runs east/west between Luton and Hitchin through Preston village. The route operates 6 services in each direction throughout the day Monday to Friday, with 4 services in each direction running throughout the day on Saturday. Currently Preston falls outside of the Herts Lynx operating zone. The local village bus stops are located a circa 50m/1-minute (southbound stop) and a circa 140m/2-minute (northbound stop) walk from the site via the main pedestrian access. The southern bus stop is indicated by a pole and flag, with timetable information provided, while the northern bus stop offers a small shelter. There are no bus cage markings on the carriageway, Kassel kerbs, nor real-time bus information. The HA Bus Service Development Officer has recommended that given the remote location of the site, the current 88 route bus service is enhanced with potentially increased Saturday operational hours or adjusted weekday services to better serve local schools. An annual contribution of £50,000 (index linked) for 5 years to be put towards the local bus service to support its long-term viability is sought for this. The HA acknowledge that the sums involved are not likely to have a large impact on modal shift or congestion, it will at least allow residents access to an improved bus service. As stated previously above, the HA acknowledges that the development will not have an adverse impact on the highway network. The contribution sought for improved bus service is not therefore required to mitigate impacts arising from the residential use of the Site. It is sought to improve the range of sustainable transport modes as referred to in paragraphs 110 and 115 of the NPPF.

#### *Highway Safety*

- 4.3.100 The applicant's transport consultant has assessed the safety record near to the site access points for the most recent five-year period available (2018-2022 inclusive). No collisions are identified as having occurred within 150m of any vehicular or pedestrian access with a small number of collisions resulting in minor injuries beyond. The HA has not identified any concerns in this regard. Given the foregoing and the expected decrease in traffic movements associated with the residential use, highway safety is not considered to be a notable concern.

#### *Car parking*

- 4.3.101 The site will provide three car parking areas – existing open air hardstanding car park, proposed new East Car Park (covered) and re-use of former tennis court for community sports facility parking (open air). The residential parking areas are both located to the south-east of the main building. Detached units at the Tank House, the Pump House, Summerhouse and Harwood House will include ‘cart lodges’ incorporating, car, cycle and domestic storage facilities. Details of parking standards and actual provision is set out in the table below –

<b>Resident (SPD/proposed)</b>	<b>Visitor (SPD/proposed)</b>	<b>Total for site (SPD / proposed)</b>	<b>Community sports facility parking (SPD/proposed)</b>
118 / 99	33 / 39	151 / 138	Not defined / 19

Table 4: Car parking summary

- 4.3.102 The council’s parking SPD was adopted in 2011 and since then the national policy position has shifted away from car led developments. Given the type and number of constraints associated with the site, the availability of other hardstanding areas and the provision of community sports parking facility, which is likely to have occasional and seasonal use, the proposals are considered to provide a balanced provision of car parking for the proposed residential and community uses.

#### *Cycle Parking*

- 4.3.103 Long stay (covered) cycle parking for the residential uses is proposed across the site in a variety of locations - within cart lodges, the covered east car park and within the existing main building. A total of 158 cycle parking spaces, consisting of 130 long stay spaces for residents and 18 short stay cycle parking spaces for visitors are proposed. Adopted standards require a minimum of 1 secure covered space per dwelling. This equates to 1.8 space per unit although in reality, the flexible nature of storage spaces means that additional cycle storage maybe possible especially for detached houses which have their own cart lodges. The cycle parking provision for residential uses is considered to be acceptable.
- 4.3.104 In relation to the community sports facilities, no cycle storage facilities have been identified. However, in the event that permission was to be granted, a condition requiring details of a long stay (covered) cycle storage facility to this area of the Site would be reasonable and necessary.

#### *Construction Traffic Management Plan (CTMP)*

- 4.3.105 The purpose of this document is to propose how construction traffic including site personnel movements will be managed during the construction phase. This has been reviewed by Herts CC Highways Network Manager (Operations). A number of issues and matters of clarification relating to the Plan have been raised. The applicant’s highway consultant has amended the Plan to clarify the points of concern and this has been referred back the HA for further comment. An update on this matter will be provided at the meeting. In addition, concerns from an objector about the route for construction traffic has been considered by Herts CC Highways. It has confirmed that the proposed route is considered optimal taking into account all highway constraints and impacts on affected villages.

*Travel Plan (draft)*

- 4.3.106 A draft Travel Plan was submitted with the application. This has been reviewed by HA Active & Safer Travel Team. The Team have requested clarification on a number of points and the developer's consultant has recently updated the draft Travel Plan. A further consultation with the Herts CC Highways has been carried out and their response is pending. An update on this matter will be given at the meeting.

*Highway improvements*

- 4.3.107 The HA has indicated that it seeks a s106 contribution / strand 2 toolkit figure of £6,826 per dwelling (index linked). This would equate to £470,994 for the whole development. no other wider areas to mitigate or improve the immediate or wider highway infrastructure has been identified. From this the HA has identified the following potential highway improvements –

- *The developer to collaborate with the parish council to replace/repair the existing shelter and install a new, suitable shelter on the green, ensuring a safe and dry waiting area for bus passengers* – a new shelter for the bus stop on the Green would be an enhancement (currently there is no shelter). Given its status as a 'village green' there are other legal controls which restrict the erection of structures within it. The parish council do not support the erection of shelter on this land. In the circumstances, there is not reasonable prospect of a bus shelter being delivered. In relation to the existing other bus shelter, the parish council has confirmed that this is in a good state of repair and does not require repair or replacing. A contribution towards bus shelters is not necessary or reasonable.
- *Provide pavements and pedestrian crossing points to ensure safe and easy accessibility to bus stops for everyone* – School Lane, Hitchin Road, and Church Lane – two new public footpaths to be provided by the developer as part of a s278 agreement. Although, no crossing points along School Lane have been agreed, preliminary drawings by the applicant's transport consultant identify the location and type of these. Precise details can be secured via the s278 works. This is considered to be reasonable and acceptable.
- *Enhance road safety by improving speed signage and warnings on the approaching roads (Hitchin Road)* – this is supported by the parish council and the applicant has agreed to make a contribution to such signage.
- *Additional pedestrian paths from within the development on to School Lane to reduce the walking/wheeling distance to bus stops* – section 4.3.68 confirms the internal footpaths proposed to improve connectivity between the site and the village. These are considered to be both reasonable and acceptable.
- *Developer to demonstrate that they are promoting the local bus service/s along with travel vouchers to encourage sustainable modes of travel* – the developer has agreed to provide a contribution (circa £16,000) to either cover bus vouchers for a three month period for each residential unit or a pilot public transport service for residents. Promotion of local bus services can be secured through the site wide Travel Plan (a draft of which has already been provided). These are considered to be both reasonable and acceptable.

- *A financial contribution (£250,000) towards improved bus journeys for the 88 bus route* – this is explained in paragraph 4.3.71. The improvements to the existing bus service serving the village have been costed at £250,000. However, the HA acknowledges that this is not required to mitigate any impacts on highway infrastructure arising from the new residential use of the site (as previously confirmed, there will be a significant decrease in vehicle movements during both the network peak hours, as well as through the course of the day compared to the former school use). It also accepts that it is not likely to have a large impact on modal shift or congestion. The contribution is sought to improve sustainable transport options. Officers have carefully considered this and conclude that this contribution is not proportionate in scale and kind for the development proposed and does not pass the necessary CIL regulation tests. This contribution is not therefore being sought.

#### *Conclusion on Highway and access impacts*

- 4.3.108 In their consultation responses, the HA has not raised any technical objections to the use of the vehicular accesses or raised any highway safety concerns relating to the residential use. The proposed residential use of the Site will result in a net decrease in vehicular movements to the site compared to the last use as a school. A range of on-site permissive and public footpaths will improve pedestrian connectivity from the Site and within the locality for both new residents the wider public. The applicant will deliver the new public footpath improvements and related crossings at their own cost via a s278 agreement. No opportunities have been identified to improve cycling infrastructure near to the site. The proposal will deliver acceptable car and cycle parking facilities. No fundamental issues have been identified with the CTMP and draft Travel Plan. The HA has indicated that they seek a s106 contribution of £6,826 per dwelling in accordance with their toolkit. This would equate to a total contribution of £470,994. In accordance with the CIL regulations, officers have identified which of the HA's improvements are reasonable and the applicant has provided written agreement to these. Having regard to paragraphs 110 and 115 of the NPPF requiring the prioritisation of sustainable transport modes, the measures set out are considered to be proportionate in scale and kind for the proposed development. The footpaths and crossing improvements will have wider public benefits linking the village to the proposed community facilities and the immediately adjacent PRoW network. As the HA is recommending refusal of the application, no highway conditions have been provided. In the event Members resolved to accept the officer's conclusions on this matter, highway conditions from the HA should be sought. Overall, this matter is considered to weigh beneficially in the planning balance.

#### Sports pitch impacts

- 4.3.109 Section 8. of the NPPF *Promoting healthy and safe communities* requires planning decisions should aim to achieve healthy, inclusive and safe places. Paragraph 102 clarifies that 'Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.' Paragraph 103 specifically states that -

*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

*a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*

- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

4.3.110 NHLP Policy SP10: *Healthy Communities* confirms that the council will provide and maintain healthy, inclusive communities for our residents by (i) supporting the retention of existing community, cultural, leisure or recreation facilities and (ii) require appropriate levels of new community, cultural, leisure and built sport & recreation facilities to be provided in new Development. The council adopted the Playing Pitch Strategy and Action Plan and the Indoor Sports Facilities Strategy and Action Plan in December 2018. These are joint strategies resulting from the partnership working of stakeholders such as national governing bodies, facility providers, local clubs and leagues. The council is in the process of updating the strategy and it is anticipated that this will be published later in the year.

4.3.111 The proposals do not result in the loss of or affect the use of playing field or pitches although as the proposal involves the loss of other sports facilities - the former schools sports hall and one of four existing tennis courts. In these circumstances, there is no statutory requirement to consult Sport England although planning guidance advises that it should be consulted. Sport England has been consulted and their comments are considered below.

*Existing sports facilities and pitches on site*

4.3.112 Existing on-site provision comprises a sports hall, disused sports field, a disused cricket pavilion building, four tennis courts and swimming pool (originally a pond). As part of the proposals, the following sports facilities would be affected –

- the sports hall would be demolished
- the swimming pool would revert to its original use an ornamental pond
- one of the four tennis courts would be and repurposed as a car park for the community sports facilities
- the existing cricket pavilion building would be removed

4.3.113 The loss of the above sports facilities is tempered by the fact that there was very occasional public use of these when the site was operated as a school, usually during summertime when the school was unoccupied.

*New provision arising from the proposed residential use*

4.3.114 The proposed residential use generates a need for both new sports pitches and facilities. The Sport England Sports Pitch and Facilities calculators confirm that the proposal will generate the following needs -

Sport	Pitches / area (m2)
Natural Grass Pitches (*cricket pitch requirements 0.02)	0.27
Artificial Pitches	0.02
Changing rooms	0.34

Swimming pool	1.77 m2
Sports hall	0.04 m2
Tennis courts	0.04 m2
Indoor bowls	Fixed

Table 5: Sports pitch and facilities arising

In summary, the new need arising from the development for sports pitches is circa 0.28 (pitches) and 1.85m2 of sports facilities which equates to a capital cost of £191,718 and an annual maintenance cost of circa £5,999 (£120,000 over 20 years).

*Local sports pitch need and retained / enhanced sports pitch provision*

- 4.3.115 A financial contribution towards the improvement of existing sports pitches and facilities in either the parish or nearby Hitchin would be the typical way to delivery need arising from the development. However, the applicant has been in discussions with both the Parish Council and the local cricket club (Preston Cricket Club) for a period of time prior to the submission of the application to discuss sporting needs of the village. Once the application was submitted, extensive discussions have continued to take place between the applicant, the district council, Preston Parish Council and the Preston Cricket Club.
- 4.3.116 Preston Cricket Club has been established for over 140 years and is part of the Saracens Hertfordshire Cricket League, where it currently fields four senior Saturday XIs throughout the summer, as well as two Sunday teams, an emerging women's team and more than 70 junior players (U9-U13) enjoying both coaching and match play cricket. Currently there is a need to host two concurrent home matches which requires a second ground and associated pavilion facilities to be hired out of the village. This is done at considerable cost to the Club and requires complicated yearly negotiation with competition from other interest groups. There are also challenges with playing games outside of village location as it does not help the Club Preston in furthering the strong local inclusivity.
- 4.3.117 The creation of a cricket pitch and associated pavilion at Temple Dinsley would enable senior 3rd and 4th XI teams as well as some junior and women's cricket, where ball strike distances tend to be less dramatic than for the 1st and 2nd XI teams. The England and Wales Cricket Board (ECB) promotes diversity and inclusion and expanding the Club's facilities will help foster both increased women's cricket and further attracting participation from North Hertfordshire's African-Caribbean and South Asian communities.
- 4.3.118 The cricket club has provided a feasibility report setting out estimated costs for the delivery of the new pitch and pavilion. The club is seeking initially sought a contribution from the developer towards the building work associated with the cricket facilities of £175,000 although most recently due to the pavilion design needing to be constructed in materials appropriate to the heritage setting they are seeking a contribution of £200,000. A contribution towards this is an essential element of the project's overall financing and indeed the project is very unlikely to be viable without it. The developer has offered a contribution of £175,000. The cricket club has confirmed that it is confident the shortfall can be secured via other funding streams and support from cricket club members.
- 4.3.119 The location of the proposed pitches and outfield, complying to ECB minimum size standards for adult cricket (which allow for both the playing area and surrounds). The cricket club has worked hard to identify the current opportunity to stage cricket at Temple Dinsley / Princess Helena College, continuing the availability of sports facilities there but with access for the broader community - both from the village and the wider area.

- 4.3.120 As part of the proposals a redundant existing pavilion building (48m<sup>2</sup>) would be removed once the new pavilion comes into use. A replacement bespoke single storey cricket pavilion building with changing facilities, toilets, communal area and storage space is proposed (160 m<sup>2</sup>). The pitch and associate land would be provided to the cricket club on a peppercorn rent for a period of 75 years.
- 4.3.121 Immediately adjacent to the proposed cricket facilities, there are three existing disused tennis courts (approximately 0.17ha). The developer has offered the use of two of the courts (approximately 0.12ha) to the parish council who have indicated their desire to take the responsibility for managing the community use of these. The two courts will be refurbished and leased to the parish council on a peppercorn rent for a period of 75 years. The remaining tennis court would be remodelled and resurfaced to make provision for 19 open air car parking spaces for visitors using the community sports facilities. The three retained tennis courts are 0.19ha in area and the cricket pitch is 1.29ha. This gives a total of 1.48ha of on-site sports pitch where 0.28 pitches are required. By way of reference, according to Sport England's calculator the capital cost needed to provide a single tennis court is circa £125,000.
- 4.3.122 In addition to the two community tennis courts, another existing tennis court adjacent to the northern site boundary would be retained and refurbished exclusively for residents of the development. Due to the restricted use of this, it has limited benefit in wider sports pitch provision arising from the development.
- 4.3.123 All of the foregoing community sports facilities would be located in the southern part of the site adjacent to the secondary vehicular access (east Avenue) and the St Albans Highway. Maintenance of all these community facilities would be the responsibility of the cricket club (cricket facilities) and parish council (community tennis courts).

*Sport England response*

- 4.3.124 Sport England has been consulted on the proposals. Their initial response raised a number of queries and therefore a holding objection was issued. Meetings and discussions between officers, the applicant and Sport England have taken place. Sport England's verbal position at the time of writing this report was that in lieu of the sports facilities lost and the new sports pitch and facility demand generated by the proposed residential uses (as set out above), it has indicated that it supported the proposals on the proviso that community sports facilities were provided in full by the developer. As Members will appreciate, there are a range of benefits sought to be secured as part of the wider proposals and these must be carefully weighed in terms their importance. Confirmation on Sport England's updated position is awaited and this will be provided at the meeting.

*Conclusion on sports pitch*

- 4.3.125 Officers consider that given the very occasional use of the sports facilities on site by the public, the money needed to invest in their refurbishment and the Sites remote location away from the main urban area of Hitchin, their continued use of the site for community purposes would be extremely limited. Also, the replacement sports hall housing is likely to deliver the investment in the various heritage assets on the Site. The delivery of community sports facilities is considered a priority given identified local need. The need from the development for pitch sports is 0.17ha based on the adopted sports pitch standards and calculator which equates to a commuted sum of £191,718 is required together with an annual maintenance cost of £5,999 (£120,000 over 20 years). The

developer is not under any obligation to provide sports facilities on site. However, the actual on-site sports pitch provision is 1.48ha which equates to an significant over provision sports pitches. In addition, the developer has offered a contribution to the cricket club of £175,000 towards the provision of the cricket pitch and pavilion. The cricket club has verbally indicated that it is confident that any shortfall in delivering the pitch and pavilion can be met through other funding streams and club supporters / players. This is a highly usual proposal which will deliver on-site sports pitch provision for a rural community use in the long term (75 years) where there is a proven need. This is considered to be a significant benefit for the community both locally and for the immediate rural area generally. In the circumstances, subject to these benefits being secured in a s106 agreement, officers believe that the proposal is acceptable from sports pitch impact and provision perspective.

#### Open space

- 4.3.126 Chapter 8. *Promoting healthy and safe communities* of the NPPF confirms that development proposals should aim to achieve healthy, inclusive and safe places which -

*(c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling (paragraph 96).*

- 4.3.127 The NHLP Policy NE6: *New and Improved Open Space* states that planning permission will be granted for development proposals that make provision for new and/or improved open space in accordance with the Councils open space standards. In terms of open space provision for new housing development, NHDC have adopted and apply the 'Fields in Trust' Standards (FiT), under the 'Guidance for Outdoor Sport and Play – Beyond six-acre Standard'. Further details are set out on the Council's Developer Contributions SPD.
- 4.3.128 PNP policy AF1: *New and Improved Community Facilities* confirms in principle support for improved community facilities in the parish with particular focus on accessibility for children, the elderly and those with disabilities. Policy EH3: *Open and Green Spaces* seeks to protect existing open space, provide new green infrastructure to provide permeability for wildlife through and around the development.

#### *Open space provision*

- 4.3.129 The open space requirements arising from and provided by the development is set out in the table below. These are also illustrated in submitted drawings. As the 'outdoor sport' typology has been dealt with in the previous section of the report, it is not repeated here.

<b>Open Space Typology</b>	<b>FiT standard (hectares)</b>	<b>Actual provision (hectares)</b>
Parks and gardens	0.13	3.6
Amenity green space	0.01	1.8
Natural and semi-natural green space	0.3	6.3
Allotments	0.04	The plans identify a community growing



		space for residents. The site will also provide a replacement orchard which is set out in the 'Landscaping' section of this report.
Play parks	Local Area of Play (LAP), Locally Equipped Area of Play (LEAP) and contribution towards Multi Use Games Area (MUGA)	These are to be provided off-site within the village. Improvements to existing play facilities off site within village via financial contributions

Table 5: Open space typologies

- 4.3.130 As can be seen from the table above, the minimum standards are significantly exceeded for parks and gardens, amenity green space and natural and semi natural green space. These spaces will need to be managed and details of this can be secured by condition. Allotments will be provided in the form of a Community Growing Space which is located within a small herbaceous border within the historic garden area to the west of the Main Building. Details of how this would be managed would be secured by the same condition. In relation to play parks, it is considered that there would be greater benefit if this were provided off-site due the heritage constraints across the site and the wider benefits from improving existing play facilities within the immediately adjacent village. The Council's SPD requires a contribution towards a MUGA. However, given that the delivery of community sports facilities are being prioritised, this contribution has been incorporated into the cricket club contribution towards the delivery of cricket pitch and pavilion.

*Conclusion on open space provision*

- 4.3.131 The management of these spaces are expected to be undertaken by a management company, details of which are to be secured by way of a condition. This can be secured by condition in the event of permission being granted. As can be appreciated from the above table, the development will exceed the minimum requirements in relation to open space. These are benefits which contribute towards the VSC case in relation to inappropriate development within the Green Belt and also in the overall planning balance.

Ecology and Biodiversity Net Gain (BNG)

- 4.3.132 Chapter 15 *Conserving and enhancing the natural environment* of the NPPF requires decisions to contribute to and enhance the natural environment. NHLP Policies SP12 - *Green infrastructure, biodiversity and landscape*, NE4 - *Biodiversity and geological sites* and NE6 - *Designated biodiversity and geological sites* - seek to protect, enhance and manage the natural environment. PNP policy EH3: *Open and Green Spaces*, EH7: *Protecting and Enhancing the Local and Natural Environment* and Policy EH5: *Tranquillity and Dark Skies* are also relevant policies in relation to ecology and BNG.

- 4.3.133 The 2021 Environment Act introduced an automatic requirement for every planning permission granted to achieve a 10% Biodiversity Net Gain (BNG). The proposal is subject to mandatory BNG requirements. The application includes a BNG assessment.
- 4.3.134 In relation to existing ecology, the application is supported by a Ecological Assessment Report by Applied Ecology Ltd. This Report involved desk study and a phase 1 habitat survey and bat roost assessment. It confirms that the Site does not lie within any statutory or non-statutory designated site for nature conservation. Whilst there are a number of priority habitats within 500m of the Site there was no irreplaceable habitats found.

*Ecology*

- 4.3.135 In relation to animals and habitats the findings confirmed that there was no evidence of protected species on the site although on site habitats have the ability to support common reptile species, specialist invertebrate species, west European hedgehog and a variety of bird species. Survey work revealed the presence of a Barn Owl in the pumping station building and the tank house. Bat roosting and activity has been identified in trees, including those within the plantation and the following buildings West Wing, East Annex, Science Block, Teaching Block, Tank House and Pumping Station.
- 4.3.136 The council's ecologist has confirmed that the bat activity in the Summer Plantation is of County importance for the bat assemblage due to the presence of nationally rare Barbastelles. It is confirmed that the tree works to facilitate the two dwellings in the plantation will not have an impact on bats. Given the sensitivities of the bat interest on site, it is recommended that a bat monitoring programme for the plantation be secured for 10 years. This would include a long-term management plan with details of monitoring and remedial actions to be where detrimental impacts are found to have. Submission of an annual report to the LPA to determine levels of bat activity would also be required. Works to the Main House, demolition of the science block and conversion of the Tank House and Pump House are considered likely to result in the damage or destruction of bat roosts and will require a bat licence from Natural England. Confirmation that such a licence has been issued prior to the demolition of these buildings (which does not include the sports hall) should be conditioned in the event of permission being granted.
- 4.3.137 In relation to the Barn Owl, it will be essential to ensure that nesting of this is not disturbed by renovation activity to either building, and that accommodation is made to ensure that it can continue to nest and roost within the site by the provision of tree and/or building mounted barn owl boxes. These can be secured by condition. In accordance with NHLP policy NE4 biodiversity enhancement and on plot opportunities should be explored for the new build dwellings in addition to the mitigation for species impacts already discussed. A condition is recommended to secure a Ecological Enhancement Plan to secure a range of enhancement measures. This would include bird nesting measures requested by other interested parties who have commented on the proposals.
- 4.3.138 Given the extensive bat interest across the site impacts from lighting are the main concern arising from the proposals. Existing buildings on site have, by the nature of being a school, previously been illuminated and as such bats using these buildings are accustomed to the light. However, changes to increase this and the introduction of lighting in previously unlit areas will be detrimental. As such a lighting strategy for the site, including woodland areas, should be conditioned.

- 4.3.139 The Ice House is identified as a Local Wildlife Site (LWS) due to its value as a hibernation roost for Daubenton's, Natterer's and Brown Long Eared bats. The location of the eastern car park in the vicinity of the Ice House and any potential impacts on the bats using it is a matter to be given careful consideration. NHLP Policy NE4 of the North Herts Local Plan requires a 12m buffer around Local Wildlife Sites and as such the car park has been pulled away to allow for separation. A fence is to go around the perimeter of this buffer to prevent public access with interpretation for its historical interest to be kept outside of the fence. Additionally, the access to the Ice House will be need to be secured with a lockable grille to allow bat access but prevent humans or pets from entering. Further, concern was raised over the potential impact from lighting associated with the use of the car park. A lighting scheme has been provided which demonstrates light spill will avoid the LWS but additional to this a new yew hedge will be planted to screen out headlights as cars enter and exit parking spaces. As a number of buildings are to be demolished and converted, together with changes to introduce new dwellings to woodland the use of a Construction Environment Management Plan is advised to prevent harm to protected species and avoid unnecessary ecological impacts

*Biodiversity Net Gain (BNG)*

- 4.3.140 As has already been confirmed, the development is subject to mandatory BNG. The application is subject to a requirement to deliver 10% BNG and a Statutory Metric calculation has been provided with the application which indicates that the scheme would secure a 16.61% gain in habitat units and a 12.81% gain in hedgerow units thereby meeting the statutory requirement. Given the scale of the site, distinctiveness of habitats present and high number of units involved the gains are considered significant and ongoing management of the habitats on site will be informed by a Habitat Management and Monitoring Plan to be secured via a s106 agreement. A pre-commencement 'Biodiversity Gain Plan' condition is recommended in the event that planning permission is granted.

*Conclusion on ecology and BNG*

- 4.3.141 Having regard to foregoing, ecology impacts arising from the proposals, particularly in relation to bats and the Barn Owl, can be mitigated and further details can be secured by conditions. In relation to BNG, the proposal will provide an above mandatory 10% improvement across the site. This is considered to be a benefit in the planning balance.

Trees impacts and proposals

- 4.3.142 Chapter 15 of the NPPF - *Conserving and enhancing the natural environment* - confirms that proposals should protect and enhance the natural environment. NHLP Policy SP1: *Sustainable development in North Hertfordshire* seeks to protect key elements of North Hertfordshire's environment. NHLP Policy NE2 *Landscape* seeks to ensure the health and future retention of important landscape features and their long-term management and maintenance. PNP policy EH8 *Hedgerows, Trees and Verges* requires proposals to retain and maintain existing trees and hedgerows where possible. New landscaping is also suggested to mitigate the visual impact of development.
- 4.3.143 The historic background of the site and its formal status as a RPG confirms its importance in landscape terms. The site contains extensive areas of existing hedgerows, trees and of course the plantation to the eastern boundary. The application is supported by a tree report by Sharon Hosegood Associates (SHA) arboricultural consultancy. This sets out tree constraints, impacts and preliminary mitigation measures arising from the development.

- 4.3.144 The report summary confirms proposals have been carefully designed to minimize impact to trees and follows close design team collaboration. The vast majority of trees will be retained, although two discrete areas of the mid last century plantation ‘Summerhouse Plantation’ will be removed. Tree planting will exceed the NHDC Tree Strategy Policy of requiring two trees for every one tree removed, including new woodland planting of a greater species diversity than the relatively poor-quality, self-sown sycamore dominated parts of the plantation which is required for removal for development. The existing landscape screens all of the proposals, and will be enhanced by planting which is appropriate for the biodiversity and landscape setting. Rev B relates to the new substation, parking in East Park (moved back from trees) and provides detail on the energy centre (now away from trees) – all text changes in blue for ease of reading.

<b>Categorisation of tree features - trees/groups/hedges/woodlands</b>	<b>Total</b>	<b>Trees/groups to be retained</b>	<b>Trees/groups to be removed</b>
Category A	28	28	0
Category B	391	380	11
Category C	511	413	98
Category U	123	73	50
Total	1053	894	110 +49U

<b>Trees/groups to be retained</b>	<b>Trees/groups to be removed</b>	<b>Trees to be planted</b>	<b>Net additional trees</b>
894	111 (excluding U)	388	277 plus woodland planting

Table 6: Removed, retained and proposed trees

- 4.3.145 The council’s arboricultural consultants (Maydencroft) have considered the tree impacts arising from the development. Some revisions have been made to the proposals to mitigate the impact on veteran trees. The submitted arboricultural report has been updated to reflect these changes.

*Summerhouse Plantation*

- 4.3.146 The council’s consultant has confirmed that most tree removals required to facilitate this proposal are located within Summerhouse Plantation where the two new properties (Summer House and Harwood House) will be built. The areas chosen for each property have been carefully selected to optimise existing open spaces and the footprint of the current building. Although the number of tree removals in these areas is quite high, just under half of these trees have been designated as Category U (unsuitable for retention), which was confirmed on a site. No trees of high quality (Category A) have been identified requiring removal within the woodland and only six trees of moderate quality (Category B) are to be removed.

*The proposed East Car Park*

- 4.3.147 This part of the proposal will necessitate the removal of some trees due to the level of root impact and proximity to the new surfacing and parking areas. There are two veteran trees (T119 named Majestic Oak and T171 on the Ice House) immediately adjacent to the proposed car park. Following discussions, the layout of this has been revised significantly reduce any potential impact to either of these veteran trees.

*Other site wide tree considerations*

- 4.3.148 A cable route which had the potential to impact a veteran holm oak (T621) has been amended and is now located outside of the RPA and buffer zone of the tree.
- 4.3.149 The site contains significant number of trees many of which are not directly affected by the development. It is confirmed that no Category A trees are to be removed as part of this proposal and only eleven Category B trees require removal. The remaining tree removals comprise ninety-eight Category C and fifty Category U trees. As part of the landscaping proposals for the Site, 388 new trees along with additional woodland planting is proposed. This level of planting is considered sufficient to mitigate the loss of the removed trees and will have a positive impact on the landscape and help increase the overall quality of the arboricultural resource across the site. Other trees have been identified as requiring removal on the grounds of health and safety rather than to facilitate the project. Although this does increase the overall level of tree loss on site, the work is necessary as part of ongoing site management, and the proposed on-site mitigation will prevent the arboricultural value of the site from declining.
- 4.3.150 The demolition of the sports hall is anticipated to be the building operation which will 'commence' the development and details of tree protection measures relating to this specific operation have been submitted and agreed already. Other detailed tree protection and construction details adjacent to trees will need to be set out in an Arboricultural Method Statement prior to each phase of the development which would be secured by condition.

*Conclusion on tree impacts*

- 4.3.151 A variety of tree impacts have been identified by the applicant's arborist. These have been considered by the Council's arboricultural consultant. Overall, the tree impacts across the site are not considered to be unreasonable and will provide the opportunity to secure better management in the long term. Subject to conditions requiring an Arboricultural Method Statement, Tree Protection Plan and a Veteran Tree Management Plan at each phase of development, there are no reasons to withhold permission on tree impact grounds. This matter is considered to be neutral in the planning balance.

Landscaping proposals

- 4.3.152 Chapter 15 of the NPPF - *Conserving and enhancing the natural environment* - confirms that proposal should protect and enhance the natural environment. NHLP Policies SP1: *Sustainable development in North Hertfordshire* and NE2 *Landscape* sets out matters relating to proposals which affect existing and proposed landscape.
- 4.3.153 The restoration of the Registered Park and Gardens (RPG) and wider grounds is central component to the project. The proposals are set out in a number of documents and plans and is split between the formal historic 'Luytens and Jekyll' gardens to the west and north of the Main Building and the wider 'non-formal' park and grounds. The formal garden plans have been provided by George Carter - a designer specialising in formal gardens with extensive experience of the restoration and reconstruction of historic gardens. Livingston Eyre Associates have prepared preliminary hard and soft landscaping drawings for the non-formal garden areas in wider grounds and associated with the new build elements.

#### *Formal gardens*

4.3.154 These areas are detailed in a number of drawings informed by a survey and comprise - *Formal Gardens Site Plan, Historic Lutyens Garden Block Plan, Rose and Herbaceous, Magnolia and Rose Garden, Magnolia and Rose Garden 2, Pergola and North Terrace, Forecourt and Diamond Garden, Pool Garden.*

4.3.155 The proposals comprise –

- Entrance forecourt – reconfiguring of the gravel and grass layout with new borders and mown beds.
- The Pool Garden - the existing modern swimming pool is to be reconfigured and the early canal-like pond is to be re-instated.
- The Rose Gardens – these will be repaired and replanted with appropriate roses. York paving will also be restored.
- The Herbaceous Garden – this will be cleared and regraded reinstating a wide central mown path defined by York-stone edging.
- The Magnolia Garden - the very overgrown yews from the original hedge surrounding the 2nd Rose Garden be removed and both hedges replanted. The paving steps and retaining walls will be restored following the surviving pattern.
- The Pergola Garden - it is proposed to retain the present configuration on the North and South side of the lawn. The long East pergola and its terminations to the North and South is to be cleared of planting and replanted with controlled climbers. The central paved paths to be re-laid and repointed.
- The North Terrace – reinstatement of blocks of yew and that the replanting of the two beds removal of most of the overgrown vegetation and to restore the hard landscaping. The dense planting of trees and shrubs to the far East at the upper level will be thinned and enhanced with underplanting with a weed-suppressing bark top dressing between planting.
- The Quincunx Orchard - the deer fence to be hidden behind a beech hedge on all sides. Defective trees are to be replaced with similar varieties. Overgrown fruit trees will be pruned to a better shape.
- The Belvedere – this is to be carefully cleared of ivy and other overgrowth. The yew hedge running North South terminating at the Belvedere is to be clipped back to a formal hedge and the overgrowth against the Belvedere to be removed to help re-instate the NE view from the East window.

4.5.156 The proposed restoration of the historic garden concentrates on the designed elements of the 1908-1918 period (Lutyens and Jekyll) widely considered to be the prime period. The original herbaceous and shrub planting was quite simple and of low height which gave the architecture and garden structures prominence. This period also took advantage of pre-existing planting and of garden walls and contours. Though the garden has lost much of its planting of the Lutyens and Jekyll period, the survival of paths, walls, paving, steps and garden structures make this garden important. Most of the mature trees within the formal gardens will be retained and in some cases the canopies reduced. No planting specification survives for the garden, but other historic evidence has informed the preliminary details with more precise details to be secured by way of condition in the event of approval.

*Non-formal garden areas and open space*

- 4.3.157 Illustrative hard and soft landscaping proposals for the new houses, the proposed new East Car Park and the grounds and gardens to the north of the Main Building are set out in seven drawings prepared by Livingston Eyre Landscape Architects. These drawings include preliminary details of new planting proposals across the wider site, the location and types of new boundary treatments, retaining walls, footpaths, steps and other hard surfacing proposals. Significant new planting is proposed largely to deliver the required biodiversity net gain improvements. This is focussed to the north of the Main Building and comprises new woodland and wildflower meadows. New woodland is proposed adjacent the site boundaries to School Lane and the St Albans Highway, surrounding the community sports facilities. Other notable tree planting is proposed adjacent to the proposed walled East Car Park and a new tree lined vista adjacent to the Tank House from the main entrance from the Main Building into the wider park and grounds which will mimic a feature that historically existed.
- 4.3.158 Taken together, Historic England has confirmed that the research and documentary evidence that has been produced to inform the proposals, should ensure a sound conservation-led approach and authenticity to the reinstatement of the gardens, including sensitive and pragmatic interventions for communal use and to improve access. It supports this element of the scheme and recommends that detailed design and specifications should be secured by planning condition(s). It also supports the proposed improved management of the grassland, woodland, and waterbodies forming the wider landscape park for both heritage and nature conservation benefits. The management and maintenance plans for the gardens and wider parkland should also be secured by way of a planning condition in the event of permission being granted.

*Conclusion on landscaping proposals*

- 4.3.159 The proposed restoration of the formal gardens and wider grounds will enhance the setting of heritage assets and deliver significant long term heritage and environmental benefits. Subject to conditions requiring detailed landscaping plans (to be broadly in accordance with the preliminary drawings and details already submitted) and a management and maintenance plan, the proposal is considered to be acceptable in landscaping terms. This matter weighs significantly in the planning balance.

Flood risk

- 4.3.160 National policy on issues relating to flooding is set out in the NPPF at paragraphs 170 – 182. This emphasises the importance of considering the potential for flooding for new developments, particularly in areas identified at high risk. It also requires the consideration of incorporating sustainable drainage solutions where necessary and appropriate.
- 4.3.161 NHLP Policies SP11 and NE7 seek to ensure that development does not result in unacceptable flood risk. PNP Policy HD8: *Flood Risk and Drainage Provisions* confirms that development proposals in locations at the highest risk of flooding will not be supported. Where any development proposal can be demonstrated to be necessary in such areas the development should be made safe for its lifetime without increasing the risk of flooding elsewhere. In other parts of the neighbourhood area beyond the locations at the highest risk of flooding, development proposals will be supported where they do not increase flood risk elsewhere in the neighbourhood area. Major developments should incorporate sustainable drainage systems within their design and layout unless there is clear evidence that this would not be appropriate either within the neighbourhood area or on the site concerned.

- 4.3.162 The applicant provided a Flood Risk Assessment (FRA) with the application. This site falls within Flood Zone 1. The LLFA have raised an objection to the proposal on the grounds that the development is inappropriate to the Flood Zone in which it is located and adequately assess the flood risk at the site using an appropriate method, fails to include an assessment of the impact of climate change using appropriate climate change allowances and did not demonstrate that adequate flood risk mitigation measures had been included in the design of the proposed development to ensure the development will be safe for its lifetime. The applicant's consultant is undertaking further flood modelling work with the view to presenting a revised flood risk assessment to address the LLFA's concerns. The LLFA has confirmed more recently that the further modelling work being undertaken is positive it looks like it will address their concerns. Members are asked to agree to delegate this matter to officers to resolve and include necessary conditions as recommended by the LLFA. In the event the matter was not resolvable, the application would be referred back to Members for reconsideration.

*Conclusion of flood risk*

- 4.3.163 There is an outstanding objection from the LLFA which requires further modelling. There is an expectation that this matter can be resolved. Subject to the LLFA confirming their agreement to a revised flood risk assessment, there is no objection to the proposal on flood risk grounds. This matter is considered to be neutral in the planning balance.

Utilities and services

- 4.3.164 Section 10 of the NPPF *Supporting high quality communications* confirms that 'Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.' PNP Policy TC2: *Broadband and Mobile Coverage* - Provision of facilities to support the delivery of efficient and effective landline, broadband and mobile coverage throughout the parish will be supported provided they are sensitively designed and located in accord with other policies in this Plan.

- 4.3.165 The application is supported by a Utilities statement by CBG Consultants. This confirms the following –

- Gas – the existing site has a gas connection supply. There is no intention to use natural gas with heating for the residential uses to be provided by air source heat pumps.
- Electricity - a new supply will be necessary to serve the development due to the anticipated electrification of heat and hot water. A new substation is proposed on site (to the western boundary) and switch gear room will also be provided (combined with a bike store) to the north of the Main Building adjacent the sports hall housing.
- Water – it is anticipated that water provision will be via shared tank system for the Main Building & Teaching Block residences, whilst the individual terraced houses would have individual metered connections. Anglian Water have confirmed that assets are not affected by the proposals and there is capacity to serve the development.
- Communications - The existing incoming fibre connections are not suitable for the quantity of residential users proposed on the site. A new connection from a nearby BT base adjacent to the proposed substation is proposed.



- 4.3.166 New service cable and pipe routes will be needed to provide the above utilities and, with the exception of the main service route between the proposed energy centre in the proposed East Car Park and the Main Building, these will need to be agreed (via condition) prior to the relevant phasing being commenced.

*Conclusion on utilities and services*

- 4.3.167 Subject to a condition to secure service routes prior to each phase of development, there are no objections to proposed utilities and services. This matter is considered to be neutral in the planning balance.

Sustainability and climate change

- 4.3.168 Chapter 2 of the NPPF *Achieving sustainable development* requires the sustainability credentials of proposals to be considered. Paragraph 8 requires that all three objectives – *economic, social and environmental* - of the planning system would be met. Chapter 14 *Meeting the challenge of climate change, flooding and coastal change* confirms that the planning system should support the transition to a low carbon future in a changing climate.

- 4.3.169 The Council passed a Climate Emergency motion in 2019 which pledged to do everything within the Council's power to achieve zero carbon emissions in North Hertfordshire by 2030. The Council has adopted a Climate Change Strategy to promote carbon neutral policies. NHLP Policy SP11 *Natural resources and sustainability* gives broad support for proposals for renewable and low carbon energy development in appropriate locations. NHLP Policy DE1 – *Sustainable Design* – requires developments to consider a number of criteria including the need to reduce energy consumption and waste. NHLP Policy NE12: *Renewable and low carbon energy development* supports the principle of renewable energy subject to a technical impacts being satisfied. NHLP Policy SP9 relates to *Design and Sustainability* and seeks the inclusion of a broad range of sustainability measures in developments. PNP Policy HD5 relates to *Sustainability and Energy Efficiency*. It supports developments with a low carbon footprint. More specifically, it seeks measures that encourage water conservation, deliver biodiversity and the provision of Electric Vehicle (EV) charging points. The Council has recently adopted a Supplementary Planning Document on *Sustainability*. The SPD sets out nine sustainability themes that developments should consider. There is a three tiered approach to assessment - *Bronze* would mean meeting the current minimum standards, *Silver* would be an improvement on current standards and *Gold* would be exemplary standards considerably in excess of minimum standards.

- 4.3.170 Sustainability measures of the development are set out in a number of supporting documents and these are summarised in a Sustainability addendum document. A summary of the sustainability targets under each of the themes set out in the SPD is set out below -

- **Theme 1: Optimising Passive Design & Fabric Performance** – new build element Gold - All new housing will achieve EPC rating A, as well adopting the London Energy Transformative Initiative (LETI) standards for operational energy targets. Additionally, the proposals will deliver a 65% reduction in CO2 emissions, exceed the SPD Gold requirements set at 50%. Existing buildings covered under final theme 'Historic Buildings'.

- **Theme 2: Achieving low-carbon energy** – new builds will meet Gold and existing buildings Silver - On-site solar photovoltaic (PV) slates will be provided on new housing together with PV panels on the roof of East Car Park. These PV panels are estimated to offset local energy consumption of 25% from existing buildings and 100% from new buildings.
- **Theme 3: Minimising carbon footprint - Whole Life Cycle Assessment (all residential development) and Circular Economy Principles (Major residential developments)** - level Bronze - The development will see the reuse of existing buildings and materials from demolished structures will be salvaged, reused and recycled. In addition to the use of PV panels as identified under Theme 2 above, low energy consumption systems are also incorporated such as air source heat pumps. Materials with low U-values and low embodied carbon such as timber will also be used.
- **Theme 4: Healthy placemaking - Green & Blue Infrastructure, NHS Health into Place Principles for Residential Development Bronze+ and Urban Greening Factor (UGF) for Major Residential Scheme Gold** - The proposal provides a network of green spaces and features on site for the community – publicly accessible permissive paths, cricket pitch, tennis courts, improved management of existing woodland, enhanced landscaping, restoration and enhancement of the historic gardens and wider grounds, community food growing opportunities, reinstatement of on-site orchard, improved play and recreation spaces (off-site). The proposal will protect and enhance existing vegetation within the development site including mature trees and habitats. New areas of woodland to promote species rich habitats within the development site are also being introduced to strengthen the site's ecological value. Natural England's Urban Greening Factor minimum requirement is 0.4 where the proposal will deliver 0.75.
- **Theme 5: Promoting biodiversity - Ecological Surveys & Assessment Silver - Arboriculture Assessment (where trees are impacted by proposal) Silver - BNG Silver - Ecological buffers Gold** - The submitted ecological report provides Ecological Surveys & Assessments on habitats, species and any undertaken to ensure required ecological surveys and assessments have been carried out, evidenced and illustrated in relation to local designations. As set out previously (Tree Impacts) no Category A trees are removed. New tree planting will exceed the council's Tree Strategy Policy of requiring two trees for every one tree removed, including new woodland planting of a greater species diversity than the relatively poor-quality. The substantial net gain in tree numbers, the sensitive and historically relevant design of new planting and the greater mix of species will result in a positive arboriculture impact. The mandatory BNG target is 10% for all eligible developments. The proposals will deliver 16.6% on site BNG.
- **Theme 6: Sustainable travel - Transport statements, assessments and travel plans Bronze - EV charging Bronze** - The travel plan has outlined a general strategy of optimising existing infrastructure for travelling by foot, cycling and public transport. The new proposal has also provided active travel facilities, such as bike stores for each new dwelling to encourage alternative

modes of transportation. The proposals would be expected to result in a significant decrease in vehicle movements during both the network peak hours, as well as through the course of the day. A Travel Plan would seek to deliver improvements including the promotion of public transport. In addition, a new internal footpath is proposed, linking the Dower House development, located to the north of the site, to the new pedestrian access at village gate. A total of 105 EV charging parking spaces are provided on site in excess of the Council's adopted standards.

- **Theme 7: Conserving water - Silver** - Construction period water saving strategy includes - Close-loop wheel washers, waterless wheel washing using angled steel grids to remove debris, high pressure low volume power hoses, recirculating water where possible, limited the water use for flushing building services by stopping it as soon as flush water is clear, employing a regime for monitoring water use and water waste. Operational period water saving measures will comprise - rainwater harvesting, greywater reuse, aerated washbasin/ kitchen taps and shower heads, tapered and low-capacity baths, sensor and low flush toilets, water efficient white goods and appliances and low-flow taps limiting hot water consumption.
- **Theme 8: Incorporating sustainable drainage - Bronze+** - Surface run-off management strategies are incorporated in both existing and new buildings. Existing main building and teaching block provides surface drainage via series of manholes and surface water sewers. The Teaching Block and proposed buildings to the north will utilise a combination of Raingarden Planters, Lined Permeable Paving and below ground Cellar Storage Tanks to meet SuDS Design Pillars, i.e. Water Quantity, Water Quality, Amenity and Biodiversity. The initial Flood Risk Assessment (FRA) has also demonstrated that the proposed SuDS offers 96% of reduction on brownfield runoff rates, which exceeds beyond the minimum reduction rate of 50%. Further modelling work is being undertaken and it is anticipated that sustainable drainage measures will exceed minimum standards.
- **Theme 9: Historic Buildings – Bronze** - For existing historic buildings on the site, a range of measures will be employed to maximise sustainability performance. These comprise – additional insulation to solid walls, roof areas, floors, refurbished windows and shutters, improved draught proofing to doors, capping and ventilation of chimneys, retention and refurbishment of existing heating system with introduction of communal air source heating system, thermostat controlled hot water storage, partial introduction of under-floor heating system, energy efficient lighting and improved ventilation measures.

4.3.171 The sustainability credentials across the various themes are summarised in the table below –

Theme	Target
1. Optimising Passive Design & Fabric Performance	<b>Gold</b> for new build
2. Achieving low-carbon energy	<b>Gold</b> for new build

	Silver for existing buildings
3. Minimising carbon footprint a. Whole Life Cycle Assessment (all residential development) Bronze b. Circular Economy Principles (Major residential developments) Bronze	a. <b>Bronze</b> b. <b>Bronze</b>
4. Healthy placemaking a. Green & Blue Infrastructure, NHS Health into Place Principles for Residential Development b. Urban Greening Factor (UGF) for Major Residential Scheme Gold	a. <b>Bronze+</b> b. <b>Gold</b>
5. Promoting biodiversity a. Ecological Surveys & Assessment b. Arboriculture Assessment (where trees are impacted by proposal) c. BNG d. Ecological buffers	a. <b>Silver</b> b. <b>Silver</b> c. <b>Silver</b> d. <b>Gold</b>
6. Sustainable travel a. Transport statements, assessments and travel plans b. EV charging	a. <b>Bronze</b> b. <b>Bronze</b>
7. Conserving water Silver	<b>Silver</b>
8. Incorporating sustainable drainage	<b>Bronze+</b>
9. Historic Buildings	<b>Improvement over existing</b>

Table 7: Sustainability Measures Summary

*Conclusion on sustainability*

- 4.3.172 As can be appreciated from the foregoing, the proposal will exceed existing minimum standards across a number of themes as set out in the recently adopted SPD. Where standards are exceeded, these are considered to be significant benefits which weigh in favour of the scheme. Taken as a whole, the proposals deliver a variety of economic, social and environmental improvements which cumulatively will deliver a highly sustainable development.

Community Impacts/Section 106

- 4.3.173 In considering Planning Obligations relating to this proposed development the Community Infrastructure Regulations (CIL Regs) and Paragraph 57 of the NPPF set out statutory and policy tests. These are: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. NHLP Policy SP7: *Infrastructure requirements and developer contributions* reaffirms to need to secure infrastructure that is necessary in order

to accommodate additional demands resulting from the development. The Council's *Developer Contributions SPD* also sets out further guidance and clarification on this matter.

- 4.3.174 Detailed negotiations have taken place with the applicant and agreement reached on a range of matters that are included in a draft S106 agreement. Preston has seen some growth since 2011 (circa 55 dwellings) and some of these developments have secured contributions. For the avoidance of doubt, the proposal can only seek contributions in relation to the proposed development as per the tests above.
- 4.3.175 Requests for financial contributions towards local outdoor gym and new recreation pavilion (parish council) and community shop (local community group) were received. In relation to the outdoor gym it is considered that the over provision of community sports facilities at the site is not reasonable given the policy requirements set out in the NPPF (see above). Similarly, the request for a new village pavilion building would not be reasonable given a contribution is being provided to the cricket club for a pavilion building at the new cricket pitch on the application site. The request for contributions towards new parish wide public benches is not considered to be necessary or reasonable. In relation to the MUGA contribution, officers consider that this should be pooled with cricket pitch and pavilion contribution given the wider community / public benefits this will secure and to ensure the facilities are provided in a timely manner.
- 4.3.176 The request towards a proposed community shop has been carefully considered. The co-ordinator of this project has most recently confirmed that the organisation has not yet been formerly set up as a legal entity. Also, whilst a site for the shop was identified, it is understood that this is unlikely to now come forward. Given these circumstances, a financial contribution towards a community shop is not considered to be reasonable.
- 4.3.177 The Heads of Terms for the s106 obligations are listed in the table below -

<b>Category (Authority)</b>	<b>Figure (£)</b>	<b>Infrastructure Project(s)</b>
Secondary Education (HCC)	£350,848 index linked to BCIS 1Q2022	Towards the expansion of The Priory Secondary School and/or provision serving the development
Childcare Services (HCC)	£435	Towards increasing the capacity of 5-11 year old childcare facilities at Preston Primary (VC) and/or provision serving the development
SEND (HCC)	£45,448 index linked to BCIS 1Q2022	Towards the delivery of new Severe Learning Difficulty (SLD) special school places (EAST) for

		pupils aged 2 to 19 years old. and/or provision serving the development
Library Services (HCC)	£13,360 index linked to BCIS 1Q2022	Towards increasing the capacity of Hitchin Library and/or provision serving the development
Youth Services (HCC)	£7013 index linked to BCIS 1Q2022	Towards increasing the capacity of Hitchin Young People's Centre and surrounding areas and/or provision serving the development
Waste Recycling Centre (HCC)	£5,510 index linked to BCIS 1Q2022	Towards the expansion provision at Stevenage Recycling Centre and/or provision serving the development
Waste Transfer Centre (HCC)	£11,849 Index linked to BCIS 3Q2022	Towards the new Northern Transfer Station and/or provision serving the development
Fire and Rescue (HCC)	£1,485 index linked to BCIS 1Q2022	Towards new appliances and/or equipment and/or provision serving the development
Highway Safety (HCC Highways)	TBA	Improvements to speed signage and warnings on School Lane / Hitchin Road / St Albans Highway
Active Travel (HCC Highways)	£16,000	To promote public transport use by residents of the development
Active Travel (HCC Highways)	£6,000	For Travel Plan monitoring
Active Travel (NHC)	Nil	The provision of permissive footpaths across the site as identified on approved drawings
Play area - LAP (Preston PC)	£9,400	Towards a new roundabout at the

		Millenium Playground in Preston
Play Area - LEAP (Preston PC)	£10,750 and £4,236	Towards a multiverse activity centre at the recreation ground in Preston and towards replacement swings at the recreation ground in Preston
Recreation – Picnic Area (Preston PC)	£4,400	Towards a picnic area at the Millenium Playground in Preston
Community Halls – village hall (Preston PC)	£7,265	Towards improvements to the existing village hall in Preston
Sport Pitch – 2no. community tennis courts (Preston PC)	Nil	The developer to refurbish and provide on a 75 years lease for a peppercorn rent
Sports Pitch – 1 no. residents tennis court (Site Management Company)	Nil	The refurbishment and provision to be managed by site management company
Sports Pitch – cricket pitch and grounds including car park (Preston Cricket Club)	Nil	The provision on a 75 year lease for a peppercorn rent
Sports Pitch – cricket pitch and pavilion (Preston Cricket Club)	£175,000	Towards the creation of the cricket pitch and provision of an associated pavilion building
BNG (NHC)	TBA	Monitoring fees to ensure monitoring of on-site BNG - HMMP provision and management and maintenance thereof
NHS ICB	TBA	Towards improvements to existing GP services in Hitchin

Table 8: Heads of Terms for s106 agreement

### Planning Balances

4.3.178 As identified, there are matters that weigh in favour and against the proposed development. Due to the number of heritage assets affected, the heritage benefits and harms are set out initially. A second table identifies the wider planning benefits and harms of the development and the weight attributed to these. These are visual aids and should be considered along with the detailed assessment in the report.

<b>Asset</b>	<b>Effect</b>	<b>Weight</b>
Grade II* Main House and attached buildings, curtilage listed buildings and to the Grade II* Registered Park and Garden, Conservation Area and within the RPG	<b>Harm</b> low-level inherent harm through the division of the estate and creation of the new walled garden car parking area within the grounds	<b>Moderate</b>
Grade II* Main house	<b>Benefit</b> new viable use, removal of all of the more modern, intrusive and inappropriate additions to the listed building would provide for a full reinstatement and revealing of its architectural and historical significance.	<b>Moderate</b>
Demolition of sports hall and science block	<b>Benefit</b> will better reveal the main house and improve its setting	<b>Moderate</b>
Reuse and restoration of Tank House, Pump House, The Piggery, The Ice House, walls and gates, the pergola and Belvedere	<b>Benefit</b> new viable uses and restoration to secure long term future of buildings and structures	<b>Moderate</b>
Park and gardens	<b>Benefit</b> the proposal includes the restoration of the formal landscaped (Lutyens and Jekyll) gardens comprising new planting, repairs to the existing hard surfacing, terraces, walls and pergolas. Partial reinstatement of lawn and	<b>Moderate</b>



	borders area to main building entrance. Reinstatement of ornamental pond	
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Table 9: Heritage impact summary

<b>Issue</b>	<b>Effect</b>	<b>Weight</b>
Green Belt Openness	Harm	Limited
Green Belt Purposes	Harm	Limited
<b>Overall effect on Green Belt</b>	Harm	Limited
Landscape and visual impact (immediate)	Harm	Limited
Heritage	Harm (Low level of Less than substantial)	Moderate
Principle of residential development including the delivery of housing and the re-use of existing buildings and of brownfield land	Benefit	Significant
Heritage	Benefit	Substantial
Provision of community sports facilities – cricket and tennis	Benefit	Substantial
Open Space	Benefit	Substantial
Highway improvements including new public and on-site permissive footpaths	Benefit	Moderate
Biodiversity (BNG)	Benefit	Moderate
Sustainability credentials	Benefit	Substantial

Landscaping	Benefit	Substantial
Economic impacts	Benefit	Significant
Design appearance and layout	Neutral	None*
Archaeology	Neutral*	None*
Housing mix and vacant building credit	Neutral*	None*
Visual and landscape impacts	Neutral*	None*
Residential amenity	Neutral*	None*
Flooding and drainage	Neutral*	None*
Tree impacts	Neutral*	None*
Utilities and services	Neutral*	None*

Table 10: Planning Balance summary \* conditions recommended

### Heritage balance

4.3.179 Before addressing the overall planning balance in line with NPPF, the heritage balance shall first be considered, 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 and summarised in Table 10 above, the proposals will result in both benefits and harms. Although the benefits are numerous, the harms identified mean that the proposal will result in '*less than substantial harm*' to the significance of the designated heritage assets. In such instances, the harm should be weighed against the public benefits of the proposal.

4.3.180 An extensive number of public benefits will be delivered as part of the proposal as summarised in the aforementioned Table. It is considered that these extensive public benefits would outweigh the collective harm arising for the heritage significance of the Grade II\* Main House and attached buildings, curtilage listed buildings and to the Grade II\* Registered Park and Garden, Conservation Area. Accordingly, the NPPF does not provide a clear reason for refusing the development proposed in this specific regard.

### **Very Special Circumstances**

- 4.3.181 Elements of the proposal – most notably the proposed East Car Park but also some smaller subservient structures with the grounds of the site - constitute inappropriate development in the Green Belt. The NPPF confirms that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very Special Circumstances will not exist unless the potential harm to the Green Belt and any other harm resulting from the proposal, is clearly outweighed by other considerations. Inappropriate development is, by definition, harmful.
- 4.3.182 In addressing this subject, the Courts have made clear that a particular mathematical exercise is not required. Rather, a single exercise of judgement is necessary to assess whether there are very special circumstances which justify the grant of permission notwithstanding the particular importance of the Green Belt and the seriousness of any harm to it.
- 4.3.183 The built development of the scale and form proposed would incur limited harm to both the openness of the Green Belt, and limited harm through encroachment (purpose 'C'). There would also be limited non-Green Belt harm to the landscape, and to heritage assets.
- 4.3.184 Against that, the application will deliver a number of benefits – the delivery of housing (significant), the provision of community sports facilities (substantial), heritage improvements (substantial), highway improvements (moderate), above minimum standard sustainability credentials (substantial), landscaping improvements (substantial), wider economic benefits (significant) and biodiversity and ecology improvements above minimum standards (moderate). Taken cumulatively, the existence of very special circumstances, it follows that the application of the NPPF's Green Belt policies does not provide a clear reason for refusing planning permission.

### **Overall assessment**

- 4.3.185 There is some limited conflict between Green Belt and Heritage policies. However, it is considered that the proposal would accord with the development plan as a whole.
- 4.3.186 Other material considerations - as the Council is currently unable to demonstrate a 5 year housing land supply, the tilted balance of paragraph 11(d) of the NPPF is engaged. The collective benefits of the development as described would be extensive. As such, any possible adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The scheme therefore benefits from the presumption in favour of sustainable development which is a further material consideration.
- 4.3.187 Final planning balance - the proposal would accord with the development plan as a whole and other material considerations do not indicate otherwise. Accordingly, it is recommended that planning permission be granted.

### **Alternative Options**

None applicable

## **Pre-Commencement Conditions**

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

### **5.0 Legal Implications**

- 5.1 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.

### **6.0 Recommendation**

- 6.1 That planning permission be **GRANTED** subject to:

A) The completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and

B) Providing delegated powers to the Development and Conservation Manager to resolve outstanding (i) highway matters including financial contributions and flood risk matters (ii) update conditions and informatives with minor amendments as required; and

C) Conditions as set out below.

#### **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

#### **General**

1. The development hereby permitted shall be begun before the expiration of three 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 (including the Heritage Statement Addendum received 19<sup>th</sup> November 2024) and other 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. The demolition of the sport hall and associated link to the Teaching Block shall be carried out in accordance with the following documents –
  - a. Demolition - AFP Consulting Engineers Method Statement dated 07/11/24 and Demcom Method Statement dated 31/11/24 and the Demolitions Key Plan
  - b. Construction Traffic Management Plan by EAS Transport Planning Ltd (dated 13<sup>th</sup> December 2024)
  - c. Ecological Impact Avoidance Statement (email dated 18 December 2024)
  - d. Arboricultural Method Statement and associated plan (Sports Hall only) by Sharon Hosegood Associates (dated 20 December 2024)
  - e. Method Statement Sports Hall Abutment Demolition by Kay Pilsbury Thomas Architects (received 20 December 2024)

For the avoidance of doubt, demolition is permissible up to but not including the slab of the two structures. Reason: in the interests of residential amenity, to ensure that works are ecologically sensitive and do not result in adverse impacts to protected species, to ensure protection of on site trees, in the interests of land contamination protection and in the interests of protecting any archaeological remains.

4. No development / works shall commence (except for the demolition of the Sports Hall and link to the Teaching Block as identified on the submitted drawings and detailed in the Method Statement Sports Hall Abutment Demolition by Kay Pilsbury Thomas Architects received 20 December 2024) until a phasing plan has been submitted to and approved in writing by the Local planning authority. The phasing plan shall set out the phasing of all building operations (including demolition works) and landscaping works together with the delivery of permissive footpaths. Thereafter, the development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing by the local planning authority. Reason: to ensure a satisfactory standard of development and to ensure the protection and enhancement of heritage and natural assets within the site.
5. All demolition works shall be carried out in accordance with the AFP Consulting Engineers Method Statement dated 07/11/24, Demcom Method Statement dated 31/11/24 and the Demolitions Key Plan and the Sustainability Assessment by Kay Pilsbury Thomas Architects and SCABAL unless otherwise approved in writing by the local planning authority. Reason: To ensure a satisfactory standard of development and in the interests of residential amenity.

#### **Trees**

6. None of the trees and hedges identified in the submitted Tree Assessment as being retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed without the prior written agreement of the Local planning authority. Refer to preliminary Arboricultural Assessment. Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.
7. Notwithstanding the details submitted, prior to the commencement of each phase of development as agreed pursuant to condition 4 (except for the demolition of the sports hall and associated link to the Teaching Block – refer to condition 3), the following

documents shall be prepared having regard to BS5837 (Trees in relation to construction) and then submitted to and approved in writing by the local planning authority –

- (i) Arboricultural Method Statement(s)
- (ii) Tree Protection Plan(s) and a
- (iii) a Veteran Tree Management Plan
- (iv) external underground service plan illustrating the routes of all cables and pipes.

In relation to demolition of the Sports Hall and associated link to the Teaching Block, demolition works shall be carried out in accordance with the Arboricultural Method Statement and associated plan by Sharon Hosegood Associates (dated 20 December 2024). Thereafter, the development shall be carried out and completed in accordance with the approved details. Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

### **GPDO permitted development rights and curtilages**

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Schedule 2 Part 1 (Classes A, B, C, D, E, F, G and H), Part 2 (Classes A, B, C, D, E and F) and Part 14 (Classes A, B, C, D, E, F, G, H and I) 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 Green Belt, to protect arboricultural interests and to ensure the long term protection of the habitats and species. Reason: to ensure that alterations to permitted dwellings are appropriate in a heritage context and to maintain the visual appearance of buildings.
9. Individual private curtilages to each dwelling house shall be as set out of the drawing 641-KS-70-XX-DR-A-11100-Layout-P03 (Land Uses) as identified in light green unless otherwise agreed in writing by the LPA. Reason: in the interests of residential occupiers amenity and for the avoidance of doubt.

### **Highways**

10. Any conditions recommended by Herts CC Highways
11. Within 6 months of the first occupation of the permitted residential units, footpaths and road crossings and other highway improvements shall be provided along School Lane and Hitchin Road as identified on preliminary EAS Transport Planning drawing SK02 REVA and SK03 REVA. The final details of these works shall be agreed in conjunction with appropriate parties. These works shall be secured and undertaken as part of the s278 works. Reason: To ensure the safety and convenience of occupants and other pedestrians between the site and the public highway and village.
12. The development shall be carried out in complete accordance with the Demolition and Construction Management Plan/ Construction Traffic Management Plan by EAS Transport Planning Ltd (dated 13th December 2024) unless otherwise agreed in writing by the local planning authority. Reason: To minimise the impact of construction vehicles on the highway network and to maintain the amenity of the local area.

13. Car and cycle parking facilities shall be made available for use for both residents and visitors before occupation of individual units and thereafter retained in perpetuity. Reason: to ensure that there is adequate parking facilities for residents and visitors in the interests of visual amenity and highway safety.

#### **Surface water disposal and flood mitigation**

14. Any conditions recommended by the LLFA

#### **Landscaping**

15. Prior to the commencement of any hard landscaping works, full details of all hard landscaping (including repairs to curtilage listed terraces, walkways and structures and retaining walls and features) for each phase as identified on the approved phasing plan shall be submitted to and approved in writing by the local planning authority. The detailed proposals shall be broadly in accordance with the preliminary landscaping plans provided by George Carter Garden Design and Livingston Eyre Associates hereby approved as part of this consent/permission. Where appropriate, sectional drawings to illustrate levels, ramps, gradients, retaining walls and other features shall be provided. The development shall be carried out in accordance with the approved details and completed in accordance with the phasing plan.
16. Prior to the commencement of any soft landscaping works, full details of all soft landscaping proposals including boundary treatments (including garden restoration scheme) for each phase as identified on the phasing plan shall be submitted to and approved in writing by the local planning authority. The detailed proposals shall broadly in accordance with the preliminary landscaping plans provided by George Carter Garden Design and Livingston Eyre Associates submitted with the application. It shall include full details of a Community Growing Space in the small herbaceous border to comprise either conventional allotments or other shared community growing space as outline on Livingston Eyre's Landscape Strategy received 20/11/24 and which shall be made available for residents within 6 months of the full occupation of the Main Building refurbishment. The development shall be carried out in accordance with the approved details and completed in accordance with the phasing plan. Reason: to ensure that the registered park and gardens and wider grounds are restored and planted in an appropriate manner in the interests of protecting and enhancing heritage assets.
17. Within 6 months of the final occupation of the residential development hereby permitted, a Comprehensive Management and Maintenance Plan (CMMP) for the Registered Park and Gardens and wider parkland grounds including management responsibilities, maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) and the approach to dealing with the replacement of failed new planting shall be submitted to and approved in writing by the local planning authority. Thereafter, the Plan shall be implemented in accordance with the approved details. Reason: to ensure that the Registered Park and Garden and wider grounds are maintained in an appropriate manner in perpetuity.

#### **Archaeology**

18. With the exception of above slab level demolition works of buildings identified on the Key Demolitions Plan, no other demolition or development works 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 for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.
19. Other than the demolition works up to but not including the slab level as defined in the AFP Consulting Engineers Method Statement dated 07/11/24 and the Demcom Method Statement dated 31/11/24 and the Demolitions Key Plan, no other development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 17.
20. A phase of development (as agreed by condition 4) shall not be occupied for residential purposes until the site investigation and post investigation assessment has been completed in accordance for that phase with the programme set out in the Written Scheme of Investigation approved under condition 17 and the provision made for analysis and publication where appropriate. Reason: to ensure the protection of heritage assets of archaeological interest

#### **Environmental Health**

21. The development shall be carried out in accordance with the Gillieron Scott Acoustic Design Feasibility Report submitted with the application and dated 01.07.24 unless otherwise approved in writing by the Local planning authority. Reason: to ensure residents have a satisfactory noise environment.
22. The development shall be implemented in accordance with the Community Liaison Strategy as set out in paragraphs 3.34 - 3.36 of the Construction Traffic Management Plan. Reason: in the interests of residential amenity for the duration of construction works.
23. Noisy construction activities (i.e. noisy at a nearby residential receptor or other near noise sensitive premises) shall occur only between 0800 and 1800 hours Monday to Friday and between 0800 and 1300 hours on Saturdays. There shall be no noisy works on Sundays or Bank/Public Holidays. Reason: to protect the amenity of nearby residential occupiers.
24. Prior to the commencement of construction works on new buildings works for each phase as identified on the phasing plan approved under condition 4 (except for the demolition of the sports hall and associated link to the Teaching Block) up to but not including slab level), a Phase 2 contamination investigation report shall be 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. The demolition of the sports hall and associated link to the Main Building shall be carried out in accordance with the Demolition



Management Strategy documents AFP Consulting Engineers Method Statement dated 07/11/24 and the Demcom Method Statement dated 31/11/24 and the Demolitions Key Plan. Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

25. Prior to any dwelling hereby permitted being occupied under each phase of development (as agreed under condition 4), a land contamination 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.
26. If during any phase of development (as agreed under condition 4) contamination is found during development works, 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 submitted to and approved in writing 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 relevant phase of development should be occupied until all remedial and validation works have been approved in writing by the local planning authority. Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.
27. Prior to occupation of each of the permitted dwellings, Electric Vehicle (EV) domestic charging points shall be installed for each dwelling in accordance with approved plans and details and shall be available for use. Thereafter, the EV charging points shall be retained in perpetuity unless otherwise agreed in writing by the local planning authority. 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.

#### **Waste Matters**

28. Prior to the occupancy of each dwelling, the relevant external waste storage facilities shall be made available for residents of the relevant dwelling(s). Upon completion of the development, all waste storage areas shall be retained in perpetuity for waste storage purposes. Reason: To ensure satisfactory areas are made available for waste storage for dwelling occupiers and in the interests of visual amenity of the site and setting of heritage assets.

#### **Sustainability**

29. The development shall be carried out in accordance with the Energy Statement prepared by CBG Consultants where amended by the Sustainability Assessment submitted by SCABAL and Kay Pilsbury Thomas Architects 19<sup>th</sup> November 2024. Reason: for the avoidance of doubt and to ensure that the development delivers the specified sustainability benefits.

30. Within 6 months of final occupation of the development, a post construction energy and sustainability statement shall be submitted to and approved in writing by the local planning authority confirming the actual Passive Design & Fabric Performance (Theme 1) and Achieving low-carbon energy performance of the development (Theme 2) compared to the approved pre-construction Energy Statement and Sustainability Assessment. Reason: to ensure that the development is energy efficient and delivers the specified sustainability benefits as set out in the approved Energy Statement and Sustainability Assessment.

### **Ecology**

31. Prior to the commencement of any works to the buildings known as Main Building, Science Block, Tank House and Pump House, the developer shall submit either (a) a licence issued by Natural England authorizing the specified activity/development to go ahead; or (b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence. Works may only commence to these buildings once the local planning authority has provided its written approval of the licence or statement. Reason: to ensure that protected species are adequately protected.
32. Prior to the commencement of each phase of development as agreed under condition 4 (except for the demolition of the sports hall and the associated link to the Teaching Block), an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as hibernacula, the inclusion of integrated bird/bat and bee boxes in buildings/structures and if appropriate, hedgehog pathways, has been submitted to and approved in writing by the Local Planning Authority. The content shall include the following -
- a) purpose and objectives for the proposed works;
  - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
  - c) extent and location of proposed works shown on appropriate scale maps and plans;
  - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
  - e) persons responsible for implementing the works;
  - f) details of initial aftercare and long-term maintenance.
- Thereafter, the works shall be carried out strictly in accordance with the approved details and be retained in that manner thereafter. Reason: to ensure that the development delivers appropriate wildlife improvement measures in the interests of biodiversity and ecology.
33. Prior to the commencement of construction works on new buildings for each phase as agreed under condition 4 (except for the demolition of the sports hall and the associated link to the Teaching Block), a lighting design strategy addressing the issues as set out below shall be submitted to and approved in writing by the local planning authority.
- (A) Biodiversity
- (i) 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;
  - (ii) provide full details of all external lighting proposals (both freestanding and attached to buildings and structures) to comprise locations, cable routes, design and appearance, appropriate lighting contour plans and technical specifications together with a written statement by a suitably qualified person explaining how the proposals will not disturb or

prevent the above species using their territory or having access to their breeding sites and resting places.

(B) heritage assets

(i) identify locations of proposed lighting together with cable routes, design and appearance and lux levels.

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 unless agreed in writing by the local planning authority.

Reason: in the interests of ecology and habitat and species protection, in the interests of protecting the character of the Green Belt, in the interest of protecting trees within the plantation and in the interests of protecting heritage assets.

34. Prior to the commencement of any engineering works associated with the approved East Car Park, details of a lockable grille to secure the entrance to the Ice House to allow bat access and prevent humans or domestic pets from entering shall be submitted to and approved in writing by the local planning authority. Thereafter, the grille shall be installed before the East Car Park is first brought into use. Reason: The Ice House is identified as a Local Wildlife Site (LWS) due to its value as a hibernation roost for Daubenton's, Natterer's and Brown Long Eared bats and in the interests of species and habitat protection.

35. Prior to the commencement of development including ground works or vegetation clearance (except for the demolition of the sports hall and associated link to the Teaching Block), a Biodiversity Construction Environmental Management Plan (BCEMP) has been submitted to and approved in writing by the local planning authority. The BCEMP should be informed by the Ecological Appraisal provided with the application dated July 2024 and include the following -

- a) Risk assessment of potentially damaging construction activities (excluding the .
- b) Identification of "biodiversity protection zones".
- c) Practical measures to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved BCEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. Reason: to ensure the protection of species and habitats.

36. Prior to the commencement of any construction works to the Summer House or Harwood House properties, full details of external living spaces to include but not limited to hardstanding areas, patios, decking areas have been submitted to and approved in writing by the local planning authority. The development of these two properties shall be carried out in accordance with approved details and those approved pursuant to this condition. Thereafter, the proposals shall be retained in perpetuity unless expressly approved by a new planning permission. Reason: in the interests of protecting the Green Belt, protecting trees within the plantation and in the interests of ecology and habitat and species protection.

37. Prior to the commencement of the properties known as Summer House and Harwood House, a bat monitoring programme for the summerhouse plantation area shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved programme. Reason: in the interests of protecting bats and their habitats.

**Heritage and design**

38. Prior to the commencement of the East Car Park, full details of the energy centre, waste storage area, all brick wall(s), equipment and storage enclosures, arboricultural method statement, surfacing materials and sections, footpaths and steps and garden gate, lighting, external materials, boundary details, hard and soft landscaping and sections to illustrate relationship of existing and proposed slab levels and structures shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved details and shall be permanently maintained as such. Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.
39. No more than 18 new build dwellings hereby permitted shall be occupied until the conversion and restoration works to the Main Building and attached buildings, Teaching Block, Tank House and Pump House has been substantially completed. Reason: to ensure the heritage assets are restored, renovated and brought back into use in a timely manner.
40. Prior to the occupation of the 62nd residential unit, full details of the interpretation panels for the Main Building, Ice House, Piggery and formal gardens (their location, design, materials and content) shall be submitted to and approved in writing by the local planning authority. The boards shall be installed prior to 100% occupation of the approved residential units in accordance with the approved details and shall be permanently maintained as such. Reason: to better reveal the significance of the heritage assets on the site.
41. No service meters, broadband, alarm or telecommunication boxes or other utility or service boxes shall be fixed to the external fabric of the buildings unless otherwise agreed in writing by the local planning authority. Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.
42. Prior to the first commencement of any new brickworks on site, a sample panel of 1 square metre minimum shall be erected on site to show areas of new exterior walling shall be approved in writing by the local planning authority. The sample panel shall indicate brick type, bond, copings, mortar mix, colour and pointing profile. The sample panel shall be retained on site for the duration of the development. The development shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.
43. Prior to the commencement of construction works on new buildings works for each phase as agreed under condition 4 (except for the demolition of the sports hall and associated link to the Teaching Block), a schedule of the manufacturer, product types and colour finishes of the external materials to be used shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be implemented in

accordance with the approved details. Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.

44. Prior to the installation of new external staircases, balustrades and balconies (including roof walkways) at the Main Building as identified on the phasing plan, full details of these to include section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.
45. Prior to the installation of new windows and cills, full details for each phase as identified on the approved phasing plan to include sections and elevations at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.
46. Prior to the installation of rooflights on the Main Building, Teaching Block, Tank House and Pump House as identified on the phasing plan, full details and specification shall be submitted to and approved in writing by the local planning authority. These shall be of low profile conservation type. Thereafter, the development / works shall be carried out in accordance with the approved details. Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.
47. Prior to the installation of any proposed new external doors, full details including architraves to be used, for each phase as identified on the phasing plan as appropriate, by section and elevation at scales between 1:20 and 1:1 shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.
48. Prior to the commencement of repairs to roof structure and finishes, including gutters in the Main Building as identified on the phasing plan, a method statement and specification shall be submitted to and approved in writing by the local planning authority. Thereafter the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.
49. Prior to the commencement of the dropping of window sill levels within the attic roof within the Main Building as identified on the phasing plan, a method statement shall be submitted to and approved in writing by the local planning authority. Thereafter the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.

50. Prior to the installation of the proposed glazed links and glazed screen to the well at the Pump House, as identified on the phasing plan, full details of this comprising section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / work shall be carried out in complete accordance with such approved details. Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.

### **Community sports facilities**

51. Prior to the installation of the Cricket Pavilion, full details of external materials shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved details and shall be permanently maintained as such. Reason: Reason: in the interests of visual amenity and to protect the setting and appearance of heritage assets.
52. Prior to the first use of the cricket pitch, details of a covered bicycle shelter shall be submitted to and approved in writing by the local planning authority. The details shall include necessary drawings to illustrate the design and location of the shelter. The Shelter shall make provision for a minimum of 5 bicycles. Thereafter, the shelter shall be installed within 6 months of the first use of the cricket pitch and shall be permanently maintained as such. Reason: to ensure adequate provision is made for cycle storage and to encourage non car modes of transport.
53. Prior to the first use of the cricket pitch, the community car parking facilities shall be made available and thereafter retained in perpetuity for the duration of the cricket activities on the site. Thereafter, the development shall be carried out in accordance with the approved details and shall be permanently maintained as such. Reason: to ensure that satisfactory car parking is made available for visitors to the community sports facilities.
54. Prior to the commencement of refurbishment works to the tennis courts, full details of refurbishment works shall be submitted to and approved in writing by the local planning authority. Thereafter, the tennis courts shall be refurbished in accordance with the approved details. Reason: to ensure that the refurbishment works are carried out to a satisfactory standard for community use.
55. The existing sports pitch pavilion building shall be removed from the site no later than 12 months following the first use of the new pavilion building. Reason: to ensure that adequate facilities are available for cricket activities on the site and in the interests of the visual amenity of the site.

### **Slab levels**

56. Prior to the commencement of the construction of all new buildings as identified on the phasing plan, full details of existing and proposed slab levels shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in complete accordance with the approved details. Reason: to ensure a satisfactory standard of development in the interests of protecting the setting and appearance of heritage assets.

### **Permissive paths**

57. Prior to the first use of the permissive paths, the approved boundary treatments demarking paths shall be erected and thereafter maintained in perpetuity. Reason: to ensure pedestrian safety from grazing cattle and to demark private and public spaces through the site.

### **Demolition of buildings**

58. With the exception of the existing pavilion building which is covered separately by condition 55, all the buildings and structures identified on the Demolitions Key Plan shall be removed in accordance with the phasing plan as agreed under condition 4. Reason: to ensure that the replacement buildings and structures comply with Green Belt and Vacant Building policies.

### **Proactive Statement**

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant 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

### **Informatives:**

#### **Noise**

1. When undertaking work of a 'noisy' nature, it is recommended that relevant responsible persons for site management consider what precautions and mitigation could be reasonably implemented to avoid potential complaints from residential property owners. Best practice should be followed in the first instance and, where appropriate and necessary, adapted depending on the particular work being undertaken and the timing of the work. In addition, prior to the commencement of works on site, full consideration of the Community Liaison Strategy as required under condition 21 is recommended.

#### **EV charging specification recommendations**

2. EV Charging Point recommended minimum specification shall be in accordance with Building Regulations Approved Document 'S' – Infrastructure for the charging of Electric Vehicles

#### **Anglian Water**

3. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
4. Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
5. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

6. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

## 7.0 **Appendices**

### 7.1 Proposed Site Plan

### 7.2. Herts CC Highways consultation response 1 and 2



Site Area : 277945 sq.m (27.8 ha)

1. Main Building  
2. Teaching Block  
3. Edwin  
4. Violet  
5. Sadleir  
6. Ithel  
7. Templar  
8. Summer House  
9. Harwood House  
10. Tank House  
  
11. Pump House  
12. Lodge Gate  
13. Belvedere  
14. Ice House  
15. Piggery  
16. Park Wall & Main Gate  
Main Entrance & Occasional Exit  
  
17. Paved Rose Garden  
18. Herbaceous Garden  
19. Small Herbaceous Garden  
20. Rose Garden  
  
21. Magnolia Steps  
22\* Cricket Pitch  
23. North Tennis Court  
24. Village Gate  
25. Walled Parking Garden  
26. Existing Parking  
27. Visitor Parking  
28. Summer House Plantation  
29. East Tennis Courts  
30. Pergola Garden, Tennis Lawn  
  
31. Permissive Path (extended) & Estate Fencing  
32. Permissive Path (new) to Dower House  
with Post and Rail  
33. Path to School Yard  
34. St. Albans Road  
35. East Avenue to Exit  
36. Construction Traffic In and Out  
Access to Cricket Pitch, Tennis Courts,  
Summer House & Harwood House  
  
37. Substation  
38. New Cricket Pavilion and Equipment Store  
39. Proposed Woodland Planting  
40. Wildflower Meadows

42. Energy Centre in East Car Park  
43. Central Bin Store in East Car Park  
44. Bin & Bike Store & Electrical Cupboard
- Estate fence  
----- Post and Rail  
  
a Vehicle gate  
a1 Vehicle & pedestrian gate  
b Pedestrian gate with keypad  
c Pedestrian kissing gate  
d Cattle grid & pedestrain gate

Based on a TRICS assessment carried out by EAS, it is estimated that the proposals to develop 69 houses and apartments on site would generate circa 36 vehicle trips in both the AM and PM peak periods. This equates to a significant reduction of circa 280 vehicle trips in each of the network peak hours when related to the school operations at Princess Helena College.

\* New **EIGHT-PITCH** natural grassed cricket square (or table), all eight pitches having an ECB senior cricket minimum boundary of 45.7m (50 yards).



DO NOT SCALE OFF THIS DRAWING  
DO NOT SUBSTITUTE ANY OF THE PRODUCTS  
OR MATERIALS.

1. This is a planning drawing and is intended for this use only; it must not be used for construction.  
2. All dimensions are in MM and should be checked on site prior to commencement of work; do not scale off this drawing.  
3. This drawing is to be read in conjunction with all other relevant information.  
3.Discrepancies between drawings and information to be referred to Architect without delay.

P21	Annotation number 44 added	18.12.24
P20	East Car Park and gate access notes	14.11.24
P19	Permissive path removed	06.11.24
P18	East Car Park & Cricket Pitch	05.11.24
P17	East Car Park & Cricket Pitch	29.10.24
P16	Post and Rail along with hedges added	16.10.24
P15	Main Gate and add Permissive Path	15.10.24
P14	Substation moved	08.10.24
P13	Updated Trees	XX.07.24
P12	Fences and gates	04.07.24
P11	Wildflower meadows added	01.07.24
P10	Permissive path alterations	01.07.24
P09	Issued for Planning	25.06.24
P08	Updated SH,HH and TH boundary fences	17.06.24
P07	Issued for BNG calculations	07.06.24
P06	Updated to latest design	29.05.24
P05	Coordination issue	20.05.24
Revision	Description	Date

0 m 50 m 100 m

AY PILSBURY THOMAS ARCHITECTS  
S C A B A L  
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Client  
The Door UK Ltd

Project  
Temple Dinsley  
Preston, Hitchin, Hertfordshire,  
SG4 7RT

Drawing title  
**Proposed Site Plan**

Purpose of issue  
Planning

Job no. Status Scale @ A0  
641 S0 1:1000

Checked by  
ST

Date Revision  
28.03.24 P21

Drawing number  
641-KS-03-XX-DR-A-10002



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Mark Youngman  
Development Management Group Manager  
Hertfordshire County Council  
Postal Point CHN115  
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Six Hills Way  
Stevenage  
SG1 2ST

**Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)**

**Director of Planning**

North Hertfordshire Council  
Council Offices  
Gernon Road  
Letchworth Garden City  
Hertfordshire  
SG6 3JF

District ref: 24/01604/FP  
HCC ref: NH/21816/2024  
HCC received: 18 November 2024  
Area manager: Manjinder Sehmi  
Case officer: Senober Khan

**Location**

Temple Dinsley, (formerly The Princess Helena College), School Lane, Preston, SG4 7RT

**Application type**

Full Application

**Proposal**

**AMENDED PROPOSAL**

Full Planning Permission : Change of use of the Former Princess Helena College and associated land from a former all-girls boarding school to 69no. private residential dwellings (Use Class C3), including the conversion of the main Grade II\* Listed House to 35no. new apartments, the conversion of the retained Teaching Block to provide 8 new apartments, the demolition of the existing sports hall building and science block and replacement with 20no. new houses and 2no. new apartments, the conversion of the Tank House and the Pump House buildings to provide 2no. detached dwellings and the erection of 2no. new dwellings located within the summerhouse plantation. The provision of a new car-park together with domestic storage units and covered parking bays to include solar PV Panels, and waste storage units and the provision of new driveways and associated works. Erection of new sub-station building and plant room. In addition, the associated landscaping of the site including provision of new pathways and gates and the reinstatement of Grade II\* Listed Parks and Gardens and the provision of a new Cricket Pitch and associated Cricket Pavilion

**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 recommends that permission be refused for the following reasons:

Until the above issue has been satisfactorily addressed, the HA cannot support or recommend any conditions for this application in its current submission, therefore the default position is for a refusal, due to the application has failed to demonstrate a satisfactory policy and design-led approach to the accessibility of the proposed development for non-car mode of travel, contrary to Hertfordshire's Local Transport Plan (LTP4) policies 5 and 6 and also contrary to the principles of sustainable development contained in the NPPF.

### **Highways Comments:**

In support of their application the applicant's consultant attached in their email dated 27 Sept 2024, a Highways Feasibility Assessment Letter, which also considered the feasibility of upgrading nearby ROWs. The HA responded to the feasibility assessment in their formal comments dated 29 October 2024.

Subsequently, the applicant's consultant responded to the HA formal response in their email dated 8 November 2024 to the LPA, forwarded to the HA:

Listed below in brief are the main points (in *italic*) of applicants consultant's response in their email dated 8 Nov 24, followed in response by the HA comments (in **bold**):

#### **1. Footways:**

*it would appear that the objection from the HA is largely with regard to the provision of two off-site footpaths. Despite our continued reservations regarding the actual benefits and suitability of these footpaths (as well as the objections from the Parish Council and from local residents to the provision of these), I can confirm that the applicant will now agree to provide the requested footpaths, as a compromise, to seek to meet the HA half-way and in good faith in acting in the spirit of co-operation.*

#### **Acknowledged**

*the applicants preference that this be secured by a financial s106 contribution (and therefore the HA carry out the works), it is understood that the preference of the HA is that this be delivered as part of the development through a Section 278 agreement. We would appreciate your guidance on this.*

**The footways are required to be delivered through a s278 agreement and conditioned to be delivered by the applicant prior to occupation.**

*It is considered that by agreeing to the provision of the two footpaths, that this should now overcome the HA objection and we ask that they now reconsider their stance on this application and provided revised comments (as well as provide their recommended conditions etc)*

#### **Acknowledged**

#### **2. Reference to HertsLynx:**

##### **S106 Requirements**

*In response to the comments made by the HA with regard to their s106 requirements, I would like to set out our rebuttal to these and I also set out what we would consider to be reasonable and proportionate, in line with the CIL Regulations.*

*As mentioned above, the proposed development would result in some very significant benefits in Highway and transport terms:*

*As set out in the TA, compared to the existing lawful use as a boarding school (which is the 'fall-back position' for this site and which is a fundamental planning consideration, as well established in long standing case law), the proposed development would reduce vehicle movements*

*to-and-from the site by more than half, therefore resulting in a significant reduction in traffic on the local and wider highway network.*

*· The proposals also make provision of a series of permissive footpaths through and around the site. This also compares favourably and results in significant public benefits when compared to the previous/ existing use of the site as a private school, when the site had limited/ no public access. Together with the two off-site footpaths on School Lane and on Hitchin Road (as agreed to above), the proposals would provide for vastly improved linkages and access across the site, linking the existing village and the wider PROW network.*

*· The residents of The Dower House (x6 houses) currently have no safe means of walking to the village, as there is no footpath along Hitchin Road. The proposals include for a permissive path which will link these properties, along the north-western boundary of the site and to the access gate on the western boundary, which leads directly to the village green/ centre. This is clearly a further significant benefit in terms of safety and in encouraging these existing residents to travel sustainably.*

*In light of the above, the proposals would not have any adverse impacts on the highway network and would actually result in significant improvements on the existing situation. However, the HA response suggests that, in summary, £50,000 per year for 5 years is required to towards an expansion of the Herts Lynx bus service and that under the HCC Toolkit, just under £471,000 is required towards s106 contributions.*

**Whilst the HA acknowledges that the development will not have an adverse impact on the highway network, it would appear the applicant's consultant views that the HA cannot then seek contribution from the development to improve public transport services, this approach is incorrect, they are separate issues and requirements.**

**Furthermore, the above paragraph statement regarding HertsLynx is incorrect, the following paragraph below was in the HA's formal comments (dated 29 October 24) on public transport. Highlighted in italic below was the statement extracted from the applicants brief about their negotiations with operators of HertsLynx:**

*"negotiations were opened with the operators of HertsLynx, to explore the option of extending the existing coverage in North Herts to provide a service that runs into the village and potentially the site itself. Unfortunately, the Demand Responsive/Community Transport Project Officer within HCC confirmed that Preston falls outside of the HertsLynx operating zone. The officer did however not rule out the potential of expanding the zone in the future."*

**It is clear the HCC officer verified that preston falls outside of the HertsLynx operating zone, therefore it is not clear why the applicants consultant in their response is now linking the required contribution to HertsLynx.**

**The HA made no mention of HertsLynx in its response (see paragraph below), it was to substantiate funding is required to improve existing bus services.**

**Subsequently, a more detailed review undertaken by HCC Bus Service Development Officer, the following comments are provided:**

**Given the scale of this development in such a remote location, I recommend an annual contribution of £50,000 (index linked) for 5 years to be put towards the local bus service to support its long-term viability. This would be used to enhance the current service where needed, examples are increasing Saturday operational hours or adjust weekday services to better serve local schools. This figure has been derived from existing data and costs and will support integrating the development into the current service.**

### 3. Development impact

*However, as acknowledged on page 6 of the HA response “The HA has reviewed the Transport Assessment (TA) it is considered that the proposed increases in traffic flows on the local highway network are not of a scale that would materially impact the relative operation and safety of the local highway network.” (emphasis added). As noted above (and as ‘partially’ acknowledged by the HA), the proposed development would actually result in a reduction in the impact on the use of the highway. Later in the HA comments (end of page 6/ beginning of page 7) it states that “the provisions of S106 of the Town and Country Planning Act-1990 allows that planning obligations, governed by the guidance within CIL Regulations may be used to mitigate the impact of development”. If the proposals reduce the impact, or in the words of the HA ‘the proposed increases in traffic flows are not of a scale that would materially impact the relative operation and safety of the local highway network’, there is nothing to mitigate in this instance and in actual fact, the proposals already result in benefits to the operation and safety of the highway network.*

**The HA comments above relate to the vehicle impact from the development at its junctions with the public highway, mitigation does not just apply to junction operation.**

**Mitigating the impact of development takes many forms (LTP4, NPPF, LCWIP), including:**

- **Footways:** Designing the public realm to be safe and accessible to all public highway users.
- **Bus services:** Ensuring accessible, safe, service and convenient routes to promote alternatives to car use.
- **Cycle safety:** Providing safe routes and provisions for cyclists.
- **Highway safety:** Upgrade roads for safety, for people cycling and walking that also connects to public transport, as well as 20mph limits in sensitive areas. (Preston Parish Neighbourhood Plan 2018 - 2031.)
- **improvements to the wider network, dedicating the rights of way to Bridleway status, improve the surface of existing routes which would be beneficial if the routes were ever upgraded in status some time in the future. costs for surface improvements would be sought through a S106 contribution.**

*Subsequently, there is surely insufficient reason and justification to request s106 contributions in this instance, as these would not meet the first fundamental purpose of s106 contributions (‘to mitigation an impact’, where there is none in this instance) and it would also fail to meet the tests as set out in Regulation 122 of the CIL Regulations, as the amounts being proposed by the HA are not reasonable, they are not proportionate and they are not necessary in order to make the proposed development acceptable in planning terms. The HA cannot request s106 just because it is a new proposed development and/ or just for the sake of it – it has to be in relation to the mitigation of an identified impact and in accordance with the CIL Regulations. We therefore very strongly contest the amounts set out in the HA comments.*

**Section 106 funding, also known as planning obligations, can be used to improve bus services, promote public transport in general, which is proportionate, necessary, and directly relevant for the benefit of residents of the development and locals of the area including improved connectivity with and to other locations and bus services.**

**The aim is for such funding to cover the cost of the service needed whilst usage is established, confidence in the bus network depends on stability.**

*Specifically regarding the £250,000 requested towards the Herts Lynx bus service, we would also question this. No calculation or demonstration of costs have been provided in terms of what is a very ‘round’ number (£50,000 per year). This also equates to approximately £725 for each new dwelling, per year, which also seems to be a very high and unreasonable amount for each residential unit to be paying in bus fare. The village already benefits from a bus services, which is*

*within an easy, short walking distance from the site and so we consider that the bus improvement works would be a more proportionate contribution in this instance (as listed above, dependant on costs).*

**As clarified above, HCC did not request any contribution towards HertsLynx bus service, this is a misunderstanding, whereas robust justification has been provided above for the contribution.**

**There is a breakdown of the proposed improvement to the service, including a cost breakdown, see attached excel spreadsheet.**

*Notwithstanding the above, as I have outlined previously and, in order to progress matters the applicant is willing to agree to a compromise and to provide some improvements to local public transport provision. As such, we are happy to agree to the following package of improvements.*

- I have already clarified that the applicant is now in agreement to provide the two off-site footpaths.*
- On page 8 of the HA response, a list of 'recommendations' are provided and I can confirm that subject to the cost of these (detailed costing has not yet been provided), we can also agree to the improvements to the bus stops – "Enhancing the current stops with Kassel kerbs and bus stop poles (if needed). The developer to collaborate with the parish council to replace/repair the existing shelter and install a new, suitable shelter on the green, ensuring a safe and dry waiting area for bus passengers."*
- Again, subject to cost, we can also agree to the enhancements to road safety "by improving speed signage and warnings on the approaching roads - Hitchin Road"*

**Acknowledged and welcomed by the HA, however it should be noted that HCC has already received funding for the installation of Kassel kerbing at the two stops (Red Lion PH), which will complement the new paths being proposed. However, still required is a new wooden shelter for the green and a replacement for the existing shelter.**

*In summary, we would be grateful if the HA (and the LPA officers) can reconsider their comments on the application, in light of the above and in light of the applicants willingness to compromise in agreeing to some of the HA requests, most notably the provision of off-site footpaths (as this seems to be the main sticking point), which we are now happy to provide.*

**Given the applicant has agreed to the delivery of the footways, upgrade of the bus stops, provision of a series of permissive footpaths through and around the site (clarification is required: is it the intent of the developer to dedicate new ones or stick to providing permissive routes), however uncertainty exists regarding the s106 contribution/strand 2 toolkit figure of £6,826 per dwelling (index linked by SPONS to January 2019).**

**HCC feels the contribution would be used to provide additional journeys on the 88 bus route that serves the development. Whilst it is acknowledged that the sums involved are not likely to have a large impact on modal shift or congestion, it will at least allow residents access to an improved bus service.**

#### Construction Traffic Management Plan

The HA Network Manager (Operations) has reviewed the Construction Traffic Management Plan (CTMP) and has the following comments to make:

- Section 3.19. confirm time is 08 to 1600 on weekdays for HGV traffic.

- Section 3.22 mentions the bus route Are any of the construction staff travelling buy Bus.
- What is the pedestrian route for the construction staff from the bus stop to site.
- Section 3.31. Where are the formal car parks and the pedestrian route from the car parks to site for construction staff.
- No construction staff vehicles or construction vehicles to be parked on the public highway.
- No hoarding to be erected on the public highway.
- Routing app c and d
- For the junction of Little Almshoe Lane and London Road B656 provide a swept path analysis to show the largest vehicles can make this turn in both directions. looking at google maps Little Almshoe Lane has a 7.5 T weigh limit. Check if the development is except for the weight restriction.
- For Little Almshoe Lane and St Albans Highway what is in place to prevent construction vehicles meeting in the lane and over running the verge causing damage.
- For the Junction of Little Almshoe Lane and St Albans Highway provide a SPA in both directions to show the largest construction vehicles can make this turn and not over run the footway or verge island.
- Appendix c and section 5.4 and 5.5 and 5.6 the construction route should not go through St lppolyts but should stay on London Road B656 to A602. Then the A602 to the A1m.
- Section 5.9 and 5.10 For access the site on St Albans Highway provide a SPA to show the largest vehicle can access site and to exit site.
- Section 5.11 this covers the haulage route to repaired for any damage.
- Section 5.14 and 5.15 What times and days will the traffic marshal be present.

#### Travel Plan

See attached word document of the comments from HCC Active & Safer Travel Team:

#### **Recommendation:**

Until the above issue has been satisfactorily addressed, the HA cannot support or recommend any conditions for this application in its current submission, therefore the default position is for a refusal, due to the application has failed to demonstrate a satisfactory policy and design-led approach to the accessibility of the proposed development for non-car mode of travel, contrary to Hertfordshire's Local Transport Plan (LTP4) policies 5 and 6 and also contrary to the principles of sustainable development contained in the NPPF.

#### **Signed**

Senober Khan

6 December 2024





Mark Youngman  
Development Management Group Manager  
Hertfordshire County Council  
Postal Point CHN115  
Farnham House  
Six Hills Way  
Stevenage  
SG1 2ST

**Response to Planning application from Hertfordshire County Council (T and CP GDP Order 2015)**

**Director of Planning**

North Hertfordshire Council  
Council Offices  
Gernon Road  
Letchworth Garden City  
Hertfordshire  
SG6 3JF

District ref: 24/01604/FP  
HCC ref: NH/21816/2024  
HCC received: 31 July 2024  
Area manager: Manjinder Sehmi  
Case officer: Senober Khan

**Location**

Temple Dinsley, (formerly The Princess Helena College), School Lane, Preston, SG4 7RT

**Application type**

Full Application

**Proposal**

Full Planning Permission : Change of use of the Former Princess Helena College and associated land from a former all-girls boarding school to 69no. private residential dwellings (Use Class C3), including the conversion of the main Grade II\* Listed House to 35no. new apartments, the conversion of the retained Teaching Block to provide 8 new apartments, the demolition of the existing sports hall building and science block and replacement with 20no. new houses and 2no. new apartments, the conversion of the Tank House and the Pump House buildings to provide 2no. detached dwellings and the erection of 2no. new dwellings located within the summerhouse plantation. The provision of a new car-park together with domestic storage units and covered parking bays to include solar PV Panels, and waste storage units and the provision of new driveways and associated works. Erection of new sub-station building and plant room. In addition, the associated landscaping of the site including provision of new pathways and gates and the reinstatement of Grade II\* Listed Parks and Gardens and the provision of a new Cricket Pitch and associated Cricket Pavilion

**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 recommends that permission be refused for the following reasons:

Until the above issue has been satisfactorily addressed, the HA cannot support or recommend any conditions for this application in its current submission, therefore the default position is for a refusal,

due to the application has failed to demonstrate a satisfactory policy and design-led approach to the accessibility of the proposed development for non-car mode of travel, contrary to Hertfordshire's Local Transport Plan (LTP4) policies 5 and 6 and also contrary to the principles of sustainable development contained in the NPPF.

**Brief description in support of the proposed development by the applicant:**

A Transport Assessment (TA) has been submitted to support a planning application for the redevelopment at the former Princess Helena College boarding school to a residential scheme. Accordingly, the existing main building and teaching block will be converted into 43 apartments, formed of 12 x one-bedroom, 25 x two-bedroom, 5 x three-bedroom and 1 x four-bedroom units.

It is also proposed that 22 houses will be provided in five residential blocks located around the main building and teaching block. These will offer 2 x two-bedroom, 14 x three-bedroom and 6 x four-bedroom units.

Four detached houses, located away from the main building and teaching block are also proposed, with 2 x three-bedroom houses (Tank House and Pump House) located in the south of the site, and 2 x five-bedroom houses (Summer House and Harwood House) located in the north of the site.

The development will also offer a new reserve cricket pitch and associated pavilion for use by Preston village cricket team.

EAS engaged in Highways Pre-App discussions with Hertfordshire County Council (HCC), as the highway authority, on two separate occasions, once during the early site feasibility stage and a second time when redevelopment proposals became more advanced.

**Site Location**

The site is bound to the east by undeveloped land and with Preston Road, School Lane and St Albans Highway bordering to the north, west and south respectively.

The site is located directly to the east of Preston and as such the village centre can be accessed in relative ease. Preston offers a variety of facilities, including a public house/restaurant, children's nursery, children's primary school, a church, playground, and cricket club.

**Vehicular Access**

The site is served by two vehicular access points, with the main vehicular site access meeting School Lane, within the south-west of the site. The access is located circa 10m south of Crunnells Green, which joins School Lane on its western side.

A secondary vehicular access point is located at the site's eastern border and connects to the St Albans Highway.

**Pedestrian Access**

The main pedestrian access into the site is located along the western border, opposite the School Lane/Crunnells Green junction. This route is not currently formalised, with access from the site being made through a gate and via the existing verge located on the eastern side of School Lane; no formal crossing point of School Lane is in place.

In addition, there is a (permissive) footpath on the site which commences at the main vehicular site access at School Lane, running across the field at the south of the site and joining back with School

Lane in the east, near to where the junction with St Albans Highway. This would offer future residents' safe access from the western portion of the site to St Albans Highway in the east, whilst avoiding a section of road with no separate pedestrian facility.

#### Walking

A Footway runs along the western side of School Lane, commencing at Chequers Lane in the north. The footway is circa 1.8m in width and continues into the village, terminating to the south between The Red Lion Pub and Crunnells Green Road.

There are no formal or informal crossing points along School Lane, within the vicinity of the site, although the footway does offer access to other routes that allow users to access the western expanse of the village.

The site is surrounded by a number of Public Rights of Way (PRoW) which link the existing school site to the wider village of Preston. The PRoWs link the site to Preston primary school, located to the south-west, as well as St Martins Church and Preston Playground, located to the north.

#### Cycling

There is no dedicated cycling infrastructure present within the village or on the surrounding local highway network. However, the local village roads would be conducive to cyclists, and it is noted that recreational Cycle Route 16 runs through Preston, offering an unbroken connection from the site to the southern side of Hitchin.

#### Public transport - bus

The Red Lion Public House bus stops are located a circa 50m/1-minute (southbound stop) and a circa 140m/2-minute (northbound stop) walk from the site via the main pedestrian access.

The southern bus stop is indicated by a pole and flag, with timetable information provided, while the northern bus stop offers a small shelter. There are no bus cage markings on the carriageway, Kassel kerbs, nor real-time bus information.

These stops offer access to the 88 bus route that runs east/west between Luton and Hitchin. The route operates 6 services in each direction throughout the day Monday to Friday, with 4 services in each direction running throughout the day on Saturday.

Further to the above, negotiations were opened with the operators of HertsLynx, to explore the option of extending the existing coverage in North Herts to provide a service that runs into the village and potentially the site itself. Unfortunately, the Demand Responsive/Community Transport Project Officer within HCC confirmed that Preston falls outside of the HertsLynx operating zone. The officer did however not rule out the potential of expanding the zone in the future.

#### Highway Safety Review

The Crashmap website has been used to assess the safety record near to the site access points for the most recent five-year period available (2018-2022 inclusive).

No collisions are identified as having occurred within 150m of any vehicular or pedestrian access.

The nearest incidents to the site access points occurred along School Lane, circa 160m and 170m south of the School Lane site access on 22nd September 2022 and 10th November 2022. Both incidents involved cars colliding while proceeding normally along the carriageway. Both collisions resulted in a 'slight' injury.

Due to the distance of the above collisions from the proposed site accesses and, given a decrease in traffic movements associated with the redevelopment, as discussed later, highway safety is not considered to be a notable concern.

### Proposed Development

#### Overview

The existing main building and teaching block will be converted into 43 apartments, also proposed are 26 houses, total 69 residential units.

The site will provide two main car parking areas, both located to the southeast of the main building and teaching block, with one car park making use of existing hardstanding provision, while a second car park is to be constructed to the south of this.

Existing vehicular speeds were recorded along St Albans Highways to infer the required visibility splay lengths at the access point. The drawing contained at Appendix H shows that visibility splays of 2.4m x 83m and 2.4m x 66m can be achieved to the north and south respectively; both splays terminate at the nearside kerb line. This is in line with recorded 85th percentile speeds of 35mph and 30.5mph respectively. Both splays remain wholly within land owned and maintained by the highway authority.

Staff, players and visitors of the proposed cricket pitch will access the facility by entering the site off St Albans Highway, following the internal driveway for circa 170m, turning left into the pitch. Vehicles will then also egress from the site via St Albans Highway.

Formalisation and improvement to the existing pedestrian access, located to the west of the main buildings is proposed. This will offer future residents a separate vehicle-free access into the site and direct connection to the centre of Preston village.

The new pedestrian route will make use of existing internal footpaths that will be resurfaced and extended, ensuring they run to meet the existing access point along the western boundary. Internal pedestrian connections will extend to each respective residential block and throughout the two main parking areas via dedicated walkways and landscaped areas.

Further to this, a new internal footpath is proposed, linking the Dower House development, located to the north of the site, to the aforementioned new pedestrian access at School Lane. The path is proposed to run close to and in line with the existing northwestern boundary of the site.

The existing permissive path on site, which commences at the main vehicular site access at School Lane and runs across the site, joining back with School Lane in the east, will also be maintained. This will offer future residents' safe access from the western portion of the site to St Albans Highway in the east avoiding the need to otherwise walk in the carriageway of School Lane.

It is also proposed that additional footpaths will be provided, spurring off from the main permissive path, linking to an existing gated access off School Lane as well as the proposed cricket pitch and PROW Preston 002 located in the east.

Discussions have taken place with NHDC regarding parking provision and layout. The current proposal for 127 car parking spaces.

This level of parking is slightly less than the relevant guidance set out in 'North Hertfordshire's Vehicle Parking at New Developments Planning Document', adopted in September 2011. This gives

a recommended parking requirement of 151 spaces for the development, formed of circa 118 allocated and circa 33 unallocated visitor spaces (0.5 visitor spaces per dwelling assumed).

#### Cycle Parking

It is proposed that the site will provide a minimum of 158 cycle parking spaces, formed of 130 long stay spaces for residents and at least 18 short stay cycle parking spaces for visitors; this meets the policy requirements as set out by NHDC.

Long stay cycle parking for the 43 apartments will be provided within the car port of the resident's allocated car parking spaces, with a store of 2.5m x 3.0m provided. Long stay cycle parking spaces associated with the 22 houses will have two spaces provided in cycle stores within their residential blocks.

Cycle parking for Summer, Harwood, Tank and Pump House will be provided in the curtilage of each dwelling.

18 short-stay cycle parking spaces will be provided for visitors, split between two cycle stores, with 6 visitor spaces located within the residential block to the north of site and 12 visitor spaces located in the cycle store in the main teaching block, in the centre of the site.

#### Delivery and Servicing Arrangements

Refuse collection will be undertaken from within the site by the district's waste collection services.

A refuse vehicle can enter and egress from the site in a forward gear, also showing where the refuse vehicle will wait within the site as waste is transferred into the vehicle.

A fire tender is able to serve most points within the development. It is understood that alternative arrangements would be made where a fire tender cannot provide direct access.

#### Proposed Off-Site Improvements

In the first Highways Pre-App completed with HCC, it was considered that there was scope to provide off-site improvements within Preston village, to enhance sustainable travel options for future residents of the site to nearby facilities.

Off-site land ownership queries were made to identify what parts of the village could facilitate improvements.

This initial mapping showed that verges/footways on either side of School Lane, between Crunnells Green and The Red Lion Pub were classified as Highway land and therefore could facilitate off-site improvements, for example new footway construction.

Another land ownership query was made to HCC Land Charges on 20/11/2023 to gauge land ownership around the village green, as well as School Lane, where the proposed pedestrian access is located.

On the receipt of this second mapping request, it was clear that there was some disagreement in land ownership classification between the two maps, with the mapping received on 21/11/2023 now showing that the eastern side of School Lane was classified as 'Village Green' land.

At this point, a query was made to HCC Land Charges on 21/11/2023 to clarify the discrepancy between the two received highway boundary maps. Within this email exchange the HCC officer

stated that both highway boundary maps are correct, and that Highway land always takes precedent over 'Village Green' land.

With the aim of clarifying this further, EAS then reach out to HCC's Commons Enquiry Team, as well as the Right of Way team on 24/11/2024 to understand the development constraints that may be in place when trying to develop on land classed as 'Village Green'.

As a result of this email, Hertfordshire's Commons Enquiries Team highlighted that the 'Village Green' land within the Highway boundary plans is owned by Preston Parish Council. The Commons Enquiries Team also explained the difficulty of reaching agreement for any amendments to this land, stating the following:

"The registration of land as a town or village green makes it extremely difficult for anyone, even the landowner, to undertake works or make any changes. Technically it is not possible to do anything which would interfere with the local inhabitants use or enjoyment of a village green, this includes encroachment, fencing, grazing, or erecting any structures, unless it is for the better enjoyment of the green. Unlike section 38 of the Commons Act 2006, which applies in relation to common land, there is no way of obtaining consent to carry out works or install structures on a village green. Legally, village greens are protected by two Victorian Statutes, the 1857 Inclosure Act, and the 1876 Commons Act."

#### **Highways comments:**

The proposals involve the redevelopment at the former Princess Helena College boarding school to a residential scheme. The existing main building and teaching block will be converted into 43 apartments along with 26 houses resulting in a total of 69no. residential dwellings (Use Class C3), with associated car and cycle parking. The development also involves a new reserve cricket pitch and associated pavilion with associated car and cycle parking.

The proposed car parking provision is the responsibility of the LPA to determine the level and suitability of the car parking proposals, however, it is essential that it is operated in efficient and safe manner to minimise the impact on the local highway network which is the responsibility of the HCC HA.

The HA has reviewed the Transport Assessment (TA) it is considered that the proposed increases in traffic flows on the local highway network are not of a scale that would materially impact the relative operation and safety of the local highway network.

With new developments the planning process seeks/provides the opportunity to improve conditions for both development and highway safety by applying current higher standards of policies, design, accessibility, and safety to new developments, and not to retain and/or continue with past obsolete standards.

Cycling and walking are a key part of HCC/NPPF plans, the HA expects sites to be permeable from all feasible directions for pedestrians and cyclists, requiring provision of safe footways to these points (where possible and feasible), which is one of the key issues identified in HCC/NPPF to encourage active sustainable transport choices.

Also, it is Hertfordshire County Councils policy to seek a planning obligation in respect of Sustainable Transport including for all developments. The revised NPPF -July 2021 promotes accessibility by sustainable means including bus, cycling, and walking, and the provisions of S106 of the Town and Country Planning Act-1990 allows that planning obligations, governed by the guidance

within CIL Regulations may be used to mitigate the impact of development. On 22 June 2021, HCC adopted a new toolkit to seek planning obligations towards sustainable transport.

In the pre-app stage the HA in its comments and subsequent meeting advised the applicant/consultant that in their assessment greater consideration/emphasis should be given to improving/enhancing pedestrian and cycle connectivity between the development and the village green and public transport points including bus services to encourage sustainable modes of transport.

As part of improving/enhancing pedestrian connectivity, the HA advised that provision of extending and connecting existing footways along School Lane and Hitchin Road should be provided including an improved and enhance public transport accessibility.

However, the applicant's consultant (in email dated 10 Oct 2024) has advised "as outlined in the feasibility letter, that one of the biggest issues with providing offsite footways within the village is the lack of support from the Parish Council (PC) and other residents.

Whilst the PC and residents (unclear who and how many residents) do not support the provision of footways, which would be wholly on Highway Land, unfortunately no substantive reason has been provided by the PC and residents to the HA for not wanting footways other than they don't support it.

The HA's paramount consideration, which it is duty bound to follow, is to ensure that developments are safe for all road users by ensuring the design, build and provisions are compliant with all the relevant policies and guidance's.

Pedestrian route to and from the development access must also consider the needs of those with small children, pushchairs and those with reduced mobility, including visually impaired people and people using wheelchairs or mobility scooters (Equalities Act).

The provision of adequate footways can be a more effective means of improving pedestrian safety and to facilitate the developments sustainable transport connectivity by improving the existing infra-structure thereby encouraging walking to nearby locations and reducing car use/travel particularly short distances.

The provision of footways identified are as follows:

- a) along the eastern side of School Lane connecting Crunnells Green with the existing footway approx. 100m to the north.
- b) Along the eastern side of Hitchin Road connecting the existing footway south of School Lane junction with Chequers Lane with the bus stop approx 40m to the north.

Whilst the applicant's consultant has advised a direct access from the development could be provided located opposite the bus stop, which the HA would welcome, nevertheless the provision of b) footway will provide safe accessibility to and from the bus stop for development and local residents who decide to travel by bus to/from the green.

In view of the opposition to the provision of footway the applicant's consultant has also suggested that internal footpaths could be provided as an alternative to the offsite footways, again the HA would welcome such provisions that enhance the choice and permeability of the site. However, the footway is still required again to provide a safe walking provision for locals including from the development (now and future developments) who would want to access the sports facilities located south within the site, and which will be a more direct route too.

Improving bus service in the applicants brief description above, the following was stated:  
“negotiations were opened with the operators of HertsLynx, to explore the option of extending the existing coverage in North Herts to provide a service that runs into the village and potentially the site itself. Unfortunately, the Demand Responsive/Community Transport Project Officer within HCC confirmed that Preston falls outside of the HertsLynx operating zone. The officer did however not rule out the potential of expanding the zone in the future.”

Subsequently, a more detailed review undertaken by HCC Bus Service Development Officer, the following comments are provided:

Given the scale of this development in such a remote location, I recommend an annual contribution of £50,000 (index linked) for 5 years to be put towards the local bus service to support its long-term viability. This would be used to enhance the current service where needed, examples are increasing Saturday operational hours or adjust weekday services to better serve local schools. This figure has been derived from existing data and costs and will support integrating the development into the current service.

#### Recommendations:

- Enhancing the current stops with Kassel kerbs and bus stop poles (if needed). The developer to collaborate with the parish council to replace/repair the existing shelter and install a new, suitable shelter on the green, ensuring a safe and dry waiting area for bus passengers.
- Provide pavements and pedestrian crossing points to ensure safe and easy accessibility to bus stops for everyone – School Lane, Hitchin Road, and Church Lane.
- Enhance road safety by improving speed signage and warnings on the approaching roads - Hitchin Road.
- Additional pedestrian paths from within the development on to School Lane to reduce the walking/wheeling distance to bus stops.
- Developer to demonstrate that they are promoting the local bus service/s along with travel vouchers to encourage sustainable modes of travel.

#### S106 Clause:

Contribution to be used towards local bus service provisions allowing the extension of, or a new service to be routed close to the development, and not limited to an individual service.

Regarding “the deliverability issues surrounding the requested upgrades to PROWs” the applicant’s consultant has advised that “It is anticipated that farmers may not be in favour of resurfacing or widening footpaths that traverse their fields, as this could create operational challenges when managing their land, this could prevent PROW upgrades.”

The inclusion of permissive routes within the development boundary is positive, the routes provide a good link between the network to the east of the village and Preston itself. Dedicating these permissive routes as Definitive Rights of Way (ROW) should be taken into serious consideration. Dedication of the permissive routes as formal ROW (i.e. Public Footpaths) would secure the rights for the public to use the routes in perpetuity and would be a benefit to multiple user groups including the residents of Preston and the wider public that use the ROW network. New ROW within the development would secure a key access route between Preston and the ROW network to the east. Currently, not-including permissive routes, the only way for users to travel between Preston and the ROW network to the east is via School Lane or Preston Road. Having a legally secured route between the village and the footpaths to the east which take users to Stevenage would be of great benefit.

Dedication of the routes should also be paired with surface construction according to HCCs Non-Motorised Routes Design Guide which provides specifications for surface construction and



materials. Further advice on dedicating Rights of Way and providing appropriate surfacing can be sought from Hertfordshire County Councils Countryside and Rights of Way team, they can be contacted at: [row@hertfordshire.gov.uk](mailto:row@hertfordshire.gov.uk)

As for improvements to the wider network, whilst it would appear the affected landowners are against the idea of dedicating the rights of way to Bridleway status, however the HA would seek to improve the surface of existing routes which would be beneficial if the routes were upgraded in status. Further detailed assessment would be required to provide an estimate of costs for surface improvements, but those would be sought through a S106 contribution.

Regarding the LCWIP, School Lane is a secondary route, Preston has an adopted neighbourhood plan which outlines the key issues and aspirations within the village in the context of new development. School Lane is referenced in regard to speeding and sections that lack footway. Please find below an extract from the plan:

## 11. Transport and Communications

Policy TC1: Safe and Sustainable Transport:

Policy TC2: Broadband and Mobile Coverage:

11.1 The biggest concern under this heading for residents of Preston is the problems connected with traffic, transport and travel. People are concerned about speeding, especially on certain roads and over half of residents responding to the Preston Survey 2017 would like speed limit reductions to 20mph. Heavy traffic is also an issue at certain times of the day. For some, this is exacerbated by a lack of pavements and street lighting in certain places (although others highlight these as positives about living in Preston). Indeed, the main worry for some young people about their safety in the village is roads and pavements with 65% concerned about lack of pavements, 45% concerned about the width of pavement and 52% concerned about speeding traffic. A poor bus service and badly maintained roads are other bugbears raised by residents of all ages, with 69% of young people concerned about an inadequate bus service.

Preston Parish Neighbourhood Plan 2018 - 2031 ([preston-np.org.uk](http://preston-np.org.uk))

Preston is also part of the 20mph scheme list, whilst it isn't an active scheme this could change if funding becomes available: 20 mph Programme Update - List of Schemes ([hertfordshire.gov.uk](http://hertfordshire.gov.uk))

Between the LCWIP, Neighbourhood Plan and 20mph programme list, measures for traffic calming could be considered which could then be taken forward either through the LCWIP or 20mph programme.

Hertfordshire's Planning Obligations Toolkit (2021) sets out that in order for the County to be able to support the very significant amount of new development coming forward over the next few years, a very significant amount of new and improved sustainable transport infrastructure is needed. In high level principle therefore, each new development should make a contribution towards this infrastructure to mitigate its own impact (subject of course to meeting the 3 CIL tests). The headline figure as stated in our Toolkit is £6826 per dwelling (i.e., the average amount each new dwelling across the county needs to pay in order for the necessary new infrastructure to be delivered). Multiply this by 7 dwellings = £470,994 index linked by SPONS to January 2019.

### **Recommendation:**

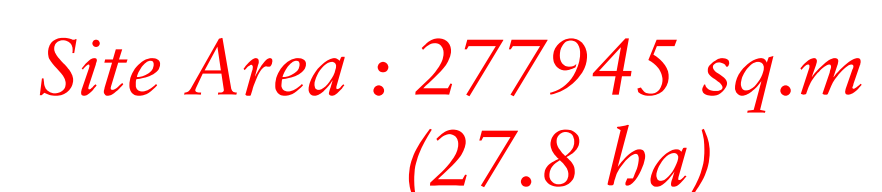
Until the above issue has been satisfactorily addressed, the HA cannot support or recommend any conditions for this application in its current submission, therefore the default position is for a refusal, due to the application has failed to demonstrate a satisfactory policy and design-led approach to the accessibility of the proposed development for non-car mode of travel, contrary to Hertfordshire's Local Transport Plan (LTP4) policies 5 and 6 and also contrary to the principles of sustainable development contained in the NPPF.

**Signed**

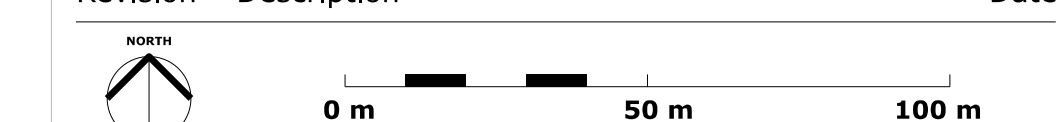
Senober Khan

29 October 2024





1. This is a planning drawing and is intended for this use only; it must not be used for construction.
2. All dimensions are in MM and should be checked on site prior to commencement of work; do not scale off this drawing.
3. This drawing is to be read in conjunction with all other relevant information.
3. Discrepancies between drawings and information to be referred to Architect without delay.



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Client  
The Door UK Ltd

Project  
Temple Dinsley  
Preston, Hitchin, Hertfordshire,  
SG4 7RT

Drawing title  
**Location Plan**

## Purpose of issue Planning

Job no.	Status	Scale @ A0
641	S0	1:1250

Checked by  
ST

Date	Revision
10.07.24	-

Drawing number  
641-KS-03-XX-DR-A-00002



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<u>Location:</u>	Temple Dinsley (formerly The Princess Helena College) School Lane Preston Hertfordshire SG4 7RT
<u>Applicant:</u>	Mr Russell Prince - The Door PHC Ltd
<u>Proposal:</u>	All works associated with the conversion of the Grade II* Listed Building from the former all-girls boarding school to 35no. new apartments and the works for the reinstatement of the Grade II* Listed Park and Garden at Temple Dinsley and all works associated with the conversion of all the curtilage listed buildings and structures including Tank House and Pump House buildings and the demolition of the existing sports hall.
<u>Ref. No:</u>	24/01605/LBC
<u>Officer:</u>	Peter Bull

**Date of expiry of statutory period:** 18<sup>th</sup> October 2024

**Extension of statutory period:** 30<sup>th</sup> January 2025

**Reason for Delay:**

The initial officer report was delayed due to discussions and negotiations on various technical aspects, further information received and additional consultation exercises that was undertaken as a result.

**Reason for referral to Committee**

The application is one of two submitted for related works. The other application (application reference 24/01604/FP) for alterations to both listed structures and new buildings with the curtilage of the property is also presented to Members for consideration.

1.0 **Site History**

1.1 There have been a numerous planning and listed building applications relating to the former boarding school use of the site. These are largely irrelevant to the current proposals and are not therefore repeated here.

1.2 The proposals now presented are the result of extensive pre-application discussions.

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan 2011 -2031**

Policy SP13: Historic environment

Policy HE1: Designated heritage assets

2.2 Preston Parish Neighbourhood Plan 2018 – 2031

Policy QL3: Local Distinctiveness

Policy EH2: Conservation Areas and Heritage Assets

2.3 National Planning Policy Framework (NPPF) (2023)

Chapter 2 - Achieving Sustainable Development

Section 16 – Conserving and enhancing the historic environment

2.4 National Planning Practice Guidance (NPPG)

Decision-making: historic environment

2.5 Supplementary Planning Guidance

Sustainability SPD (adopted September 2024)

3.0 **Representations**

3.1 Preston Parish Council – pleased to note that the conversion of the main house will maintain its original style and historic heritage and that there will be no further deterioration to the main building.

3.2 Historic England – supports the proposals which would put these highly-graded heritage assets to a new viable use - thus securing their ongoing conservation.

3.3 Conservation Officer – no objections subject to conditions

3.4 Luytens Trust – support the proposals

3.5 Neighbours – 6 responses received, 3 objections and 1 supporting

Objections:

- Significant volume of additional supporting documents to help justify the original application creating a pseudo-scientific methodology, misleading and contradicting and not credible particularly the structural surveys
- Not a balanced proposal
- Dubious justification for Pump and Tank House conversions and associated buildings and works
- Harmful to heritage assets
- Loss of historic features within the Tank and Pump houses

## **4.0 Planning Considerations**

### **4.1 Site and Surroundings**

- 4.1.1 The application site comprises a number of statutory listed and unlisted buildings and structures centred around a Grade II\* listed country house of early C18 origin (1714). The house was substantially enlarged and remodelled in the early C20 which time formal gardens to the west and north of the house were created. The house and garden are surrounded by C18 parkland which is separately listed (also Grade II\*). The house became a school in 1935, in which use it remained until its closure in 2022.
- 4.1.2 The site lies adjacent to the east side of the village of Preston, 5km south of the centre of Hitchin, at the north-east end of the Chiltern Hills. The 27.8ha site is bounded to the east and south by public highway – School Lane and St Albans Highway respectively. To the north and west the boundaries are edged by agricultural land. The Dower House is located on the south east side of Preston Road, towards the north west part of Temple Dinsley Park and Garden, approximately 300m north of Temple Dinsley house on lower ground. Formerly within the grounds of Temple Dinsley, this property was granted permission in 2017 for conversion into six separate residential units. For the avoidance of doubt, the Dower House is outside the application site.
- 4.1.3 The ground is gently undulating, rising to the north-west of the house, with a pronounced valley extending north-east from the north side of the gardens, down which provides distant views of Letchworth. The setting is rural, with further buildings lying adjacent to the south boundary.

### **4.2 The Proposal**

- 4.2.1 The application seeks listed building consent for all works associated with the conversion of the Grade II\* Listed Building from the former all-girls boarding school to 35no. new apartments and the works for the reinstatement of the Grade II\* Listed Park and Garden at Temple Dinsley and all works associated with the conversion of the curtilage listed Tank House and Pump House buildings and the demolition of the existing sports hall.
- 4.2.2 The application is set out in over 200 plans and drawings together with other supporting documents considering the relevant technical matters. These are as follows –
- Planning Statement (Sworders, July 2024)
  - Statement of Community Involvement (Sworders, July 2024)
  - Design, Access and Heritage Statement (SCABAL / KPT Architects, July 2024)
  - Schedule of Materials (SCABAL/ KPT)
  - Level 3 Historic Recording (John Selby, July 2024)
  - 50no, 'Significance Impact Tables' (SCABAL/KPT)
  - Asbestos Surveys (Cambridge Asbestos Removal – August 2023 and Green Shield Environmental, August 2020)
  - Structural Report (AFP Consulting Engineers Ltd, May 2024)
  - Method Statements for Demolition of Buildings (AFP Consulting Engineers Ltd and Demcom (November 2024)
  - Heritage Statement Addendum (November 2024)
  - Method Statement Sports Hall Abutment Demolition (December 2024)

4.2.3 For the avoidance of doubt, this application seeks listed building consent only for alterations to the following heritage assets –

- Main Building (House, attached Service Wing and western spur- Art Block, Pavilion) (Grade II\* listed)
- Teaching Block (curtilage listed)
- Garden pergolas and Belvedere (curtilage listed)
- Pump House (curtilage listed)
- Tank House (curtilage listed)
- Sports hall (curtilage listed)
- Piggery (Grade II)
- Ice House (Grade II)
- Gate Posts and Park Wall (Grade II)
- Gates and railing to main entrance forecourt (curtilage listed)

4.2.4 Only the proposed alterations to listed assets require listed building consent. An associated planning application (24/01604/FP) has also been submitted dealing with new build elements which require planning permission. The two applications are being considered together.

4.3.5 The proposed works fall within the following key groups -

- (i) demolition of modern extensions / buildings
- (ii) removal of modern and unsympathetic features and interventions
- (iii) reinstatement of lost historic features
- (iv) repair existing historic internal and external fabric
- (v) introduction of new internal features including freestanding bathrooms
- (vi) external alterations including new windows and
- (vii) a small (13sqm) extensions and replacement external staircase.

Specific details of the interventions proposed for each apartment are set out in individual supporting documents which are too detailed to repeat here. In summary, the proposed works are intended to both conserve Temple Dinsley and its historic curtilage structures and also improve listed assets with better more appropriate and quality design and materials that respond more sensitively to their original design.

### **4.3 Key Issues**

4.3.1 The sole issue to consider is the impact the proposals will have on the character and appearance of the above specified heritage assets.

#### Impact upon heritage assets

4.3.2 Section 16(2) Physical works to listed buildings, including those listed under S1(5)a attachment and S1(5)b curtilage pre-1948) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (The LBCA Act) stipulates that 'in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic 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.

- 4.3.3 Paragraph 207 of the NPPF stipulates 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 208 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.
- 4.3.4 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 215 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. Preston NP Policy *EH2: Conservation Areas and Heritage Assets* requires all development proposals to explain and demonstrate the impacts on local heritage assets
- 4.3.5 Due to the complexity of the proposed interventions and alterations, the report is set out in sections according to the different heritage assets affected.

*Original Main Building (Grade II\* listed)*

- 4.3.6 The Main Building incorporates Old House, East Wing and East Link, West Wing and West Link, West Spur, Art Block and Pavilion, East Annexe and former Coach House Stable. The statutory listing entry name for the building is "*Princess Helena College, Temple Dinsley, with terraces, steps, walls, railings, gates, pergolas, and garden buildings*". This is not repeated here due to its considerable length. The earliest part of the current building, the Old House, dates from 1714. This was a symmetrical brick-built block of the early Georgian period, of two-storeys and attic under a clay tiled roof. It was three bays wide and two rooms deep and had a central entrance doorway accessed from an C18 courtyard on the southern side. The Main Building underwent changes as the Site was sold and rented. The most significant changes to the Main Building occurred in the early C20 when Sir Edwin Lutyens was employed to extend and remodel the main house, and also to construct numerous new buildings within the gardens, Hill End and Preston village. The Site was acquired in 1935 by Princess Helena's College for Girls and further alterations and extensions were made and added to enable the educational use of the site.

- 4.3.7 Alterations and extensions to the Main Building are proposed to facilitate the creation of 35 no. residential units. Generally, officers consider that the conversion of the Main Building has been well thought out, with alterations generally limited to fabric of lesser heritage significance. The layout and presence of several existing staircases allows the building to be subdivided in a straightforward manner, with the potential for the subdivision to be reversible in the future if desired.
- 4.3.8 The grouping of principal suites of rooms within apartments is welcomed, with bathroom 'pods' inserted to allow the architectural and artistic interest of the rooms to be retained and appreciated. The layout within the Main Building utilises the main staircase and entrance hall as the arrival space for all units in this area, such that the significance of the Main Building can be appreciated by future residents and visitors to the property.
- 4.3.9 Areas of greater intervention concentrated on areas of lesser significance or areas which have been subject to greater alteration historically, for example the attic areas to the East and West Wings and the Service Wing to the east. It is here where new lifts are proposed, and a new lightwell located to break up the depth of the Service Wing, particularly where the modern school hall, and canteen were located.
- 4.3.10 There would be some inherent harm created through the subdivision of the building. However, the proposal will secure a new viable use for the building which is supported. Conditions are proposed to secure the precise details of the proposals.

*Teaching Block (curtilage listed)*

- 4.3.11 The Teaching Block is not explicitly mentioned in the statutory listing description. However, it is an attached and pre-1948 building so it is considered to be covered by the main listing entry.
- 4.3.12 This is an ancillary building at the rear of the site, behind the former Coach House Stable range. It is brick built single storey building with attics and basement with plain tiled roofs and large dormers. Its appearance is of the late C20 but it is reconstructed from some earlier structures.
- 4.3.13 Alterations and extensions to the Teaching Block are proposed to facilitate the creation of 8 no. residential units. Generally, this building has been subject to greater alteration historically and is therefore considered to be less sensitive to conversion. Nevertheless, the conversion of the Teaching Block has been well thought out, with alterations generally limited to fabric of limited heritage significance. There would be some inherent harm created through the subdivision of the building. However, the proposal will secure a new viable use for the building which is supported. Conditions are proposed below to secure the precise details of the proposals.

*Garden Pergolas and Belvedere (curtilage listed)*

- 4.3.14 The listing entry confirms the presence of York stone paving to terraces and steps and landings of garden staircases and pergolas. It goes on to confirm that "revetted terraces run northward at a higher level, from the upper terrace to a grand terrace along the N front which has 3 flights of steps descending to a sunken garden, the middle flight on axis of old house, the others on axes of wings having divided lower flights to W and superimposed pergolas of oak cambered beams and circular and square special brick piers. E pergola continues across E side of sunk garden and over the steps in the revetted terrace on the N side of the garden with another flight of steps further W on axis of old house."

4.3.15 The Belvedere is a small building positioned above the north-east corner of the sunken lawn to the north of the Main Building. It is built of red brick with a pyramidal red tiled roof and is built into the slope of the ground, giving a single storey elevation facing westwards and a 2-storey elevation facing east. A small and simple building with entrance by fielded door flanked by narrow windows, it has a panelled interior with a chequered brick and tile floor.

4.3.16 The proposals to the Belvedere comprise of minimal like-for-like repairs and enhancements. Specifically –

- Brick repairs and lime pointing damaged plinth. Sample to be agreed.
- Allow re-roofing and localised conservation timber, brick and plaster repairs and redecoration.
- Allow to replace missing and plastic rainwater goods in cast metal.

4.3.17 All of the above are heritage benefits to the listed building and they improve its longevity, appearance and setting. They are at a Moderate to High level of benefit. The Belvedere has a high level of significance and will benefit by the enhancement and improved appearance through repair.

4.3.18 The preliminary garden restoration proposals prepared by George Carter identify the restoration of these structures in a sympathetic manner to secure them in their original form as part of the Garden Restoration Scheme. This is considered to be a direct heritage benefit of the scheme. Specific details of these works should be secured by condition in the event consent is granted.

*Pump house (curtilage listed)*

4.3.19 The Pump House is not explicitly mentioned in the statutory listing description. However, it is a pre-1948 building so it is considered to be covered by the main listing entry.

4.3.20 The Pump House was designed circa 1909 on a new site in a field to the south of the Main Building. It is a single storey building in two parts, constructed in red brick in Flemish bond with a pitched clay peg tile roof featuring hips and gables. The structure comprises a larger building of two bays to the north and a smaller building to the south which covers a water well. This well provided water for the Tank House directly to the north of the Pump House. Works are proposed to facilitate the conversion of this building to a single residential property.

4.3.21 It is widely accepted that the best way to protect historic buildings is to secure the most optimal viable use. In this case the building is currently redundant and is in a poor condition. The proposed conversion will incur some harmful alterations to the building. However, these are necessary to secure a new viable use for the building and overall are considered to be a direct heritage benefit of the scheme as it would secure the long-term maintenance and conservation of the building. Conditions are proposed below to secure the details of the proposals.

*Tank house also known as Barn 2 (curtilage listed)*

- 4.3.22 The Tank House is not explicitly mentioned in the statutory listing description. However, it is a pre-1948 building so it is considered to be covered by the main listing entry.
- 4.3.23 The Tank House is a single storey building in two parts, constructed as a black weatherboarded timber frame with metal internal frame to support water tanks. A pyramidal building, it was constructed circa 1909 on the field south of the Main Building. All the openings are symmetrical, with a door on the eastern elevation and windows on the remainder. The proposed alterations comprise internal and external alterations to facilitate the proposed residential use as a single dwelling.
- 4.3.24 The proposed alterations will incur some harmful impacts necessary to secure a new viable use for the building. The fenestration has been revised to reduce the level of glazing proposed which will allow the building to continue to appear as a timber framed and weather boarded barn, whilst establishing the new residential use. However, due to the current poor condition and redundant nature of the building the proposals are considered to be a direct heritage benefit of the scheme as it would secure the long-term maintenance and conservation of the building. Conditions are proposed below to secure the precise details of the proposals.

*Sports Hall (curtilage listed)*

- 4.3.25 The Sports Hall is not explicitly mentioned in the statutory listing description. However, it is attached to the Main Building so it is considered to be covered by the main listing entry.
- 4.3.26 Planning permission was granted for the sports hall in the 1980s. It is located to the rear of and is attached to the Teaching Block to the north-east of the Main Building. This is typical sports hall building - substantial in footprint and scale – with a timber frame and clad external appearance. It also includes an array of solar panels on the southern roof slope, facing towards the Main Building. The Sports Hall is linked to the Teaching Block by a single storey timber framed link. Neither the building or the link have any historic merit or value. The Sports Hall due its footprint, scale and appearance is considered to be harmful to the setting of other heritage assets across the site. On this basis, there is no objection to their demolition. A method statement has been agreed to deal with these works and repairs and protection of the Teaching Block already and in the event that consent is granted, a condition requiring adherence to this would be both reasonable and necessary.

*Piggery (Grade II)*

- 4.3.27 The Piggery is located 240 metres south-east of the house (Building 8 on the Site Plan). It is a square single-storey brick structure with pyramidal clay tiled roof and stable door in the middle of the north-west side. It is located on high ground within a backdrop of trees visible on the approach drive to the Main Building. It is considered to be an important landscape feature in view of the Main Building from the park and is listed for its group value.

4.3.28 The applicant has confirmed that the building is currently in very poor condition with numerous cracks in the brick walls including full height structural cracks near the corners, some fallen bricks and some rebuilt sections in cement. The roof tiles have come to the end of their useful life and reroofing will be necessary. The original vertically boarded timber door is incomplete and detached from the frame.

4.3.29 Officers consider that the proposed works to the Piggery comprise its restoration in a sympathetic manner to secure its physical structure and appearance. Overall, the works are considered to be a direct heritage benefit of the scheme. An interpretation board should be secured to better reveal the significance of the listed building. Precise details of these works can be secured by condition in the event consent is granted.

*Ice House (Grade II)*

4.3.30 The Ice House is located 250 metres east of the house, within a group of mature trees located on high ground within the historic parkland south of the east drive. It is an earth-covered round brick structure with a partial domed roof. The entrance is visible only in close proximity. The interior cannot be readily accessed due to tree roots. This building is described in the list entry as C18.

4.3.31 The structure is in poor condition, due to longstanding tree root damage from veteran trees. Given the status of the trees, a 'holding' approach as a ruin to limit further damage is proposed. Works comprise minimal like for like repairs to the external structure, photographic recording and perimeter fencing to protect it. The structure has some habitat interest (bats) and therefore a grille protecting entry by humans is necessary. Overall, the works are considered to be direct heritage benefits of the scheme. An interpretation board should be secured to better reveal the significance of the listed building. Details of this together with other repair works can be secured by condition.

*Gate Posts and Park Wall (Grade II)*

4.3.32 For the avoidance of doubt, the wall and posts covered by this listing entry are located parallel to School Lane and includes two pairs of gate piers and flanking walls at the main entrance gates to the site opposite Crunnells Green. The statutory listing confirms these date from circa 1908 (Lutyens) as the entrance to Temple Dinsley. The listing describes these as being 'excellent brick craftsmanship.'

4.3.33 The proposed works comprise –

- defective bricks to be repaired and replaced in lime and lime pointing made good using a conservation Builder. Extent and sample to be investigated and agreed;
- conservation refurbishment of the metal railings by specialist. Allow for investigation of historic paint layers to inform the final colour and finish;
- localised rebuilding of the rear Stable Coach House wall where it is poorly rebuilt in the Mid-Late C20.

4.3.34 Officers consider that the repairs and refurbishment to the walls and railings of the entrance yard and former Kitchen Garden have a high level of significance. The rear walls and service yard gateway are generally more altered and have High to Moderate level of significance. They contribute to the significance of the Grade II\* listed Registered Park and Garden, which will also benefit by the enhancement and improved appearance through repair and through the removal of car parking from the most sensitive views of the

main house. Overall, these heritage benefits will improve its longevity, appearance and setting and would be a Moderate to High level of benefit. Precise details can be secured by condition in the event consent is granted.

*Gates and railing to main entrance forecourt (curtilage listed)*

- 4.3.35 The 'inner' forecourt entrance to the Main Building is defined by wrought iron railings and gates. These features are explicitly mentioned in the statutory listing description. These features would be retained and repaired as necessary. For the duration of construction works, the wrought iron gates will be temporarily removed, labelled and stored in a safe place on site. They will be reinstated following construction work on the main building. A condition to secure removal and reinstatement for the gates (and other important fixtures and fittings within the Main Building) is considered reasonable and necessary.

## **Conclusion**

- 4.0 The NPPF confirms that heritage assets are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance. Overall, it is considered that the proposals would incur some low-level inherent harm to the Grade II\* Main House and attached buildings and detached curtilage listed buildings. However, it is considered that the proposals have sensitively considered the historic fabric of the heritage assets and will provide a new use for these currently vacant and redundant buildings which will support their long-term maintenance and conservation. Furthermore, the proposals include further direct heritage benefits in the consolidation of the Ice House, restoration of the Piggery, and other restoration works to garden structures. The demolition of the Sports Hall and associated link will improve the setting of heritage assets.
- 4.1 The extensive number of heritage benefits delivered as part of the proposal are considered to out-weigh the collective harm arising for the heritage significance of the Grade II\* Main Building and associated listed buildings and structures. Accordingly, there is no reason for refusing consent for the works proposed.

## **Alternative Options**

None applicable

## **Pre-Commencement Conditions**

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

## **5.0 Legal Implications**

- 5.1 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.

## 6.0 **Recommendation**

6.1 That listed building consent be **GRANTED** subject to

(A) Providing delegated powers to the Development and Conservation Manager to update conditions with minor amendments as required; and

(B) Conditions as set out below.

### **Time**

1. 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 unless specified in conditions contained herein.  
Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
2. The works hereby permitted shall be carried out in accordance with the approved plans and Heritage Statement and Significant Impact Tables and drawings as amended by Heritage Statement Addendum received 19th November 2024. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Phasing Plan**

3. No development / works shall commence (except for the demolition of the Sports Hall and link to the main building as identified on the submitted drawings and detailed in the supplementary heritage statement) until a phasing plan has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall set out the phasing of all building operations and landscaping works. Thereafter, the development shall be carried out in accordance with the approved phasing plan unless otherwise agreed 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 the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
4. The demolition of the sport hall and associated link to the Teaching Block shall be carried out in accordance with the Heritage Statement Addendum including method statement received xx/xx/xx. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Protection of features**

5. Prior to work being started on the Main Building as identified on the phasing plan, details shall be submitted to and approved in writing by the Local Planning Authority to ensure that precautions are taken to secure and protect the interior and exterior features during the building work. The agreed measures shall be carried out in full. No such features shall be disturbed or removed temporarily or permanently except as indicated on the approved drawings or without the prior approval in writing of the Local Planning Authority. Particular regard should be given to the following item(s): fireplaces; chimney-pieces; guttering and hopper-heads; decorative finials/urns; stair balusters and handrails; windows containing historic window glass; vulnerable surfaces and finishes (i.e. panelling, Lutyens decorative schemes); and Lutyens fixtures (i.e. cupboards, radiator grills). Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
6. Before work to the Main Building commences, as identified on the phasing plan, a scheme identifying all the historic fixtures and fittings to be temporarily removed (including the front gates to the Main Building) to avoid damage during construction works; arrangements for temporary secure storage; the person or body specialising in this procedure appointed by the applicant; and a timetable for their reinstatement shall be submitted and approved in writing by the Local Planning Authority. Thereafter, the development / works shall be carried out 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 the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
7. During the works to the Main Building if hidden historic features including but not limited to the timber framing within the 18th century Main Building (walls, floors and attics); and Lutyens interior decorative schemes (panelling, radiator grill designs, doors, architraves etc), are revealed they should be retained in-situ. In this situation, works shall be halted in the relevant area of the building and the Local Planning Authority should be notified in writing immediately. The Local Planning Authority will confirm in writing a course of action in relation to these hidden features within 21 days of the written notification. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
8. Prior to the commencement of any alterations to the internal joinery including internal painting and decorating to the following areas and units, full details shall be submitted to and approved in writing by the LPA. Thereafter, the alterations shall be carried out in accordance with the approved details.
  - a) Main Staircase and Communal Areas
  - b) Middle Stair



- c) Unit 1 (Landseer)
- d) Unit 2 (Norman and Burt)
- e) Unit 3 (Vyvyen Prain)
- f) Unit 10 (Dining Room)
- g) Unit 11 (Piano Nobile)
- h) Unit 14 (Housekeeper)

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Lighting design**

9. Prior to the installation of any exterior lighting to any statutory listed buildings structures for each phase as identified on the phasing plan, details of their location, design and materials shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
10. Prior to the installation of any exterior fixtures and fittings including signage for each phase as identified on the phasing plan, details of their location, design and materials shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Landscaping**

11. Prior to the commencement of any hard landscaping works, full details of all hard landscaping (including repairs to curtilage listed terraces, walkways and structures) for each phase as identified on the approved phasing plan shall be submitted to and approved in writing by the local planning authority. The detailed proposals shall be broadly in accordance with the preliminary landscaping plans provided by George Carter Garden Design and Livingston Eyre Associates hereby approved as part of this consent/permission. Where appropriate, sectional drawings to illustrate levels, ramps, gradients, retaining walls and other features shall be provided. The development shall be carried out in accordance with the approved details and completed in accordance with the phasing plan. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the

Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Services**

12. Prior to the installation of any external pipework (soil ventilation pipes, air extraction pipes, flues or ducting) for each phase as identified on the phasing plan, full details of their location, design and materials shall be submitted to and approved in writing by the local planning authority. Development shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
13. Prior to the installation of internal services (cables, pipes etc) for each phase as identified on the phasing plan, details of their location, design and materials shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be implemented in accordance with the approved details and permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
14. Prior to the construction or relaying of the roof, details of the proposed method of ventilating the roof construction and internal rooms for each phase as identified on the phasing plan shall be submitted to and approved in writing by the local planning authority. Thereafter, the ventilation works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
15. All service intakes to dwellings, apart from gas, shall be run internally and not visible on the exterior of buildings. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
16. No service meters, broadband or telecommunication boxes shall be fixed to the external fabric of the buildings unless otherwise agreed 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 the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

## **Fire Safety**

17. Before the work begins on the Main Building and Teaching Block as identified on the phasing plan, a Fire Safety Strategy to include a Method Statement and sectional details at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in full accordance with the approved Strategy. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

## **Insulation**

18. Prior to any insulation works for each phase as identified on the phasing plan, details of the proposed type and method of insulation including section drawing at scales between 1:20 and 1:1 as appropriate shall be submitted to and agreed in writing by the local planning authority. Thereafter, the development shall be carried out 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 the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

## **Exterior**

19. Prior to the commencement of repair works to the existing brickwork and mortar for each phase as identified on the phasing plan, as appropriate, a single sample repair consisting of a cut out and replacement of a spalled brick shall be completed to demonstrate method and proposed brick replacement. Following either the on-site inspection or provision of a photograph illustrating the sample repair by / to the Local Planning Authority and subject to it being confirmed as being acceptable in writing, all brick repair works shall be carried out in accordance with the approved sample and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
20. Prior to the first commencement of any new brickworks on site, a sample panel of 1 square metre minimum shall be erected on site to show areas of new exterior walling shall be approved in writing by the local planning authority. The sample panel shall indicate brick type, bond, copings, mortar mix, colour and pointing profile. The sample panel shall be retained on site for the duration of the development. The development shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

21. All new rainwater goods shall be painted black or grey metal unless otherwise agreed 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 the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
22. Prior to the commencement of construction works on new buildings works for each phase as identified on the phasing plan, a schedule of the manufacturer, product types and colour finishes of the external materials to be used shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be implemented 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 the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
23. Prior to the installation of new external staircases, balustrades and balconies (including roof walkways) at the Main Building as identified on the phasing plan, full details of these to include section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Interior**

24. Prior to the commencement of internal works to the for all apartments (except kitchens and bathrooms) and communal areas for each phase as identified on the phasing plan (except those listed on condition 6), a schedule of all new internal surface materials including walls, ceilings and floors and a schedule of all internal joinery indicating the proposed finish and decoration to be used shall be submitted to and approved in writing by the local planning authority. Thereafter, works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
25. Prior to the commencement of any paint cleaning and/or removal in the Main Building as identified on the phasing plan, a method statement shall be submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

## **Windows**

26. Prior to the installation of new windows and upgrading of windows (including shutters) for each phase as identified on the approved phasing plan, a window schedule comprising a method statement and specification for window repairs, upgrades and identify those for replacement shall be submitted to and approved in writing by the local planning authority. Thereafter, works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
27. Prior to the installation of new windows and cills, full details for each phase as identified on the approved phasing plan to include sections and elevations at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
28. Prior to the installation of rooflights on the Main Building, Teaching Block, Tank House and Pump House as identified on the phasing plan, full details and specification shall be submitted to and approved in writing by the local planning authority. These shall be of low profile conservation type. Thereafter, the development / works shall be carried out in accordance with the approved details.

## **Ironmongery**

29. Prior to their first installation on site, full details of proposed new internal and external ironmongery for windows and doors to be used, for each phase as identified on the phasing plan as appropriate, by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

## **Doors**

30. Prior to the repair and upgrading of doors for each phase as identified on the phasing plan as appropriate, a door schedule shall be submitted to and approved in writing by the local planning authority. This shall detail a method statement and specification for door repairs, upgrades, and identify those for relocation or replacement. It will also identify the location for those which are relocated within the listed building. Thereafter, the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
31. Prior to the installation of proposed new doors, full details including architraves to be used, for each phase as identified on the phasing plan as appropriate, by section and elevation at scales between 1:20 and 1:1 shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

## **Walls / ceilings**

32. Prior to the commencement of repairs to plasterwork (walls and ceilings) to the Main Building and Teaching Block as identified on the phasing plan, a method statement and specification shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
33. Prior to the commencement of repairs to timber panelling in the Main Building as identified on the phasing plan, a method statement and specification shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
34. All new partitions within the Main Building and the Teaching Block shall be carefully scribed around the existing ornamental mouldings.

### **Floors**

35. Prior to the commencement of repairs to wooden flooring in the Main Building as identified on the phasing plan, a method statement and specification shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Staircases**

36. Prior to their first installation or construction, full details of the proposed new internal staircases and balustrades within the Main Building, as identified on the phasing plan, by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
37. Prior to the commencement of repairs to staircases and balustrades in the Main Building as identified on the phasing plan, a method statement and specification shall be submitted to and approved in writing by the local planning authority. Thereafter the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Radiators**

38. Prior to installation of new radiators within the Main Building and Teaching block, full details as identified on the phasing plan shall be submitted to and approved in writing by the local planning authority. Thereafter the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
39. Prior to the commencement of repairs to radiators and their decorative grills in the Main Building as identified on the phasing plan, a method statement and specification shall be submitted to and approved in writing by the local planning authority. Thereafter the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

40. Prior to installation full details of the proposed new radiator grill covers within the Main Building, as identified on the phasing plan, by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Thereafter the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Roofs**

41. Prior to the commencement of repairs to roof structure and finishes, including gutters in the Main Building as identified on the phasing plan, a method statement and specification shall be submitted to and approved in writing by the local planning authority. Thereafter the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
42. Prior to the commencement of the dropping of window sill levels within the attic roof within the Main Building as identified on the phasing plan, a method statement shall be submitted to and approved in writing by the local planning authority. Thereafter the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Fireplaces**

43. Prior to the commencement of any cleaning and repairs to the fireplaces in the Main Building as identified on the phasing plan, a method statement and specification shall be submitted to and approved in writing by the local planning authority. Thereafter the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
44. Prior to installation, full details of the proposed new fireplaces within the Main Building, as identified on the phasing plan, by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Thereafter the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and



Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Lifts**

45. Prior to installation, full details of the proposed new lifts and lift enclosures within the Main Building, as identified on the phasing plan, by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Thereafter the development / works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Building Recording**

46. No demolition, conversion or alterations shall commence to the following buildings / structures as identified on the phasing plan until a programme of building recording and analysis, including written and photographic record, has been secured in accordance with a written scheme of investigation (WSI) to be submitted to and approved in writing by the local planning authority:

- i) Tank House
- ii) Pump House
- iii) Ice House
- iv) Piggery
- v) Belvedere

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

47. No demolition, conversion or alterations to shall commence to the following buildings / structures as identified on the phasing plan shall take place until the satisfactory completion of the recording in accordance with the WSI submitted:

- i) Tank House
- ii) Pump House
- iii) Ice House
- iv) Piggery
- v) Belvedere

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed

Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

48. The development shall not be occupied/used until a report detailing the results of the recording programme and confirm the deposition of the archive to an appropriate depository as identified and agreed in the Written Scheme of Investigation approved under part (a) and the provision made for analysis and publication where appropriate. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Structural**

49. Prior to the commencement of any internal demolition and other renovation works to the Main Building and Teaching Block as identified on the phasing plan, a Method Statement shall be submitted and approved in writing by the local planning authority. The Method Statement shall set out full details of such works to include a written explanation of how the safety and stability of the building fabric identified to be retained throughout the demolition, reconstruction and renovation works will be secured and include, where appropriate, structural engineering drawings. Thereafter, the development / works shall be carried out fully in accordance with the approved Method Statement. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
50. Internal demolition work to the Main Building and Teaching Block shall be carried out by hand or by tools held in the hand other than power-driven tools unless otherwise 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 the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

### **Unit Specific**

51. No removal or alterations (including decoration) shall be undertaken to the original Lutyens Cabinet identified as 02K.R3 on the submitted drawings in Unit 2 (Normal and Burt) of the Main Building to ensure the protection of this fixture unless 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 the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
52. Prior to the commencement of the structural basement excavation below Units 25 (Workshop) and 26 (Racquets), a Method Statement shall be submitted to and approved in writing by the local planning authority. The Method Statement shall include a schedule of works/specification and detailed drawings at between 1:20 and 1:1 (as appropriate) and set out full details of a vibration monitoring process and the timing of such excavation works to secure the safety and stability of the Main Building shall be submitted to and approved in writing by the local planning authority. The local planning authority shall at its

discretion request to visit the site to monitor the excavation works and shall alert the developer in writing of any additional measures required to secure the safety and stability of the building. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

53. Prior to the commencement of the structural basement excavation below Units 6 (Bakersfield), 7 & 8 (Art Block), a Method Statement shall be submitted to and approved in writing by the local planning authority. The Method Statement shall include a schedule of works/specification and detailed drawings at between 1:20 and 1:1 (as appropriate) and set out full details of a vibration monitoring process and the timing of such excavation works to secure the safety and stability of the Main Building shall be submitted to and approved in writing by the local planning authority. The local planning authority shall at its discretion request to visit the site to monitor the excavation works and shall alert the developer in writing of any additional measures required to secure the safety and stability of the building. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
54. Prior to the commencement of any work on the dismantling and rebuilding of the Rose Garden wall at Units 7 & 8 (Art Block), a method statement for demolition and specification for rebuilding shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / work shall be carried out in full in accordance with such approved details. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
55. There shall be no removal or alterations undertaken to the original Lutyens Bathroom fittings (sink units, radiator, and cupboards) identified on the submitted drawings in Unit 10 (Dining Room) of the Main Building to ensure the protection of these fixtures unless agreed 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 the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
56. Prior to the commencement of opening up works to main staircase and Unit 11 walls, full existing details shall be submitted to and approved in writing by the Local Planning Authority. The details shall include detailed drawings at between 1:20 and 1:1 as appropriate; schedule of works / specification and method statement. Thereafter, the opening up works shall be carried out in full in accordance with such approved details. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

57. Following the commencement of opening up works to the main staircase and Unit 11 walls, as appropriate, the following details should be submitted to and approved in writing by the local planning authority. Either:
- (a) detailed drawings at between 1:20 and 1:1 as appropriate; schedule of works/s specification; and method statement for the proposed structural alterations in Unit 11 or;
  - (b) should the proposed steel beam arrangement be required to be retained then detailed drawings at between 1:20 and 1:1 as appropriate for the amended joinery details.
- Thereafter, the development / work shall be carried out in complete accordance with such approved details. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
58. Notwithstanding the submitted plans, prior to the commencement of opening up works to the internal walls and ceilings of Unit 12 (Attic West) and Unit 13 (Attic East), full details shall be submitted to and approved in writing by the local planning authority to inform the extent of internal demolition / alteration works and layout of these units. The details shall comprise detailed drawings at between 1:20 and 1:1 as appropriate; schedule of works/specification; and method statement. Thereafter, the opening up works shall be carried out in full in accordance with such approved details. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
59. Following opening up works to Unit 12 (Attic West) and Unit 13 (Attic East), drawings at 1:20 of the proposed layouts showing extent of partition and ceiling removal should be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development / work shall be carried out in complete accordance with such approved details. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
60. Prior to the removal of the Lutyens cupboards (17J.D1) as identified on the submitted drawings in Unit 17 (Almina), full details of their relocated positions within the Main Building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development / work shall be carried out in complete accordance with such approved details. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

61. Prior to the commencement of the partition works for Unit 17 (Almina), full details comprising of plan, elevation and section at either 1:20 or 1:10 shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / work shall be carried out in complete accordance with such approved details. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.
62. Prior to the installation of the proposed glazed links and glazed screen to the well at the Pump House, as identified on the phasing plan, full details of this comprising section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Thereafter, the development / work shall be carried out in complete accordance with such approved details. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

#### **Other**

63. Prior to the commencement of any engineering works associated with the approved East Car Park as approved under planning permission 24/01604/FP, details of a lockable grille to secure the entrance to the Ice House to allow bat access and prevent humans or domestic pets from entering shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the grille shall be installed before the East Car Park is first brought into use. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policy HE1 of the North Hertfordshire Local Plan.

## **7.0 Appendices**

### **7.1 Proposed Site Plan**

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Site Area : 277945 sq.m (27.8 ha)

1. Main Building  
2. Teaching Block  
3. Edwin  
4. Violet  
5. Sadleir  
6. Ithel  
7. Templar  
8. Summer House  
9. Harwood House  
10. Tank House  
  
11. Pump House  
12. Lodge Gate  
13. Belvedere  
14. Ice House  
15. Piggery  
16. Park Wall & Main Gate  
Main Entrance & Occasional Exit  
  
17. Paved Rose Garden  
18. Herbaceous Garden  
19. Small Herbaceous Garden  
20. Rose Garden  
  
21. Magnolia Steps  
22\* Cricket Pitch  
23. North Tennis Court  
24. Village Gate  
25. Walled Parking Garden  
26. Existing Parking  
27. Visitor Parking  
28. Summer House Plantation  
29. East Tennis Courts  
30. Pergola Garden, Tennis Lawn  
  
31. Permissive Path (extended) & Estate Fencing  
32. Permissive Path (new) to Dower House  
with Post and Rail  
33. Path to School Yard  
34. St. Albans Road  
35. East Avenue to Exit  
36. Construction Traffic In and Out  
Access to Cricket Pitch, Tennis Courts,  
Summer House & Harwood House  
  
37. Substation  
38. New Cricket Pavilion and Equipment Store  
39. Proposed Woodland Planting  
40. Wildflower Meadows

42. Energy Centre in East Car Park  
43. Central Bin Store in East Car Park  
44. Bin & Bike Store & Electrical Cupboard
- Estate fence  
----- Post and Rail  
  
a Vehicle gate  
a1 Vehicle & pedestrian gate  
b Pedestrian gate with keypad  
c Pedestrian kissing gate  
d Cattle grid & pedestrain gate

Based on a TRICS assessment carried out by EAS, it is estimated that the proposals to develop 69 houses and apartments on site would generate circa 36 vehicle trips in both the AM and PM peak periods. This equates to a significant reduction of circa 280 vehicle trips in each of the network peak hours when related to the school operations at Princess Helena College.

\* New **EIGHT-PITCH** natural grassed cricket square (or table), all eight pitches having an ECB senior cricket minimum boundary of 45.7m (50 yards).



DO NOT SCALE OFF THIS DRAWING  
DO NOT SUBSTITUTE ANY OF THE PRODUCTS  
OR MATERIALS.

1. This is a planning drawing and is intended for this use only; it must not be used for construction.  
2. All dimensions are in MM and should be checked on site prior to commencement of work; do not scale off this drawing.  
3. This drawing is to be read in conjunction with all other relevant information.  
3.Discrepancies between drawings and information to be referred to Architect without delay.

P21	Annotation number 44 added	18.12.24
P20	East Car Park and gate access notes	14.11.24
P19	Permissive path removed	06.11.24
P18	East Car Park & Cricket Pitch	05.11.24
P17	East Car Park & Cricket Pitch	29.10.24
P16	Post and Rail along with hedges added	16.10.24
P15	Main Gate and add Permissive Path	15.10.24
P14	Substation moved	08.10.24
P13	Updated Trees	XX.07.24
P12	Fences and gates	04.07.24
P11	Wildflower meadows added	01.07.24
P10	Permissive path alterations	01.07.24
P09	Issued for Planning	25.06.24
P08	Updated SH,HH and TH boundary fences	17.06.24
P07	Issued for BNG calculations	07.06.24
P06	Updated to latest design	29.05.24
P05	Coordination issue	20.05.24
Revision	Description	Date

0 m 50 m 100 m

**KAY PILSBURY THOMAS ARCHITECTS**  
**SCABAL**  
HONEYLANDS RADWINTER SAFFRON WALDEN ESSEX  
CB10 2TJ | 01799 599208 | info@kpt.co.uk | kpt.co.uk

Client  
The Door UK Ltd

Project  
Temple Dinsley  
Preston, Hitchin, Hertfordshire,  
SG4 7RT

Drawing title  
**Proposed Site Plan**

Purpose of issue  
Planning

Job no. Status Scale @ A0  
641 S0 1:1000

Checked by  
ST

Date Revision  
28.03.24 P21

Drawing number  
641-KS-03-XX-DR-A-10002

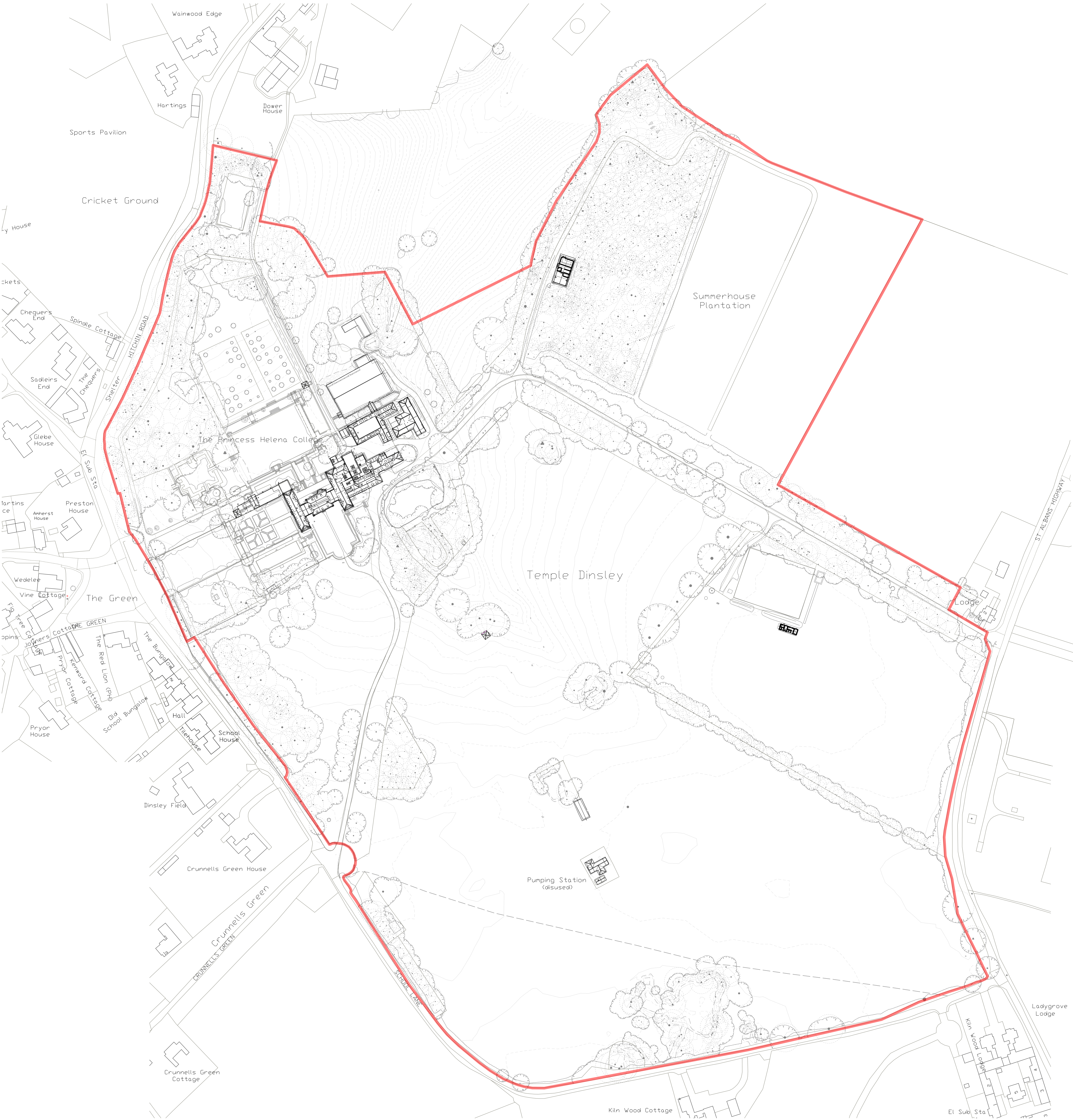


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Site Area : 277945 sq.m  
(27.8 ha)



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OR MATERIALS.

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Revision	Description	Date
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KAY PILSBURY THOMAS ARCHITECTS  
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Client  
The Door UK Ltd

Project  
Temple Dinsley  
Preston, Hitchin, Hertfordshire,  
SG4 7RT

Drawing title  
**Location Plan**

Purpose of issue  
Planning

Job no. Status Scale @ A0  
641 S0 1:1250

Checked by  
ST

Date Revision  
10.07.24 -

Drawing number  
641-KS-03-XX-DR-A-00002



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**PLANNING CONTROL COMMITTEE**

**DATE: 30 January 2025**

**PLANNING APPEALS DECISION**

APPELLANT	DESCRIPTION	SITE ADDRESS	REFERENCE	APPEAL DECISION	COMMITTEE/ DELEGATED	COMMENTS
Mr D Huggins	First floor rear extension and single storey side extension with terrace above following demolition of existing conservatory. Alterations to fenestration	The Coach House Todds Green SG1 2JE	24/00499/FPH	Appeal Dismissed On 27 November 2024	Delegated	<p>The Inspector stated that the proposal would result in disproportionate additions over and above the size of the original building. Therefore, the proposal would be inappropriate development which is, by definition, harmful to the Green Belt. Consequently, the proposal would conflict with Policy SP5 (Countryside and Green Belt) of the North Hertfordshire Local Plan 2011-2031(LP) and the Framework, which seek to protect the Green Belt from harm.</p> <p>The Inspector also stated that whilst, the footprint is largely unaltered, the increased scale and massing of the proposed development would result in harmful reduction in the spatial openness of the Green Belt.. For these reasons, the proposal would harm the openness of the Green Belt. The development would therefore conflict with Policy SP5 of the LP and the Framework, in</p>

						this regard.
Mr Chris Hunt	Conversion of existing 3-bed house into two single level independent apartments (two one 1-bed). Erection of one 1-bed adjoined house and creation of 3 additional parking spaces and one garage (as a resubmission of planning reference 23/00392/FP) (as amended by plans received 21st May 2024).	165 Weston Way Baldock SG7 6JG	24/00265/FP	Appeal Dismissed On 5 December 2024	Delegated	The Inspector concluded that the scheme would significantly harm the character and appearance of the area. It would thereby conflict with Policies SP9 (Design and Sustainability) and D1(Sustainable design) of the North Hertfordshire Local Plan 2011-2031 (LP). In general terms, and amongst other things, these require good design which responds positively to the site's local context. It would also conflict with the broadly similar approach at section 12 of Framework. The Inspector also concluded that the proposal would also harmfully affect the living conditions at 2 Willian Way. Consequently, it would conflict with LP Policies D2 (House extensions, replacement dwellings and outbuildings) and D3 (Protecting living conditions), and with the Framework's requirement to ensure a high standard of amenity for existing and future users.
Mr & Mrs A Del Basso	Removal of condition 9 of planning permission 23/00505/S73 granted 20.04.2023 for the erection of one detached four	Glencoe Villa Snailswell Lane Ickleford SG5 3TS	24/01868/S73	Appeal Dismissed On 11 December	Delegated	The Inspector concluded that the proposed revised design would result in inappropriate development in the Green Belt. Paragraph 147 of the Framework

	bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding.			2024		states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the Framework indicates that substantial weight should be given to any harm to the Green Belt. The Inspector also found that the proposed revised design would be harmful to the character and appearance of the area to which the Inspector attributed significant weight.
3 Counties Land Ltd	Erection of 2no. detached 3-bed, two storey chalet style dwellings. Vehicular access onto the highway at Norton Road (as amended by plans received 2nd and 3rd April 2024).	Land To The Rear Of 33 The Sycamores Baldock SG7 5BJ	23/02324/FP	Appeal Dismissed On 11 December 2024	Delegated	The Inspector concluded that the proposed development would cause harm to the character and appearance of the area. It follows that there would be conflict with Policies SP9 (Design and sustainability), NE2 (Landscape), and D1 (Sustainable design) of the North Hertfordshire Local Plan 2011-2031 which expect proposals to be well designed, to respond positively to local context and landscape character, and to take all reasonable opportunities to retain existing vegetation and landscape features.
Mr B Retkin	Erection of two detached dwellings and two semi-detached dwellings following	64 Pondcroft Road Knebworth	23/02198/PIP	Appeal Allowed On 19	Delegated	The Inspector concluded that the site is suitable for the proposed development, having regard to its

	demolition of existing bungalow	SG3 6DE		December 2024		<p>location, the proposed land use and the amount of development. The proposal therefore does not conflict with Policies SP1 (Sustainable development in North Hertfordshire, SP9 (Design and sustainability) and D1 (Sustainable design) of the North Hertfordshire Local Plan 2011-2031 and Policies KBDS1 (Knebworth Village Character), KBDS2 (Density of Housing Development), KBBE1 (Housing Mix) and KBBE4 (Design) of the Knebworth Neighbourhood Plan 2022, which collectively support new development where it is well designed and located and responds positively to its local context, respects and enhances the special character of Knebworth village, have densities that respect existing properties and the character of surrounding areas and address current and future housing needs.</p> <p>The Inspector also stated that that a permission in principle is not a planning permission in itself and their consideration of the case is limited to very specific matters. As such, issues such as pressure on infrastructure, parking and detailed access arrangements among other things, must be considered at the</p>
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						<p>subsequent Technical Details Consent (TDC) stage. There can be no guarantee that just because the permission in principle has been granted, that approval for the TDC will follow as it is the approval of both stages for a planning permission to be secured.</p> <p><b>Please Note: The associated Application for Costs is Allowed</b></p>
Mr & Mrs Hitchings	Erection of two detached 5-bed dwellings together with associated access drive, car parking, private gardens, hard and soft landscaping following the demolition of all existing detached structures	Bramble Bank Bedford Road Holwell SG5 3RX	23/01752/FP	Appeal Allowed on 08 January 2025		<p>The Inspector concluded that the proposed development would not cause unacceptable harm to the character and appearance of the surrounding area and, as such, it would not conflict with Policies SP2 (Settlement Hierarchy and Spatial Distribution), SP5 (Countryside and Green Belt), CGB1 (Rural Areas beyond the Green Belt) and CGB4 (Existing buildings in the Rural Area Beyond the Green Belt) of the North Hertfordshire Local Plan 2011-203 (LP).</p> <p>The Inspector also concluded that, subject to an appropriate condition, the proposed development would not cause unacceptable harm to the safety of other highway users and, as such, it would not conflict with LP Policy T1 (Assessment of transport</p>

						matters) which requires development not to lead to highway safety problems or cause unacceptable impacts upon the highway network.
John And Elspeth Gass	Purchase Notice for Keepers Cottage, 2A Orchard Way, Breachwood Green with respect to refusal of Listed Building Consent 23/02418/LBC (Replace 16no. existing single-glazed timber-framed windows with white Upvc double-glazed windows) on 19/12/2023.	Keepers Cottage 2A Orchard Way Breachwood Green SG4 8NT	24/00130/PCH	Secretary of State's decision on Purchase Notice dated 10 December 2024	Delegated	The Secretary of State for Housing, Communities and Local Government refuses to confirm the purchase notice. Instead of confirming the purchase notice, the Secretary of State, in exercise of her powers under section 35(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), and all other powers enabling her in that behalf, HEREBY DIRECTS that North Hertfordshire District Council shall grant listed building consent, if an application is made, for the replacement of 16no. single-glazed timber-framed windows with slim profile timber double glazed windows at Keeper's Cottage, 2A Orchard Way, Breachwood Green, Hitchin SG4 8NT. If such an application is made it shall be submitted to the Council within 2 months from the date of this decision.



**PLANNING CONTROL COMMITTEE  
PLANNING APPEALS LODGED**

**DATE: 30 January 2025**

<b>APPELLANT</b>	<b>Appeal Start Date</b>	<b>DESCRIPTION</b>	<b>ADDRESS</b>	<b>Reference</b>	<b>PROCEDURE</b>
Mr David Sandford	25.11.2024	Retention of two dormer windows on South roofslope, box dormer on North roofslope and continued use of first floor as one 1-bed studio accommodation	The Studio Manor Farm Church Lane Graveley SG4 7BN	23/01101/FP	Written Representations
Mr Neil Tennant	05.12.2024	Erection of one detached 3-bed dwelling including installation of vehicular crossover. (Amended plan received 09/05/24).	Land At 51 Beech Way Blackmore End St Albans AL4 8LY	24/00797/FP	Written Representations
Ms Amanda Mills	10.12.2024	Erection of one detached one bedroom dwelling with all matters reserved	Land To The Rear Of 18 Victoria Road Hitchin SG5 2LS	24/00839/OP	Written Representations

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## Appeal Decision

Site visit made on 18 December 2024

by **D J Barnes MBA BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 January 2025

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**Appeal Ref: APP/X1925/W/24/3348198**

**Bramble Bank, Bedford Road, Holwell, Hertfordshire SG5 3RX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs Hitchings against the decision of North Hertfordshire District Council.
  - The application Ref is 23/01752/FP.
  - The development proposed is the erection of two detached five-bedroom dwellings together with associated access drive, car parking, private gardens, hard and soft landscaping following the demolition of all existing detached structures.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the erection of two detached five-bedroom dwellings together with associated access drive, car parking, private gardens, hard and soft landscaping following the demolition of all existing detached structures at Bramble Bank, Bedford Road, Holwell, Hertfordshire SG5 3RX in accordance with the terms of the application, Ref 23/01752/FP, subject to the conditions set out in the Schedule.

### Procedural Matter

2. A revised version of the National Planning Policy Framework (the Framework) was published in December 2024. The content of the revised Framework does not materially change the national policy basis for the assessment of this appeal.

### Main Issues

3. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the surrounding area and (b) the safety of other highway users.

### Reasons

#### *Character and Appearance*

4. The appeal site comprises land within the extensive rear garden of Bramble Bank which forms part of a group of residential and other buildings surrounded by open and verdant countryside. These other buildings include a range of single storey outbuildings and other structures of various sizes located within the rear gardens.
5. It is common ground between the parties that the site is not situated within a settlement as defined in Policy SP2 of the North Hertfordshire Local Plan 2011-

2031 (LP). Instead, the site is situated within the rural area where only certain types of development are acceptable in accordance with LP Policy CGB1. The erection of the 2 proposed dwellings could, as identified by the council, relate to the redevelopment of an existing rural building because of the outbuildings and other structures within the site.

6. LP Policy CGB4 refers to criteria against which the development of existing buildings should be assessed, including that the proposal does not have a materially greater impact on the openness, purposes or general policy aims of the rural area than the original buildings. The general policy aims of the rural area are stated in LP Policy SP5 and include a general policy of restraint to recognise the intrinsic value of the countryside.
7. As identified, the site is within the curtilage of Bramble Bank and it is physically and visually related to the gardens of the group of residential and other buildings rather than being part of the surrounding open and verdant countryside. There is residential development in depth which has occurred to the north of the site with the erection of dwellings to the rear of Dunroamin and Coniferdell. The proposed dwellings would not be in an isolated location within the countryside.
8. The appellants have identified that planning permission has been granted on appeal (Ref APP/X1925/W/16/3156040) and by the Council (Ref 21/00810/FP) for the erection of 2 dwellings to the rear of Sun Vale/Greenwood. Although these dwellings are not yet fully constructed, there is some evidence of groundwork having been undertaken to implement the permissions. The erection of these neighbouring dwellings would materially affect the character and appearance of the group of buildings within which the site is located by the intensification of built forms of development. This change to the context of the appeal site would accentuate the proposed dwellings being related to the existing group of residential and other buildings rather than the surrounding open and verdant countryside.
9. Further, planning permission (Ref 24/00717/FP) has also been granted for the erection of a single dwelling on the appeal site which would be located in the vicinity of the existing outbuildings in the general location of Plot 2 of the appeal scheme. This plot is located further to the west than Plot 1 which infills the gap between Bramble Bank and the approved dwelling. The council assessed that the approved dwelling would not have a materially greater impact on the openness, purposes or general policy aims of the rural area than the original buildings. This planning permission is given significant weight in the assessment of this appeal scheme and would result in Plot 1 being enclosed on 3 sides by existing or approved dwellings with the garden of Little Arundel, including an outbuilding which is used for domestic purposes, located to the south.
10. There are no outbuildings within Plot 1 but there are such buildings within the appeal site as a whole. By reason of being taller than the outbuildings and development occurring on Plots 1 and 2, the appeal scheme would increase the footprint of built development and, together with the height of the proposed dwellings, this would have an effect on the openness of the surrounding countryside. Although there is some screening by buildings and trees, parts of at least the roofs of the proposed 1½-storey dwellings would be visible along Bedford Road from the south across the garden of Little Arundel.

11. However, because of the existing dwellings fronting the road, the residential development in depth that has occurred, other structures within gardens and the identified approved housing schemes, the proposed dwellings would not be so visually or physically conspicuous so as to materially have a greater impact on the openness of the surrounding countryside than the current buildings. For the same reasons, the general purposes and aims of the rural area identified in the LP, including the intrinsic value of the countryside, would be preserved rather than unacceptably harmed.
12. On this issue it is concluded that the proposed development would not cause unacceptable harm to the character and appearance of the surrounding area and, as such, it would not conflict with LP Policies SP2, SP5, CGB1 and CGB4.

#### *Highway Safety*

13. The highway authority objected to the appeal scheme because of inadequate information having been submitted about the suitability of the proposed access serving the 2 dwellings and Bramble Bank. However, Drawing No. RSD-23-59 P02 Rev A identifies the proposed width of the proposed drive and access from Bedford Road. No additional evidence has been provided as part of this appeal but information has been provided about the access to the approved single dwelling scheme (Ref 24/00717/FA). This approved access is comparable to the proposals shown on Drawing No. RSD-23-59 P02 Rev A.
14. It is recognised that the approved access would serve Bramble Bank and a single dwelling rather than the 3 dwellings which would generate further traffic movements. However, although there would be an additional dwelling, there would still be a relatively low number of traffic movements which would not be materially greater than the approved scheme.
15. It was noted during the site visit that Bedford Road is the subject of the national speed limit at the access to Bramble Bank. The visibility along Bedford Road from the access enables drivers to be able to see vehicles entering or leaving the access so as not to create a danger to these highway users.
16. Currently, the access and initial drive's width are determined by the shared boundary with Greenwood and the soft landscaped element of Bramble Bank's front garden. Drawing No. RSD-23-59 P02 Rev A identifies that the width of the access and an initial part of the drive would be increased when compared to what was observed. The upgrading of the access and drive would be necessary to avoid vehicles turning into the access from potentially having to wait on Bedford Road if another vehicle is exiting the access. This is a case where the increase in the width of the access and initial part of the drive could be subject of a condition to approve the final design and secure its implementation.
17. Between the front garden and Plot 1, there would be a straight length of drive which would generally be about 3.7 metres wide. From what was observed, there could be a potential slight narrowing of the drive between the flank walls of Greenwood and Bramble Bank but this would be for a short length. No passing places are proposed along the drive but there would be adequate visibility for a driver to see an oncoming vehicle to enable another vehicle to wait either within the initially widened drive or adjacent to Plot 1. From what was observed, and even with a

potential slight narrowing of the width for a short length, the proposed drive would be sufficient for emergency vehicles to be able to access the proposed dwellings.

18. For the reasons given, and subject to an appropriate condition, it is concluded that the proposed development would not cause unacceptable harm to the safety of other highway users and, as such, it would not conflict with LP Policy T1 which requires development not to lead to highway safety problems or cause unacceptable impacts upon the highway network.

### **Conditions**

19. The council has suggested conditions in the event that this appeal succeeds and they have been assessed against the tests identified in the Framework and the Planning Practice Guidance. For reasons of clarity, some of the suggested conditions have been amended.
20. For reasons of precision, it is necessary for a condition to refer to the approved drawings. By reason of the current use of the site, a simplified condition would be appropriate to address matters associated with potential ground contamination.
21. A Construction Method Statement is necessary to protect the living conditions of the occupiers of neighbouring properties during the construction period and to avoid contractor's vehicles being parked along Bedford Road. The suggested condition has been amended to reflect the nature, scale and location of the proposed development. As has been identified, a condition is necessary to secure the improvements to the existing access.
22. Conditions are necessary to require the external materials and landscaping to be approved to ensure that the proposed development would be well assimilated into the surrounding group of residential properties and other buildings. The appeal application pre-dated the mandatory requirements for Biodiversity Net Gain (BNG) albeit a Biological Impact Assessment which included a BNG calculation was submitted by the appellants. Instead of a specific condition to secure BNG, the recommendations of the Biological Impact Assessment should form part of the landscaping scheme.
23. A condition is necessary to secure the erection of obscure glazing for the first floor window within the side elevation of the dwelling which would be erected on Plot 2 to prevent overlooking and loss of privacy. However, a condition is unnecessary to secure charging for electric vehicles because this is a requirement of the Building Regulations.

### **Conclusion**

24. For the reasons given, it is concluded that this appeal should be allowed.

*D J Barnes*

INSPECTOR

## Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: RSD-23-59 P01; RSD-23-59 P02 Rev A; RSD-23-59 P03; RSD-23-59 P04; RSD-23-59 P05; RSD-23-59 P06 and RSD-23-59 P07.
- 3) No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with *British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency, Land Contamination Risk Management (LCRM)* (or equivalent British Standard and Model Procedures if replaced), has been submitted to and approved in writing by the local planning authority. If any contamination is found, no development shall take place until:
  - a) a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority;
  - b) the site has been remediated in accordance with the approved measures and timescale; and
  - c) a verification report has been submitted to and approved in writing by the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until:

- a) additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and
  - b) a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.
- 4) No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Construction Management Statement shall include details of:
  - a) access arrangements to the site;
  - b) location of construction and storage compounds, including areas designated for contractor's parking, the loading/unloading of delivery vehicles and turning areas;
  - c) siting and details of wheel washing facilities or other means to prevent mud or debris being deposited on the public highway; and
  - d) timing of construction activities (including delivery times and removal of waste).

The development hereby approved shall be carried out in accordance with the approved Construction Method Statement:

- 5) Prior to the commencement of the development hereby permitted details of the access and drive between Bedford Road and Plot 2 shall be submitted for approval in writing by the local planning authority. The dwellings hereby permitted shall not be occupied until the access and drive have been constructed in accordance with the approved details. The access and drive shall be retained thereafter.
- 6) No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 7) No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall incorporate the recommendations at Section 6 of the *Biological Impact Assessment* (Report No: J3178-0623) and shall also include details of:
  - a) all existing trees and hedgerows on the land, identifying those to be removed and those retained, including setting out measures for the protection of retained trees and hedgerows throughout the course of the development;
  - b) new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting;
  - c) the location and type of any new walls, fences or other means of enclosure;
  - d) any hard landscaping proposed; and
  - e) the design and external elevations of the cycle storage and bin storage.
- 8) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings 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 in the next planting season with others of similar size and species.
- 9) The first floor window within the north elevation of the dwelling hereby permitted to be erected on Plot 2 shall be obscure glazed. Once installed the obscured glazing shall be retained thereafter.

SCHEDULE ENDS





Costs and Decisions Team  
3B Eagle Wing  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Direct Line: 030 344 45601  
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John and Elspeth Gass  
Keeper's Cottage  
2A Orchard Way  
Breachwood Green  
Hitchin  
SG4 8NT

Your Ref:  
  
Our Ref: PUR/3342127  
  
Date: 10 December 2024

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## BY EMAIL ONLY

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Dear Mr and Mrs Gass

### **PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 – SECTIONS 32 TO 36**

#### **PURCHASE NOTICE SERVED BY JOHN AND ELSPETH GASS**

#### **LAND AT KEEPER'S COTTAGE, 2A ORCHARD WAY, BREACHWOOD GREEN, HITCHIN, HERTFORDSHIRE SG4 8NT**

1. I am directed by the Secretary of State for Housing, Communities and Local Government ("the SoS") to refer to the purchase notice ("PN") that you served on North Hertfordshire District Council ("the Council") on 1 January 2024 in respect of your interest in the above-mentioned land.
2. On the information then available, the Secretary of State gave notice on 21 May 2024 of their proposal not to confirm the PN for reasons set out in that letter. The Secretary of State gave you and the Council an opportunity to be heard by an Inspector. Following your request to be heard an Inspector, Tom Gilbert-Wooldridge, held a hearing on 1 October 2024.

#### **INSPECTOR'S HEARING REPORT**

3. A copy of the Inspector's hearing report is enclosed and forms part of this decision letter.

#### **REASONS FOR THE DECISION**

4. Where a purchase notice is served following a decision on a planning application the Secretary of State must first consider whether the relevant conditions<sup>1</sup> specified in section 137(3) of the Town and Country Planning Act 1990 are satisfied. If those conditions are met section 141(1) requires the Secretary of State to confirm the purchase notice unless he takes the view that one of certain other courses specified in subsections (2) or (3) of section 141 would be appropriate.
5. The Inspector's conclusions and recommendation on the purchase notice have been considered along with all the available evidence.

## CONCLUSIONS

6. On 18 December 2023, the Council refused to grant listed building consent to replace 16no. single-glazed timber-framed windows with white uPVC double-glazed windows (application 23/02418/LBC). The Council declined to purchase the site for the reasons set out in its response notice of 25 March 2024. In his report the Inspector observed that noise insulation for the property's windows would mitigate the effects of aircraft and ensure that the property and land can be enjoyed and used for residential purposes. It would be difficult to achieve suitable insulation without listed building consent. Therefore, in their existing state, it can be argued that the building and land are incapable of reasonable beneficial use ("RBU") and cannot be rendered capable of such use by the carrying out of works for which listed building consent has been granted or undertaken to be granted. However, before confirming the PN, the Inspector needed to consider whether there is a more appropriate course of action that the SoS may take instead of confirming the PN.
7. If the SoS considers it expedient to do so, she may, instead of confirming the PN, grant listed building consent for the replacement windows proposal rejected under application 23/02418/LBC. However, the Inspector recommended that the proposal should not be granted listed building consent. The Inspector then concluded, for the reasons set out in his report, that instead of confirming the PN, the land could be rendered capable of RBU within a reasonable time by the carrying out of other works for which listed building consent ought to be granted. The Inspector therefore recommended that the Council should be directed to grant listed building consent, if an application is made, for slim profile timber double glazed windows that would render the land capable of RBU.
8. Having considered the available evidence the SoS agrees with the conclusions in the Inspector's report and accepts his recommendation.

## FORMAL DECISION

9. The Secretary of State for Housing, Communities and Local Government refuses to confirm the purchase notice. Instead of confirming the purchase notice, the Secretary of State, in exercise of her powers under section 35(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), and all other powers enabling her in that behalf, HEREBY DIRECTS that North Hertfordshire District Council shall grant listed building consent, if an application is made, for the replacement of 16no. single-glazed timber-framed windows with slim profile timber double glazed windows at Keeper's Cottage, 2A Orchard Way, Breachwood Green, Hitchin SG4 8NT. If such an application is made it shall be submitted to the Council within 2 months from the date of this decision.

## RIGHT OF CHALLENGE AGAINST THE DECISION

10. The enclosed leaflet sets out the right of challenge to the High Court against this decision.
11. A copy of this decision, along with the Inspector's report, has been sent to North Hertfordshire District Council.

Yours sincerely

*Richard Holland*

Authorised by the Secretary of State to sign in that behalf

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## Costs Decision

Site visit made on 2 December 2024

**by J Pearce MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 December 2024**

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### **Costs application in relation to Appeal Ref: APP/X1925/W/24/3342621 64 Pondcroft Road, Knebworth, Hertfordshire, SG3 6DE**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Mr Brian Retkin for a full award of costs against North Hertfordshire District Council.
  - The appeal was against the refusal of the Council to grant permission in principle for the demolition of existing residential bungalow and outbuildings and new residential build of 2 detached and 2 semi-detached houses with gardens and on-site parking.
- 

### **Decision**

1. The application for an award of costs is allowed in the terms set out below.

### **Reasons**

2. Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The PPG includes examples of unreasonable behaviour by planning authorities that may lead to a substantive award of costs. The applicant contends that the Council has behaved unreasonably due to it preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy, and any other material considerations.
4. The Council's reasons for refusal were based on the effect of the proposed development on the character and appearance of the area and the living conditions of occupants of existing neighbouring properties and future occupants of the proposed development. The reasons for refusal and the Delegated File Note refer to the layout plan submitted with the application. However, as I have found in my main decision, the precise layout of the proposed development is a matter for Technical Details Consent, rather than at the permission in principle stage. Consequently, I conclude that the Council has acted unreasonably in refusing permission on these grounds and the applicant has incurred additional and wasted expense in having to make the appeal.
5. The applicant considers that the Council acted unreasonably insofar that they did not initiate any constructive co-operation or dialogue. While the Council has not sought to defend its position with regard to this application for costs, I note that the decision notice and the Delegated File Note state that this was due to the fact that they did not consider any such dialogue would have resulted in a favourable outcome. Notwithstanding that my conclusion in the main decision

differs from that of the Council, I do not consider that the lack of such dialogue amounts to unreasonable behaviour.

6. The applicant noted that the response from Knebworth Parish Council was outside of the twenty-one-day consultation period, and that the comments should have been disregarded. While the response was received beyond the statutory period, the comments were submitted before the application was determined.
7. For the reasons given above, unreasonable behaviour resulting in unnecessary or wasted expense has occurred and a full award of costs is therefore warranted.

### **Costs Order**

8. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that North Hertfordshire District Council shall pay to Mr Brian Retkin, the costs of the appeal proceedings described in the heading of this decision, such costs to be assessed in the Senior Courts Costs Office if not agreed.

The applicant is now invited to submit to North Hertfordshire District Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

*J Pearce*

INSPECTOR

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# Appeal Decision

Site visit made on 2 December 2024

**by J Pearce MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 December 2024**

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**Appeal Ref: APP/X1925/W/24/3342621**

**64 Pondcroft Road, Knebworth, Hertfordshire SG3 6DE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
  - The appeal is made by Mr Brian Retkin against the decision of North Hertfordshire District Council.
  - The application Ref is 23/02198/PIP.
  - The development proposed is the demolition of existing residential bungalow and outbuildings and new residential build of 2 detached and 2 semi-detached houses with gardens and on-site parking.
- 

## Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of four and a maximum of four dwellings at 64 Pondcroft Road, Knebworth, Hertfordshire SG3 6DE in accordance with the terms of the application, Ref 23/02198/PIP.

## Applications for costs

2. An application for costs was made by Mr Brian Retkin against North Hertfordshire District Council. This application is the subject of a separate decision.

## Preliminary Matters

3. The proposal is for permission in principle. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in principle, and the second stage (technical details consent (TDC)) is when the detailed proposals are assessed. This appeal relates to the first of these two stages.
4. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application, if permission in principle is granted. A sketch layout plan is included to demonstrate how the site might be developed. I have treated this information as illustrative.
5. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024 and is a material consideration in planning decisions. The parts of the Framework most relevant to the appeal have not substantively changed from the previous version. As a result, I consider that there is no requirement for me to seek further submissions in respect of these

matters, and I am satisfied that no party's interests would be prejudiced by taking this approach.

### **Main Issue**

6. The main issue is whether the site is suitable for proposed development, having regard to its location, the proposed land use and the amount of development.

### **Reasons**

7. The appeal site is located within the village boundary of Knebworth. Policy SP1 of the North Hertfordshire Local Plan 2011 (LP) seeks to maintain the role of key settlements within and adjoining the District as the main focus for housing. Policy SP2 identifies that the village of Knebworth will assist in delivering housing over the plan period.
8. The site is within Pondcroft Road, a primarily residential street with a mix of semi-detached and detached dwellings. Development in the area is diverse but includes single-storey and two-storey dwellings arranged in a linear pattern fronting the road. Plot widths in Pondcroft Road are varied and there is typically limited spacing between buildings. The site consists of an existing bungalow, which occupies most of the width of the site.
9. The proposal is for four dwellings following the demolition of the existing bungalow. Although a layout plan has been submitted, the precise layout, type and scale of the proposed development would be a matter for consideration at the TDC stage. I acknowledge the Council's concerns in respect of the indicative layout and that it would not reflect the prevailing pattern of development in the area. Nonetheless, the layout of the proposal would fall to be properly considered as part of the TDC stage.
10. The site is considerably wider than many other properties in Pondcroft Road. Given the tight grain of development within the road, including the varied and often-narrow plot widths, the site could accommodate the amount of development proposed whilst avoiding harm to the character and appearance of the area. Moreover, the site could incorporate a layout that would not harm the living conditions of occupants of neighbouring dwellings and provide suitable living conditions for future occupants of the proposal. Nevertheless, the precise details would fall to be properly considered as part of the TDC stage.
11. I conclude that the site is suitable for the proposed development, having regard to its location, the proposed land use and the amount of development. The proposal therefore does not conflict with Policies SP1, SP9 and D1 of the LP and Policies KBDS1, KBDS2, KBBE1 and KBBE4 of the Knebworth Neighbourhood Plan 2022, which collectively support new development where it is well design and located and responds positively to its local context, respect and enhance the special the special character of Knebworth village, have densities that respect existing properties and the character of surrounding areas and address current and future housing needs.

### **Other Matters**

12. Several local residents have objected to the proposal. While I have had regard to these comments, I have already set out that a permission in principle is not

a planning permission in itself and my consideration of the case is limited to very specific matters. As such, issues such as pressure on infrastructure, parking and detailed access arrangements among other things, must be considered at the subsequent TDC stage. There can be no guarantee that just because the permission in principle has been granted, that approval for the TDC will follow as it is the approval of both stages for a planning permission to be secured.

### **Conditions**

13. As set out within the PPG, it is not possible for conditions to be attached to a grant of permission in principle.

### **Conclusion**

14. The proposal accords with the development plan as a whole. Material considerations do not indicate that a decision should be made other than in accordance with it. For the reasons given above the appeal should be allowed.

*J Pearce*

INSPECTOR

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## Appeal Decision

Site visit made on 31 October 2023

**by G Dring BA (Hons) MA MRTPI MAUDE**

**an Inspector appointed by the Secretary of State**

**Decision date: 13 December 2023**

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**Appeal Ref: APP/X1925/W/23/3321454**

**Glencoe Villa, Snailswell Lane, Ickleford, Hertfordshire SG5 3TS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
  - The appeal is made by Mr & Mrs A Del Basso against the decision of North Hertfordshire District Council.
  - The application Ref 22/02627/S73, dated 5 October 2022, was refused by notice dated 8 December 2022.
  - The application sought planning permission for the erection of one detached four-bedroom dwelling with associated access, car parking and hard and soft landscaping following the demolition of existing structures and hardstanding without complying with a condition attached to planning permission Ref 22/00172/FP, dated 28 March 2022.
  - The condition in dispute is No 2 which states that: *"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"*.
  - The reason given for the condition is: *"To ensure the development is carried out in accordance with details which form the basis of this grant of permission"*.
- 

### Decision

1. The appeal is dismissed.

### Background and Main Issues

2. The appellant seeks to erect a dwelling of a different design to that approved. No alterations are proposed to the site layout including the amount of garden space provided, vehicular access and car parking provision.
3. The main issues are whether the disputed condition is reasonable and necessary with regard to:
  - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
  - The effect of the revised design upon the character and appearance of the area; and
  - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by any other considerations so as to amount to the very special circumstances required to justify the proposal.

## Reasons

### *Whether the revised design constitutes inappropriate development*

4. The appeal site is located within the Green Belt. Policy SP5 of the North Hertfordshire Local Plan 2011-2031 (LP) identifies that only development that is not inappropriate or where very special circumstances exist, will be permitted. The justification text for this policy states that proposals for development within the Green Belt will be considered against national policy. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
5. Paragraph 149 of the Framework goes on to set out that the construction of new buildings is inappropriate in the Green Belt with certain limited exceptions, including exception g), limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings). There is no dispute between the parties that the appeal site constitutes previously developed land and I can see no reason to take a different view in this regard.
6. For a proposal to meet the requirements of exception 149 g) it would not have a greater impact on the openness of the Green Belt than the existing development. This requires an assessment of openness, taking into account both its spatial and visual considerations.
7. Whilst elevation drawings are not provided, the positioning, footprint and heights of the existing buildings and structures and the location of the hardstanding are provided on the submitted Existing Site Plan. I also saw the existing buildings and structures during my site visit.
8. Whilst the footprint of the proposed dwelling would be larger than the combined footprints of the existing buildings on the site, taking into account the reduction in the amount of hardstanding I consider that the proposed revised design would not have a greater impact on the spatial openness of the site when compared to the existing development.
9. However, despite being set back from its frontage, the proposed dwelling would be clearly visible from the road, between the existing properties to either side, and from along the Public Right of Way that runs alongside the eastern boundary of the appeal site. Given the overall scale of the proposed dwelling, being higher than any of the existing buildings on the site, in combination with the bulk and massing of the revised dwelling design, I consider that visually, the proposal would have a greater impact on openness than the existing development.
10. I accept that the activity at the site and the amount of vehicular movements would reduce as a result of the change to one residential property, compared with the previous commercial use of the site. However, in my view, the change in activity at the site would not compensate for the overall amount of additional built form in terms of the scale, bulk and massing and its impact on openness.
11. The proposed revised design would therefore not accord with paragraph 149 g) of the Framework and would constitute inappropriate development within the Green Belt. It would be harmful to the Green Belt, which in accordance with

paragraph 148 of the Framework, should be given substantial weight. In this regard the proposal would also be contrary to LP Policy SP5 as set out above.

*Character and appearance*

12. The main part of the appeal site comprises a dis-used coal merchant's yard which is now used for storage. The remainder of the appeal site was garden area associated with Glencoe Villa. Dwellings are located to either side of the site.
13. The existing dwellings along Snailswell Lane are mixed in scale and design. Properties to the northern side of the road are generally detached and are either single or two storeys in height. A row of park style homes are set back from the road behind frontage development and run east away from the appeal site. However, generally, existing properties that have frontage onto Snailswell Lane retain traditional proportions in terms of the height of the roof from eaves to ridge level. This contributes positively to the character and appearance of the area.
14. I accept that the proposed flat roof element of the roof would not be visible from public vantage points due to the hipped nature of the roof that would surround that particular element. Also, the appearance of subordination of the western section of the dwelling would remain due to the lower ridge height compared with the gable end feature.
15. However, when viewed in the context of the surrounding area, the proposed shallow proportions of the roof on the western section of the dwelling would be an incongruous and visually dominant feature which would appear at odds with the traditional roof design and proportions which form part of the prevailing character of the area.
16. The proposed revised design would therefore be harmful to the character and appearance of the area. It would be contrary to Policies SP9 and D1 of the LP which seek, amongst other things, to support new development where it is well designed and responds positively to the local context. The proposal would also be contrary to Section 12 of the Framework in this regard. I attribute significant weight to the harm that would be caused to the character and appearance of the area.

*Other considerations*

17. The appellant has identified that an application to amend the design of the dwelling has been submitted to and approved by the Council (Council Ref: 23/00505/S73) and that this represents an additional extant permission which could be implemented. Under this permission, an additional gable feature is introduced to the design which would break, but still maintain some of the eaves line and provide additional volume and bulk, compared with the original scheme approved by the Council.
18. In my view, the volume and bulk of the dwelling as a result of the revised design before me would have a very similar effect on the visual openness of the Green Belt when compared to the extant amended scheme. The revised design before me would not have a greater impact on openness in visual terms when comparing it to this fallback position. I therefore give this fallback position considerable weight.

19. I note that there were other previous schemes at the appeal site put before the Council, one of which was for a bungalow, approved in 2020 and the original scheme for a two storey dwelling that this appeal proposal seeks to amend, approved in 2022. However, whilst these are material considerations, I have found above that the proposed revised design before me, which is of a different design and scale to those previous schemes, would have a greater impact on the openness of the Green Belt. I therefore give these limited weight.
20. Ecological enhancements as a result of the proposed works to remove areas of hardstanding and structures from the site along with the change in use are also identified by the appellant. However, these enhancements would also be possible through the other extant schemes. I therefore attribute limited weight to this consideration.
21. The appellant asserts that the proposal would comply with other policy requirements relating to the historic environment and flood risk. A lack of harm in respect of these considerations is a neutral consideration that weighs neither for nor against the proposal.

### **Planning Balance and Conclusion**

22. I have found that the proposed revised design would result in inappropriate development in the Green Belt. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the Framework indicates that substantial weight should be given to any harm to the Green Belt.
23. I have also found that the proposed revised design would be harmful to the character and appearance of the area to which I attribute significant weight.
24. As discussed above, there is a realistic fallback position for the provision of one dwelling, which would have a comparable effect on the openness of the Green Belt, which I attach considerable weight to. However, it would be of a different design to the scheme before me.
25. Paragraph 148 of the Framework explains that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
26. The other considerations identified above would not hold sufficient weight to clearly outweigh the harm that I have found would be caused to the Green Belt, by reason of inappropriateness and to the character and appearance of the area. The very special circumstances needed to justify the development have not therefore been demonstrated.
27. Accordingly, I conclude that the appeal is dismissed.

*G Dring*

INSPECTOR



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## Appeal Decision

Site visit made on 19th November 2024

**by Chris Couper BA (Hons) Dip TP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 5<sup>th</sup> December 2024**

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**Appeal Ref: APP/X1925/W/24/3347317**

**165 Weston Way, Baldock, Hertfordshire SG7 6JG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Chris Hunt against the decision of North Hertfordshire District Council.
  - The application Ref is 24/00265/FP.
  - The development proposed is described as the 'conversion of existing three bed house into two single level independent apartments (1 x 1 bed and 1 x 1 bed), construction of a new one bed house adjoined to 165 Weston Road, with garage'.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. In my banner I have taken the description of the proposal from the application form, although I note the erroneous reference to 'Weston Road'. In its decision notice the Council used a slightly different description, to which the appellant does not agree.

### Main Issues

3. The main issues are the effect of the proposed development on:
  - the character and appearance of the area; and
  - the living conditions of neighbouring occupiers, with particular regard to the outlook from 2 Willian Way.

### Reasons

#### *Character and appearance*

4. The appeal site comprises an end of terrace property, which is located at the corner of Weston Way and Willian Way. Its appearance is typical of other buildings in the area, particularly to the eastern side of Weston Way. Here the buildings are in an Arts and Crafts style, predominantly two storeys high, with steeply pitched principal roofs, and a common palette of facing materials. Together with the gaps between the buildings and the sylvan, well-landscaped setting, this gives the area an attractive, spacious and well-planned sense of cohesion.

5. The Council raises no objection to the proposed sub-division of the existing house and the proposed single storey rear extension. Given that those works would be internal or to the rear, I agree that they would have a limited impact on the character and appearance of the area.
6. Turning to the proposed side extension, the Council's decision and its delegated file note are inconsistent with regards its impact, variously describing it as having a 'sympathetic and subordinate design', and being 'poorly designed and overly contrived'.
7. For my part, I note that this part of the proposal would introduce a substantial single storey element to the side of the host. Its squat scale and proportions, and its shallow pitched roof, would be markedly at odds with the host's two storey form and steeply pitched gable, and it would fail to respect the appearance of other buildings which typify this area. Thus, whilst it would be subordinate to the host, I concur with the view expressed by a local resident that it would result in an awkward sprawl of roof forms, and its composition would not respect the rest of the terrace.
8. As some of the scheme's rear walls would be sited very close to the boundary with 2 Willian Way ('No 2'), this part of it would appear cramped and would undermine the locally distinctive pattern and spacious quality of development, which contributes to the area's attractive and cohesive character.
9. There are currently trees and landscaping on the site, particularly around its boundaries, which partially screen it from public views. However, I cannot be certain that the vegetation will all be retained, and I note that in some places it would be kept at a maximum height of 600mm to maintain visibility around the access.
10. The appellant states that the existing house could be extended to the side and rear under permitted development rights. However, as depicted on the 'PD scheme' drawings, it would leave a larger area between this building and No 2 compared to the proposal before me. In any event, I cannot be certain that that development would be carried out should this appeal be dismissed, and the PD scheme does not constitute convincing grounds to justify what would be a poor design.
11. In reaching my decision I have had regard to the site's planning history, including two previous appeals, and in particular, the amendments that have been made to this proposal compared to the most recently dismissed appeal (Ref: APP/X1925/W/23/3332761). However, I have dealt with this scheme on its planning merits, and for the above reasons I conclude that it would significantly harm the character and appearance of the area.
12. It would thereby conflict with Policies SP9 and D1 of the North Hertfordshire Local Plan 2011-2031 ('NHLP'). In general terms, and amongst other things, these require good design which responds positively to the site's local context. It would also conflict with the broadly similar approach at section 12 of the National Planning Policy Framework ('Framework').

*Living conditions*

13. The house at No 2 sits well back from the road, on a plot with a wide highway frontage, but which tapers to a point at the rear. As a result, it has a small



private rear garden which can be accessed from patio doors, and a further narrow private area to the side, adjacent to the appeal site.

14. The proposed extensions would be located very close to the boundary with No 2. Whilst they would be single storey, they would be significantly taller than the existing fence. Given their proximity to the boundary, and to No 2's principal private outdoor amenity areas and to a number of its ground floor habitable room windows, the scheme would give rise to a harmful sense of enclosure and a significant loss of outlook for those occupants.
15. The impact on their living conditions would be exacerbated by the proximity of unit 3's living room patio doors leading to a small patio, which would be hard up against the common boundary, and which would give rise to a significant loss of privacy. Compared to the PD scheme, this proposal would result in the creation of a separate unit of accommodation with independent comings and goings, and with a smaller patio, and the available space between it and the boundary would be smaller.
16. Thus, whilst the Council considers that the scheme would not materially harm No 2's amenities, for the above reasons, and having regard to the context of this area, I agree with the views expressed by local residents, that it would cause unacceptable harm to their living conditions. Consequently, it would conflict with NHLP Policies D2 and D3, and with the Framework's requirement to ensure a high standard of amenity for existing and future users.

#### *Other matters*

17. In its favour, the scheme would contribute to the supply of housing, and in that regard, it finds a measure of support from Framework and development plan policies. Given that there would be a net increase of just two units, this carries modest weight in its favour.
18. Finally, whilst I note the appellant's frustration with the Council's decision making, and his view that it has sought new, subjective reasons to refuse permission, I have dealt with the proposal before me on its planning merits.

#### **Planning Balance and Conclusion**

19. Summing up, for the above reasons, I find that the scheme would significantly harm the character and appearance of the area, and that it would also harmfully affect the living conditions at 2 Willian Way. The scheme's modest benefit would not outweigh the harms that it would cause. Consequently, having regard to all other matters raised, the appeal is dismissed.

*Chris Couper*

INSPECTOR



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## Appeal Decision

Site visit made on 3 December 2024

**by E Catcheside BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 11<sup>th</sup> December 2024**

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**Appeal Ref: APP/X1925/W/24/3344706**

**33 The Sycamores, Baldock, Hertfordshire SG7 5BJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr M Dibden (3 Counties Land Ltd) against the decision of North Hertfordshire District Council.
  - The application Ref is 23/02324/FP.
  - The development proposed is 2no detached 3 bedroom chalet style dwellings to the rear of 33 The Sycamores. Access afforded directly from Norton Road to the east.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

### Reasons

3. The site is located within the settlement boundary of Baldock. It fronts onto Norton Road, which heads away from the town towards the open countryside. It lies close to other buildings, including those on The Sycamores, Lavender Court, and opposite the site on Norton Road and Bowmans Green. However, due to the absence of buildings within the site itself, and its treed roadside boundary, it contributes to the verdant character near to the settlement edge.
4. The proposal would result in the loss of six individual trees and a tree group, which are spread across a large area of the Norton Road frontage. Whilst the trees are not protected, and the individual trees are of low quality or poor condition, they nonetheless have important collective value to the character of the street when combined with the tree group. Most of the trees have a life expectancy of over 10 years and therefore would, in all reasonable likelihood, endure for some time into the future. Consequently, their loss would have a permanent, deleterious effect on the leafy roadside character on this prominent route towards the open countryside.
5. No harm has been identified by the Council in respect of the height and appearance of the proposed dwellings. However, due to the modest size and angular shape of the site, as well as the wide form of the proposed dwellings and central car ports, the development would be elongated along a large part of the Norton Road frontage. When combined with the engineered access and areas of hardstanding, it would add substantial built form close to the road.

6. The development would be largely screened in longer views by other buildings and the nearby railway embankment. However, it would be unduly exposed in closer public views from Norton Road and Bowmans Green due to the extent of the removal of frontage trees. Whilst replacement landscaping could, to some extent, soften the appearance of the development, the evidence is not persuasive that there would be sufficient space for planting so as to provide effective replacement visual screening. The development would therefore have a harmful effect on the street scene, contrary to the National Planning Policy Framework (the Framework) which expects developments to be sympathetic to local character.
7. Overall, I conclude that the proposed development would cause harm to the character and appearance of the area. It follows that there would be conflict with Policies SP9, NE2, and D1 of the North Hertfordshire Local Plan 2011-2031 (LP) which expect proposals to be well designed, to respond positively to local context and landscape character, and to take all reasonable opportunities to retain existing vegetation and landscape features.

### **Other Considerations**

8. There would undoubtedly be some social and economic benefits arising from the proposal, including the delivery of two additional dwellings which would contribute to local housing supply and the national objective to significantly boost the supply of homes. The proposal would also generate employment during the construction phase, and future residents would support local businesses and services, thus helping to sustain and enhance the local economy and the vibrancy of the community. The additional dwellings could also generate tax and revenue sources. These matters carry weight in support of the proposal.
9. Environmental benefits would include the delivery of biodiversity net gain and additional landscaping, which could be secured through condition. The buildings could also meet high sustainability, insulation, and heating standards, and the development would promote walking and cycling due to its connectivity to the services and facilities in Baldock. These benefits attract weight in favour of the development.
10. The proposal would comply with Policy SP2 of the LP in respect of its siting within the settlement boundary, and it would optimise the residential output of the site. Consequently, no harm has been identified in respect of the principle of a residential use on the site. Moreover, the acceptability of the scheme in terms of flooding, living conditions, parking, and highway safety, and the associated requirements of Policies D3 and T2 of the LP is not in dispute. The absence of harm is a neutral matter that weighs neither for nor against the proposal.

### **Planning Balance**

11. The proposed development conflicts with the aforementioned policies in the development plan and with the development plan when read as a whole. Developments that conflict with the development plan should normally be refused unless material considerations indicate otherwise. However, in this instance, the Council concedes that paragraph 11(d)ii of the Framework is engaged due to the shortfall in its housing land supply and the date upon which the application was submitted. This means that planning permission

should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

12. The evidence is inconclusive as to the extent of the housing land supply shortfall. However, even if the shortfall is significant, the social, economic and environmental benefits arising from this proposal for two dwellings would be modest. Consequently, the cumulative weight of the benefits in this case is moderate at best. Given that I attach significant weight to the harm that would be caused to local character, the adverse effects of granting permission for the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. Therefore, the proposal does not benefit from the presumption in favour of sustainable development.

### **Conclusion**

13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

*E Catcheside*

INSPECTOR

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# Appeal Decision

Site visit made on 11 November 2024

**by J Pearce MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 27 November 2024**

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**Appeal Ref: APP/X1925/D/24/3344728**

**The Coach House Todds Green, Stevenage, Hertfordshire SG1 2JE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr David Huggins against the decision of North Hertfordshire District Council.
  - The application Ref is 24/00449/FPH.
  - The development proposed is the removal of existing conservatory; new single storey extension with roof terrace; first floor rear extension.
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## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the description given on the original application form.

## Main Issues

3. The main issues are:
  - whether the proposal would be inappropriate development in the Green Belt for the purposes of development plan policy and the National Planning Policy Framework (the Framework);
  - the effect of the proposal on the openness of the Green Belt; and
  - if it is inappropriate, whether the harm to the Green Belt by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

## Reasons

*Whether the proposal is inappropriate development*

4. The Framework explains that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence.

5. Policy SP5 of the North Hertfordshire Local Plan 2011-2031 (LP) seeks to only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated. Paragraph 154 of the Framework regards the construction of new buildings as inappropriate in the Green Belt. An exception to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The Framework defines "original building" as being a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
6. Neither the Framework nor the development plan provide a definition of 'disproportionate additions' and therefore an assessment of whether a proposal would amount to a disproportionate addition over and above the size of the original building is a matter of planning judgement.
7. Planning permission was granted under references 81/01498/1, for single storey front, side and rear extensions, 84/0066/1, 89/00068/1 and 92/00937/1, each for a first floor side extension. While the approved extensions may not all have been constructed, the original building has been significantly enlarged at both ground and first floor level to either side and to the front and rear. The scale and massing of the appeal proposal would, when considered with the previous additions, therefore result in disproportionate additions to the original building.
8. I find that the proposal would result in disproportionate additions over and above the size of the original building. Therefore, the proposal would be inappropriate development which is, by definition, harmful to the Green Belt. Consequently, the proposal would conflict with Policy SP5 of the LP and the Framework, which seek to protect the Green Belt from harm.

#### *Openness*

9. The Framework identifies the essential characteristics of Green Belts as being their openness and their permanence. The site is largely enclosed by tall trees and mature hedges to the boundaries with neighbouring development further obscuring the dwelling, reducing the potential for views of the development and restricting the visual effect of the proposal on the surrounding area. Nevertheless, whilst the footprint is largely unaltered, the increased scale and massing of the proposed development would result in a harmful reduction in the spatial openness of the Green Belt.
10. For these reasons, the proposal would harm the openness of the Green Belt. The development would therefore conflict with Policy SP5 of the LP and the Framework, in this regard.

#### *Other considerations*

11. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reasons of inappropriateness, and any other harm resulting from the appeal development, is clearly outweighed by other considerations.
12. The appellant states that proposal would future proof the dwelling through making the accommodation more providing accessible. However, the evidence



presented in this regard includes limited background of the specific circumstances for me to determine whether the proposal is the only suitable option to provide such accommodation. On the evidence before me, I apportion only moderate weight to this consideration.

13. The proposal, including the replacement of the existing conservatory, would lead to improved environmental performance and energy efficiency. Nonetheless, given the limited size of the conservatory the benefits would not be significant. Accordingly, I attribute limited weight to this consideration.
14. The Council consider that the proposal would have an appropriate design and given the characteristics of the site, would not harm the character and appearance of the area and the living conditions of occupants of neighbouring properties. Furthermore, the proposal would not affect the existing car parking provision at the site. I find no reason to take a different view. Nonetheless, the absence of harm is a neutral factor and therefore does not weigh in favour of the proposal.
15. My attention has been drawn to an appeal decision in respect of a proposal for a side extension at Pinchgut Hall<sup>1</sup>. I note that neither party in that case clearly identified or quantified the ages and sizes of all the various component parts of the dwelling and it was unclear what constituted the original dwelling. In respect of the appeal scheme, the appellant has provided an indication of the original building and the Council has provided plans from previous applications at the site. While there is a disparity between the parties in the precise size of the original building, it is evident that the dwelling has been extended significantly. Consequently, I attribute minimal weight to this consideration.
16. For these reasons I find that the other considerations in this case, as set out above, do not clearly outweigh the totality of the harm to the Green Belt that I have identified. Consequently, the very special circumstances necessary to justify the appeal development do not exist. The appeal development therefore conflicts with Policy SP5 of the LP and with Paragraph 154 c) of the Framework.

## **Conclusion**

17. The proposal would conflict with the development plan as a whole. The other considerations in this case do not indicate that a decision should be made otherwise than in accordance with the development plan. For the reasons given above I conclude that the appeal should be dismissed.

*J Pearce*

INSPECTOR

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<sup>1</sup> APP/X1925/D/19/3225342

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