

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**



30 January 2026

Our Ref Planning Control Committee 12 February 2026  
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To: Members of the Committee: Councillors Nigel Mason (Chair), Emma Fernandes (Vice-Chair), Clare Billing, Ruth Brown, Val Bryant, Ian Mantle, Bryony May, Caroline McDonnell, Louise Peace, Martin Prescott, Tom Tyson, Dave Winstanley, Tina Bhartwas, Jon Clayden and Mick Debenham

Substitutes: Councillors Daniel Allen, Sadie Billing, Joe Graziano, Steve Jarvis and Claire Strong

**NOTICE IS HEREBY GIVEN OF A  
MEETING OF THE PLANNING CONTROL COMMITTEE**

to be held in the

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

On

**THURSDAY, 12TH FEBRUARY, 2026 AT 7.00 PM**

Yours sincerely,

Isabelle Alajooz  
Director – Governance

**\*\*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>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.	
<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>PUBLIC PARTICIPATION</b> To receive petitions, comments and questions from the public.	
<b>5.</b>	<b>25/01094/FP LAND TO THE REAR 34, ARLESEY ROAD, ICKLEFORD, HITCHIN, HERTFORDSHIRE, SG5 3UU</b> <b>REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER</b>  Erection of nine dwellings including access, parking and landscaping	(Pages 5 - 28)

6. **25/01790/FP LAND KNOWN AS THE ORCHARD, SNAILSWELL LANE, ICKLEFORD, HERTFORDSHIRE, SG5 3TS** (Pages 29 - 46)  
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER

Erection of one self-build dwelling including hard and soft landscaping, parking and creation of vehicular crossover off Snailswell Lane

7. **PLANNING APPEALS** (Pages 47 - 60)  
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER

To update Members on appeals lodged and any decisions made.

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<u>Location:</u>	<b>Land To The Rear 34 Arlesey Road Ickleford Hitchin Hertfordshire SG5 3UU</b>
<u>Applicant:</u>	<b>Peter David Homes</b>
<u>Proposal:</u>	<b>Erection of nine dwellings including access, parking and landscaping.</b>
<u>Ref. No:</u>	25/01094/FP
<u>Officer:</u>	<b>Thomas Howe</b>

**Date of expiry of statutory period:** 4 July 2025

**Extension of statutory period:** 19 February 2026

**Reason for Delay:** To undertake design amendments, and to find a suitable committee date.

**Reason for Referral to Committee:** This application was called into planning control committee by Councillor Louise Peace on 9 June 2025. The reasons given are:

- No development is required in the north-east corner of the site, and development is proposed.
- Inspector recommended a SUDs pond, which is not included. Drainage solution proposed would result in run off into a chalk stream.
- Mature tree was removed on the boundary pre-application and is not seeking to retain and reinforce the boundaries to minimise heritage and green belt impacts. Unable to deliver enhancements proposed.
- Insufficient information to assess the application.

## 1.0 **Site History**

1.1 No relevant previous history.

## 2.0 **Policies**

2.1 Decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application. If decision takers choose not to follow the National Planning Policy Framework, where it is a material consideration, clear and convincing reasons for doing so are needed.

2.2 Section 38(5) of the Planning and Compulsory Purchase Act 2004 sets a hierarchy of development plan documents and material considerations such as the NPPF, in that where a conflict is identified, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

2.3 **North Hertfordshire District Local Plan (The Local Plan) 2011 – 2031 (08 November 2022)**

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP9: Design and Sustainability

Policy HS3: Housing mix

Policy D1: Sustainable Design

Policy D3: Protecting living conditions

Policy D4: Air quality

Policy NE2: Landscape

Policy NE4: Biodiversity and geological sites

Policy HE1: Designated Heritage Assets

Policy HE4: Archaeology

Policy IC1: Land at Duncots Close.

2.4 **National Planning Policy Framework (NPPF) (12 December 2024)**

Section 2: Achieving sustainable development

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 and beautiful places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 16: Conserving and enhancing the historic environment

2.5 **Vehicle Parking at New Development SPD (10 November 2011)**

2.6 **Ickleford Neighbourhood Plan (22 March 2024)**

Policy E2 – Protecting the Landscape

Policy E3 – Rural Character

Policy E4 – Biodiversity

Policy SD1 - Development within the settlement boundary

Policy SD2 – New Housing Development

Policy SD3 – High Quality Design

Policy SD4 – Provision of Energy Efficient Buildings

Policy SD5 – Water Management

Policy MTT2 – Car Parking

3.0 **Representations**

3.1 **Neighbour Consultation –**

8x Objections:

- Incorrect information relating to flooding from sewers.
- Increase in pressure on sewers and frequency of flooding.
- Incorrect access details for refuse vehicle

- Inaccurate information due to felling of poplar tree.
- Lack of consideration of privacy impacts
- First floor windows should be removed to prevent overlooking.
- Access is not safe and conflicts with nearby driveways and parking spaces.
- No safe right of way is provided.
- Increase in accident risk.
- Removes bin collection point from Duncots Close.
- Existing lamp post would be removed.
- Access is over the existing fire hydrant.
- Insufficient information to highlight how construction impacts would not harm amenity.
- No access route for bins being dragged from back garden into frontage.
- Inconsistent with land registry plans.
- Harm to service corridor and accessibility for utilities.
- Plans show insufficient space for bin storage.
- Insufficient information of sewer systems but focuses on above ground flooding risks.
- Safety concerns from large trees.
- Site supports wildlife including barn owls, foxes, muntjac deer, ducks, frogs, newts, butterflies, dragonflies and other wildlife.
- No consideration of highways harm to Duncots Close.
- Unsafe access
- Seeks consultation on any Construction Traffic Management Plan.
- No acceptance of foul drainage improvements coming post-construction.
- Harm from backflow of sewerage.
- Increase flood risk for residents on Duncots Close.
- Concern regarding previous tree felling.
- Under-delivery of BNG is unacceptable. No mitigation strategy provided.
- Noise generation from increased traffic flows.
- Potential harms to domesticated pets from traffic.
- Lack of consideration of bin requirements.
- Overdevelopment of the site.
- Harm to the Green Belt.
- No school capacity for future occupiers.
- Landscape and visual amenity harms.
- Outlook from dwellings would be harmed, impacting upon the enjoyment of the dwelling.

#### 3x Representations:

- Seeks addition of swift bricks and starling boxes on new houses.
- Evidence of swifts nesting in the area.

### 3.2 **Parish Council –**

#### 10 July 2025 – Objection.

- Seeks return of land to an orchard for all, woodland, or be added as a habitat bank site.
- Does not meet local housing needs and lacks affordable or starter homes.
- Seeks a greater mix of smaller homes.
- Insufficient parking provision.
- Access concerns, with poor manoeuvrability for vehicles, refuse, visitors, deliveries and emergency vehicles.
- Lack of bin storage.
- Overdevelopment of the site, leading to overlooking and losses of seclusion.
- Concern regarding siting of utilities at the entrance to the site.
- Incorrect reference to the river near to the site.
- Prospective flood risks for the site at present and exacerbated by climate change.

- Potential contamination of chalk streams with run off from site.
- Seeks alternative method for filtration and disposal of waste water.
- Local infrastructure cannot provide capacity for the development in terms of sewage, rainwater etc during heavy rainfall events.
- Advises of potential of site for archaeological significance.
- Indicates presence of crop marks potentially providing evidence of historical Anglo-Saxon links to the site.
- Prospective ecological harm and would fail to protect or enhance the wildlife value of the site.
- High potential for ecological restoration.
- Existing site may support snakes, small mammals, insects and wild plants.
- Hedgerow removal could destroy habitat for birds.
- Mitigation for impacts to hedgehogs may fail once properties are sold.
- Lack of safe pedestrian access to the site.
- Delivery and other vehicles may pose a hazard to nearby residents.
- Questions whether site allocation is meeting housing needs assessment.
- Questions allocations for development in Ickleford.
- No benefit to local housing delivery.

September 2025 –

- Raises concern for residents of Duncots Close, during construction phase, particularly due to there being no footpaths. Potential safety impacts from this. Considers that Highways should reconsider their representation.
- Vehicles exiting the site, particularly from delivery vehicles may not observe speed limits, posing a risk to pedestrians and users of Duncots Close.
- Insufficient parking provision, but notes that it would meet the parking standards set by the SPD.
- No provision for refuse storage.
- Raises concern relating to potential obstruction of views to the Grade I Listed church, and harm to nearby Grade II listed buildings.
- Questions ability of nearby foul water systems to provide capacity for the development.
- Opposes flows of water from the site into nearby water courses. Requests appropriate SuDS be implemented.

### 3.3 **Anglian Water –**

- Requests that the applicant undertake an assessment of existing assets within the site including unmapped public or private sewers and lateral drains. No existing Anglian Water assets within the site. The site may contain private water mains, drains and other assets.
- Existing wastewater treatment (Hitchin WRC) can suitably host the capacity required for the development, allowing for flows from development growth.
- Objection to any connection to foul network from the proposed development due to capacity constraints and pollution risk. Requires submission of pre-development enquiry to define a sustainable point of connection. Recommends a condition requiring the submission of a strategy foul water strategy prior to commencement.
- Preferred method of surface water disposal is through a sustainable drainage system with connection to a sewer being seen as the last option. Proposed management does not relate to existing AA operated assets. Therefore, no comments can be provided on the suitability of the surface water management proposed. The Environment Agency should be consulted if the drainage system involves the discharge into a watercourse. Any strategy should be listed with approved plans as part of an approval. Re-consultation would be required if a change in circumstance requires interaction with existing AA assets.



### 3.4 **Archaeology –**

Notes the submission of a desk-based assessment. The development is likely to impact on heritage assets with archaeological interest, and that provisions be made, with reasoning for a pre-commencement condition.

### 3.5 **Ecology**

May 2025 – Requires more information. Raises concern with regards to baseline of site, following felling of veteran tree to eastern boundary. Highlights importance of reinforcing boundary treatment to site and possible conflict with layout of dwellings.

August 2025 – Reiterates significance of including the Poplar tree (T3) in a baseline calculation for the site. Requests inclusion of hedge contributions as part of base line. Mandatory 10% will not be delivered, needing to be secured off-site. Requests updated metric baseline taking into account the poplar tree and hedgerow as existing on the site.

September 2025 – Subsequent to updated information being received, information advises that there would be a shortfall of 1 31.13% on-site. This would require 1.57 units to be delivered off-site, purchasable through credits. Recommends inclusion of Ecological Enhancement condition. Also recommends standard BNG gain condition to secure the necessary credits.

### 3.6 **Environmental Health –**

Noise: No Objection but consider that a construction management plan would be suitable to manage noise and other matters. Also provides recommendations on construction hours.

Contaminated Land: Recommends Phase 1, 2 and 3 pre-commencement condition. Also recommends validation report pre-occupation.

Air Quality: Recommends EV Charger Condition.

### 3.7 **Minerals and Waste – No Representation received.**

### 3.8 **Highways –**

June 2025 – Recommends refusal. Insufficient information provided to comply with provisions of LTP4 of the Local Transport Plan, will fail to address pedestrian and cycle access to and from the site. No detailed visibility shown for the access off Duncots Close. No swept path analysis provided for main spine road within the site. No delivery and service plan provided. No construction traffic management provided.

July 2025 – Does not wish to restrict grant of permission subject to conditions. Follows receipt of additional information, considering the submitted information to be satisfactory.

### 3.9 **Lead Local Flood Authority –**

September 2025 – Objection. The development lies partly within Flood Zone 2 and is at risk of flooding on and off the site. Detailed drainage and hydraulic calculations have not been provided to show that the risk of flooding can be managed. No evidence of SUDS hierarchy followed in full.

December 2025 – No Objection. Recommends conditions following receipt of Flood Risk Assessment.

3.10 **Planning Policy Officer** – No Comments.

3.11 **Transport Policy Officer** – No representation received.

3.12 **Urban Design** – Recommendations made with regards to materials, layouts, and fenestration details.

3.13 **Conservation officer** – No response

3.14 **Waste and Recycling** –

*“Collection points are not marked on the application as well as pulling distances, especially for plots No7 and No8. Please advise developer to follow the attached planning guidance for waste provision.”*

#### 4.0 **Planning Considerations**

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

4.1.1 The application site comprises land rear of No. 34 Arlesey Road, Ickleford. Access is provided off Duncots Close.

##### 4.2 **Proposal**

4.2.1 Planning Permission is sought for the erection of nine dwellings including access, parking and landscaping.

##### 4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The principle of the development.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

##### Principle of Development:

4.3.2 The site is within the settlement boundary of Ickleford. Policy SP2 advises that housing will be delivered where it is sited within the defined settlement boundary of such villages. Given that the site is within the settlement boundary, the proposed development would comply with Policy SP2.

- 4.3.3 The site is allocated within the North Herts Local Plan, as site 'IC1'. The allocation for this is below:

**Land at Duncots Close 9 Homes**

- **Address existing surface water flood risk issues through SUDs or other appropriate solution;**
- **No built development in north-east corner of site to protect views from Grade I listed church;**
- **Retain and reinforce planting along site boundaries to minimise heritage and Green Belt impacts;**
- **Archaeological survey to be completed prior to development; and**
- **Detailed drainage strategy identifying water infrastructure required and mechanism(s) for delivery.**

- 4.3.4 This application seeks the erection of 9 dwellings and is set on land within the allocation. Subject to compliance with this allocation, along with other material planning considerations, it is considered that the principle for development, for erecting housing in this location is supported.

Sustainability:

- 4.3.5 The three pillars of sustainable development are the economic, social and environmental pillars. The proposal would provide economic benefits by the use of local contractors and businesses for construction, maintenance and other servicing when occupied. Social benefits would arise from the provision of dwellings on the site, contributing to the district housing land supply, which the LPA cannot presently demonstrate a 5-year housing land supply. The site is considered to be in a sustainable location, in close proximity to the centre of Ickleford, a Category A village, according to the North Herts Local Plan 2011-2031. Therefore, various amenities would be in close proximity to the site, with easy access to means of public transport close to the site. Therefore, the sustainability of the development is acceptable.

Design and Appearance:

- 4.3.6 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Policy SD3 of the Neighbourhood Plan is relevant to design and appearance in-so-far as it requests development be high quality design, and that development that accords with the Ickleford Design Code will be supported. Policy SD3 of the Neighbourhood Plan is positively worded and indicates support where the development accords with the Ickleford Design Code (final report March 2023). The policy was inspected and considered to accord with the Development Plan, however, where conflict is identified with other material considerations, such as the NPPF which is dated 12 December 2024, the conflict should be resolved in favour with the NPPF.

## Appearance

- 4.3.7 The application seeks the erection of 9 No. dwellings. This would comprise 5 No. house types, and these are set out below:

Plot No.	House Type
1 and 2	2 Bed 4 Person (2)
3	4 Bed 8 Person (1)
5 and 6	3 Bed 5 Person (2)
4 and 7	4 Bed 8 Person (2)
8 and 9	5 Bed 10 Person (2)

- 4.3.8 An amended scheme has been received to simplify the materials pallet, to result in the dwellings comprising red brick built, two storey dwellings with gable ends, a red roof tile with a grey leading edge tile. Fenestration details comprise agate UPVC windows, and some dwellings incorporate an arctic white hardie plank at first floor level to the walls. All dwellings except for Plots 5 and 6 would benefit from garaging, with every plot incorporating on-plot parking. Duncots Close features a mix of dwelling forms, but comprises two storey dwellings with gable features, and brick and render to the external elevations with red roof tiles. Dwellings are generally at the larger end of the scale and feature dedicated garaging with on-plot parking. Overall, the appearance of the dwellings is considered to be suitably traditional in nature, and would incorporate local design cues, reflecting the vernacular of the areas in terms of scale, built form, appearance and materiality. The two storey height, density, materials pallet, and sympathetic nature are considered to be in compliance with Policy SD3 of the Ickleford Neighbourhood Plan.

- 4.3.9 The roof profiles are best appreciated from the street sections provided and show roof profiles reflective of the immediate surroundings to which the development would relate. There are subtle changes in roof profiles, and use of half dormers in one of the properties adding variety and interest, alongside the use of front facing gable ended two storey projections. The proposed roof tiles are consistent within the site and surroundings in respect dimensions and size and are high quality in appearance and finish. The materials schedule and street scenes evidence appropriate use of wall materials, with some arctic white weatherboarding with timber effect which would combine the white render established character with timber effect weatherboarding on the edge of settlement reflecting the rural transition. The Agate Grey uPVC windows are not unacceptable considering the immediate context of the site and its no-through-route status. The size of the openings and design, especially on plots 1 and 2 at the entrance to the site, reflect Dunton Close, and the use of stone cills and vents in key locations provide some additional interest in terms of appearance. Overall, it is considered that the appearance of the buildings accords with ID.01 – Local Character of the Ickleford Design Code.

## Layout and Access

- 4.3.10 The site layout proposed an entrance off Duncots Close, at what is presently a turning head. Dwellings would be accessed off a central road comprising a shared surface, through the middle of the site. Each dwelling would effectively address the street, with plots 1 and 2 backing onto Plot 3, and every other plot backing onto the outer boundary of the site. A turning head and visitor parking area would be present between plots 3 and

4, with potential for the opening up of this area should the site to the north be developed. The layout of the site is influenced by the allocation requirement to not develop the north-east corner of the site to protect views from the Grade I Listed church. It is considered that the overall layout is acceptable, and would not result in an unacceptably crowded or contrived form of development, allowing for dwellings to benefit from garden spaces, parking other amenity spaces. The layout, by presenting the dwellings onto the road is welcomed, and is considered to complement the grain of development along Duncots Close.

- 4.3.11 Code ID.04 – Plots and Blocks is acknowledged. The site achieves the building heights and minimum dwelling widths and depths, albeit, one property is side-on. The site itself is constrained and has been allocated to deliver the housing needs of the local area. Whilst the site and plots do not adhere strictly to the minimum code requirements, one can visually see the impact of adherence to delivery of units on the site, and the resultant character of the area with car parking strategy presented, and living conditions of future occupiers in respect private amenity space and overlooking, would not be harmed as a result of this non-adherence. The site is not large enough to utilise a street hierarchy or implement green networks and is constrained in regard connection points as a result of the allocation itself. Policy SD3 does not require strict accordance but gives positive weight to developments that accord with the Ickleford Design Code. In this case, adherence with the Ickleford Design Code would conflict with the requirements of the NPPF to make effective use of land, and the conflict is resolved in favour of the most recently adopted consideration.

#### Landscaping

- 4.3.12 The proposed road would comprise a shared surface constructed from tarmac to match the road surface on Duncots Close. Block paving would delineate visitor bays and driveways, and dwellings would benefit from close board fencing, with plots 3 and 9 benefiting from a 1.8m brick wall to their western boundaries. Other amenity space would comprise grassed areas, with street trees, a specimen tree in a key location, and tree planting within private gardens, as well as ornamental and native hedgerow planning and ornamental planting in front garden areas. Buffer strips are allocated to the eastern boundary for planting to reinforce boundaries, particularly following the previous felling of a large tree to the eastern boundary of the site. This would be in response to the site allocation requirements. Overall, the proposed soft and hard landscaping schemes are considered to be acceptable, given the presence of an acceptable and sympathetic materials pallet, and the provision of green and amenity space. Furthermore, the provision of fencing and walls are considered to suitably delineate curtilages and would not appear adverse when viewed with the local area. The development is considered to retain and reinforce planting along the site boundaries based on the circumstances of the site at the time submitted for consideration.
- 4.3.13 The proposed development is therefore considered to be in compliance with policy D1 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. Policy SD3 of the Ickleford Neighbourhood Plan is therefore considered to be complied with. The design and appearance are therefore acceptable.

#### Impact upon Heritage Assets

- 4.3.14 Policy HE1 emphasises how permission will be refused where proposals would cause substantial harm or a loss of significance to a Heritage Asset, in this case, the Conservation Area and setting of listed buildings, and permission should be refused unless it can be demonstrated that the proposal is necessary to deliver considerable public benefits to outweigh this harm or loss. Policy SP13 emphasises how great weight will be given to the potential harms to the significance of heritage assets, seeking their conservation and management of their setting. This policy is broadly consistent with Section 16 of the National Planning Policy Framework. Section 72 of the Planning (Listed Building and Conservation Areas) act 1990 emphasises that development should seek to the preservation or enhancement of the Conservation Area.
- 4.3.15 The application site is in proximity to the Ickleford Conservation Area, approximately 21m from the west edge of the application site. The allocation for the site includes a criterion whereby the vista to/from the steeple of the Grade I Listed Church (approximately 140m from the nearest north-west point of the site allocation) shall not be obstructed by development in the north-east corner of the site, and the landscaping to the boundaries shall be reinforced. The submitted documentation indicates that this vista would not be harmed or contravened. I consider that the traditional nature of the architecture style of the dwellings is suitably sympathetic to local vernacular and would reflect the layout and appearance of other dwellings found along Duncots Close, the lead up to the site. Reinforcement of the landscaping to the boundaries indicates on the plans, and as required as part of a condition could also further mitigate any potential impacts upon the setting of the Conservation Area. Given the obscured location of the site, I do not consider that the development would detract from the significance of the Conservation Area as a whole and would not harm the Grade I Listed Church. It is noted that Archaeology have recommended conditions. The applicant has provided a trial trenching report, and an email exchange with Hertfordshire Archaeology approving a WSI submitted directly to the County Council. Therefore, the first part of the condition is no longer necessary, and the second part can be amended to accord with this WSI. Given this approval, and the suitable application of the remaining conditions, I do not consider that the development would unacceptably harm assets within the site, and do consider the proposal to accord with the site specific requirement to undergo an archaeological survey to be completed prior to development.
- 4.3.16 The potential impacts to the surrounding Conservation Area and the Grade I Listed Church are considered to be acceptable, and the significance of these heritage assets will not be unacceptably harmed. Policies HE1 and SP13 of the Local Plan 2011-2031 and Section 16 of the NPPF are considered to be complied with. The development is considered to comply with Section 72 of the Planning (Listed Building and Conservation Areas) act 1990. The design and appearance are therefore acceptable.

#### Housing Mix:

- 4.3.17 Policy HS3 of the Local Plan 2011-2031 sets out the requirements for housing mix. Edge-of-settlement sites are discussed within the supporting text, emphasising how such developments should make an assumption for “60% larger (3+ bed) and 40% smaller (1 or 2 bed) homes to ensure an overall mix is achieved”. The development would deliver approximately 22% 2 beds, 22% 3 beds, 33% 4 beds, and 22% 5 beds, or approximately 22% of smaller homes and 78% larger homes. Given the quantum of development proposed, and the relative mix of dwellings proposed, I consider that the delivery of 2 and 3 beds would be viewed favorably, and the difference between the proposal and

the policy requirements, is not considered to be objectionable. This is considered to suitably accord with Policy SD2 of the Ickleford Neighbourhood Plan.

Impact on Neighbouring Properties:

- 4.3.18 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.19 The application site is neighboured to the west by No. 34 Arlesey Road and No. 2 Duncots Close. Plots 3 and 1 directly adjoin these neighbours respectively. Plot 3 would be adjacent to a barn/outbuilding serving No. 34, and the driveway/front garden area. Impacts from the proximity and bulk of the new dwelling are noted, however, given the distance to the primary habitable spaces of this property, and the large plot size, losses of light and dominance are not considered to be acceptable. There would no first-floor window on Plot 3, though rooflights are present. It is considered that these rooflights would not overlook this neighbour owing to the floor plan confirming that they would not be directly accessible by occupants of this dwelling, instead sitting over the rooms, mitigating actual overlooking. Turning to No. 2 Duncots Close, Plot 1 would be adjacent to existing trees on the shared boundary with this neighbour and would project modestly beyond the rear elevation of this neighbour. Given the distance, and the lack of significant projection, I do not consider that the bulk of the new dwelling would dominate or unacceptably overshadow the occupants of this property. Plot 3 would be visible from windows serving No. 2, however, the closest portion of the dwelling would be single to 1.5 storeys in height, therefore setting the primary bulk of the dwelling away from this neighbour. Direct light loss is not likely to be significant given the dwelling's location to the north of this neighbour. Therefore, dominance is not considered to be unacceptable. The lack of first floor windows and the high level of the rooflights is considered to mitigate any actual or sense of overlooking for this neighbour.
- 4.3.20 Neighbours on Duncots Close adjoining the southern boundary of the site are No. 3, 5 and 6 Duncots Close. Plots 1 and 2 would sit opposite to No. 5 and 6, with the access road intersecting the gap. Light loss from these dwelling would not be significant owing to their location to the north. Some dominance is acknowledged, with these neighbours fronting onto the southern boundary, with their access way sitting between these neighbours and the dwellings. Given the separation distance, dominance and harms to outlook from No. 5 and 6 from Plots 1 and 2 would not be significantly detrimental. Plots 8 and 9 back onto the flank elevation of No. 3 Duncots Close. Their position to the north would not block direct sunlight for this and other neighbour. The distance between the rear elevation of Plots 8 and 9 to the rear garden space and windows serving habitable spaces of No. 3 is considered to suitably mitigate the sense of dominance created by their construction. The first-floor rear windows would be set approximately 12-15m from the boundary of No. 3 and therefore may create some sense of overlooking for these neighbours, and this is acknowledged.
- 4.3.21 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

Standard of Amenity for Future Occupiers:

- 4.3.22 The house types and their internal floor areas and required floor areas are set out below:

Plot Numbers	House Type	Required Floor Area	Proposed Floor Area
1 and 2	2B4P	79 sqm	99 sqm
3	4B8P	124 sqm	209
4 and 7	4B8P	124 sqm	188 sqm
5 and 6	3B5P	93 sqm	138 sqm
8 and 9	5B10P	128 sqm	310 sqm

- 4.3.23 The proposed dwellings would provide internal floor areas that would exceed the minimum required by the Nationally Described Space Standards. Sufficient built-in storage space would be provided for each dwelling. Each dwelling would benefit from garden spaces, and amenities in the relative vicinity including a public house, village hall, school and other leisure amenities. The siting of neighbouring dwellings is not considered to allow for overlooking or dominance for the windows and gardens serving these properties. Noise generation from nearby uses is not considered to be significant or objectionable. Landscaping to the boundaries is acknowledged but is not considered to be overbearing.

Environmental Implications:

- 4.3.24 The application is bound to deliver 10% BNG, as required by national guidelines. The North Herts Ecologist has provided their response, indicating that the development would benefit from 31.13% of habitat unit loss, therefore, requiring a 1.57 unit delivery off off-site credits. Therefore, the standard Ecological Enhancement Plan condition together with the Biodiversity Net Gain plan condition is recommended by the Ecologist to suitably deliver BNG in line with national guidelines and Policy NE4 of the Local Plan.
- 4.3.25 It is noted that Anglian Water have made representation. Their representation confirms that there are no known assets owned by AW within the site area, and that any private sewers within the site would be the responsibility of the landowner. Their comment confirms that suitable capacity for wastewater treatment is present within the water recycling centre and dry weather flow. An objection is raised with regard to the development comprising a connection into the foul network due to capacity constraints and pollution risks. They recommended the submission of a pre-development enquiry to define a Sustainable Point of Connection, expecting the applicant to submit a SPOC strategy to AW. Their comment goes on to advise that should the LPA wish to recommend the grant of permission irrespective of this objection, a condition requiring a strategic foul water strategy be submitted. Where otherwise unacceptable development can be made acceptable through the use of conditions, conditions should be utilised. In terms of Surface Water Disposal, AW advise that a preferred method of water disposal would be for a sustainable drainage system with a connection to a sewer being the last option. They recommend the advice of the Lead Local Flood Authority (LLFA) due to the submitted information now relating to AW assets. It is also recommended that any permission include a SuDS strategy within the approved plans list, seeking re-consultation should it be found that interaction with AW assets would be necessary. Subject to the condition required, the proposal accords with the site specific policy to



provide a detailed drainage strategy identifying water infrastructure required and mechanism(s) for delivery.

- 4.3.26 Plots 7 and 8 would be partially set within Flood Zone 2, with the remainder of the site being in Flood Zone 1, with risks from Surface Water flooding in those plots. The Lead Local Flood Authority have made representation, and do not object, but recommend the inclusion of conditions. The first is for the submission of a detailed surface water drainage scheme, the second is for a construction phase surface water management plan. The third is for the submission of a maintenance and management of the SuDS scheme method, and the fourth is for the development to be constructed in accordance with the submitted Flood Risk Assessment. I consider that these conditions are reasonable and would suitably mitigate potential flood risk for the development, thereby complying with the site specific policy requirement to address existing surface water flood risk issues through SUDs or other appropriate solution.

#### Highways and Parking:

- 4.3.27 Hertfordshire Highways have not objected to the proposed development. Dwellings would benefit from sufficient off-street parking levels to meet the requirements of the parking at new developments SPD. 5 No. visitor parking bays would be provided within the site. It is therefore considered suitable parking levels would be delivered. Parking within the turning head on Duncots Close would be lost, and this is noted, however, the provision within the site for visitor parking is considered to suitably mitigate these impacts, together with the dwellings benefiting from on-plot parking, therefore, complying with Policy MTT2 of the Ickleford Neighbourhood Plan. Cycle storage is provided for each dwelling within their garages, meeting the requirements of Policy SD3 of the Ickleford Neighbourhood Plan. Highways consider that the access is suitable, and have recommended conditions. I consider that these conditions are reasonable and have recommended their inclusion with this decision. It is noted that neighbours have raised concerns with regards to the loss of an informal bin collection point on Duncots Close, and this is acknowledged. Given that this does not appear to be a formal collection point, residents would continue to be able to leave bins on their property for collection. New residents would benefit from bin stores within the rear gardens, with space for refuse vehicles to enter and egress the site, allowing for collections from the new and existing dwellings.

#### Other Matters:

- 4.3.28 It is noted that objections were received citing potential harm to the utilities corridor, impeding access and maintenance. This is acknowledged, however, given that these matters do not form a material planning consideration, I do not consider that this is a reason to restrict the grant of permission and is something for the developer and occupiers to agree upon.
- 4.3.29 The proposal represents approximately 23.7 dwellings per hectare. This is nominally above the recommended dwellings per hectare in BF.01 – Density of the Ickleford Design Code. This excess is considered acceptable and justified by the allocation estimate itself, as well as the clear and demonstrated need for housing in the District, as well as the need to make efficient use of land in the most recent iteration of the NPPF.

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

- 4.4.1 The district cannot presently demonstrate a 5-year housing land supply, and the proposal is for development on an allocated housing site. No conflict with the development plan has been identified. No harms have been identified when assessing the application against applicable planning policies or other material considerations. The proposal provides social and economic benefits during construction, and social benefits of the provision of market housing set against the context of a shortfall of five-year housing land supply, which should be afforded significant weight in the planning balance.
- 4.4.2 The tilted balance is engaged, as it is not considered that assets described within footnote 7 of the NPPF would be harmed to provide a strong reason for refusal. The delivery of housing is afforded strong weight in the balance of considerations, and no material reasons are considered to outweigh these benefits.
- 4.4.3 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

#### 4.5 **Alternative Options**

- 4.5.1 None applicable.

#### 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 the following conditions:

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

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

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

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

3. The approved details of landscaping shall be carried out before the end of the first

planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

4. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

5. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

6. Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

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, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, AA, B, C and E of Part 1 (and any further new class that may be introduced by way of an update) of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the

area and to comply with Policy D1 and/or Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

8. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding properties. The development shall be carried out as approved.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to comply with Policy D1 of the Local Plan

9. Details and/or samples of materials to be used on all external elevations and the roof of the bin stores for each dwelling hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

10. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number (RefST-3472-700-C) in accordance with the highway specification as Setout in Roads in Hertfordshire. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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

11. Prior to the first occupation of the development hereby permitted the proposed onsite car and cycle parking, servicing, turning and waiting areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the Proposed Site Layout -External Works Plan (Ref- AA139\_0-0-03) and retained thereafter available for that specific use.

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

12. No development shall commence until a Construction Traffic/Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:
  - a. Construction vehicle numbers, type, routing.
  - b. Access arrangements to the site.
  - c. Measure to minimise dust, noise machinery and traffic noise impacts during construction.
  - d. Screening and hoarding details to protect neighbouring residents.

- e. Traffic management requirements, including the location of routes and from the site, details of their signing monitoring and enforcement measures.
- f. Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas)
- g. Siting and details of wheel washing facilities.
- h. Cleaning of site entrances, site tracks and the adjacent public highway including end of day tidying procedures to ensure protection of the site out the hours of construction. The construction activities shall be designed and undertake in accordance with the code of best practice set out in BS 5228 1997 and the agreed details unless otherwise agreed in writing by the LPA and Highways.
- i. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
- j. Provision of sufficient on-site parking prior to commencement of construction activities.
- k. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- l. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes, and remaining road width for vehicle movements.

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

13. Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the NonStatutory Technical Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, the 1% AEP (1 in 100 year) and the 1% AEP (1 in 100) plus climate change critical storms. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of North Herts District Council

14. Prior to the commencement of the development a construction phase surface water management plan for the site will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to and during the construction phase.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site.

15. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- I. a timetable for its implementation.
- II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
- III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of North Herts District Council.

16. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (Flood Risk Summary Statement & Sustainable Surface Water Drainage Strategy, Ref ST3472/FRSS-2503 Revision 1, March 2025 and Response to the LLFA's comments to Planning Application ref 25/01094/FP Reference ST-3472/2510-LLFA Response, November 2025) unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of North Herts District Council.

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

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

18. Prior to the commencement of the development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:
- a) The construction programme and phasing
  - b) Hours of operation, delivery and storage of materials
  - c) Details of any highway works necessary to enable construction to take place
  - d) Parking and loading arrangements
  - e) Details of hoarding
  - f) Management of traffic to reduce congestion
  - g) Control of dust and dirt on the public highway
  - h) Details of consultation and complaint management with local businesses and neighbours
  - i) Waste management proposals
  - j) Mechanisms to deal with environmental impacts such as noise, air quality, light and odour.

Reason: In the interests of highway safety and the control of environmental impacts

19. No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;
- A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study);
- A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation)

All such work shall be undertaken in accordance with BS:10175:2011 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health and the wider environment.

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

20. Prior to the first occupation of the dwellings hereby approved, details of the Air Source Heat Pump shall be submitted to the LPA and approved in writing and installed on site.

Reason: To ensure that there are no adverse impacts on the design of the dwelling hereby approved or adverse harm on the amenities of the neighbouring occupiers. Local Plan Policies D1 and D3.

22. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation prepared by Albion Archaeology, reference Alb-3859.

Reason: To safeguard the archaeological record in accordance with Policy HE4 of the North Hertfordshire District Local Plan 2011-2031.

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

Reason: To safeguard the archaeological record in accordance with Policy HE4 of the North Hertfordshire District Local Plan 2011-2031.

**Proactive Statement:**

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage 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.

Informative/s:

1. AN) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website:  
[www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx)  
AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.  
Further information is available via the County Council website at:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.  
AN) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.  
AN) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.  
AN) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.  
The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:



and-developer-information/development-management/highways-development-management.aspx

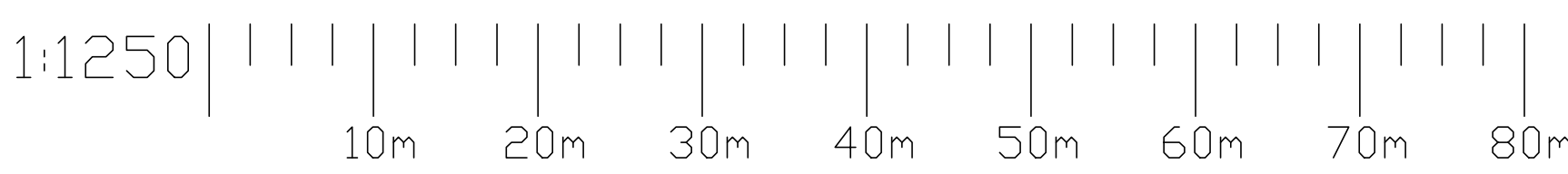
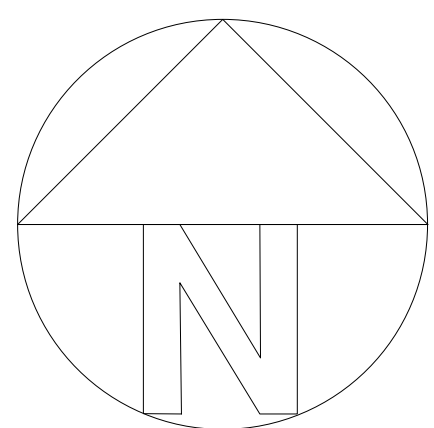
2. The Flood Map for Planning shows part of the site to be within Flood Zone 2. The Local Planning Authority should be mindful of the Environment Agency's standing advice on developments within Flood Zone 2: Preparing a flood risk assessment: standing advice - GOV.UK

We are highly supportive of the proposed use of SuDS like permeable paving and swales. We recommend that further consideration of other forms of above-ground SuDS like rain gardens would provide some additional attenuation volume as well as distribute biodiversity and amenity benefits throughout the site.

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Site Location Plan  
Scale 1:1250



Notes:

- The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with the Architect before proceeding with the works.
- Where an item is covered by drawings to different scales the larger scale drawing is to be worked to.
- Do not scale drawing. Figured dimensions to be worked to in all cases.

The structural / civil engineering and other non-architectural information shown on this drawing is purely for co-ordination purposes only and in no way does it take on any responsibility or liability for MBA Ltd. For all detailed information relating to these items see the relevant consultants drawings and full design information.

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CDM Regulations 2015

ALL current drawings and specifications for the project must be read in conjunction with the Designer's Hazard and Environmental Assessment Record.

REV:	DESCRIPTION:	BY:	DATE:
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STATUS: Planning



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SITE: Icklford

TITLE: Site Location Plan

SCALE: AT A3: 1:1250	DATE: 15/04/2025	DRAWN: LD	CHECKED: MB
PROJECT NO: AA139	DRAWING NO: 0-0-07	REVISION: -	

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<u>Location:</u>	<b>Land Known As The Orchard Snailswell Lane Ickleford Hertfordshire SG5 3TS</b>
<u>Applicant:</u>	<b>Mr S Patel</b>
<u>Proposal:</u>	<b>Erection of one self-build dwelling including hard and soft landscaping, parking and creation of vehicular crossover off Snailswell Lane</b>
<u>Ref. No:</u>	25/01790/FP
<u>Officer:</u>	<b>Thomas Howe</b>

**Date of expiry of statutory period:** 15 September 2025

**Extension of statutory period:** 27 November 2025

**Reason for Delay:** To overcome planning objections, and to find a suitable committee date.

**Reason for Referral to Committee:**

This application was called into planning control committee by Councillor Louise Peace on 13 August 2025. The reasons given are:

1. Impact on neighbour amenity and negative visual impact on the street scene.
2. Lack of safe and sustainable access.
3. Impact on ecology.
4. Flooding and foul drainage issues.

1.0 **Site History**

- 1.1 No previous history.

2.0 **Policies**

- 2.1 Decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application. If decision takers choose not to follow the National Planning Policy Framework, where it is a material consideration, clear and convincing reasons for doing so are needed.
- 2.2 Section 38(5) of the Planning and Compulsory Purchase Act 2004 sets a hierarchy of development plan documents and material considerations such as the NPPF, in that where a conflict is identified, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

## **2.3 North Hertfordshire District Local Plan (The Local Plan) 2011 – 2031**

Policy SP1: Sustainable Development in North Hertfordshire  
Policy SP2: Settlement Hierarchy and Spatial Distribution  
Policy SP5: Countryside and Green Belt  
Policy SP9: Design and Sustainability  
Policy HS3: Housing mix  
Policy D1: Sustainable Design  
Policy D3: Protecting living conditions  
Policy D4: Air quality  
Policy NE2: Landscape  
Policy NE4: Biodiversity and geological sites  
Policy NE7: Reducing flood risk  
Policy NE8: Sustainable drainage systems  
Policy NE10: Water conservation and wastewater infrastructure

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

Section 2: Achieving sustainable development  
Section 9: Promoting sustainable transport  
Section 11: Making effective use of land  
Section 12: Achieving well-designed places and beautiful places

## **2.5 Vehicle Parking at New Development SPD**

## **2.6 Ickleford Neighbourhood Plan**

Policy E2 – Protecting the Landscape  
Policy E3 - Rural Character  
Policy SD1 - Development within the settlement boundary  
Policy SD2 – New Housing Development  
Policy SD3 – High Quality Design  
Policy SD4 - Provision of Energy Efficient Buildings  
Policy SD5 - Water Management  
Policy MTT2 – Car Parking

## **3.0 Representations**

### **3.1 Neighbour Consultation –**

6x Objections:

- Conflict with Green Belt Policy.
- Breaches Policy SP2 and Ickleford Neighbourhood Plan Policy SD1.
- Does not respect local character.
- Lack of a proven need or wider public benefit.
- Overdevelopment of the site and harm to local character.
- Precedent would be set for development on Snailswell Lane.
- Harm to residential amenity. Loss of privacy, light and overshadowing.
- Conflict with users of the BOAT along Snailswell Lane. Poor road surface impacts upon pedestrian use.
- Damage to the BOAT surface would be unacceptable and cause disruption.
- Loss of biodiversity. Existing site is a habitat for various wildlife.

- Surface water pooling occurs, and the development would increase overland flow of water.
- No SuDS strategy has been presented.
- Harm to openness of the Green Belt.
- Intensification of vehicle traffic would potentially conflict with other users of the road and BOAT.
- Visual and Spatial openness harm to the Green Belt.
- Inaccurate comparison to neighbouring dwellings in terms of scale.

### 3.2 **Parish Council** – Objection.

### 3.3 **Anglian Water** – September 2025 –

Wastewater Treatment – Within the acceptance parameters and can accommodate the flows from the proposed growth.

Used Water Network – Sewerage network has capacity for anticipated foul flows. Recommends informative should developer seek to connect to the sewerage network.

Surface Water Disposal – Preferred method of surface water disposal is a SuDS system, with connection to a sewer being the last option. Recommends objection as there is insufficient information of how surface water will be discharged.

### 3.4 **Anglian Water** – November 2025 –

Surface Water Disposal – Following receipt of additional information, the proposed SuDS system would not relate to Anglian Water operated assets. Therefore, they are unable to provide comments. Recommends seeking advice from LLFA or the Internal Drainage Board. Also recommends consultation with The Environment Agency.

### 3.5 **Environmental Health** –

Contaminated Land – Recommends condition.

Noise – No Objections.

Air Quality – Recommends EV charger and informatives.

### 3.6 **HCC Footpaths and Highways** – Snailswell Lane is a Byway Open to All Traffic. The BOAT must remain unobstructed during the development. A temporary traffic regulation order is required should this be disrupted or blocked. User safety is to be protected by the developer. *“The location of the proposed development is approximately 50m from the sealed-surfaced all purpose highway to the east, prior to construction, the un-sealed section of Snailswell Lane leading up to the development site should be re-surfaced to a Highways sealed-standard in order to accommodate building traffic and increased vehicular use that will result from the development.”*

### 3.7 **Highways** – Unable to support until further details of the connection to the Public Right of Way. Details of proposed works in this area must be provided. *“no kerbing, resurfacing, or alterations to the surface of the Right of Way will be permitted under any circumstances.”*

January 2026 – Does not wish to restrict grant of permission and recommends conditions.

### 3.8 Ickleford Parish Council – Objection:

- Site is within the Green Belt.
- 1.5 storey height is not in keeping with surrounding area.
- Development would be too large for the plot/site.
- Loss of privacy to Glenmore, to the south.
- Questions designation of land as 'Grey Belt'.
- Access and egress to the site would be dangerous.
- Insufficient space to turn a small vehicle.
- Vehicle traffic damages surface material of BOAT.
- BOAT is unsafe for vehicles, horses and pedestrians.
- Further damage will be caused to the BOAT.
- Lack of appropriate drainage on Snailswell Lane cause harm from surface water runoff associated with the development.
- Questions potential ecological impacts of development.
- Seeks preservation of hedging to site.
- Questions provision of mitigation measures for ecological impacts of the development.
- Does not consider enhancements to suitably overcome harm by way of a loss of habitat within the site.
- Asks for developments in Ickleford to be halted until Anglian Water upgrade the sewage system to accommodate foul water and run-off water.
- Exacerbation of back washing from sewage system into homes and gardens.

### 3.9 North Herts Ecologist –

September 2025 – Asks for Ecological Appraisal. Need to determine a baseline for ecological value of the site to provide some degree of uplift. It is noted that a mature apple tree was recently removed and advises that this tree should be included in any calculations.

November 2025 – No ecological objection to development. Not subject to mandatory BNG, as it is a self-build scheme. Recommends inclusion of condition for an Ecological Enhancement Plan (as required by Policy NE4 of the Local Plan).

### 3.10 Lead Local Flood Authority – Awaiting response.

### 3.11 Councillor Louise Peace:

Objection –

- Harm to neighbour amenity. Due to height in relation to The Mildens.
- Development does not comply with Design Code prepared for the Ickleford Neighbourhood Plan.
- Principle of development is contrary to Policy SD1.
- Lack of sustainable access to the site.
- Questions whether development would comprise Grey Belt development due to sustainability issues.
- Harm to Ecology, questions felling of trees within the site, and advises of animal sightings within the site.
- Seeks submission of Preliminary Ecological Appraisal.
- Development would exacerbate existing problems with standing water during heavy rainfall, and issues of the sewerage system backing up the systems.
- Seeks a Grampian condition to confirm with Anglian Water than the existing sewerage system can support additional capacity.



#### **4.0 Planning Considerations**

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

- 4.1.1 The application site comprises a parcel of land off Snailswell Lane, adjacent to Mildens and a parcel of land adjacent to Glendale, residential dwellings. The site is outside of the settlement boundary for Ickleford, but is in Lower Green, part of the built core of Ickleford. The site is brushed over by the Green Belt.

#### **4.2 Proposal**

- 4.2.1 Planning Permission is sought for the erection of one self-build dwelling including hard and soft landscaping, parking and the creation of a vehicular crossover off Snailswell Lane.

#### **4.3 Key Issues**

- 4.3.1 The key issues for consideration are as follows:

- The principle of the development.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

##### Principle of Development:

- 4.3.2 Principle of the Development in the Green Belt

- 4.3.3 The site is in the Green Belt, as designated by the Local Plan 2011-2031. Paragraphs 154 and 155 within the NPPF set out which types of development are not inappropriate, with those paragraphs stating:

154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- 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) 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;
- 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, 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; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

155. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Policy SP2 permits general development within the defined settlement boundaries of Category A villages, of which Ickleford is one. The site is outside of the defined settlement boundary, and therefore, the proposed development would not comply with SP2 of the Local Plan 2011-2031.

- 4.3.4 Turning to Paragraph 154 of the NPPF, I consider that exception e) is relevant to the proposal. Appeal decisions within the district has concluded that development outside of settlement boundaries defined by the Local Plan, but that would be physically related to Category A settlements, can comply with exception e) in respect to being in a village, but still needs to comprise in-filling.
- 4.3.5 The proposed site plan indicates that the development would erect 1 No. dwelling on a plot of land bound immediately by development to the west and south and leaving a small gap to development to the east. I consider that in-filling would occur given the site would be filling a gap on the road and would be bound by development to 3 sides.
- 4.3.6 Snailswell Lane feeds onto the main road through Ickleford, and the site is in a group of dwellings that are not separated by significant swathes of open space or green fields sites. Generally, there is a continuous link of residential curtilages linking this group of dwellings along Snailswell Lane and the built core of Ickleford. I consider the proposal site to sit within the village of Ickleford, taking account of appeal decisions and the relevant material considerations beyond boundary designations in Local Plan documents. It is noted that the development would not comply with Policy SD1 of the Ickleford Neighbourhood Plan, given the site is outside of the adjusted Ickleford Settlement boundary. This is acknowledged, however, given the above assessment of the siting of the development in relation to the built core of Ickleford, I do not consider that the development would significantly undermine the spirit of this policy.
- 4.3.7 For the reasons discussed above, I consider that the proposal would be infill development albeit the site is not within the defined settlement limits of Ickleford as set out in the Policies Map of the Local Plan. Taking account of appeal decisions on this matter and the site may be treated as being within the village for the purpose of application of NPPF Paragraph 154. The proposal would therefore not constitute inappropriate development in the Green Belt.

- 4.3.8 Notwithstanding the above conclusion, the applicant has proposed that the site constitutes Grey Belt, and the development would be appropriate development for that reason. The applicants' position is that the site makes no contribution at all to purposes a) or b) of the Green Belt. The applicant is mute on purpose d), but the position of no contribution is assumed.
- 4.3.9 It is agreed that the site does not strongly contribute to the preventing neighbouring towns merging into one another (purpose b)) or preserving the setting and special character of historic towns (purpose d)).
- 4.3.10 Purpose a) is to check the unrestricted sprawl of large built up areas. Planning Practice Guidance (Paragraph: 005 Reference ID: 64-005-20250225) makes clear that villages should not be considered large built-up areas. Illustrative features of a strong contribution are being free from existing development; lack physical features in reasonable proximity to restrict or contain development; be adjacent or near to a large built-up area; and, if developed, would result in an incongruous pattern of development.
- 4.3.11 As a direct result of the close relationship between Hitchin and Ickleford, the Green Belt surrounding Ickleford remains near to Hitchin as a large built-up area and thereby can contribute strongly to checking the sprawl of Hitchin as a large built-up area. The site is free from development as it stands and does lack physical features at its north boundary as it exists. That said, the site is limited in its scale, and if the site were developed, the resultant development would not result in an incongruous pattern of development or extend or sprawl development beyond an existing rear boundary line. As a result, the site under consideration does not contribute strongly to purpose a). There are no strong reasons for refusal pursuant to the application of footnote 7 policies. The site can be considered Grey Belt by definition, and the proposed development would accord with parts a., b. and c. of paragraph 155 of the NPPF (part d. of paragraph 155 is not applicable to this development).
- 4.3.12 Concluding, it is acknowledged that the site is not within the defined settlement boundary of Ickleford, running contrary with Policy SP2 of the Local Plan and policy SD1 of the Neighbourhood Plan, however, as above, I consider that the principle of development should be supported due to compliance with exception e) of Paragraph 154 of the NPPF by virtue of the site being considered within the village notwithstanding the boundaries drawn in Local Plan and Neighbourhood Plan documents. In addition, the site is considered to meet the definition of Grey Belt and would accord with the policy requirements to be considered appropriate development as set out by paragraph 155 of the NPPF.

Sustainability:

- 4.3.13 The three pillars of sustainable development are the economic, social and environmental pillars. The proposal would provide economic benefits by the use of local contractors and businesses for construction, maintenance and other servicing when occupied. Social benefits would arise from the provision of a dwelling on a windfall site, contributing to the district housing land supply, which the LPA cannot presently demonstrate a 5-year housing land supply. The site is considered to be in a sustainable location, in close proximity to the centre of Ickleford, a Category A village, according to the North Herts Local Plan 2011-2031. Various amenities would be in close proximity to the site, with easy access to means of public transport close to the site, therefore, the sustainability of the development is acceptable.

#### Design and Appearance:

- 4.3.14 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. Policy D1 is consistent with Section 12 of the National Planning Policy Framework. Policy SD3 of the Neighbourhood Plan is relevant to design and appearance in-so-far as it requests development be high quality design, and that development that accords with the Ickleford Design Code will be supported. Policy SD3 of the Neighbourhood Plan is positively worded and indicates support where the development accords with the Ickleford Design Code (final report March 2023). The policy was inspected and considered to accord with the Development Plan, however, where conflict is identified with other material considerations, such as the NPPF which is dated 12 December 2024, the conflict should be resolved in favour with the NPPF.

#### Appearance

- 4.3.15 The proposal seeks to erect a 1.5 storey, chalet bungalow style dwellings centrally with the plot, adjacent to The Mildens. 2 No. dormers are proposed to the principal roof slope, with a gable end to this elevation, and 3 No. dormers to the rear. The roof would feature half hips, and a relatively tall ridge with low eaves forming a cat slide. The street scene nearby comprises bungalows and chalet bungalows with driveways and screening to their principal boundaries. I consider that the proposed dwelling would suitably fit into the prevailing grain of development to this part of the district, and do not consider that it would appear adverse or out of place. The scale of development proposed is similar to other dwellings along Snailswell Lane and is considered to suitably sit within the grain of development found locally. It is considered that the roof profile, window details, and general appearance of the building would accord with the principles set in ID.01 – Local Character of the Ickleford Design Code.

#### Scale, Layout, Access and Landscaping

- 4.3.16 The proposed layout comprises a gated access off Snailswell Lane, with a pea shingle driveway leading up to the dwelling, with grass and amenity space to the front, with a patio surrounding the dwelling, with grass, hedging and a tree to the rear garden. The layout would comprise a similar built density to the surrounding grain of development, and would leave space around the dwelling, therefore not resulting in overdevelopment or the erosion of local character and vernacular. The provision of green space and soft landscaping are both welcomed and are considered to be acceptable. It is noted that a gated access is proposed, however, other dwellings along Snailswell Lane, notable, to the east benefit from a gate to their driveways. I do not consider that this would be adverse in this location. I consider it is prudent to restrict permitted development rights owing to the relationship between the dwelling and the neighbouring dwelling, and due to its periphery location and plot size. The scale proposed, for a 3-bed dwelling is considered to sit suitably within the local street scene, and the scale of dwellings locally. It is noted that Ickleford Neighbourhood Plan encourages support for 'smaller homes', with specific reference to 3 bed dwellings. The scale proposed is considered to be acceptable. The one and a half storey height, width, building lines and landscaping would suitably meet the requirements of Policy SD3 of the Ickleford Neighbourhood Plan.
- 4.3.17 The proposed development is therefore considered to be in compliance with policy D1 of the Local Plan, policies SD2 and SD3 of the Neighbourhood Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The design and appearance are therefore acceptable.

#### Impact on Neighbouring Properties:

- 4.3.18 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.19 The Milderns comprises a chalet bungalow that neighbours the site to the west, and the proposed dwelling would sit level with this neighbour, at ground floor level, not projecting beyond the principal and rear elevations of this neighbour along its adjoining east flank. Given the chalet style of the host dwelling, the first floor is unlikely to dominate this neighbour, and the lack of ground floor projection is not considered to result in dominance for this neighbour. Some light is likely to be lost during the morning and early afternoon owing to the dwelling's position to the south-west of The Milderns, and this is acknowledged. This is not considered to be significant to warrant objection given that light loss would predominantly relate to the garden rather than the main dwelling, and the windows on the neighbouring property addressing the development site are secondary windows to the rooms which they serve, or utility/shower rooms.. Outlook from the chalet is not considered to allow for losses of privacy arising from viewing aspects into window and the curtilage. This would comply with the provisions of Ickleford Neighbourhood Plan SD3 given it would respect the amenities of existing neighbours to the site.
- 4.3.20 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

#### Future Living Conditions:

- 4.3.21 Space standards for 3 bedroom, two storey dwelling range from 84 sqm to 102 sqm, for 4 persons to 6 persons respectively. Proposed is 152 sqm of internal floor area, therefore far exceeding the minimum space requirement for a dwelling of this type and size. The dwelling would benefit from front and rear amenity spaces and would be dual-aspect. There are no noise generating uses nearby that would significantly detract from the future occupants of the house. Therefore, a suitable standard of built amenity would be afforded. The presence of neighbouring dwelling is not considered to be significantly harmful or adverse for the windows and amenity spaces in terms of dominance or losses of light.

#### Highways and Parking:

- 4.3.22 The proposed development would be served by a minimum of two parking spaces that are off-street, therefore impacts to parking provision locally would not be harmful.
- 4.3.23 Highways have withdrawn their objections as of comments received January 2026, recommending conditions. Previous objections sought clarification of details regarding the relationship between the site access and the public right of way along Snailswell Lane. Following the submission of information, and discussions with Highways, this objection was withdrawn. Conditions are recommended by the Highways Authority, comprise the submission of details for edging of the driveway where it would meet the Right of way, for the submission of a Construction Method Statement, for the surface material to be bound, and for drainage to stop water flow into the ROW, and for a plan

for cycle storage within the site. Informative are also recommended. I consider that these conditions are reasonable.

- 4.3.24 County Council Rights of Way team have made representation. Their comment advises that Snailswell Lane is a public right of way (ROW), and at no point should be obstructed. If any closure is necessary, a Temporary Traffic Regulation Order must first be applied for. Construction traffic should give priority to any and all users of the ROW, with appropriate safety measures being put into place to ensure the safety of the public. The ROW officer advised that the byway must be maintained to a sufficient standard, and that it is not considered to be up to a sufficient standard for heavy goods vehicles deliveries. The officer confirmed that this upgrade is not enforced upon the developer, and that there are no plans to increase the standard to which the surface will be maintained. Inspections would be taken place before construction starts, and the developer would be required to make good of the surface and repair any damage caused upon completion of the build.

Environmental Implications:

- 4.3.25 The proposed dwelling would incorporate energy efficiency measures, with a target for zero carbon emissions, as described by the Planning Statement. Included would be passive solar gain, high quality thermally efficient materials, loft and wall insulation, double glazing, and solar panels. These measures are welcomed and are considered to comply with Policy SD4 of the Ickleford Neighbourhood Plan, and Policy SP9 of the Local Plan 2011-2031.
- 4.3.26 The application is not bound to delivering BNG as it would comprise a self-build dwelling. Ecology have recommended the inclusion of a condition requiring an Ecological Enhancement Plan and note that the submitted Preliminary Ecological Assessment does not foresee detrimental ecological impacts from the proposal. I consider that that the recommended condition would result in compliance with Policy NE4 and is therefore reasonable and acceptable.
- 4.3.27 The site is within Flood Zone 1, as defined by online mapping. The area is susceptible to surface water flooding, with 1 in 1000-year events posing a risk to the front driveway area of the site. Anglian Water have not objected to the proposal, with their representation advising that there are no known assets within the site boundary. They also advise that the wastewater treatment infrastructure possesses sufficient capacity to accommodate the anticipated flows from the dwelling. Anticipated foul flows into the sewerage network would have available capacity for the development. A consultation request has been sent to the Lead Local Flood Authority for assessment as to the risks from surface water drainage. There is a hierarchy of surface water drainage systems of which discharge into a combined sewer is a last resort. This hierarchy is followed through in building regulations for applications, such as this one, which is not captured by a statutory requirement for the LLFA to be consulted. As above, the LLFA are not obliged to respond to consultation requests on non-major development proposals however, in this case we would value a response. In the event that the LLFA do not respond substantively, it remains the view that the application should be approved, as building regulations capture the hierarchy of surface water drainage which would resolve the concerns raised in respect to standing water. The application is being brought to planning control committee in advance of response as surface water drainage solutions are just one of the reasons for call in, and the LLFA response is not essential to the determination of this application.

Planning Balance:

- 4.3.28 The delivery of a home on a windfall site is considered to be viewed favourably. The principle of the development in the Green Belt is supported, and no reasons for objection are raised from other material planning considerations. At present, the district cannot demonstrate a 5 year housing land supply, and therefore, the delivery of a home should be afforded strong weight. The tilted balance would be engaged, as no assets discussed within footnote 7 would be harmed, or would give a strong reason for refusing planning permission. No material considerations would outweigh these benefits weighing favourably in the tilted balance.

Conditions:

- 4.3.29 The applicant has agreed to the requested pre-commencement conditions.

**4.4 Conclusion**

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

**4.5 Alternative Options**

- 4.5.1 None applicable.

**5.0 Recommendation**

- 5.1 That planning permission be **GRANTED** subject to a) the expiry of the deadline for the Lead Local Flood Authority to respond to the consultation request, or b) a response being received from the Lead Local Flood Authority with any conditions requested being added, and following conditions:

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

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

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

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

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

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

4. No development shall commence until full details (in the form of scaled plans and/or written specifications) illustrating the design, layout, and construction of the connection between the edge of Snailswell Lane (Public Right of Way) where it meets the proposed driveway have been submitted to and approved in writing by the Local Planning Authority.

The details shall include:

The precise interface between the Public Right of Way and the driveway

Reason: To ensure a safe, suitable, and satisfactory connection between the Public Right of Way and the development in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and to protect the amenity and safety of all users.

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

Access arrangements to the site.

Traffic management requirements.

Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas).

Siting and details of wheel washing facilities.

Cleaning of site entrances, site tracks and the adjacent public highway.

Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.

Provision of sufficient on-site parking prior to commencement of construction activities.

Post construction restoration/reinstatement of the working areas and temporary access to the public highway. This should also include Pre and Post construction images of the access.



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

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

6. Prior to the first use of the development hereby permitted the vehicular access surface shall be bound for the first 3 meters into the site. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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

7. Prior to the first commencement of the development hereby permitted, a plan for cycle storage is to be provided and be designed in line with design standards contained in Chapter 11 of the Cycle Infrastructure Design' DfT Local Transport Note 1/20 (July 2020). Prior to first occupation the approved design shall be fully implemented and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

8. Prior to the commencement of the development hereby permitted full details of a comprehensive hard and soft landscaping scheme (including planting details) and all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

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

The approved soft landscaping / planting details shall be carried out before the end of the first planting season following either the occupation of the (first) dwelling or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

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

9. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

10. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

11. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

12. Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

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, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

13. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding properties. The development shall be carried out as approved.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to comply with Policy D1 of the Local Plan

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, AA, B, C and E of Part 1 (and any further new class that may be introduced by way of an update) of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

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

#### Proactive Statement:

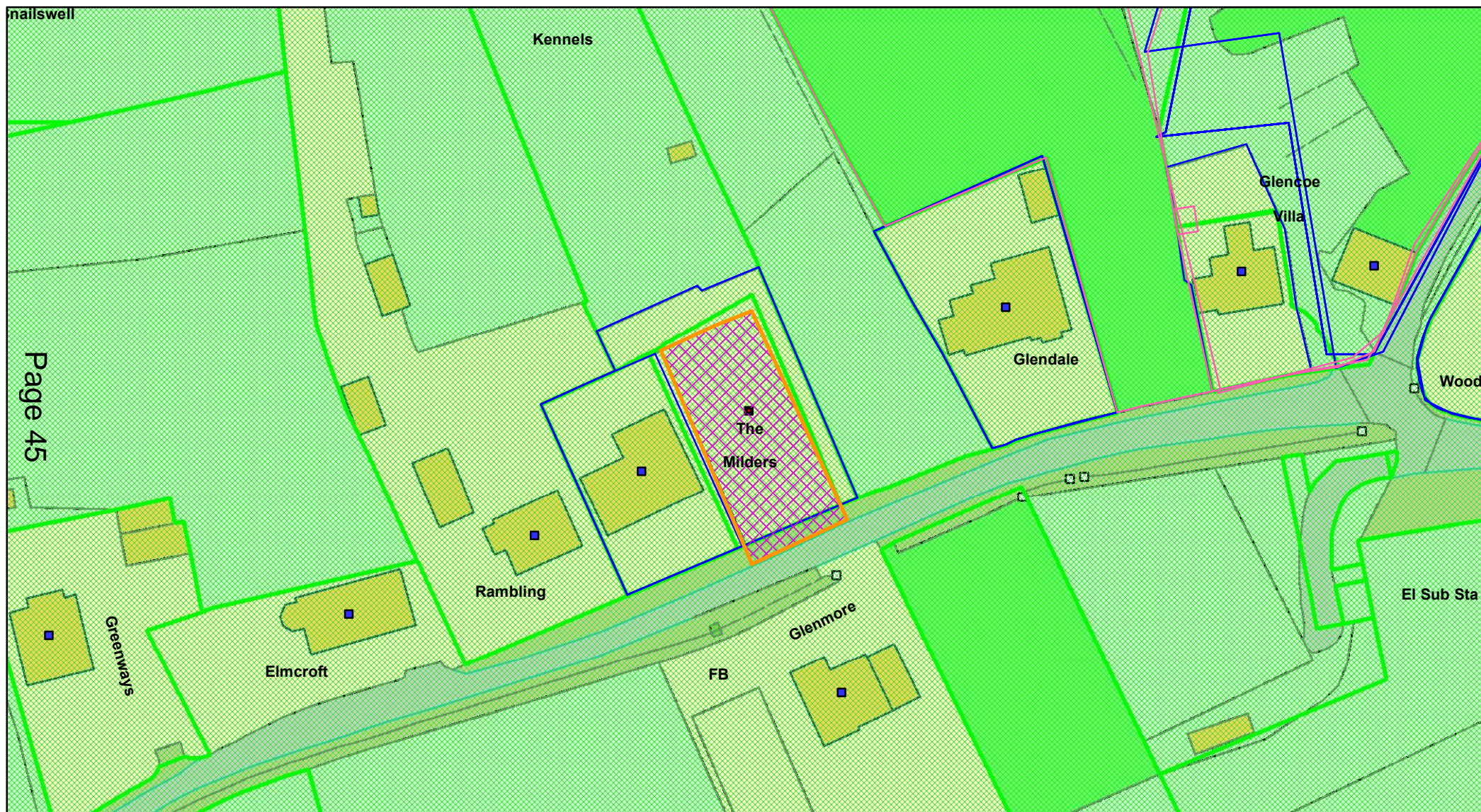
Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country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

#### Informative/s:

1. AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.  
Further information is available via the County Council website at:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.  
AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.  
AN3) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the

satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.







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**PLANNING CONTROL COMMITTEE**

**DATE: 12 February 2026**

**PLANNING APPEALS DECISION**

APPELLANT	DESCRIPTION	SITE ADDRESS	REFERENCE	APPEAL DECISION	COMMITTEE/ DELEGATED	COMMENTS
Mr Richard Murrell	Installation of bike shelter with hard standing and pillar lights to the side of entrance footpath	Ickleford Primary School Arlesey Road Ickleford Hitchin SG5 3TG	24/02580/FP	Appeal Allowed on 13 January 2026	Delegated	<p>The Inspector concluded that the proposal would have a neutral effect on the setting and so would preserve the special interest and significance of the School. It would also preserve the character or appearance of the Ickleford Conservation Area. The proposal would therefore comply with the requirements of the Act and be in accordance with the provisions of the National Planning Policy Framework with respect to designated heritage assets. It would also comply with North Hertfordshire Local Plan 2011-2031 Policy HE1 (Designated heritage assets) which requires proposals to enable the heritage asset to be used in a manner that preserves its significance.</p> <p>The associated application for costs was refused.</p>
Mr David Sandford	Retention of two dormer windows on South roofslope, box dormer on North roofslope and continued use of first	The Studio Manor Farm Church Lane Graveley SG4 7BN	23/01101/FP	Appeal Dismissed on 15 January 2026	Delegated	<p>The Inspector concluded that the proposal causes harm to the character and appearance of the area contrary to Policy D1 (Sustainable design) of the Local Plan which</p>

	floor as one 1-bed studio accommodation					<p>broadly seeks development that responds positively to the site's local context. 28. There is also harm to the significance of designated heritage assets contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990 Act and the development would conflict with the aims of the Framework as it fails to sustain the significance of designated heritage assets and public benefits would not outweigh the harm. It would also be contrary to Policy HE1 of the Local Plan insofar as it indicates that planning permission for development causing less than substantial harm to the significance of a designated heritage asset will only be granted where the harm is outweighed by the public benefits of the development including securing the asset's optimum viable use.</p> <p>The Inspector also concluded that on balance there would be some harm to the living conditions of the occupiers of 1 Barn Cottages and the development would conflict with Policy D2 (House extensions, replacement dwellings and outbuildings) of the Local Plan insofar as it requires that extensions do not dominate adjoining properties.</p>
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## Appeal Decision

Site visit made on 6 January 2026

by **J Bowyer BSc(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 January 2026

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**Appeal Ref: APP/X1925/W/24/3350659**

**The Studio, Manor Farm, Church Lane, Graveley, Hertfordshire SG4 7BN**

- 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 Sandford against the decision of North Hertfordshire District Council.
  - The application Ref is 23/01101/FP.
  - The development proposed was described as 'retention of the change of use and extension of the garage to use as a self-contained flat',
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The description of development in the banner heading above is taken from the planning application form. However, I note that the description stated on the Council's decision notice and entered by the appellant on the appeal form refers to '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'. I consider this to more fully and accurately describe the proposal shown on the submitted plans, albeit with the exception of the term 'retention' which is not an act of development.
3. At my visit, I observed two dormer windows to the appeal building's south roofslope and a box dormer to the north roofslope. Nevertheless and for the avoidance of doubt, I have considered the appeal on the basis of the development as it is depicted on the submitted plans.
4. The Council has provided a copy of a decision issued on an enforcement appeal against a notice alleging a breach of planning control on the appeal site comprising 'the erection of box dormer to North roof slope and the material change of use of the first floor of the building to self-contained studio flat'<sup>1</sup>. That appeal was dismissed and the enforcement notice upheld. However, the decision only considered grounds of appeal under sections 174(2)(d) and (f) of the Town and Country Planning Act 1990 (as amended). Given that these grounds do not relate to the planning merits of the matters stated in the enforcement notice and that it does not include an assessment of matters of planning merit, it has not been necessary to seek comments from the parties on any relevance of that decision to the current appeal.

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<sup>1</sup> Appeal ref APP/X1925/C/24/3347940

## Main Issues

5. The main issues are:

- i) the effect of the proposal on the character and appearance of the area and the significance of nearby heritage assets; and
- ii) the effect of the proposal on the living conditions of the occupiers of 1 Barn Cottages with particular regard to whether or not it would be overbearing.

## Reasons

### *Character and Appearance and Heritage Assets*

6. The appeal site includes a former garage which is part of a cluster of buildings at the Chesfield Manor Farm estate. These include the Grade II listed buildings 'Manor Farmhouse' and the boundary wall and gate piers to its walled gardens, and the nearby Church of St Ethelreda which is a Grade II\* listed building as well as a Scheduled Monument ('SM').
7. Given the nearby listed buildings, I am mindful of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the LBCA Act') which requires special regard to the desirability of preserving the listed building, its setting and any features of special architectural or historic interest which it possesses.
8. The listed buildings and SM would also comprise heritage assets. Where proposals affect heritage assets, the National Planning Policy Framework ('the Framework') includes a requirement for an applicant to describe the significance of the assets, including any contribution made by their setting. Policy HE1 of the North Hertfordshire Local Plan 2011-2031 also includes a requirement for proposals affecting heritage assets to be accompanied by a heritage assessment/justification statement. However, the appellant provided no such assessment of their own with the application.
9. Nevertheless, the list entry for the Church of St Ethelreda indicates that the listed building dates to the 13<sup>th</sup> or early 14<sup>th</sup> century, but that it was dismantled in 1750 and the ruins were later consolidated in the 1980s. The structure lacks a roof, but there are some standing flint rubble walls with sections of plastering, and despite its current ruined condition, it remains generally legible as a former medieval church.
10. Manor Farmhouse is a 17<sup>th</sup> century manor house which was part demolished and converted to a farmhouse in the 1770s and further extended and renovated in the 19<sup>th</sup> century. The building's traditional materials and architectural detailing in keeping with a rural vernacular including a timber frame, steeply sloping tiled roofs with prominent stacks and chimneys means that it retains much of its historic character as a former manor and farmhouse. The walled garden and quality of the brickwork boundary wall and piers further reflect and reinforce the character and former status of the listed building.
11. Insofar as it relates to this appeal, I consider Manor Farmhouse and the boundary wall and gate piers to its walled gardens to derive significance from the legibility of the site as a former manor then farmhouse and its historic position and status in the local area. The Church derives significance from its architectural, historic, evidential and communal interest as a church which formerly served a rural village. The close proximity and relationship of the assets additionally provides group value as part of a rural manorial complex which further contributes to their respective significance.

12. The appeal building is not part of the heritage assets' immediate setting, but is within the cluster of buildings to the north of the group which also includes two parallel ranges of single-storey brick buildings which are now in residential use, beyond which are a collection of large, modern barns. Although separated by a track, the close proximity, layout and agricultural appearance of these buildings which sit within surrounding open fields gives the clear impression of a farmstead complex associated with the Farmhouse.
13. The appeal building itself has a weatherboard exterior with a tiled roof including end hips. While it may be of modern construction and of no inherent historic interest, its traditional materials, simple form and architecture and its modest height and overall scale give it a generally functional appearance and the impression of an ancillary former working building. As a result, it sits comfortably and unobtrusively within the farmstead complex which contributes to the rural and agrarian quality of the wider surroundings to the listed buildings and SM and the legibility of the group, and thus the significance of the heritage assets.
14. The proposal includes dormers to the north and south roofslopes of the appeal building. Those to the south elevation which is closest to the listed buildings and SM are of modest scale against the roofslope, and while they are a somewhat domestic feature, they are comparatively discreet additions which do not significantly alter the scale or appearance of the building nor disrupt its overall form.
15. However, the box dormer to the north has only a slight set down from the main ridge and small set ins from the sides of the roof. The submitted plans also show the face of the dormer sitting broadly level with the ground floor elevation below. As a result, it would occupy a substantial proportion of the host roofslope resulting in an awkward and unduly bulky feature which would dominate the building. Moreover, the form and design of the box dormer give it a strongly domestic appearance and are far more typical of an urban or suburban area.
16. In combination, these factors result in a highly incongruous and unsympathetic feature which stands out against the rural, agrarian surroundings and the modest ancillary character of the building.
17. The position of the box dormer to the north roofslope of the appeal building limits direct intervisibility with the listed buildings and SM. However, its unsympathetic and conspicuous nature detract notably from the quality and rural character and appearance of the area which currently contributes to the significance of these features. As a consequence, there would be detriment to the experience and understanding of the heritage assets within their rural setting.
18. For these reasons, I find that the proposal harms the significance of the nearby listed buildings and the SM, as well as the character and appearance of the area.

#### *Heritage Balance*

19. When considering the impact of development on the significance of designated heritage assets, the Framework requires that great weight should be given to the asset's conservation and that the more important the asset, the greater the weight should be. It goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that any such harm should have a clear and convincing justification.

20. The proposal does not affect the fabric of the listed buildings or SM and having regard to the scale of the proposal and its effects, I find the harm to the significance of each of the designated heritage assets to be limited and less than substantial in the terms of the Framework.
21. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.
22. Although the harm to the listed buildings and SM would in each case be less than substantial and at a low level, it nevertheless attracts considerable importance and weight, with the harm to the Church attracting greater weight given its SM status and Grade II\* listing which denotes that it is a particularly important building of more than special interest.
23. Against this harm, the proposal provides for an additional dwelling on the site. Noting that the Framework seeks to significantly boost the supply of homes, I afford significant weight to this as a public benefit of the proposal. That said, and while not diminishing the weight that I afford, the benefit of a single dwelling is very limited in scale.
24. There would be some economic benefit associated with the construction process and spending by future occupiers of the dwelling, but the scale of the proposal means that the effect is likely to be limited. The loss of the first-floor study/office space which the dwelling replaces and which could also be expected to offer some economic benefit would further reduce the overall scale of any net effect.
25. The appellant asserts that the proposal is commensurate with the domestic scale of neighbouring properties and the wider village and that it would not affect the openness of the Green Belt or countryside, create an extension of ribbon development, result in loss of significant open space or block important views. However, these are neutral factors rather than public benefits that weigh positively in favour of the proposal.
26. In my judgement, the cumulative public benefits of the proposal are not sufficient to outweigh the harm to listed buildings nor the harm to the SM which attracts considerable importance and weight. Accordingly, I am not persuaded that there is a clear and convincing justification for the harm that the proposal causes to the significance of designated heritage assets.

#### *Conclusion on Main Issue*

27. For the reasons above, I conclude that the proposal causes harm to the character and appearance of the area contrary to Policy D1 of the Local Plan which broadly seeks development that responds positively to the site's local context.
28. There is also harm to the significance of designated heritage assets contrary to the LBCA Act and the development would conflict with the aims of the Framework as it fails to sustain the significance of designated heritage assets and public benefits would not outweigh the harm. It would also be contrary to Policy HE1 of the Local Plan insofar as it indicates that planning permission for development causing less than substantial harm to the significance of a designated heritage asset will only be

granted where the harm is outweighed by the public benefits of the development including securing the asset's optimum viable use.

### *Living Conditions*

29. I saw that the neighbouring dwelling at 1 Barn Cottages is positioned very close to the appeal building and that it has ground-floor windows facing directly onto it, including one which is aligned broadly level with the northern part of the structure.
30. As I have noted above, the box dormer to the north of the appeal building occupies a substantial proportion of the host roofslope and in my assessment, the considerable bulk and mass that it adds to the upper part of the appeal building would appear as a near full second storey. In my view, its proximity to the facing window of 1 Barn Cottages and height above the window present a highly imposing feature which would dominate and significantly restrict outward views and open aspect for the room within.
31. Notwithstanding that there may not be harmful overlooking, I therefore consider that the box dormer would be overbearing to occupiers of the facing room within 1 Barn Cottages.
32. The dormer would occupy much less of the available angle of views from other windows and the garden to this neighbour which would significantly moderate its visual impact and prominence such that I find its overbearing impact would be largely restricted to the directly facing window. As a result, I consider that the overall level of harm to living conditions for occupiers of 1 Barn Cottages would be modest.
33. Nevertheless, I conclude on balance that there would be some harm to the living conditions of the occupiers of 1 Barn Cottages and the development would conflict with Policy D2 of the Local Plan insofar as it requires that extensions do not dominate adjoining properties.

### **Other Matters**

34. I note the appellant's comments referring to the Council's lack of communication and failure to engage proactively or pragmatically, but this is not a factor which alters my consideration of the planning merits of the proposal.

### **Planning Balance**

35. Given my findings above that the proposal would cause unacceptable harm to the significance of listed buildings and an SM, policies in the Framework that protect designated heritage assets would provide a strong reason for refusing the development proposed. On that basis, the presumption in favour of sustainable development at paragraph 11 d) of the Framework does not indicate that permission should be granted in this case.
36. I have additionally found that the proposal would cause harm to the character and appearance of the area as well as harm to the living conditions of the occupiers of 1 Barn Cottages.
37. The cumulative harm and resulting conflict with the development plan attracts significant weight and I find that the limited benefits of the proposal would be

insufficient to outweigh the harm and the resulting conflict with the development plan when it is read as a whole.

### **Conclusion**

38. For the reasons given above, I find that the proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be dismissed.

*J Bowyer*

INSPECTOR





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## Appeal Decision

Site visit made on 8 January 2026

**by Jennifer Wallace BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 JANUARY 2026

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**Appeal Ref: APP/X1925/W/25/3373954**

**Ickleford Primary School, Arlesey Road, Ickleford, Hertfordshire SG5 3TG**

- 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 Richard Murrell against the decision of North Herts Council.
  - The application Ref is 24/02580/FP.
  - The development proposed is installation of new bike shelter with hard standing in front of the playground gate, and installation of pillar lights to the side of entrance footpath.
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### Decision

1. The appeal is allowed and planning permission is granted for installation of new bike shelter with hard standing in front of the playground gate, and installation of pillar lights to the side of entrance footpath at Ickleford Primary School, Arlesey Road, Ickleford, Hertfordshire SG5 3TG in accordance with the terms of the application, Ref 24/02580/FP, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with drawing nos 1-1250 Site Plan; IPS Site Plan and Scale Bar; Bike Shelter Floor Plan; Bike Shelter Side Elevations; Bike Shelter Specification Sheet; Proposed Front Elevation; Proposed Rear Elevation; IPS Bike Shed Proposed and Proposed Entrance Light Visual.
  - 3) Before the bike shed hereby approved is brought into use, a scheme of landscaping for the area immediately adjacent to the bike shed shall be submitted to and approved in writing by the local planning authority. The scheme shall include a timetable for the implementation of the scheme, details of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of the development. The development shall be carried out in accordance with the approved scheme. 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.

### Applications for Costs

2. An application for costs has been made by Mr Richard Murrell against North Herts Council. This application is the subject of a separate decision.

## Main Issue

3. The main issue is whether the proposal would i) preserve the setting of the nearby listed building and ii) preserve or enhance the character or appearance of the Ickleford Conservation Area.

## Reasons

### *Special Interest and Significance*

4. The appeal site lies within the grounds of Old S Range of Ickleford JMI School<sup>1</sup> (the School), a Grade II listed building. As required by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
5. It dates from 1848 and was originally constructed as a Church of England school house with attached teaching block. It is constructed from uncoursed flint facing with red brick dressings with a steep pitched red tile roof banded in fishtail tiles. It has a gabled frontage including a gabled porch, triple chimney stacks and a slender circular bell-turret. Its significance is derived from its architectural interest as a vernacular school building. It also has historic interest in how it demonstrates the expansion of education, its relationship with the Church of England and the social importance of education.
6. Pertinent to the appeal, the building's special interest and significance also stem, in part, from its setting. Its immediate setting, comprising the expansive open space to the front and surrounding playground, has functional and physical links with the listed building. This open setting, with its features common to primary schools, allow the function of the building to be appreciated. The spacious setting also emphasises the importance of the School to the social fabric of the village.
7. The appeal site also lies within the Ickleford Conservation Area (CA) where s72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area. Its character and appearance and thus special interest and significance are mainly derived from its historic interest in evidencing the development of Ickleford and its architectural interest arising from the clusters of historic, vernacular buildings. There is a verdant quality to the CA arising from the open green and wider planting. The School makes a positive contribution to the character and appearance of the CA due to its architectural quality and social importance to the settlement. It also enhances the verdant qualities of the CA with its expansive open frontage and the planting within it which is only slightly diminished by the car parking to the front of the school.

### *Proposal and Effects*

8. The proposal includes a bike shed with a hardstanding to the ground. This would be a modest structure, with a galvanised steel frame and polycarbonate roof. It would be enclosed on three sides by hit and miss softwood cladding. It would be sited to the front of the School towards the western boundary. There was some tree and hedge planting adjacent to where it is proposed to site the bike shed.

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<sup>1</sup> List Entry Number: 1347059 Date first listed: 24 October 1988



9. At my site visit, I observed a number of steel loops for the securing of bikes and scooters adjacent to a green shipping container. There were also a notable number of scooters and bikes strewn in the area, despite my site visit being on a cold and overcast day. These were in the approximate location of the proposed cycle shed. The playground to the side of the School was visible over a low gate, with the paraphernalia expected of a primary school today.
10. The proposed bike shed would be sited in a discrete location, towards the boundary of the site. Due to its position and scale, it would not be prominent in views of the School, nor would it hamper the ability to appreciate the architectural qualities of the listed building. The overall expanse of the open frontage would be retained and the proposal would be integrated into the setting of the building by its position in proximity to the planting. Additional planting could be secured by condition to assist in this further.
11. The proposed bike shed would be a clearly modern addition. However, the setting of the School has evolved over time to reflect the expectations of modern schooling. This proposal would represent another stage in this and would not harm the ability to appreciate the special interest and so significance of the school. Given its modest proportions and position, it would not be a prominent feature. It would therefore have a neutral effect on, and so would preserve, the character or appearance of the CA.
12. The proposal also includes the siting of five low level lighting bollards along one side of the entrance path. I note the Council has not expressed any concern with respect to this. Given their modest height and unobtrusive appearance, they would have a neutral effect on the setting and so special interest of the School. They would also preserve the character and appearance of the CA.
13. The proposal would have a neutral effect on the setting and so would preserve the special interest and significance of the School. It would also preserve the character or appearance of the CA. The proposal would therefore comply with the requirements of the Act and be in accordance with the provisions of the National Planning Policy Framework with respect to designated heritage assets. It would also comply with North Hertfordshire Local Plan 2011-2031 Policy HE1 which requires proposals to enable the heritage asset to be used in a manner that preserves its significance.

## **Other Matters**

14. The front boundary of the school is comprised of a gateway and wall<sup>2</sup> which is a Grade II listed building in its own right. Its significance as it relates to this appeal lies in its historic interest in emphasising the social importance of the School and its architectural interest in being well related to the materials of the School. Pertinent to this appeal, its setting encompasses the open space to the front of the School which adds to the appreciation of the front boundary by defining the area it encloses. The bike shed would be set at some distance away from the boundary treatment. The lights would be modest installations. Neither of these would affect the ability to appreciate the special interest and so significance of the front boundary.

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<sup>2</sup> List Entry Number: 1295724 Date first listed: 24 October 1988

15. It has been suggested that the bike shed could be sited elsewhere within the site. However, the purpose of the appeal is to consider the proposal before me and not other possibilities.

### **Conditions**

16. The Council has suggested conditions should I be minded to allow the appeal. I have had regard to these in light of the tests set out in paragraph 57 of the National Planning Policy Framework. I have imposed standard conditions relating to the commencement of development and approved plans to define the terms of the permission.
17. It is necessary for details of materials to be agreed given the sensitivity of the site due to the designated heritage assets and because the submitted visuals do not precisely specify the materials to be used. The appellant has suggested that further planting could be secured and this would be necessary to integrate the development into the setting of the School and the CA.
18. The Council has suggested a condition regarding bike storage, however this is not necessary as this is integral to the proposal. Neither a site wide sustainability strategy or the provision of bird and bat boxes would be relevant to the development to be permitted.

### **Conclusion**

19. For the reasons given above the appeal should be allowed.

*Jennifer Wallace*

INSPECTOR

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## Costs Decision

Site visit made on 8 January 2026

**by Jennifer Wallace BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 JANUARY 2026

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### **Costs application in relation to Appeal Ref: APP/X1925/W/25/3373954 Ickleford Primary School, Arlesey Road, Ickleford, Hertfordshire SG5 3TG**

- 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 Richard Murrell for a full award of costs against North Herts Council.
  - The appeal was against the refusal of planning permission for installation of new bike shelter with hard standing in front of the playground gate, and installation of pillar lights to the side of entrance footpath.
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### **Decision**

1. The application for an award of costs is refused.

### **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 applicant seeks an award of costs on substantive grounds that the Council failed to provide consistent advice, that there was no meaningful opportunity to amend the scheme prior to refusal and that the reasoning in the decision notice was generic and failed to demonstrate how the scheme caused demonstrable harm in context.
4. The Council refute these claims, responding that the appellant declined to make amendments as suggested by the Council and that their officer report set out why they considered the proposal to be unacceptable.
5. It is not clear from the evidence before me if formal pre-application advice was sought from the Council. However, even if it were, such advice is not binding. While the summary of the comments of the Conservation Officer are somewhat ambiguous in that they state the bike shed is 'in my view not offensive', they do clearly conclude that an amended location should be sought. Details of the correspondence between the case officer and the applicant show an ongoing discussion where concerns about the proposal were clearly expressed. The evidence before me therefore does not demonstrate that the Council failed to provide consistent advice.
6. The correspondence before me does also demonstrate that opportunity was given for the proposal to be amended. While the appellant may have cogent reasons for not amending the location, several suggestions were made as to alternatives. While it was unfortunate that the case officer did not respond to the applicant's later

correspondence, the previous correspondence is clear that the applicant did not wish to amend the proposal. The applicant refers to the potential for planting to screen the proposal as leading them to consider that the application was likely to be approved. However, their own timeline shows that this was conditional on the orientation of the bike shed being amended, which was declined as an option. I am therefore satisfied that the applicant was given meaningful opportunity to amend the proposal prior to the decision being issued.

7. The Council's reason for refusal is brief and refers to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) when it should refer to section 66(1). However, when taken in conjunction with the officer report, the Council's concerns with the bike shed are clearly set out. Again, while brief, the report also sets out what the Council considered the public benefits of the proposal to be. This demonstrates an adequate exercise of planning judgement and regard for the statutory duties imposed by the Act and the requirements of the National Planning Policy Framework. I therefore consider that the Council has not behaved unreasonably in this regard irrespective of the fact that I did not agree with their conclusion with respect to the proposed development.

### **Conclusion**

8. For the reasons set out above, I conclude that the Council did not behave unreasonably, therefore no wasted or unnecessary expense has been incurred by the applicant in the appeal process. The application for an award of costs should be refused.

*Jennifer Wallace*

INSPECTOR