

NORTH HERTFORDSHIRE DISTRICT COUNCIL



21 August 2026

Our Ref Planning Control Committee 3 September
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, Caroline McDonnell, Louise Peace, Martin Prescott, Tom Tyson, Claire Winchester and Dave Winstanley

Substitutes: Councillors Daniel Allen, Sadie Billing, Jon Clayden, Sam Collins, Mick Debenham, Joe Graziano, Steve Jarvis, Bryony May, Michael Muir, Claire Strong and Tamsin Thomas

NOTICE IS HEREBY GIVEN OF A

MEETING OF THE PLANNING CONTROL COMMITTEE

to be held in the

**COUNCIL CHAMBER - DISTRICT COUNCIL OFFICES, GERNON
ROAD, LETCHWORTH, SG6 3JF**

On

THURSDAY, 3RD SEPTEMBER, 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

Item		Page
1.	APOLOGIES FOR ABSENCE 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.	
2.	MINUTES - 23 JULY 2026 To take as read and approve as a true record the minutes of the meeting of the Committee held on the 23 July 2026.	(Pages 5 - 14)
3.	NOTIFICATION OF OTHER BUSINESS 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.	
4.	CHAIR'S ANNOUNCEMENTS 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.	
5.	PUBLIC PARTICIPATION To receive petitions, comments and questions from the public.	

6. **25/02064/OP LAND ADJACENT TO 10, HAMBRIDGE WAY, PIRTON, HERTFORDSHIRE** (Pages 15 - 58)
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER
- Erection of up to 50 dwellings including affordable housing, together with amenity space, landscaping and all associated infrastructure and works (all matters reserved except means of access) (amended and additional plans received 10.04.2026).
7. **26/01373/S73 SITE OF FORMER GREENSIDE, LONDON ROAD, LANGLEY, HERTFORDSHIRE, SG4 7PP** (Pages 59 - 92)
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER
- Variation of Condition 1 (Approved drawings) of planning permission reference 24/00671/FP granted on 25.10.2024 for Erection of six detached 4-bed dwellings following demolition of existing dwelling/outbuildings and builder yard buildings. (Amended plans received 13/08/24).
8. **EXCLUSION OF PRESS AND PUBLIC**
- To consider passing the following: That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following report will involve the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the said Act (as amended).
9. **PLANNING ENFORCEMENT UPDATE - PART 2** 93 - 96
INFORMATION NOTE OF THE DEVELOPMENT AND CONSERVATION MANAGER
- To provide Members with an update on planning enforcement.
10. **PLANNING ENFORCEMENT UPDATE - PART 1** (Pages 97 - 102)
INFORMATION NOTE OF THE DEVELOPMENT AND CONSERVATION MANAGER
- To provide Members with an update on planning enforcement.

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Public Document Pack Agenda Item 2

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER - DISTRICT COUNCIL OFFICES, GERON
ROAD, LETCHWORTH, SG6 3JF
ON THURSDAY, 23RD JULY, 2026 AT 7.00 PM

MINUTES

Present: *Councillors: Emma Fernandes (Chair), Clare Billing, Val Bryant, Ian Mantle, Caroline McDonnell, Dave Winstanley, Jon Clayden (In place of Ruth Brown), Claire Strong (In place of Martin Prescott) and Tamsin Thomas (In place of Nigel Mason).*

In Attendance: *Luca Benedito (Trainee Committee, Member and Scrutiny Officer), Peter Bull (Project Officer), Faith Churchill (PA - Director Governance), Sarah Kasparian (Principal Planning Officer), James Lovegrove (Committee, Member and Scrutiny Manager) and Nazneen Roy (Locum Planning Lawyer).*

Also Present: *At the commencement of the meeting approximately 3 members of the public, including registered speakers.*

29 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 12 seconds

Apologies for absence were received from Councillors Ruth Brown, Nigel Mason, Louise Peace, Martin Prescott, Tom Tyson and Claire Winchester.

Having given due notice, Councillor Jon Clayden substituted for Councillor Brown, Councillor Claire Strong substituted for Councillor Prescott and Councillor Tamsin Thomas substituted for Councillor Mason.

30 MINUTES - 18 JUNE 2026

Audio Recording – 1 minute 44 seconds

Councillor Emma Fernandes, as Chair, proposed and Councillor Caroline McDonnell seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 18 June 2026 be approved as a true record of the proceedings and be signed by the Chair.

31 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 28 seconds

There was no other business notified.

32 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 33 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be recorded.
- (2) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.
- (3) The Chair clarified matters for the registered speakers.
- (4) The Chair confirmed the procedure for moving to debate on an item.
- (5) The Chair advised that Section 4.8.23(a) of the Constitution applied to the meeting.
- (6) The Chair confirmed the cut off procedure should the meeting proceed at length.

33 PUBLIC PARTICIPATION

Audio recording – 5 minutes 5 seconds

The Chair confirmed that the registered speakers were in attendance.

34 26/00587/S73 Ickleford Mill, Arlesey Road, Ickleford, Hitchin, Hertfordshire, SG5 3UN

Audio recording – 5 minutes 27 seconds

The Project Officer provided a verbal update on matters relating to Application 26/00587/S73 and advised that:

- A single presentation covered both the Section 73 application in Item 6 and the Reserved Matters application in Item 7, but Members were required to determine the Section 73 application first.
- Refusal of the Section 73 application would require deferral of the Reserved Matters application as it would not comply with the outline permission.
- The written addendums had been published that morning updating recommendations and conditions, and Members should vote based on the original reports as amended by the addendums.
- The Section 73 addendum updated conditions to reflect the position on conditions discharged under the outline permission.
- The financial contributions listed in the published report were indicative.
- The contribution to St Catherine's Church was no longer required as the project had been completed, and the applicant had agreed that the outstanding £20,000 could be redirected to a community project at Ickleford Sports and Recreation Ground.
- The Reserved Matters addendum clarified issues relating to cycle parking, boundary treatments, bridge width and dwelling heights.
- The neighbour re-consultation letters had not been received due to an administrative error, so new letters had been issued, and consultation would run until 12 August 2026.
- The published report had already assessed residential amenity impacts, and the revised recommendation explained how any new issues raised during re-consultation would be handled.

The Project Officer presented the report in respect of Application 26/00587/S73 accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Jon Clayton
- Councillor Dave Winstanley
- Councillor Claire Strong
- Councillor Caroline McDonnell

In response to questions, the Project Officer advised that:

- The outline permission secured a zebra crossing and two informal crossing points.
- New footways and dropped kerbs would be provided at both access points.
- Several outline conditions required refinement due to phasing and detailed design.
- Solar panels were not shown on elevations but could come forward under the sustainability condition.
- Plott 44 had been redesigned to remove habitable windows and include privacy screening.
- Dust and demolition management plans had been discharged and would be secured again under the Section 73 permission.
- Silt traps and ecological protection measures would prevent contamination of the chalk stream.
- The pump station would be below ground and relocated into the developable area.
- Impermeable area would reduce post-development due to gardens and landscaping.
- Officers would investigate any reported breaches of demolition or construction management plans.

The Chair invited the Applicant, Ms Isabelle Yeardley to speak in support of the application. Ms Yeardley thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The Hill Group acquired the site in 2025 with outline permission already granted.
- The Section 73 amendments were practical refinements developed with officers and Hertfordshire Highways.
- Confirmation that amendments allowed phased infrastructure delivery and improved pedestrian safety.
- Ecological conditions protected the river while allowing minimal encroachment into the buffer.
- Small strips of land were incorporated into gardens to improve amenity and avoid unmanaged spaces.
- Confirmation that officers concluded the amendments were acceptable and policy compliant.

In response to a point of clarification from Councillor Jon Clayden, Ms Yeardley advised that visibility at the crossing north of the bridge would be improved by vegetation clearance and a traffic-calming build-out.

Councillor Emma Fernandes, as the Chair, proposed to grant permission and this was seconded by Councillor Dave Winstanley.

The following members took part in the debate:

- Councillor Dave Winstanley
- Councillor Claire Strong

The following points were made as part of the debate:

- The amendments were sensible and understandable.
- Agreement regarding the number of changes from the original permission and it was difficult to identify anything concerning.
- Positive comments on the redevelopment of the brownfield site, the removal of the problematic mill buildings, and the sympathetic design of the scheme.
- Improvements to bin storage, car park efficiency and the bridge crossing priority arrangement.
- Concerns regarding pedestrian crossings but noted that highways officers were satisfied.
- Any issues arising once implemented would likely be raised by residents.

Having been proposed and seconded and following a vote, it was:

RESOLVED: That application 26/00587/S73 be **GRANTED** planning permission subject to:

- A) The satisfactory completion of a Deed of Variation to the S106 agreement secured on the original planning permission 17/01955/1 to secure the original Heads of Terms as set out in the original report as amended by this addendum.
- B) Providing delegated powers to the Development and Conservation Manager to update conditions with minor amendments as required.
- C) The Conditions as set out in the report, with the following amendments to Conditions 7, 8, 9, 11, 22, 24,25, 36 and 37:

Condition 7

Details of retained trees and protection measures shall be carried out in accordance with Appendices 2 and 3 to the Arboricultural Impact Assessment as submitted under reference 26/01348/DOC unless otherwise agreed in writing by the local planning authority.

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.

Condition 8

The development shall be carried out in complete accordance with the Dust Management Plan approved under reference 26/00672/DOC unless otherwise agreed in writing by the local planning authority.

Reason: To minimise environmental impacts and protect the residential amenity of existing residents.

Condition 9

The demolition stage of the development shall be carried out in complete accordance with the Demolition Stage Construction Management Plan received, Ickleford Mill logistics plan and Construction Vehicles Swept Paths Analysis (Sheets 1 to 4) drawing number KMC2532_TR05_Construction Vehicles.S.P.A. as approved under reference 26/00671/DOC unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the impact of construction vehicles on the highway network and to maintain the amenity of the local area.

Condition 11

(a) Prior to first occupation of the development, the proposed system of footways shown on drawing KMC25232/002 shall be provided to connect the new development with the existing bus stops along Arlesey Road as part of the application. The bus stops will need to be complete with easy access kerbs and shelters as appropriate. The exact location and accommodating works will need to be as identified on drawing number KMC25232/002 and agreed in conjunction with appropriate parties. These works shall be secured and undertaken as part of the s278 works.

(b) In addition, and as part of the S278 stage, the applicant shall fund, design and promote a Traffic Regulation Order for a 20mph zone for the section of Arlesey Road between the built up edge of north Hitchin extending to the junction with Turnpike Lane.

Reason: In order to provide safe and suitable pedestrian access to public transport facilities, in line with HCC Local Transport Plan Policy 5.

Condition 22

The development shall be carried out in complete accordance with SS25335 - Flood Risk Assessment prepared by Superstructures dated 05/03/2026 together with the Preliminary Drainage Strategy drawing 25355 SUS XX XX DR C 0001 as approved under reference 26/01495/DOC on all correspondence unless otherwise agreed in writing by the local planning authority.

Reason: To prevent environmental and amenity problems arising from flooding.

Condition 24

The development shall be carried out in complete accordance with the Structural Inspection Report prepared by Superstructures dated 22/10/2026 as approved under reference 26/01349/DOC unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to retain important details associated with the historic mill use of the site.

Condition 25

(a). The demolition shall be carried out in complete accordance with the Historic Building Recording and Analysis prepared by Prospect Archaeology dated April 2026 as approved under reference 26/01145/DOC unless otherwise agreed in writing by the local planning authority.

No development (other than demolition phase works up to but not including the removal of any existing hardstanding aprons) shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved Page 41 by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and: 1. The programme and methodology of site investigation and recording 2. The programme for post investigation assessment 3. Provision to be made for analysis of the site investigation and recording 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation 5. Provision to be made for archive deposition of the analysis and records of the site investigation 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation. (NMA)

Reason: To ensure the protection of heritage assets of archaeological interest.

Condition 36

The development shall be carried out in complete accordance with the Pre-Commencement Mammal Survey Version 3.0 by MKA Ecology received 17/07/26 as approved under reference 26/01805/DOC.

Reason: Reason: in the interests of wildlife protection and in accordance with Conservation of Habitats and Species Regulations 2017.

Condition 37

No works on any new dwellings shall commence (other than demolition works) until full details of the following have been submitted to and approved in writing by the local planning authority:

- (i) a site wide wildlife-sensitive lighting scheme;
- (ii) hedgehog friendly boundary treatments;
- (iii) the provision of 20 bat boxes.

Thereafter, the development shall be implemented in accordance with the approved details and retained in perpetuity unless otherwise agreed in writing by the local planning authority. (OP)

Reason: In the interests of wildlife and habitat protection and enhancement.'

35 26/00631/RM Ickleford Mill, Arlesey Road, Ickleford, Hitchin, Hertfordshire, SG5 3UN

Audio recording – 39 minutes 32 seconds

The Chair advised that the officer presentation for Item 7 had already been delivered under Item 6.

The following Members asked questions:

- Councillor Claire Strong
- Councillor Clare Billing
- Councillor Val Bryant

In response to questions, the Project Officer advised that:

- Reuse of bricks from the existing mill would depend on quality and quantity.
- Some hardstanding would be reused for levelling due to changes in site levels.
- Height and design of dwellings had been assessed and justified in the officer report.

In response to questions, the Locum Planning Lawyer advised that a Construction Management Plan was secured under the Outline Permission previously granted and not part of Reserved Matters.

The Chair invited the Applicant, Ms Isabel Yeardley and two Representatives, Mr David Fletcher and Mr Henry James, to speak in support of the application. Ms Yeardley thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The Reserved Matters application sought approval of appearance, landscaping, layout and scale for 55 dwellings.
- A design-led approach reduced the number from 71 to 55 dwellings to maximise amenity.
- Two character areas were proposed: mill and riverside.
- The landscape strategy retained the river as a defining feature and provided generous open space.

- All homes would have air-source heat pumps, EV charging points and water-efficient designs.
- There had been no objections received from key consultees.
- Hill Group was committed to early commencement if approved.

The following Members asked for points of clarification:

- Councillor Dave Winstanley
- Councillor Clare Billing
- Councillor Caroline McDonnell
- Councillor Val Bryant

In response to point of clarifications, Ms Yeardley, advised that:

- Solar panels were not proposed, and energy efficiency would be achieved through a fabric-first approach.
- They confirmed bus services included the 9A, 9B and the Bedford route.
- There was 40% affordable housing overall comprised of 8 shared ownership, 13 affordable rent and 1 social rent unit.

In response to point of clarification from Councillor Clare Billing, Mr James advised that the reuse of bricks would be assessed after demolition.

Councillor Emma Fernandes, as Chair, proposed to grant permission and this was seconded by Councillor Ian Mantle.

The following Members took part of the debate:

- Councillor Claire Strong
- Councillor Clare Billing
- Councillor Dave Winstanley
- Councillor Emma Fernandes

The following points were made as part of the debate:

- Construction traffic and interest in understanding the route of demolition and construction vehicles once works commence.
- It was acknowledged that construction management arrangements had already been approved under the outline permission and were not part of the Reserved Matters application.
- Residents would likely be interested in the construction traffic routes due to existing road restrictions in the area.
- It was noted that weight restrictions on Old Hale Lane remained in force and would need to be adhered to by construction vehicles.
- Expression of support for the development, describing it as sympathetic to the character of the former mill buildings and an appropriate use of a brownfield site.
- The redevelopment was considered a significant improvement over the derelict mill, with benefits including sustainability measures, affordable housing provision and thoughtful design.
- The positive transformation of a site previously associated with antisocial behaviour and welcomed the delivery of new homes.

Having being proposed and seconded and following a vote, it was:

RESOLVED: That the reserve matters on application 26/00631/RM be **APPROVED** subject to:

- A) The approval of the associated S73 application.
- B) The applicant agreeing to extend the statutory period in order to allow time for the Deed of Variation to be completed for the associated S73 application which this RM approval will be pursuant to and to enable the decision notice to be issued.
- C) Providing delegated powers to the Development and Conservation Manager to update conditions and informatives with minor amendments as required.
- D) No substantive new issues being raised during the reconsultation process which expires 12 August 2026. In the instance where new issues are raised, the matter would be referred back to Members for reconsideration.
- E) The conditions and informatives as set out in the report of the Development and Conservation Manager, with the additional Condition 5,6 and 7 as follows:

Condition 5

Prior to the first occupation of any dwellings hereby permitted, a Scheme of additional site wide visitor cycle parking facilities shall be submitted to and approved in writing by the local planning authority. The Scheme shall include a programme for the installation of the additional cycle parking facilities.

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

Condition 6

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, E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out within plot 44 without first obtaining a specific planning permission from the Local Planning Authority.

Reason: To ensure that the residential amenity of the adjacent properties are maintained in accordance with Policies D1 and D3 of the North Hertfordshire Local Plan.

Condition 7

Prior to the first occupation of any dwellings hereby permitted, full details of gates and fences not annotated on landscape drawings shall be submitted to and agreed in writing by the local planning authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: to ensure a satisfactory appearance to the development and for the avoidance of doubt in accordance with Policy D1 of the North Hertfordshire Local Plan.'

36 Appeals

Audio recording – 58 minutes 49 seconds

The Principal Planning Officer provided an update on Planning Appeals and advised that:

- There had been 3 appeal decisions received, with 2 relating to Lutyens Cottage being dismissed.
- The Barkway Road appeal was allowed following the Public Inquiry. However, the associated costs application was refused.

The following Members asked questions:

- Councillor Val Bryant
- Councillor Clare Billing
- Councillor Emma Fernandes
- Councillor Claire Strong

In response to questions, the Principal Planning Officer advised that:

- The Barkway Road inquiry demonstrated the level of precision expected by barristers and could inform Member training.
- The Barkway Road site now had outline permission supported by a unilateral undertaking.
- The developer would still be required to pay financial contributions.
- The Inspector found no unreasonable behaviour, so the Council did not have to pay the legal fees of the appellant.
- The Council would still be required to cover its own costs of the Inquiry.
- Reserved Matters applications were expected.

The Principal Planning Officer further updated Members:

- Two further appeals had been received, one relating to Benslow Lane, Hitchin and one for 36 dwellings at Senuna Park, Ashwell.
- The Ashwell appeal would proceed with written representations.
- The Ashwell application had been recommended for refusal and had four reasons for refusal.

In response to a question from Councillor Claire Strong, the Principal Planning Officer advised that the 'Fast Track' procedure was simply a quicker process for the Inspectorate to consider smaller appeals.

The meeting closed at 8.05 pm

Chair

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<u>Location:</u>	Land Adjacent To 10 Hambridge Way Pirton Hertfordshire
<u>Applicant:</u>	Mr Ollie Doyle
<u>Proposal:</u>	Erection of up to 50 dwellings including affordable housing, together with amenity space, landscaping and all associated infrastructure and works (all matters reserved except means of access) (amended and additional plans received 10.04.2026).
<u>Ref. No:</u>	25/02064/OP
<u>Officer:</u>	Ben Glover

Date of expiry of statutory period: 04/12/2025

Extension of statutory period: 27/02/2026

Reason for Delay: Negotiations with the applicant's agent and awaiting a date for Planning Control Committee.

Reason for Referral to Committee:

The application is a residential development with a site area that exceeds 0.5ha and therefore under the Council's scheme of delegation, the Council's Planning Control Committee must determine this application.

1. **Relevant History**

- 1.1. No relevant planning history.

2. **Policies**

2.1. **National Planning Policy Framework (2024)**

Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
Section 6: Building a strong and competitive economy
Section 8: Promoting healthy and safe communities
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

2.2. North Hertfordshire District Council 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 SP6: Sustainable Transport
Policy SP7: Infrastructure requirements and developer contributions
Policy SP8: Housing
Policy SP9: Design and sustainability
Policy SP10: Healthy communities
Policy SP11: Natural resources and sustainability
Policy SP12: Green infrastructure, biodiversity and landscape
Policy SP13: Historic environment
Policy CGB1: Rural Areas beyond the Green Belt
Policy T1: Assessment of transport matters
Policy T2: Parking
Policy HS2: Affordable Housing
Policy HS3: Housing Mix
Policy HS4: Supported, sheltered and older persons housing
Policy HS5: Accessible and adaptable housing
Policy D1: Sustainable design
Policy D3: Protecting living conditions
Policy D4: Air quality
Policy NE1: Strategic green infrastructure
Policy NE2: Landscape
Policy NE4: Biodiversity and geological sites
Policy NE6: New and improved open space
Policy NE7: Reducing flood risk
Policy NE8: Sustainable drainage systems
Policy NE9: Water quality and environment
Policy NE10: Water conservation and wastewater infrastructure
Policy NE11: Contaminated Land
Policy NE12: Renewable and low carbon energy development
Policy HE1: Designated heritage assets
Policy HE3: Non-designated heritage assets
Policy HE4: Archaeology

2.3. Pirton Neighbourhood Development Plan (2011-2031)

PNP 1 – Meeting Local and Wider Needs
PNP 2 – Design and Character
PNP 4 – Hedgerows, Trees and Verges
PNP 5 – Wildlife
PNP 6 – Local Green Spaces
PNP 7 – Key Views and Vistas
PNP 8 – Heritage Assets and Archaeological Heritage
PNP 11 – Safety of Pedestrians, Cyclists, Equestrians and Motorists
PNP 12 – Connectivity
PNP 13 – Car Parking

2.4. Other Planning Guidance and Documents

Planning Practice Guidance (PPG)
Sustainability SPD (September 2024)
Vehicle Parking at New Developments SPD (November 2011)

3. **Representations**

3.1. **Site Notice:**

Start Date: 22/09/2025

Expiry Date: 15/10/2025

3.2. **Press Notice:**

Start Date: 25/09/2025

Expiry Date: 18/10/2025

3.3. **Neighbouring Notifications:**

122 representations have been received following public consultation. 116 object to the proposal, 1 in support, and 5 are representations neither objecting or supporting. The comments are summarised below and are available to view in full on the NHC website:

Summary of Comments:

- Increase of traffic on Cotman End, a cul-de-sac designed to meet the needs of 12 houses rather than intended to be a link road to a larger development.
- Cotman End is a narrow road which does not allow room for on-street parking. The loss of two visitor parking spaces will worsen ability to meet needs of existing properties.
- Walnut Tree Road is potentially dangerous due to narrowness and location of blind bend close to junction with Cotman End and Sports Ground. Increase in traffic along this road to accommodate housing will exacerbate current problems.
- Objection to any suggestion that either vehicular or pedestrian access to the sports ground be along the road and footpaths of Cotman End.
- The development would mean the loss of some of the last remaining wild grasslands.
- Concern relating to the loss of the central hedgerow, which is important for bats and other wildlife. The hedgerow should be retained and the green corridor changed to follow existing hedgerow.
- Scheme would result in a 19% loss of biodiversity.
- The proposed development is outside of the Pirton Development Boundary and does not comply with the Local Plan.
- The Neighbourhood Plan states that new housing should be limited to a maximum of 30 homes. The proposal goes beyond that limit.
- The planned crossing over Public Footpath 005 is at an existing narrow section of the road, making it unsafe for pedestrians. More traffic next to the Recreation Ground and pavilion would create additional risks.
- Footpath 005 has been blocked in the past, raising concerns about whether it would remain open and safe in the future.
- The proposed density is much denser than surrounding area and would harm rural character of Pirton.
- Amount of green space and play areas provided appears to be inadequate.
- Drainage strategy relies on a ditch not owned or controlled by the applicant, so no guarantee it can be used or maintained.

- Village already experiences problems with surface water and foul drainage. Application does not show how these existing issues will be resolved before more homes are built.
- The site has poor walking, cycling, and public transport links, meaning most will have to rely on cars. Not consistent with local or national planning policies.
- New pavements on Hambridge Way could make it more difficult for emergency vehicles to access and compromise pedestrian safety.
- Archaeological features not properly considered.
- New access would increase traffic noise for nearby residents and people using recreation ground.
- BNG should be provided on-site rather than relying on offsetting through a habitat bank.
- Introducing 50 dwellings, with associated lighting, hardstanding and private gardens, risks disrupting nocturnal species such as bats and reducing habitat suitability for reptiles, amphibians, and invertebrates.
- Proximity to the Chilterns AONB. Development would erode rural setting and diminish ecological buffer.
- Development would contribute to cumulative development pressures on the village.
- No evidence of long-term accountability to guarantee habitat creation and management will be delivered in perpetuity.
- The access is unacceptable. The use of the current access means that the width is inadequate at 4.8m, less than the proposed new estate road.
- The space in front of visitor spaces (to be removed) was reserved for refuse lorries and other large vehicles to exit and reverse. This will no longer be possible.
- No construction should commence unless and until a formal diversion order is in place for footpath 005.
- Foul water system cannot cope with additional surface water from development.
- Open space provision is diminished by substantive attenuation feature.
- Cycling or walking to Hitchin or elsewhere is not viable or practical. Contrary to paragraph 110 of NPPF.
- Increased pressure on schools, healthcare, parking, roads, and other local services.
- Cricket balls have been hit into the field in the past - will this be a potential danger to people in the proposed development.
- Further design detail should be provided and scale reconsidered. Road network looks out of keeping with existing village.
- Proposal does not provide enough smaller or genuinely affordable homes for local people.
- Construction traffic would put extra strain on village roads that are already in poor condition and not wide enough.
- No case for modifying / urbanising the junction at Hambridge Way. Access to the site is not via Hambridge Way.
- Water pressure issues resulting from recent developments.
- Need for smaller houses and bungalows.
- Development on brownfield sites, established towns and cities would be preferred.
- Harm to the setting of the conservation area and listed buildings.
- Pirton cannot be expanded any further.
- Increase in noise, light, and air pollution from development and extra car use and construction.
- Harm to key views and vistas.

- Would harm local amenity through the loss of the field.

3.4. **Consultees:**

Affinity Water – No objection.

Anglian Water – No objection.

Bedfordshire, Luton and Milton Keynes Integrated Care Board – No objection subject to S106 contributions.

CPRE Hertfordshire – Objection. Comments available in full on the NHC website.

HCC Archaeology – No objection subject to conditions.

HCC Growth & Infrastructure – No objection subject to S106 contributions.

HCC Highways – No objection subject to conditions and to the agreement of Strand 1 and Strand 2 planning obligations.

HCC Minerals & Waste – No objection subject to the inclusion of a Site Waste Management Plan condition.

HCC Public Rights of Way – No objection.

Herts Middlesex Wildlife Trust – No comments received.

Herts Fire & Rescue – No objection subject to inclusion of a condition for the provision and installation of fire hydrants.

Lead Local Flood Authority – No objection subject to conditions.

NHC Conservation Officer – No objection.

NHC Ecology – Concerns raised. Recommend conditions.

NHC Environmental Health (Noise) – No objection subject to condition.

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

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

NHC Housing Development Officer – No objection. Comments in full on NHC website.

NHC Strategic Planning – No comments received.

NHC Sustainability Officer – No comments received.

NHC Transport Policy Officer – No comments received.

NHC Urban Design Officer – No comments received.

NHC Waste – No objection.

NHS Cambridge & Royston – No comments received

NHS East & North Hertfordshire – No comments received

NHS Hertfordshire & West Essex – No comments received

Pirton Neighbourhood Plan Steering Group – No comments received.

Pirton Parish Council – Objection.

4. Planning Considerations

4.1. Site and Surroundings

- 4.1.1. The application site is located to the east side of Pirton and consists of two agricultural fields that sit outside of the Pirton Village Boundary. The site measures approximately 3.06 hectares in size and is situated within the Rural Area Beyond the Green Belt.
- 4.1.2. The site is largely bound by mature vegetation consisting of trees and hedgerows. There is also mature vegetation that runs east/west through the middle of the two fields. The site is neighboured to the north and west by existing residential development (Drovers Way and Cotman End). To the south of the site is the Pirton Recreation Ground. To the east of the site is open arable countryside.
- 4.1.3. The site adjoins several public rights of way including 'Pirton 021' to the north, 'Pirton 013' to the east, and 'Pirton 005' to the south. No public rights of way run through the site.
- 4.1.4. The Pirton Conservation Area is situated to the west of the application site, but is largely separated by the existing residential development on the western boundary. There are several Grade II listed buildings set away to the west of the site along Hambridge Way and Walnut Tree Road. The Toot Hill motte and bailey castle, which is a scheduled monument, is also to the west of the site.

4.2. The Proposal

- 4.2.1. Outline permission is sought for the erection of up to 50 dwellings including affordable housing, together with amenity space, landscaping and all associated infrastructure and works (all matters reserved except means of access).
- 4.2.2. This is an outline application with all matters reserved for future consideration, except for access to the site. Therefore, matters relating to appearance (aspects of the building or place that determine its visual impression), landscaping (the treatment of the land to enhance or protect the amenities of the site and the surrounding area including screening and tree planting), layout (the location, height, width, and length of the proposed buildings, streets, and spaces), and scale (the height, width, and length of the proposed buildings), do not form part of this application. These matters would be secured by conditions requiring the submission of reserved matters applications in the event of approval.

4.3. Key Issues

- 4.3.1. The key issues for consideration are as follows:
 - Principle of housing development in the Rural Area Beyond the Green Belt
 - Affordable housing provision

- Landscape and visual impact
- Impact on heritage assets
- Highways and access impacts
- Impact on neighbouring amenity
- Design and layout
- Flood risk and drainage
- Ecology and Biodiversity Net Gain
- Sustainability appraisal
- Loss of agricultural land
- Environmental impacts
- Section 106
- Planning balance and conclusions

Principle of Housing Development in the Rural Area Beyond the Green Belt:

- 4.3.2. Paragraph 2 of the National Planning Policy Framework (2024) ('the NPPF') sets out that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise and that the NPPF is an important material consideration in planning decisions.
- 4.3.3. Paragraph 11 of the NPPF sets out that decisions should apply a presumption in favour of sustainable development. For decision taking, Paragraph 11(d) states *'where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.'*
- 4.3.4. North Herts Council (The Council) is currently unable to demonstrate a five-year supply of deliverable housing land. The latest published figure determined that the Council can currently demonstrate 2.6 years supply. Consequently, and in accordance with footnote 8 of the NPPF, the policies most important for determining this application are out-of-date and the 'tilted balance' is engaged in favour of the provision of housing on the application site.
- 4.3.5. While the tilted balance is engaged, Paragraph 12 of the NPPF states that *'the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.'*
- 4.3.6. With regards to housing delivery, Paragraph 61 of the NPPF sets out the Government's objective of significantly boosting the supply of homes, ensuring that a sufficient amount and variety of land can come forward where it is needed, and that the needs of groups with specific housing requirements are addressed. Paragraph 61 goes on to set out that the overall aim should be to meet an area's housing need, including with an appropriate mix of housing types for the local community.

- 4.3.7. The Council further acknowledges the Government's clear message in response to the national housing crisis, including its ambition to deliver 1.5 million homes. This Written Ministerial Statement (HCWS308) is a material consideration and is given weight in decision-making, including in relation to housing delivery and the presumption in favour of sustainable development.
- 4.3.8. Paragraph 124 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.3.9. As set out in the report above, the policies contained within the North Hertfordshire Local Plan (NHLP) that are most important for determining the application are out-of-date. The Council can only currently demonstrate a five-year housing land supply of 2.6 years, which is a significant shortfall. Therefore, the weight given to the relevant policies contained within the NHLP are significantly reduced.
- 4.3.10. The North Hertfordshire Local Plan 2011-2031 was adopted by the Council in November 2022.
- 4.3.11. Policy SP1 of the NHLP is the backbone for considering development proposals. It requires that the main role of key settlements, be the focus for new development, including housing.
- 4.3.12. Policy SP2 of the NHLP sets out where and the amount of new housing that will be delivered across the district over the plan period. Policy SP2 identifies Pirton as a Category A village, in which general development will be allowed within the defined settlement boundaries. The application site sits outside of the defined settlement boundary of Pirton and therefore the proposal conflicts with Policy SP2 of the Local Plan.
- 4.3.13. With the application site being outside of the Pirton settlement boundary, it lies within the Rural Area Beyond the Green Belt. Policy SP5 of the NHLP sets out that the Council will operate a general policy of restraint in the Rural Areas beyond the Green Belt through the application of the authorities detailed policies.
- 4.3.14. Policy CGB1 of the NHLP sets out the policy requirements for development located within the Rural Areas beyond the Green Belt. Policy CGB1 sets out that planning permission will be granted subject to the below:
- a) Is infilling development which does not extend the built core of a Category B village;
 - b) Meets the proven local need for community facilities, services or affordable housing in an appropriate location;
 - c) Is strictly necessary for the needs of agriculture or forestry;
 - d) Relates to an existing rural building;
 - e) Is a modest proposal for rural economic development or diversification; or
 - f) Would provide land or facilities for outdoor sport, outdoor recreation and cemeteries that respect the generally open nature of the rural area.
- 4.3.15. The proposed development would not comply with any of the criteria set out in Policy CGB1.

- 4.3.16. Policy PNP 1 of the Pirton Neighbourhood Development Plan (PNP) sets out that residential development will be supported if it is within the development boundary of the village and is for no more than 30 houses on any one development site. The proposed development would conflict with Policy PNP 1 of the Neighbourhood Plan.
- 4.3.17. In conclusion of the above, the proposed residential development would be located outside of the Pirton settlement boundary and within the Rural Area beyond the Green Belt. The proposal would conflict with local plan policies SP2, SP5 and CGB1 and Policy PNP 1 of the PNP. However, the Council cannot demonstrate a five-year supply of deliverable housing land and the weight given to the relevant policies are significantly reduced. Therefore, despite policy conflict with the local plan, the provision of up to 50 dwellings, including 30 market homes, on land that physically adjoins Pirton would make a significant contribution to the housing supply within the district.
- 4.3.18. The proposed residential use of the site is therefore considered acceptable in terms of land use and is afforded significant weight in favour of the proposal in the planning balance.

Affordable Housing Provision:

- 4.3.19. Paragraph 63 of the NPPF sets out that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.
- 4.3.20. Paragraph 66 of the NPPF sets out that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent, and affordable home ownership tenures.
- 4.3.21. Policy SP8 of the NHLP sets out that the Council will support a range of housing tenures, types and sizes measured against targets to provide 33% of all homes over the plan period as affordable housing for local needs with targets to deliver 40% affordable housing where viable.
- 4.3.22. Policy HS2 of the NHLP sets out that planning permission for new homes will be granted provided that affordable housing is provided in accordance with the targets set out within the policy. Policy HS2 sets out that 40% of dwellings on sites of 25 or more should be affordable.
- 4.3.23. The Council has an unmet affordable housing need as set out in the North Herts District and Stevenage Borough Councils SHMA Part II Updated (November 2023) and evidenced by North Herts Councils Authority Monitoring Report (2024-2025). Furthermore, there has been a consistent year on year under delivery of affordable housing within the district as set out within the Monitoring Report.
- 4.3.24. The proposed development would provide up to 50 dwellings, 20 of which would be affordable homes. The proposal would therefore be compliant with Policy HS2 of the NHLP.
- 4.3.25. In conclusion of the above, the proposed delivery of a policy compliant 20 affordable homes would contribute towards the current unmet need and is afforded very significant weight in favour of the proposed development.

Landscape and Visual Impact:

- 4.3.26. Paragraph 187 sets out that planning decisions should contribute to and enhance the natural and local environment by:
- a) *Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
 - b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.*
- 4.3.27. Paragraph 135 of the NPPF sets out that planning policies and decisions should ensure that development add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 4.3.28. Policy SP9 of the NHLP sets out that the Council will support new development where it is well designed and located and responds positively to its local context.
- 4.3.29. Policy SP12 of the NHLP sets out that the Council will accommodate significant growth during the plan period whilst ensuring the natural environment is protected and enhanced. Policy SP12 states the Council will consider and respect landscape character, scenic beauty and locally sensitive features, particularly in relation to the Chilterns Area of Outstanding Natural Beauty (now referred to as Chilterns National Landscape).
- 4.3.30. Policy NE1 of the NHLP seeks to protect, conserve, and enhance strategic green infrastructure. The policy also seeks suitable mitigation measures or appropriate replacement to satisfactorily address adverse impacts on the strategic green infrastructure network.
- 4.3.31. Policy NE2 of the Local Plan sets out that planning permission will be granted for development proposals that respect the sensitivities of the relevant landscape character area, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking into account any suitable mitigation measures, are designed and located to ensure the health and future retention of important landscape features, and have considered the long-term management and maintenance of any existing and proposed landscaping.
- 4.3.32. Policy PNP7 (Key Views and Vistas) of the Pirton Neighbourhood Plan sets out that the plan seeks to protect and enhance the setting of Pirton Village in relation to the Chilterns Area of Outstanding Natural Beauty (Chilterns National Landscape), and the surrounding rural landscape.
- 4.3.33. The application site is located approximately 400 metres to the east of the Chilterns National Landscape.

- 4.3.34. The site is located within Landscape Character Area (LCA) 218 Pirton Lowlands of the North Herts Landscape Study. The key characteristics of the LCA include large arable open flat landscapes, remnant hedgerows and woodland shelter around settlements.
- 4.3.35. The application is accompanied by a Landscape and Visual Assessment (LVIA) supporting document, which identifies the landscape and visual effects of the proposal.
- 4.3.36. In summary of the development's impact on the surrounding landscape, the applicants LVIA concludes the following:
- The proposal would not result in a significant landscape effect, but there would be a significant effect on secondary, seasonal views from some of the surrounding properties.
 - Landscape receptors are judged as having a low sensitivity to change. The overall magnitude of change as a result of the development at the site scale is considered medium due to the introduction of built elements, retention of vegetation and the current site condition. For site landscape receptors the effect is slight/moderate.
 - The district LCA is considered to have a low to medium sensitivity to change. The introduction of new built elements is considered a medium magnitude of change to the receiving local landscape character. The result is considered to be slight/moderate to moderate effect on the immediate surroundings in the long-term.
 - The wider landscape is considered to have a medium sensitivity. The proposals are considered a negligible magnitude of change at the wider landscape scale due to the minor change and discreet nature of the site. Therefore a slight effect on the wider landscape.
 - Slight/moderate cumulative landscape effects caused by the proposed which is an extension to the settlements edge.
 - The greatest effect on visual amenity is likely to be experienced immediately adjacent to the site by properties to the north and west. Moderate visual effects to views from upper storey windows have been identified. Visual effect to footpath users is to the immediate boundaries as views quickly fall away due to built form to the west and strong boundary vegetation to the east and south.
 - Low cumulative visual effect due to the enclosure of the site.
 - Mitigation planting would include reinforcing the existing vegetation to the site boundaries, including infill mixed species hedgerow along the northern edge.
 - The site is characterised by the surrounding settlement, is private and underused. The site can provide a positive landscape in which to site new housing
- 4.3.37. The Council appointed Place Services (Landscape) to assess the submitted LVIA. While Place Services consider the LVIA has been underassessed in some of the impacts, Place Services consider that there is capacity for development within the application site and welcome some of the proposed amendments received throughout the application process. Although they advise that further consideration be given to the retention of the central hedgerow or some trees within the hedgerow to provide structure and maturity to the scheme.

- 4.3.38. It is noted that there is a 'Local Important View' (No. 7 – 'View from Hambridge Way E across the Pirton Lowlands and Hertfordshire to the Letchworth Ridge') located close to the northeastern corner of the application site. The view is eastward away from the site. The site does not otherwise intersect with any other locally important views.
- 4.3.39. The proposal outlines measures to mitigate the landscape and visual impacts of the proposed development, primarily through a 'landscape-led' approach that focuses on the retention of the existing vegetation and the creation of substantial new green infrastructure within the site.
- 4.3.40. The proposal would include the retention and protection of the mature boundary trees and hedgerows, which largely enclose the site and screen it from the wider countryside. Furthermore, the proposal would incorporate a 12m buffer to boundary hedgerows and trees where required in accordance with Policy NE4 of the Local Plan.
- 4.3.41. The boundaries of the site would be reinforced with new planting, infilling gaps in the existing boundaries.
- 4.3.42. It is recommended that the retention, protection, and enhancement of landscaping within the site be secured through the use of appropriate and relevant conditions.
- 4.3.43. In conclusion of the above, the proposed development would result in some adverse landscape and visual impacts. However, given the existing built form to the north and west of the site, the existing screening from vegetation and the provision of new or additional landscaping, it is considered that the adverse effects would be localised and limited. Mitigation planting measures can be secured by condition, and such measures would be beneficial to the landscape and biodiversity.
- 4.3.44. Overall, it is considered that the visual and landscape harm should be attributed limited weight in the planning balance.

Impact on Heritage Assets:

- 4.3.45. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'
- 4.3.46. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 4.3.47. Paragraph 210 of the NPPF sets out that when determining applications, LPAs should take account of:
- a) *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) *the desirability of new development making a positive contribution to local character and distinctiveness.*

- 4.3.48. Paragraph 212 of the NPPF sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 4.3.49. Paragraph 213 of the NPPF sets out that any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification.
- 4.3.50. Paragraph 215 of the NPPF sets out that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 4.3.51. Policy SP13 of the NHLP sets out that the Council will balance the need for growth with the proper protection and enhancement of the historic environment. The policy states that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset's conservation and the management of its setting.'*
- 4.3.52. Policy HE1 of the NHLP sets out that planning permission for development proposals affecting designated heritage assets or their setting will be granted where they will lead to less than substantial harm to the significance of the asset, and this harm is outweighed by the public benefits of the development.
- 4.3.53. There are no identified heritage assets within the application site and is set some distance away from surrounding heritage assets reducing the potential for impact upon the setting of heritage assets.
- 4.3.54. The NHC Conservation Officer was consulted and concluded that the proposal is unobjectionable in heritage terms and stated that the development would not have a direct impact upon the setting of listed buildings, a scheduled monument, or the Pirton Conservation Area and their significance.
- 4.3.55. The application is accompanied by an archaeological Heritage Technical Note. The document identified that the site likely formed part of the village's agricultural hinterland rather than part of the medieval settlement area. The document also identified the potential for a 'hollow way' on the western boundary of the site, but acknowledged that this part of the site would be retained as green space rather than for the siting of housing.
- 4.3.56. The Hertfordshire County Council's Archaeologist was consulted and raised no objection to the proposed development. However, it is recommended that planning conditions be attached requiring the submission of an Archaeological Written Scheme of Investigation.
- 4.3.57. In conclusion of the above, it is considered that the proposal would not result in any unacceptable harm to heritage assets in proximity to the application site. No harm has been identified by the NHC Conservation Officer. This matter therefore weighs neutrally in the planning balance.

Highways and Access Impacts:

- 4.3.58. Paragraph 110 of the NPPF sets out that the planning system should actively manage patterns of growth in support of the objectives set out in Paragraph 109 of the NPPF. Paragraph 110 goes on to state *'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.'*
- 4.3.59. Paragraph 115 of the NPPF states that it should be ensured that sustainable transport modes are prioritised, taking account of the vision for the site, the type of development and its location. Paragraph 115 also sets out that it should be ensured that safe and suitable access to the site can be achieved for all users.
- 4.3.60. Paragraph 116 of the NPPF sets out that *'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios'*.
- 4.3.61. Local plan Policy SP6 confirms that the Council will seek to secure accessibility improvements and promote the use of sustainable transport modes insofar as reasonable and practicable.
- 4.3.62. Policy T1 of the NHLP states that planning permission will be granted provided that development would not lead to highways safety problems or cause unacceptable impacts upon the highway network. Policy T1 also sets out that permission will be granted for major development that demonstrate how the proposed scheme would be served by public transport, would provide safe, direct and convenient routes for pedestrians and cyclists and secure integration into the existing pedestrian and cycle, public transport and road networks.
- 4.3.63. In terms of vehicular access, the site would be accessed off Cotman End in the south west corner of the site. This would provide the main vehicular access to and from the site with the intention of serving all homes within the development.
- 4.3.64. The application is accompanied by a Transport Assessment (TA). The TA considers that the proposed development would have a limited impact upon the local highway network and its safe operation.
- 4.3.65. The TA also estimates that there would be approximately 25 two-way vehicle movements during the morning peak hour (08:00-09:00), 24 two-way movements during the evening peak hour (17:00-18:00). The TA sets out that the traffic flow resulting from the proposed development would be negligible.
- 4.3.66. The Highways Authority have been consulted on the application and have raised no objection, subject to the agreement of planning contributions and subject to conditions. The Highways Authority are satisfied that impacts arising from traffic generation from the development would be minimal. Furthermore, Highways are satisfied that a safe and sustainable access can be achieved for the site.

- 4.3.67. In relation to proposed cycle and car parking details, this is an outline application with all matters reserved save for means of access, therefore, no parking details are provided at this stage. Any future reserved matters application will need to demonstrate adequate provision is made for car and cycle parking for the relevant uses having regard for the relevant guidance and policies at the time of submission.
- 4.3.68. In terms of walking and cycling (active travel), the Framework Plan (22130(D)021B) secures two north to south pedestrian links between Hambridge Way to the north through to the Recreation Ground. The Framework Plan also includes an east to west 'Green Street / Link' through the middle of the site. The 'Proposed Pedestrian and Cycle Access' plan (2210-050-PL04A) includes proposed pedestrian / cycle access points to and from the application site. The supplementary access points to the site would be sited on the northwest and northeast boundary, and the southeast boundary.
- 4.3.69. HCC Highways operate two levels of mitigation agreements (Strand 1 and Strand 2). Strand 1 mitigation works being works that are directly required to unlock the development and solely the responsibility of the development. Strand 2 mitigation works being works that address the wider cumulative impact of the development for which the development isn't solely responsible for but does derive benefit from.
- 4.3.70. At the time of writing, the Strand 1 and 2 mitigation is yet to be agreed between the Highway Authority and applicant.
- 4.3.71. In conclusion of the above, this outline application seeks to secure the vehicular access arrangements to the site. Conditions are recommended to ensure the proposal is acceptable from a highways perspective and to secure mitigation measures. In line with paragraph 116 of the NPPF there would not be a severe impact on the road network.
- 4.3.72. The proposal is considered to be acceptable from a highways perspective, and the absence of harm weighs neutrally in the planning balance subject to conditions and planning obligations being agreed.

Impact on Neighbouring Amenity:

- 4.3.73. Paragraph 135 f) of the NPPF sets out that planning decisions should ensure developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 4.3.74. Paragraph 198 of the NPPF sets out that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. In doing so, they should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life.

- 4.3.75. Policy D3 of the NHLP sets out that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions and where the living conditions of an existing development would be affected by a proposed use, the Council will consider whether mitigation measures could reduce the harm to acceptable levels.
- 4.3.76. Existing residential properties adjoin the application site to the north and west. The properties to the north are separated from the site by Hambridge Way, a public right of way, which provided a clear physical and visual buffer between the proposed development and neighbouring properties. The separation between the proposed and existing built form is further enhanced by the existing vegetation along the north boundary of the site.
- 4.3.77. To the west of the site is Cotman End. The submitted Framework Plan shows that the development block would be set back from the boundary with Cotman End. Boundary vegetation and green buffers would further mitigate against the potential for overlooking or overbearing impact to existing properties.
- 4.3.78. At this outline stage, with layout, scale, and appearance between reserved for future approval, the relationship between existing properties and the future development cannot be fully assessed. However, the Parameter Plan and Framework Plan submitted alongside the application fix the developable area. It is therefore considered that the proposal would comply with both local and national planning policies and not result in unacceptable harm to neighbouring amenity.
- 4.3.79. This matter weighs neutrally in the planning balance.

Design and Layout:

- 4.3.80. Paragraph 131 of the NPPF sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 4.3.81. Paragraph 135 of the NPPF states that planning decisions should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, and optimise the potential for the site to accommodate and sustain an appropriate amount and mix of development.
- 4.3.82. Policy SP9 of the NHLP sets out that the Council considers good design to be a key aspect of sustainable development. The Council will support new development where it is well designed and located and responds positively to its local context.
- 4.3.83. Policy D1 of the NHLP states that planning permission will be granted for development proposals that respond positively to the site's local context. Policy D1 also requires that proposals take all reasonable opportunities, consistent with the nature and scale of the scheme, to create or enhance public realm, optimise the potential of the site by incorporating Sustainable Drainage Systems (SuDS), reduce energy consumption, retain existing vegetation and proposed appropriate new planting, maximise accessibility, legibility and physical and social connectivity both internally and within neighbouring areas, future proof for change in technology and

lifestyle, design out opportunities for crime and anti-social behaviour, and minimise the visual impact of street furniture and parking provision.

- 4.3.84. This an outline application with all matters reserved save for access. At this stage, a detailed layout of the site is not required and are not being assessed within this report. These details would come forward as part of Reserved Matters applications.
- 4.3.85. The North Herts Design Code SPD was adopted in June 2026 and provides detailed design expectations. The Design Code is a material consideration in the determination of applications for residential development. Given that layout, scale, and appearance are reserved matters, the detailed design of the development cannot be assessed at this stage. The Framework Plan does however establish a structure capable of accommodating a scheme that would accord with the Design Code. Compliance with the Design Code will be a matter for future reserved matters applications.
- 4.3.86. The 'Illustrative Site Plan with Land Use Plan Overlay' plan demonstrates that up to 50 dwellings could be accommodated within the site with access from Cotman End. It is considered the indicative approach to the site would be suitable and allow for the submission of reserved matters applications that would align with the approach outlines within the submitted plans.
- 4.3.87. This matters weights neutrally in the planning balance.

Flood Risk and Drainage:

- 4.3.88. Paragraph 181 of the NPPF sets out that when determining planning applications, LPAs should ensure that flood risk is not increased elsewhere.
- 4.3.89. Paragraph 182 of the NPPF states that *'applications that could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal.'*
- 4.3.90. Paragraph 187 e) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment *'by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality'*.
- 4.3.91. SP11 of the NHLP set out that the Council will take a risk-based approach to development and flood risk, directing development to areas at lowest risk in accordance with the NPPF and ensuring the provision of Sustainable Drainage Systems (SuDS) and other appropriate measures.
- 4.3.92. Policy D1 sets out that permission will be granted for proposals that take all reasonable opportunities to optimise the potential of the site by incorporating SuDS.
- 4.3.93. Policy NE7 and NE8 of the NHLP seek to ensure that development will be located, designed and laid out to ensure the risk of flooding is reduced while not increasing flood risk elsewhere, and incorporate the most appropriate sustainable drainage solution for the site.

- 4.3.94. The entirety of the site is within Flood Zone 1, where there is a low probability of flooding from fluvial and tidal sources. The majority of the site is at very low risk of surface water. It is noted that a small high risk area existing in the northeast corner of the site due to it being the topographical low point.
- 4.3.95. It is proposed that the surface water be discharged at a controlled rate into the adjacent ordinary watercourse to match the existing scenario. The proposal also includes the provision of sustainable drainage systems to store excess water.
- 4.3.96. Following consultation with the Lead Local Flood Authority (LLFA), they accept the proposed drainage strategy for the site and raise no objection has been raised to the proposal subject to the inclusion of conditions.
- 4.3.97. Anglian Water have been consulted on the scheme and raise no objection to the proposed development subject to the inclusion of a condition relating to the submission of a foul water strategy.
- 4.3.98. In conclusion of the above, there would be no unacceptable harm arising to matters relating to flood risk and drainage in accordance with the NPPF and NHLP policies SP11, NE7, NE8, and D1, and this matter weighs neutrally in the planning balance.

Ecology and Biodiversity Net Gain:

- 4.3.99. Section 15 of the NPPF requires decisions to contribute to and enhance the natural environment. Local Plan policies SP1, SP12, NE4, NE6, and NE8 seek to protect, enhance and manage the natural environment.
- 4.3.100. The 2021 Environment Act introduced an automatic requirement for every planning permission granted to achieve a 10% Biodiversity Net Gain (BNG). The proposed development would result in a 19% net loss of in habitat units.
- 4.3.101. The application is accompanied by a 'Design Stage Biodiversity Net Gain Plan'. This document. The 19% loss of habitat units is primarily driven by the removal of large areas of modified grassland to make way for the development. The proposal would however result in a net gain of 23% in hedgerow units.
- 4.3.102. The BNG Plan submitted by the applicant sets out that *'in order to offset this loss and achieve the necessary 10% net gain in biodiversity and meet the metric trading rules 3.26 habitat units of any habitat will need to be procured from a habitat bank to replace the lost modified grassland.'*
- 4.3.103. To ensure that the 10% BNG is secured, it is recommended that a conclusion be included securing the submission of a 30 year Habitat Management and Monitoring Plan.
- 4.3.104. The proposal would result in the loss of the central hedgerow that runs east to west though the site. The submitted LVIA describes the hedgerow as 'poorly structured', 'partial', and 'non-continuous'. The LVIA also sets out that the central hedgerow will be replaced within the design of the scheme.
- 4.3.105. The Preliminary Ecological Assessment classified the central hedgerow as being in 'poor condition' with gaps within the canopy that make up more than 10% of the hedgerow. The assessment also notes that the hedgerow has gaps of 0.5m or greater at the base of the hedgerow for more than 10%.

- 4.3.106. The concerns raised by the Council's Ecologist are noted. However, having regard to the poor condition of the central hedgerow, the proposed replacement hedgerow planting, the net gain in hedgerow units, and the ability to secure appropriate mitigation and long-term management through conditions, it is considered that the proposal would not result in unacceptable level of harm to biodiversity or ecology. Subject to the recommended conditions and the delivery of the required Biodiversity Net Gain, this matter is considered to weigh neutrally in the planning balance.

Impact on Trees:

- 4.3.107. Section 15 of the NPPF confirms that proposals should protect and enhance the natural environment. Local Plan Policy SP1 seeks to protect key elements of North Hertfordshire's environment. Local Plan Policy NE2 seeks to ensure the health and future retention of important landscape features and their long-term management and maintenance.
- 4.3.108. The site contains areas of existing trees primarily to the boundaries of the site. Based on the submitted tree survey, a small number of trees will be removed to make way for the proposed development. However, the proposal includes the planting of 93 trees, which would outweigh the removal of the small number of existing trees.
- 4.3.109. It is considered appropriate to include conditions that would secure Arboricultural Method Statements and other relevant tree impact related information.
- 4.3.110. The loss of a small number of trees would be compensated by the planting of 93 trees that can be secured by condition. This matter weighs neutrally in the planning balance.

Open Space Provision:

- 4.3.111. Section 8 of the NPPF confirms that development proposals should aim to achieve healthy, inclusive, and safe places which 'enable and support healthy lives, through both promoting good health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of space and accessible green infrastructure, sport facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.
- 4.3.112. NHLP Policy NE6 ensures that development proposals 'make provision for new and/or improved open space which meets the needs arising from the development having regard to the Council's open space standards and other relevant guidance, contributed towards improving the provision, quality and accessibility of open space, and incorporate any necessary open space buffers for landscape, visual, ecological or air quality reasons.
- 4.3.113. Noting that this is an outline application, the proposal would allocate approximately 1 hectare to green space, public open space, and green corridors. This open space includes the dry attenuation feature to the south east of the site. This provision exceeds the requirement for open space provision for a development of this scale as set out by the Fields in Trust standards. Although it is noted the application does not include a breakdown of the open space typologies proposed.

- 4.3.114. Furthermore, the proposal includes a Local area of play (LAP) to the east of the site and located within the main open space for the site. The updated Framework Plan also shows areas of play on the way along the western boundary of the site.
- 4.3.115. In this case, sport provision will be provided off-site through financial contributions in lieu of on-site provision. At the time of writing, these contributions are yet to be agreed by the applicant but should be secured to mitigate the impact of the development.
- 4.3.116. Subject to the agreement of financial contributions towards off-site sport provision, the proposal is considered to comply with the relevant requirements of the Local Plan. The development would provide open space in excess of the expected minimum requirements, which would weigh in favour of the proposal. However, in the absence of a detailed breakdown of the proposed open space typologies at this outline stage, only limited positive weight can be attribute to this matter in the planning balance.

Loss of Agricultural Land:

- 4.3.117. Paragraph 187 (b) of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services including the economic and other benefits of the best and most versatile agricultural land.
- 4.3.118. Footnote 65, which relates to paragraph 187 of the NPPF states '*where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality*'.
- 4.3.119. Best and most versatile land (BMV) is defined in the NPPF as land in grades 1 (excellent quality), 2 (very good quality), and 3a (good quality) of the Agricultural Land Classification.
- 4.3.120. The Planning Statement sets out that the land is grade 3 and the LVIA categorises the land as grade 2. In any case, while the proposal would result in the loss of BMV agricultural land, it is acknowledged that the loss of some BMV land will be necessary to achieve the District's housing needs, which could not be met within existing urban areas. Overall, the proposal would result in the permanent loss of a small area of BMV within the district and therefore limited weight is given to the harm in the planning balance.

Climate Change & Sustainability:

- 4.3.121. Section 2 of the NPPF, 'Achieving sustainable development', requires the sustainability credentials of proposals to be considered. Paragraph 8 requires that all three objectives – economic, social and environmental - of the planning system would be met. Section 14 'Meeting the challenge of climate change', flooding and coastal change confirms that the planning system should support the transition to a low carbon future in a changing climate.
- 4.3.122. Policy D1 of the NHLP sets out that the Council will support development proposals that reduce energy consumption and waste.

4.3.123. The application is accompanied by a 'Sustainability and Energy Statement'. Given that the application is for outline permission, the statement provided is broad and finer details can be expected as part of a future reserved matters application in line with the Sustainability SPD 2024. Based on the submitted statement, the proposed development would broadly comply with the planning policies in relation to waste and energy. This matter weighs as neutral in the planning balance.

Environmental Impacts:

4.3.124. Following consultation with the Council's Environmental Health Officer, no objections or concerns have been raised with regards to noise, air quality, or land contamination subject to conditions.

Section 106:

4.3.125. In considering planning obligations in relation to this development NPPF para. 58 advises that: 'Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.'

4.3.126. NHLP Policy SP7 sets out infrastructure requirements and developer contributions that are 'necessary in order to accommodate additional demands resulting from the development'. This policy reflects the NPPF principles set out above. It also cites the recently adopted Development Contributions SPD adopted by the Council and the update to Development Contributions adopted by the County Council.

4.3.127. The section below outlines the Heads of Terms and financial contributions sought by statutory bodies.

4.3.128. The applicant has not yet confirmed agreement to the planning obligations detailed below. Notwithstanding this, it is recommended that Members resolve to grant outline planning permission subject to the completion of a Section 106 agreement to secure the required mitigation measures, infrastructure contributions, and other planning obligations necessary to make the development acceptable in planning terms. It is recommended that final agreement is delegated to the Development and Conservation Manager.

Element	Details	Justification
Affordable Housing (NHDC)	Based on 50 units, on-site provision of 40% (approx.. 20 units), which should be 65% rented tenure and 35% intermediate tenure.	NHDC Developer Contributions SPD (2023) Policy HS2 of the NHLP.
Primary Education (HCC)	£775,325 index linked to BCIS 1Q2024	Policy SP7 Infrastructure requirements and developer contributions

	Towards the expansion of Pirton Primary School and/or provision serving the development.	Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Secondary Education (HCC)	£713,910 index linked to BCIS 1Q2024 Towards the expansion of The Priory Secondary School and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Childcare contribution 0-2 years old (HCC)	£12,911 index linked to BCIS 1Q2024 Towards increasing the capacity of 0-2 year old childcare facilities at Pirton Pre-School and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Childcare Contribution 5-11 year olds (HCC)	£927 index linked to BCIS 1Q2024 Towards increasing the capacity of 5-11 year old childcare facilities at Pirton Primary School and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Special Educational Needs and Disabilities (SEND) Contribution (HCC)	£97,446 index linked to BCIS 1Q2024 Towards new Severe Learning Difficulty (SLD) special school places (EAST) and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Library Services (HCC)	£15,051 index linked to BCIS 1Q2024 Towards increasing the capacity of Hitchin Library and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024

Youth Service (HCC)	£10,533 index linked to BCIS 1Q2024 Towards resource requirements to support the delivery of youth work with young people in the area and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Waste Transfer Station (HCC)	£15,068 index linked to BCIS 1Q2024 Towards the new Northern Transfer Station and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Fire & Rescue Service (HCC)	£1,244 index linked to BCIS 1Q2024 Towards new appliances and/or equipment and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Strand 1 Highways Contribution (HCC)	£307,000 index linked to CPI Towards bus services to improve sustainable transport options.	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024 HCC Technical Appendix 1: Transport
Strand 2 Highways Contribution (HCC)	£493,050 index linked to CPI Towards the delivery of active travel infrastructure to enable active travel trips in the area, with a focus on enhancing cycle connections. Contribution would be used for schemes including, but not limited to, the improvements to LCWIP	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024 HCC Technical Appendix 1: Transport

	routes and a scheme of PROW improvements to Hitchin. Contributions would also be put towards bus stop upgrades.	
Sport England – Outdoor Facilities (NHDC/Sport England)	£94,552 (index linked) contribution towards outdoor sport facilities comprised of: Adult/Youth/Mini Football Football Pitches: £13,239 towards enhancing football pitch quality at Walsworth Common. Changing Rooms: £36,538 towards improvements to ancillary facilities at Ickleford Sport and Recreation Club or towards the provision of a new changing pavilion at Walsworth Common. Cricket: Cricket Pitch: £7,861 towards improving the cricket square at Ickleford Sport and Recreation Club through a non turf or hybrid wickets. Changing Rooms: £9,008 towards improved ancillary facilities at Ickleford Sport and Recreation Club. Rugby Union and Rugby League: Rugby Pitches: £3,852 towards pitch works, including sports lighting and drainage, at the Hitchin Rugby Club site at King George V Playing Field in Hitchin	NHDC Developer Contributions SPD (2023) Policy SP7 Policy SP10 Policy NE6 North Herts Playing Pitch & Outdoor Sport Strategy (2025)

	which is also used by North Herts Crusaders Rugby League Club. Changing Rooms: £9,254 towards RFU specification changing rooms at the Hitchin Rugby Club site at King George V Playing Field in Hitchin which is also used by North Herts Crusaders Rugby League Club. Hockey: £3,775 contribution towards resurfacing either a) Hitchin Boys School and/or b) Lucas Land Sports Ground (both used by Bluehearts Hockey Club). Artificial Grass Pitch: £11,025 contribution towards a second 3G AGP at The Priory School in Hitchin. All of the above contributions to be index linked.	
Sport England – Indoor Facilities (NHDC/Sport England)	£57,265 (index linked) Contribution towards indoor sport facilities: Swimming Pools: - Contribution of £31,249 towards Hitchin Swimming and Fitness Centre: Indoor pool surround tile replacement scheme. Sports Halls: - Contribution of £24,045 towards improvements to Hitchin Swimming	NHDC Developer Contributions SPD (2023) North Herts Indoor Sports Strategy (2025) Policy SP7 Policy SP10

	Centre and Fitness Centre: Active Play Hub. Outdoor Tennis Courts: Contribution of £1,971 towards improving the court quality at King George V Playing Field in Hitchin.	
Monitoring Fees (HCC)	Monitoring Fees – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.	HCC 'Guide to Developer Infrastructure Contributions' 2024
GP Practice (Bedfordshire, Luton and Milton Keynes NHS)	GP Practice contribution towards the cost of phase two of the relocation, reconfiguration and/or extending facilities of Lower Stondon Surgery. £89,550 index linked	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD
Pirton Parish Council	Village Hall contribution of £13,300 (index linked) for works including upgrading access and ramp. Installation of locking mechanism to allow rooms to be secured separately and enable multi use of the hall. Upgrading of toilet facilities, including disabled toilets and child changing facilities. Resurfacing of access to hall including driveway, car park, and access to hall entrances.	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD

Open Space Management and Maintenance Scheme for open space including play and SuDs and non-adopted roads (NHC)	Open Space Management and Maintenance Scheme to include: a) Details of landscape management and maintenance plans; b) Details of planting, grass cutting, weeding and pruning; c) Management of sustainable urban drainage features; d) Management of biodiversity enhancements; e) Inspection, repair and maintenance of all hard landscaping and structures; f) Management, monitoring and operational restrictions; and g) Maintenance and planting replacement programme for the establishment period of landscaping	
NHDC Monitoring Fees	2.5% of NHC contributions, minimum £750 and capped at £25,000.	Developer Contributions SPD

4.3.129. The above obligations would form part of a Section 106 agreement. No Section 106 agreement has been completed at the time of writing. With the above Heads of Terms, this matter weighs as neutral in the planning balance.

Planning Balance and Conclusion:

4.3.130. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70 (2) of the Town and Country Planning Act 1990 requires a Planning Authority to determine applications in accordance with the development plan unless material considerations indicate otherwise.

4.3.131. The Council cannot demonstrate a five-year housing land supply and therefore the local plan policies most important for determining this application are out-of-date and the 'tilted balance' is engaged in favour of the provision of housing.

4.3.132. The proposed development would provide up to 50 dwelling, 30 of which would be market homes. The provision of these homes is given significant weight in favour of the proposal.

- 4.3.133. In addition to the 30 market homes, the development would deliver 20 affordable homes. Given the shortfall of affordable home provision within the district and the consistent under delivery year on year, the provision of affordable homes are given very significant weight in favour of the proposed development.
- 4.3.134. The proposed development would generate economic benefits through the construction of the site. Although these benefits would be temporary. Economic benefits to the locality created by future occupiers would be modest given the scale of the site. The economic benefits of the scheme are given moderate weight in favour of the proposed development.
- 4.3.135. It is acknowledged that the site would feature large areas of open space, beyond what is required by policy and guidance. However, due to the absence of a detailed breakdown of the proposed open space typologies at this outline stage, only limited positive weight can be attribute to this matter in the planning balance.
- 4.3.136. The proposal would conflict with Policies SP5 and CGB1 of the Local Plan. Given that the Council cannot demonstrate a five year housing land supply, the policies are out-of-date for the purposes of paragraph 11(d) of the NPPF. Reduced weight is therefore given to these policies. The site adjoins the existing village, with existing residential development to the north and west. To the south is the recreation ground and then open countryside to the east. The development is considered a logical extension of the village. However, the loss of the currently undeveloped site would change the character and appearance of the area. The resulting harm is considered to be limited.
- 4.3.137. The proposal would result in the loss of Best and Most Versatile (BMV) agricultural land. This is given limited weight in the planning balance.
- 4.3.138. The below table sets out the benefits and harms and the weight associated with each relevant issue covered in the report above (note that neutral matters are not listed below):

Consideration	Weight
Benefits	
Market Housing (30 Units)	Significant
Affordable Housing (20 Units)	Very significant
Economic Benefits	Moderate
Open Space over-provision	Limited
Harms	
Rural Area beyond the Green Belt (reduced weight due to policy being 'out-of-date')	Limited
Loss of BMV agricultural land	Limited

- 4.3.139. In conclusion of the above, the proposal is considered to be a logical extension of the village that would make an important contribution towards market and affordable housing land supply within the district. The collective benefits of the proposal would be substantial. Any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF 2024 taken as a whole. The scheme benefits from the presumption in favour of sustainable development. It is recommended that planning permission be granted.

5. **Climate Change Mitigation Measures**

- 5.1. Climate change has been addressed throughout this report and is a matter at the heart of this application in terms of the significant contribution the proposed development would make to renewable energy generation and the goal of achieving net zero carbon within the District by 2040 and within the UK by 2050.

6. **Legal Implications**

- 6.1. 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 where restrictive conditions are attached, the applicant has a right of appeal against the decision.

7. **Recommendation**

- 7.1. That planning permission is resolved to be **GRANTED** subject to:
- A) The completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement; and
 - B) Providing delegated powers to the Development and Conservation Manager to (i) resolve outstanding matters including financial contributions and (ii) update conditions and informatives with minor amendments as required; and
 - C) The conditions set out below:

Time Limit

1. Before the development hereby permitted is commenced, approval of the siting, design, and external appearance of the development, and the access and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained in writing from the Local Planning Authority.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Permitted Development Procedure) Order 1995 as amended.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission, and the development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans and Documents

3. The development hereby permitted shall be carried out in accordance with the plans listed below, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved

matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved:

- 22130(D)010 Rev C – Location Plan
- 22130(D)020 Rev G – Land Use Plan
- 22130(D)021 Rev B – Framework Plan
- 22130(D)022 – Access Plan
- 22130(D)026 – Illustrative Site Plan with Land use Plan Overlay
- 22130(D)028 Rev A - Framework Plan with Illustrative Layout Underlay
- 2210-050 PL01 – Proposed Access Road Extension
- 2210-050 PL02 – Proposed Hambridge Way Emergency Access
- 2210-050 PL04 Rev A – Proposed Pedestrian and Cycle Access
- 2210-050 SP04 Rev A – Swept Path Analysis of a 11.2m Refuse Collection Vehicle – Hambridge Way
- 2210-050 SP05 Rev A – Swept Path Analysis of a Fire Tender Vehicle – Hambridge Way

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

Waste and Recycling Storage

4. No dwelling shall be occupied until a scheme setting out details of all on-site household storage facilities for waste including waste for recycling and/or composting (including details of any enclosures of screening) to serve each dwelling in accordance with the Council's Waste and Recycling Strategy at the time of submission, has been submitted to and approved in writing by the Local Planning Authority.

Such details shall identify the specific position of where wheeled bins will be stationed, and the specific arrangements to enable collection from the kerbside of the adopted highway/refuse collection vehicles access point in accordance with the walk distances set out in the Council's approved waste collection strategy.

The scheme shall also include arrangements for management of any other waste generated by the development. All such facilities shall be provided in accordance with the approved details prior to the first occupation of the corresponding dwellings and shall be maintained and retained thereafter.

Reason: To facilitate refuse and recycling collection. To protect the amenities of nearby residents and occupiers in the interests of visual amenity and to comply with Policies D1 and D3 of the North Hertfordshire Local Plan 2011-2031.

Arboricultural Method Statement

5. Prior to or concurrent with each Reserved Matters application, the following documents shall be submitted to and approved in writing by the Local Planning Authority in accordance with best practice including BS5837 (Trees in relation to construction) –

- a. Arboricultural Method Statement
- b. External underground service plan illustrating the routes of all cables and pipes.

Thereafter, the development shall be carried out and completed in accordance with the approved details.

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

Tree Retention

6. 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.

Tree Replacement

7. Any tree lopped, topped, felled, uprooted, removed or otherwise destroyed or killed contrary to the provision 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 LPA 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.

Soft Landscaping Provision

8. Notwithstanding any details included in the submitted plans, all reserved matters applications for any development parcel or sub-phase shall include details of soft landscaping.

These details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities and tree pit construction and soil volumes.

The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

Reason - In the interests of character and visual amenity and ensuring compliance with North Herts Local Plan Policies SP9 and NE2 and the National Planning Policy Framework.

Hard Landscaping and Boundary Treatment Provision

9. Notwithstanding any details included in the submitted plans, all reserved matters applications for any development parcel or sub-phase shall include details of hard landscaping and boundary treatments.

These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; hard surfacing material specifications; minor artefacts and structures (for example furniture, refuse and/or other storage units, signs, lighting and similar features); boundary treatments and proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features).

Reason: In the interests of character and visual amenity and ensuring compliance with North Herts Local Plan Policies SP9 and NE2 and the National Planning Policy Framework.

Open Space Management and Maintenance

10. Any reserved matters applications shall include a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority. Details to be submitted shall include:

- a. Management organisation;
- b. Details of landscape management and maintenance plans;
- c. Details of planting, grass cutting, weeding and pruning;
- d. Management of sustainable urban drainage features;
- e. Inspection, repair and maintenance of all hard landscaping and structures;
- f. Management, monitoring and operational restrictions; and
- g. Maintenance and planting replacement programme for the establishment period of landscaping.

The open spaces provided shall be retained for their intended purpose and in accordance with the approved management plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate open space and amenity provision as per Policy NE6 of the North Hertfordshire Local Plan

Highways Improvements – Off Site

11. Part A Design Approval: Notwithstanding the details indicated on the submitted drawings, no on-site works prior to occupation shall commence until a detailed scheme for the off-site highway improvement works and accesses (including those from the site to the PRow network) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, as indicated on:

- Concept / Parameters Plan (Drawing No. 22130 (D) 015 Rev D, dated 27/08/2025);
- Proposed Access Road Extension (Drawing No. 2210-050 PL01 Rev A, dated 17/11/2025);
- Proposed Hambridge Way Emergency Access (Drawing No. 2210-050 PL02 Rev A, dated 18/11/2025);
- Proposed Pedestrian and Cycle Access (Drawing No. 2210-050 PL04 Rev -, dated 20/11/2025); and
- Proposed Hambridge Way Junction Improvements (Drawing No. 2210-050 PL03 Rev B, dated 16/02/2026).

Part B Implementation / Construction: Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Reserved Matters Design Code

12. The hereby approved development must incorporate and demonstrate the following at the Reserved Matters Stage:

- Cycle Parking at a minimum ratio of 1 space per bedroom for each dwelling;
- EV Charging points in line with Building Regulations Part S;
- An on-site layout that encourages residents to access the active travel connections onto Hambridge Way, Walnut Tree Road; and
- Details of the surfacing and width of on-site connections that will join the PRow network to the north (Bridleway 21), south (PRow 5) and east (PRow 13) of the site boundary.

Reason: To support and encourage sustainable travel in accordance with Policies 1 & 5 of Hertfordshire's Local Transport Plan.

Construction Management Plan

13. No development shall commence until a Construction Management Plan 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 Plan shall include details of:

- a. Construction vehicle numbers, type, routing during construction with the Plan to also specifically address requirements during the remediation works and anticipated HGV numbers;
- b. Access arrangements to / from the site including management of HGVs and how they will be managed to and from the site from key routes A roads;
- c. Traffic management requirements including robust procedures to warn pedestrians and cyclists of construction on-site and warn oncoming vehicles approaching the site;
- d. Construction and storage compounds (including areas designated for car parking, loading unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway, which must be rigorously carried out to ensure there is no debris on the local highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. 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; and
- k. Phasing Plan.

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).

Travel Plan Statement

14. At least 3 months prior to the first occupation of the approved development a detailed Travel Plan Statement for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan Statement shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied subject to

approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Used Water Network

15. No development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the Local Planning Authority, in consultation with Anglian Water. This strategy should identify the connection point which is to the 150mm foul sewer manhole 9602 located in Hambridge Way at national grid reference TL 14964 31678 or to an alternative SPOC which is to manhole MH8503 150mm foul sewer located in Walnut Tree Road at a national grid reference TL 14881 31524. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To reduce the impacts of flooding and potential pollution risk

Archaeological Written Scheme of Investigation

16. No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording
 2. The programme and methodology of site investigation and recording, and preservation of archaeological remains as required by the evaluation and revision of the Masterplan as necessary to reflect these requirements
 3. The programme for post investigation assessment
 4. Provision to be made for analysis of the site investigation and recording
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 6. Provision to be made for archive deposition of the analysis and records of the site investigation
 7. Provision to be made for public outreach and interpretation
 8. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan HE4 and Section 16 of the NPPF 2021.

17. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (X)

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan HE4 and Section 16 of the NPPF 2021.

18. 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 approved under condition (X) and the provision made for analysis and publication where appropriate.

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan HE4 and Section 16 of the NPPF 2021.

Fire Safety

19. Before the first occupation of any dwellinghouses hereby permitted, details of a fire hydrant(s) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The hydrant(s) shall be provided in accordance with the approved details prior to the first occupation of the development.

Reason: To ensure adequate fire protection for the development by way of appropriately located hydrant facilities.

Site Waste Management Plan (SWMP)

20. No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

Surface Water Drainage Scheme

21. Prior to or in conjunction with the submission of each reserved matters application, in accordance with the submitted Flood Risk Assessment (ST3657/FRA-2507-REV2, August 2025) and Response to LLFA comment's (ST-3657/2511-LLFA Response), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

1. Surface water runoff rates will be attenuated to the 1 in 2-year greenfield runoff rate, or 2l/s/ha.
2. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change).
3. Final confirmation of the capacity and condition of the receiving watercourse.
4. Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
 - 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.
5. The design of any attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.
6. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.
7. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
8. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development. This will also include the ordinary watercourse and any structures, such as culverts, within the development boundary.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 181,182 and 187 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and

disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

Interim and Temporary Drainage Measures

22. Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority

Reason: To prevent flooding and pollution offsite in accordance with the NPPF.

Maintenance and Management of Sustainable Drainage Scheme

23. 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:
1. a timetable for its implementation.
 2. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
 3. 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 Council.

Detailed Verification Report

24. Prior to first use of each phase of the development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the

Local Planning Authority. The verification report shall include a full set of “as built” drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

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 Council

Biodiversity Net Gain

25. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

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

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

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

(<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).

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

Construction Ecological Management Plan

26. Full details of a Construction Environmental Management Plan (CEMP) including a section for ecology, for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase of development (including any pre-construction or enabling works). The construction of the development shall thereafter be carried out in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The Plan shall include but not necessarily be limited to the following:

- a. A review of any ecological impacts informed by the submitted ecological report (Preliminary Ecological Appraisal by MKA Ecology);
- b. Risk assessment of potentially damaging construction activities;
- c. Identification of 'biodiversity protection zones';
- d. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;

- e. The location and timings of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- f. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- g. A non-native invasive species protocol (e.g. for Japanese knotweed);
- h. The times during construction when specialist ecologists need to be present on site to oversee works;
- i. Responsible persons and lines of communication;
- j. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

Reason: To ensure the environmental impacts of the development are controlled in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity and in accordance with Policies D3, T1 and NE12 contained in the North Hertfordshire Local Plan.

Ecological Enhancement Plan

27. No development above slab level shall take place until an Ecological Enhancement Plan (EEP) for the site, for the creation of new wildlife features including integrated bird/bat and bee boxes in buildings/structures, where heights allow swift bricks should be used, together with hedgehog holes in boundary features has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with approved the EEP and features thereafter retained. The approved measures shall be implemented prior to occupation of the relevant phase.

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

Habitat Management & Monitoring Plan

28. No development shall take place until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
- a. a non-technical summary;
 - b. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - c. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - d. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - e. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

Notice in writing shall be given to the Council when the:

- a. HMMP has been implemented; and
- b. habitat creation and enhancement works as set out in the HMMP have been completed.

The created habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

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

Lighting Strategy

29. Prior to the installation of any lighting, a lighting design strategy for biodiversity for the site, shall be submitted to and approved in writing by the local planning authority. The strategy shall;
- a. identify those areas/features on site to which bats and other nocturnal species are particularly sensitive and that are likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to reach key areas of their territory, for example, for foraging, and;
 - b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that the development is ecologically sensitive in accordance with North Hertfordshire Local Plan Policy NE4.

Noise Mitigation Scheme

30. Prior to the commencement of development a scheme shall be submitted for the protection of the dwellings from noise for approval in writing by the Local Planning Authority. The scheme shall be in accordance with the recommendations stated in the Cass Allen Ltd report (Ref: RP01-25395-R0) dated 12th August 2025. No dwellings shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details. The approved scheme shall be retained in accordance with those details thereafter.

Reason: To protect the residential amenity of future occupants in accordance with the aims of Policy D3 of the North Hertfordshire Local Plan 2011-2031.

Land Contamination

31. Any contamination that is found during the course of construction of the development permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be implemented prior to the development being resumed or continued.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters in accordance with North Hertfordshire Local Plan Policy NE11.

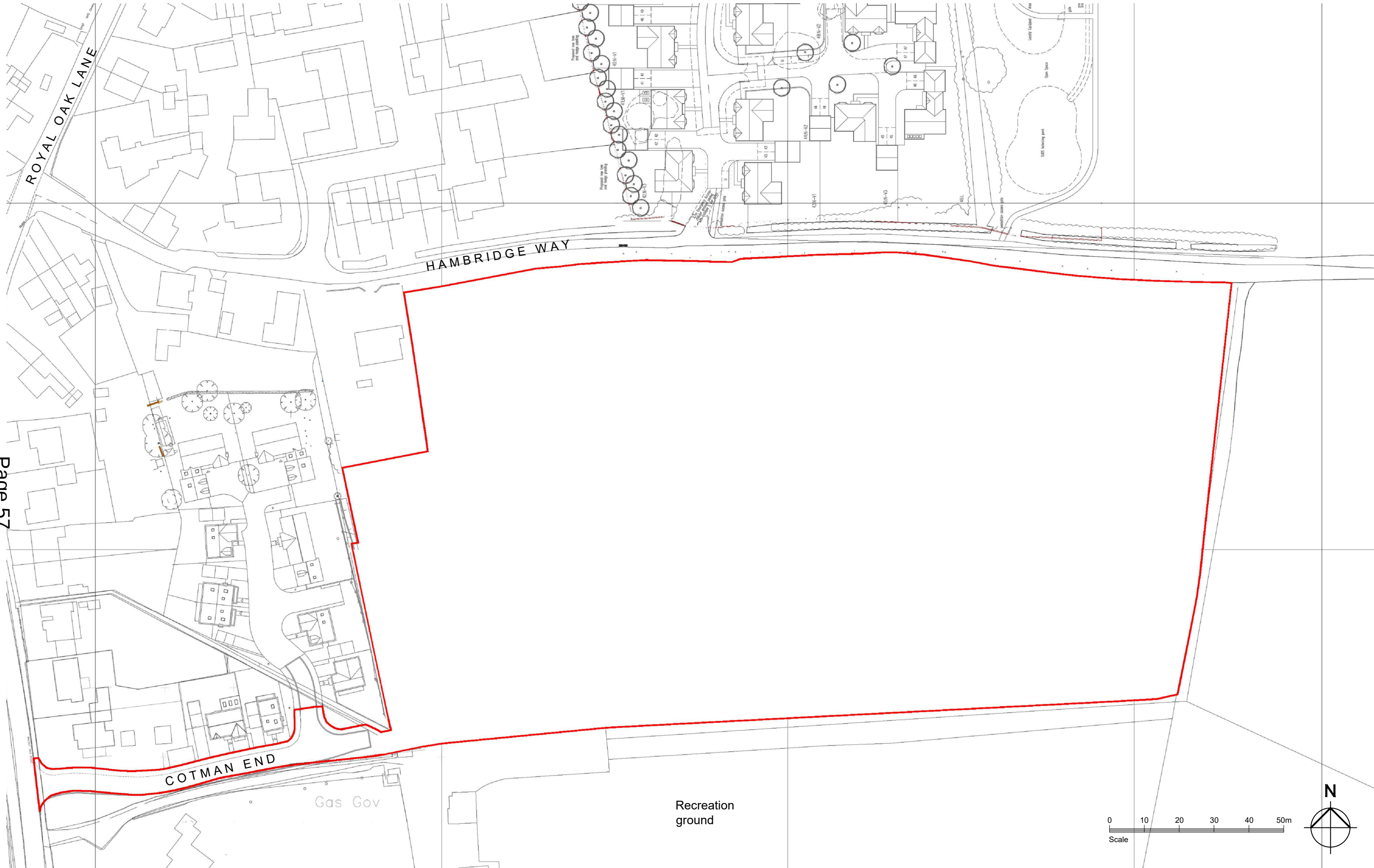
Energy and Sustainability

32. The development hereby approved shall be constructed in accordance with the submitted Sustainability and Energy Statement prepared by Turley (dated August 2025), and details of the proposed air source heat pumps submitted to and approved in writing by the Local Planning Authority prior to their installation, and the identified sustainability measures shall be maintained and retained thereafter.

Reason: To reduce the carbon footprint of the development and promoting principles of sustainable construction and the efficient use of buildings in accordance with North Hertfordshire Local Plan Policies SP9 and D1, and the adopted Sustainability SPD (2024).

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.



NOTE: NO DIMENSIONS TO BE SCALED FOR CONSTRUCTION. DRAWINGS MAY BE SCALED FOR PLANNING PURPOSES ONLY.
ALL DIMENSIONS TO BE CHECKED ON SITE. COPYRIGHT RESERVED.

C	JB	27.08.25	Red line updated.
REV:	BY:	DATE:	DETAILS:



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PROJECT:
**Land South of Hambridge Way
Pirton**

CLIENT:

ISSUE STATUS:

DESIGN ☐ B of Q ☐ CONSTRUCTION ☐ RECORD ☐

DRAWING TITLE:
Location Plan

SCALE: **~1:1250 (A3)** DATE: **May 2025** BY: **JB**

DRAWING NO: **22130 (D) 010** REVISION: **C**

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<u>Location:</u>	Site Of Former Greenside London Road Langley Hertfordshire SG4 7PP
<u>Applicant:</u>	Mr Hemphill
<u>Proposal:</u>	Variation of Condition 1 (Approved drawings) of planning permission reference 24/00671/FP granted on 25.10.2024 for Erection of six detached 4-bed dwellings following demolition of existing dwelling/outbuildings and builder yard buildings. (Amended plans received 13/08/24).
<u>Ref. No:</u>	26/01373/S73
<u>Officer:</u>	Saffron Loasby

Date of expiry of statutory period: 13th August 2026

Extension of statutory period: 7th September 2026

Reason for Delay: In order to schedule the application to a Planning Committee

Reason for Referral to Committee: Residential development on a site more than 0.5 hectares (see paragraph 8.4.5 (a) of the Council Constitution)

1.0 **Planning Policy**

1.1 **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 SP6: Sustainable Transport

Policy SP9: Design and Sustainability

Policy SP12: Green Infrastructure, Landscape and Biodiversity

Policy SP13: Historic Environment

Policy T1: Assessment of Transport Matters

Policy T2: Parking

Policy HS5: Accessible and adaptable housing

Policy D1: Sustainable Design

Policy D3: Protecting Living Conditions

Policy NE1: Landscape
Policy NE2: Green Infrastructure
Policy NE4: Biodiversity and geological sites
Policy NE7: Reducing Flood Risk
Policy NE8: Sustainable Drainage Systems
Policy NE10: Water Framework Directive and wastewater infrastructure
Policy HE1: Designated Heritage Assets
Policy HE4: Archaeology

1.2 National Planning Policy Framework (NPPF) (December 2024)

Section 2: Achieving sustainable development
Section 4: Decision making
Section 5: Delivering a sufficient supply of homes
Section 8: Promoting healthy and safe communities
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 13: Protecting Green Belt land
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

1.3 Supplementary Planning Guidance

Vehicle Parking at New Development SPD (2011) (Plus Appendix 4 in North Herts Local Plan 2011 – 2031)

Sustainability SPD (2024)

District Design Code (2026)

1.4 Neighbourhood Plan

There is no Neighbourhood Plan for the Parish of Langley.

2.0 Relevant site history

- 2.1 24/00671/FP – Erection of six detached 4-bed dwellings following demolition of existing dwelling/outbuildings and builder yard buildings. (Amended plans received 13/08/24) – Approved 28/10/2024
- 2.2 22/01835/FP – Erection of 4 detached dwellings following demolition of existing dwelling / outbuildings and builders yard – Granted conditional permission on 06/06/23. This was determined under delegated authority due to an error regarding the size of the site area.
- 2.3 21/01439/PRE – Erection of 8 dwellings with associated infrastructure. The reply concluded that 8 dwellings could not be supported in this Green Belt location as this would fail to comply with the NPPF para 154 exception g advice, as 8 dwellings would have a materially greater impact on the Green Belt than the buildings to be removed.

- 2.4 00/00345/1HH - Single storey side extension, rear and side conservatory to include new porch – Granted Conditional Permission on 27/04/2000.
- 2.5 90/00586/1 - Single storey rear extension. (As amended by plans received 24th May 1990) – Granted Conditional Permission on 25/05/1990.
- 2.6 89/00512/1 - Detached dwelling with garage (outline - siting, design, external appearance and landscaping reserved) (As amended by plans received 5th May 1989)
- 3.0 **Representations**
- 3.1 **HCC Highways** – no comment to make.
- 3.2 **HCC Archaeology** – no comment to make.
- 3.3 **HCC Ecology officer** - the proposals are unlikely to have any significant ecological impacts; therefore the application can be determined accordingly.
- 3.4 **HCC Rights of Way** – awaiting correspondence since amended plan received 24/07/2026. Consultation expiry 18/08/2026
- 3.5 **NHDC Environmental Health** – no objection subject to any undischarged conditions placed on 24/00671/FP being retained.
- 3.6 **Langley Parish Council** – No comments received.
- 3.7 The application has been advertised with a site noted erected 25th June 2026, a press notice dated 25th June 2026 and neighbour notification letters. No replies have been received. One email has been received however this did not include a full address and neither objected nor supported the scheme.
- 4.0 **Planning Considerations**
- 4.1 **Site and Surroundings**
- 4.1.1 The application site, known as Greenside, is situated on the east side of London Road and within the settlement of Langley. The site was previously described as containing a dwellinghouse, builders' yard, and ancillary outbuildings. This has since changed given the extant planning permission and the various discharge of conditions. Development on site has commenced.
- 4.1.2 The application site is situated within the Green Belt. The public rights of way footpath no.14 runs along the western boundary of the site outside of the red line planning application site area.
- 4.2 **Proposal**
- 4.2.1 This is a S73 application to vary the approved 2024 permission. It would supersede the 2024 permission if it is granted permission and then implemented. This application is assessed based on the proposed changes. The sought changes are the addition of car

ports to each of the approved dwellings. Plots 1 and 2 propose double bay carports and plots 3-6 propose single car ports. The design of both car ports comprises a timber frame with open frontage under a dual pitch, tiled roof. The single carports measure 2.7m x 4.9m externally, 3.2m to the ridge and 2.2m to the eaves. The double carports measure 5.4m x 5m externally, sit 3.7m to the ridge and 2.2m to the eaves.

4.3 Key Issues

- 4.3.1 Given the planning history there is no objection to the residential development of this site and the full committee report for application 24/00671/FP is attached at Appendix 1 for information purposes. The main issue in the determination of this application is whether the proposed carports are suitable additions to scheme, and whether there is any other harm that would result as part of the proposal.

Assessment

Green Belt

- 4.3.2 The site comprises previously developed land within the Green Belt and has an established planning history for residential redevelopment. The extant permission for six dwellings superseded an earlier permission for four dwellings and four garages and, in granting the six-dwelling permission, regard was expressly had to the scale of the former buildings on the site, which had a combined footprint of approximately 1,012m². The approved six-dwelling scheme has a footprint of approximately 974m² and represents an extant fallback against which the effect of the current amendments is a material consideration.
- 4.3.3 The current proposal introduces approximately 98m² of additional single-storey garage accommodation, resulting in an overall footprint of approximately 1,072m². This represents an increase of 98m² over the extant six-dwelling scheme, but only approximately 60m², or 6%, over the former built footprint of the site. Whilst the carports therefore introduce additional built form compared with the extant permission, footprint alone is not determinative of the effect upon Green Belt openness. Regard must also be had to the scale, height, volume, siting and visual effects of the development.
- 4.3.4 Paragraph 154(g) of the NPPF provides that the limited infilling or partial or complete redevelopment of previously developed land need not be regarded as inappropriate development in the Green Belt where it would not cause substantial harm to the openness of the Green Belt. In this case, having regard to the previously developed character of the site, the extent of its former built footprint, the extant permission for six dwellings and the limited scale and single-storey form of the additional carports within the context of the approved residential development, it is considered that the amended scheme, taken as a whole, would not cause substantial harm to either the spatial or visual openness of the Green Belt.
- 4.3.5 The proposal is therefore considered to represent limited redevelopment of previously developed land falling within the exception at paragraph 154(g) of the NPPF. The development is consequently not inappropriate development in the Green Belt and there is no requirement to demonstrate very special circumstances. The proposed amendments are acceptable in Green Belt policy terms.

Character and Appearance

- 4.3.6 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. These considerations are echoed in Sections 6 and 12 of the NPPF.
- 4.3.7 The principle, siting and general arrangement of six dwellings on the site has previously been established through the extant permission. The current application does not alter the number of dwellings proposed but seeks amendments to the approved scheme including the introduction of additional carports. It should be noted that the position of the six proposed dwellings will not change as a result of this proposal.
- 4.3.8 In assessing the change in the layout, regard has been had to the relationship of the proposed carports with the approved dwellings, their position within the overall residential development, and their effect upon the character and appearance of the site and surrounding area. The carports are subordinate in scale and form to the principal dwellings and would be read as ancillary domestic buildings forming part of the overall residential layout, rather than as unrelated or visually dominant additions. The car ports are positioned to overlap where car parking spaces were previously proposed.
- 4.3.9 Although the carports increase the amount of built form within the site, their single-storey scale and positioning in association with the approved dwellings would maintain an appropriate hierarchy of development and would not result in an unduly cramped or overdeveloped appearance. The car ports would be open on one side and of timber construction. The amended layout would retain an appropriate balance between built development and open space and would continue to provide adequate separation between buildings and a coherent arrangement of dwellings, parking and ancillary development.
- 4.3.10 The introduction of carports would also provide some undercover storage for vehicles and domestic storage which might otherwise be accommodated within external parking and garden areas. The proposed timber frames, and complementary materials are considered to be consistent with the approved dwellings, and the carports would integrate satisfactorily with the architectural character of the development.
- 4.3.11 Overall, the amendments would not materially alter the established character or design rationale of the approved residential scheme. The scale, siting, layout and appearance of the additional carport accommodation are considered appropriate to the residential character of the development and would not result in material harm to the character and appearance of the site or surrounding area. Regarding the PROW, no response has been received, however as the layout is within the bounds of the previously approved site layout, it is not considered there would be any impact on the PROW. The amended scheme is therefore considered acceptable in design and layout terms.

Parking

- 4.3.12 Local Plan Policy SP6: Sustainable transport confirms that the Council will seek to secure accessibility improvements and promote the use of sustainable transport modes insofar as reasonable and practicable. Local Plan Policy T1 Assessment of transport matters and Policy T2 Parking are also relevant considerations.
- 4.3.13 The proposed carports would provide appropriate off-street parking for the six approved dwellings. Whilst some of the parking dimensions fall marginally short of those set out within the North Herts Design Code, the spaces remain functional and separate bin and cycle storage has already been agreed through the earlier conditions. The carports would also increase parking provision in some instances, consistent with the greater parking requirements for dwellings of four bedrooms or more. Overall, the parking provision is therefore considered acceptable.
- 4.3.14 It is also relevant that the layout of the six-dwelling scheme was approved prior to the formal adoption of the Design Code, with the current Section 73 application submitted shortly before its adoption. Whilst the Design Code is a material consideration, it would not be reasonable to require substantial changes to an established and approved layout solely to achieve full compliance with standards introduced subsequently. Having regard to the extant permission and the limited scope of the Section 73 application, the minor areas of non-compliance are not considered to result in any material parking or highway harm.

Conclusion

- 4.3.15 There is no objection to the proposed changes in relation to impact on the Green Belt, and the proposed changes are considered to respect the character and appearance of the site and the new development. The proposed changes are in accordance with the NPPF, the North Hertfordshire Local Plan Policies and the District Design Code.
- 4.3.16 Grant conditional permission. Since the granting of the 2024 permission, there has been progress in getting the details required by the conditions imposed on that permission agreed. Therefore, the conditions below / recommended reflect this progress and refer to the relevant DOC application when relevant.

Alternative Options

- 4.3.17 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 is resolved to be **GRANTED** subject to:

- A) Providing delegated powers to the Development and Conservation Manager to update conditions and informatives with minor amendments as required; and
- B) The conditions and informatives set out below:

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, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

3. The materials to be used on all external elevations and the roof of the development hereby permitted shall be carried out in accordance with the details agreed under application ref. no. 25/00976/DOC unless otherwise agreed in writing by the Local Planning Authority.

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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, C and E of Part 1 (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.

5. Prior to occupation, each dwelling shall incorporate one Electric Vehicle (EV) ready domestic charging point and it shall thereafter be retained.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality and to comply with Policy D4 of the North Hertfordshire Local Plan 2011 to 2031.

6. All public right of way routes (Langley footpath 014) shall remain undisturbed and unobstructed at all times unless legally stopped up or diverted prior to the commencement of the development hereby permitted or closed temporarily for the purpose of works on the footpath, by a Temporary Traffic Regulation Order, Road traffic Regulation Act 1984. The alignment of any public right of way shall be protected by temporary fencing/signing in accordance with details first submitted to, and approved in writing by, Highway Authorities Rights of Way Service throughout the course of the development.

Reason: To safeguard the rights of the public and in the interest of pedestrian safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

7. Prior to occupation of the development hereby permitted, the landscape details shall be carried out in accordance with the details agreed under application ref. no. 25/01102/DOC unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the completed development and to ensure biodiversity net gain is delivered.

8. 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.

9. 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.

10. The requirements of parts (a), (b) and (c) of this condition have been discharged under planning reference 25/01104/DOC. The development shall be carried out in accordance with the details approved under that application.

The site shall not be occupied or brought into use until:

- (a) All works which form part of the approved Remediation Method Statement, where required, have been fully completed and, if required, a formal agreement has been submitted to and approved by the Local Planning Authority which provides for the ongoing monitoring and/or maintenance of the remediation scheme; and
- (b) A Remediation Verification Report confirming that the site is suitable for its approved use has been submitted to and approved in writing by the Local Planning Authority.

Any contamination not previously identified or reported, which is encountered during the development of the site, shall be brought to the attention of the Local Planning Authority as soon as reasonably practicable. A scheme to render such contamination harmless shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be fully implemented prior to occupation of the site.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

11. The development hereby permitted, shall be carried out in accordance with the Construction Method Statement agreed under application ref. no. 25/01106/DOC unless otherwise agreed in writing by the Local Planning Authority. The construction of the development shall only be carried out in accordance with the approved details.

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).

12. Prior to any above ground works being commenced, details of all external lighting for the development, hereby permitted, shall be carried out in accordance with the details agreed under application ref.no 25/01107/DOC. This should include non-intrusive light fittings and locations designed to minimise light spill into adjoining residential properties. Thereafter, the development shall be completed in complete accordance with the approved details.

Reason: In the interests of residential amenity and to minimise light nuisance.

13. The development shall be carried out in full accordance with the Ecological Enhancement Plan and details approved under planning reference 25/01108/DOC.

All ecological enhancement measures approved under planning reference 25/01108/DOC shall be fully implemented prior to the first occupation of the first dwellinghouse and shall thereafter be retained and maintained in accordance with the approved details.

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

14. The development shall be carried out in full accordance with the Sustainability Strategy and details approved under planning reference 25/01110/DOC. The approved measures must be implemented on site for each dwelling prior to its first occupation.

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

15. No gates shall be provided across the access to the site.

Reason: In the interests of local visual amenity and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

16. Prior to the first occupation of the first dwelling, a scheme of traffic calming measures to be submitted to, and agreed in writing by the Local Planning Authority, and installed on site and be retained thereafter.

Reason: To ensure traffic is moving at a slow speed to protect users of the footpath No.14 in accordance with Policy T1 of the Local Plan.

17. Notwithstanding the details on the proposed site layout plan, drawing no. 2023-16-PL-001, the four visitor parking spaces are to be laid with grasscrete and thereafter retained as such.

Reason: To allow for a green edge buffer to the edge of the application site in the interests in the setting of the neighbouring listed building, The Forge. LP Policy HE1.

18. The carports hereby permitted shall be retained permanently for the parking of motor vehicles ancillary to the respective dwellings and shall not be enclosed, converted or otherwise altered to provide additional accommodation or storage without the prior written permission of the Local Planning Authority.

Reason: To ensure the continued availability of appropriate off-street parking and to retain the open and lightweight appearance of the carports, in the interests of the character and appearance of the development and the surrounding area to comply with Policy D1 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.

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Location: Greenside
London Road
Langley
Hitchin
Hertfordshire
SG4 7PP

Applicant: Mr J Pateman

Proposal: Erection of six detached 4-bed dwellings following demolition of existing dwelling/outbuildings and builder yard buildings. (Amended plans received 13/08/24).

Ref. No: 24/00671/FP

Officer: Anne McDonald

Target Determination date: 17th May 2024.

Reason for delay

Time taken for bat survey work to be undertaken and for these results to be considered by the HCC Ecology team.

Reason for referral to committee

The site area is greater than 0.5 ha so this application is being presented to Planning Control Committee for determination on the basis of the requirements of the Council's Constitution.

Supporting documents

1. Planning, Design and Access Statement.
2. Transport Report.
3. Tree Survey Report.
4. Preliminary Bat Roost Assessment July 2024.
5. Bat Activity Survey.
6. Ecological Appraisal.

Plan numbers:

1. Location plan.
2. 2023-16-PL-230 – house type 2B elevations.
3. 2023-16-PL-220 – house type 2A elevations.
4. 2023-16-PL-200 – house type 1A elevations.
5. 2023-16-PL-130 – house type 2B floor plans.
6. 2023-16-PL-120 – house type 2A elevations.
7. 2023-16-PL-100 – house type 1A floor plans.
8. 2023-16-PL-002 – existing site plan.
9. 2023-16-PL-001 – proposed site plan.
10. TCP01 – tree constraints plan.
11. 2023-16-PL – house type 1 floor plans.
12. 2023-16-PL-150 – cycle and bin stores

13. 2023-16-PL-211A – house type 1B elevations.
14. 2023-16-PL-601A – existing and proposed visuals sheet 1.
15. 2023-16-PL-602A – existing and proposed visuals sheet 2.
16. 2023-16-PL-603A – existing and proposed visuals sheet 3.
17. 2023-16-PL-605A – existing and proposed site section.

1.0 Policies

1.1 National Planning Policy Framework:

Section 2 – Achieving Sustainable Development;
 Section 5 – Delivering a sufficient supply of homes;
 Section 8 – Promoting healthy and safe communities;
 Section 9 – Promoting sustainable transport;
 Section 11 – Making effective use of land;
 Section 12 – Achieving well-designed places;
 Section 13 – Protecting Green Belt Land;
 Section 15 – Conserving and enhancing the natural environment;
 Section 16 – Conserving and enhancing the historic environment.

1.2 North Hertfordshire Local Plan 2011-2031:

SP1: Sustainable development in North Hertfordshire;
 SP2: Settlement Hierarchy and Spatial Distribution;
 SP5: Countryside and Green Belt;
 SP6: Sustainable Transport;
 SP9: Design and sustainability;
 SP12: Green Infrastructure; landscape and biodiversity;
 SP13 – Historic Environment.

T1: Assessment of transport matters;
 T2: Parking;
 D1: Sustainable Design;
 D3: Protecting living conditions;
 NE4: Biodiversity and geological sites;
 HE1: Designated Heritage Assets

1.3 Supplementary Planning Document Vehicle Parking at New Development SPD.

2.0 Site History

Relevant Site History

- 2.1 22/01835/FP – Erection of 4 detached dwellings following demolition of existing dwelling / outbuildings and builders yard – Granted conditional permission on 06/06/23. This was determined under delegated authority due to an error regarding the size of the site area.
- 2.2 21/01439/PRE – Erection of 8 dwellings with associated infrastructure. The reply concluded that 8 dwellings could not be supported in this Green Belt location as this would fail to comply with the NPPF para 154 exception g advice, as 8 dwellings would have a materially greater impact on the Green Belt than the buildings to be removed.

- 2.3 00/00345/1HH - Single storey side extension, rear and side conservatory to include new porch – Granted Conditional Permission on 27/04/2000.
- 2.4 90/00586/1 - Single storey rear extension. (As amended by plans received 24th May 1990) – Granted Conditional Permission on 25/05/1990.
- 2.5 89/00512/1 - Detached dwelling with garage (outline - siting, design, external appearance and landscaping reserved) (As amended by plans received 5th May 1989)

3.0 **Representations**

- 3.1 **HCC Ecology** – application can be determined with no ecological objections subject to an informative and condition, which are recommended.
- 3.2 **HCC Highways** – no objection but this is an interim response as we consider there are opportunities to provide a 'betterment'. The highways officer states:

"The previous application was for four dwellings which has been updated to six dwellings. Drawing PL01 proposes an access with a 6m radii including pedestrian crossing facilities. This is acceptable, however LTP 4 resonates and supports the National Planning Policy Framework (NPPF) Section 9 Promoting sustainable transport. Sub-section 104 (c) which states: opportunities to promote walking, cycling and public transport use are identified and pursued. With this in mind there is opportunity for the footways shown on drawing PL01 be extended into the site approx. 28 meters to allow pedestrians to move past the radii of the access more safely".

- 3.3 **HCC Archaeology** – no comments received.
- 3.4 **HCC Rights of Way** – no comments received.
- 3.5 **NHDC Conservation** – there are no objections on the proviso that the layout includes a greensward (as in the previous four dwelling scheme) between the proposed development site and the setting of the neighbouring listed building, The Forge.
- 3.6 **NHDC Environmental Health** – no objection subject to an EV parking and land contamination conditions, which are recommended.
- 3.7 **NHDC Waste Services** – no objection. Response states that in this location waste collection will be curb side and provide advice on external bin storage and the width of pathway needed to allow bins to be dragged out for collection.
- 3.8 **Langley Parish Council** – no comments received.
- 3.9 The application has been advertised with a site notice and press notice and neighbour notification letter. Six replies have been received. Key points raised include:
 - 1. Lack for information on drainage. (Officer note – as the site is for less than 10 dwellings, the drainage details do not need to be submitted for consideration and foul water drainage will be a building control consideration during the build process).
 - 2. Support the re-design of the houses which are more in keeping with the locality.
 - 3. Concern that neighbour's access track will be blocked.
 - 4. Concern that landscaping is shown blocking footpaths.
 - 5. Objection to any part of the footpath being built over or blocked.

6. The site has not been used as a builder's yard for over 20 years and is being used by a firm 'Women with Waders' (a pond restoration company) for over 10 years. The loss of this business is detrimental to the rural economy.
7. The existing neighbouring buildings are mainly bungalows.
8. No case of Very Special Circumstances is provided. The development is greater than the existing buildings in terms of bulk.
9. The housing types does not contribute to affordable housing.
10. The houses will generate more traffic movements than the existing business which is only open 8am to 4pm on Mondays – Fridays.
11. If granted this application could set a local precedent for other development in the Green Belt.
12. No detailed landscaping plan.
13. Not a sustainable location for new development.
14. There is no secondary access to this site and the DAS is wrong when it states this.

4.0 Planning Considerations

4.1 Site and Surroundings

- 4.1.1 The application site, known as Greenside, is situated on the east side of London Road and within the settlement of Langley. The site is described as containing a dwellinghouse, builders' yard, and ancillary outbuildings.
- 4.1.2 The application site is situated within the Green Belt. The public rights of way footpath no.14 runs along the western boundary of the site outside of the red line planning application site area.

4.2 Proposal

- 4.2.1 This is a full application for the demolition of the existing house on the site, the clearance of all existing buildings and the construction of six detached chalet-bungalows with a central shared surface access road through the middle of the site, with three dwellings on each side. Each dwelling has off street parking for at least two cars, a bin and bike store and a large rear garden. There are four visitor spaces proposed on the north-west side of the access road.
- 4.2.2 The dwellings are all four bedroom homes, with a good sized hallway with plant room store off it, a large kitchen dining room with separate utility, separate lounge and two bedrooms, one with an en-suite and a family bathroom at ground floor and two further bedrooms, one with an en-suite at first floor level. The ridge height of the houses is just under 6m. The footprint of the houses are all roughly 'L' shaped, with house type 1A being 14.5m wide and part 8.7m and part 14m deep with house type 2A and 2B being 15.6m wide and part 8.8m and part 12m deep. All of the houses have a reddish rustic brick, a red plain tile and sections of black (composite) weather board cladding with ridged pitched dormer windows at first floor level. Each house has a generous rear garden, with plot 1 having the smallest rear garden at just over 220 sqm and plot 3 the largest at 430 sqm.

- 4.2.3 As set out above, documents have been submitted in support with the application. Key points from these include:

Planning Design and Access Statement:

1. The general siting and width of the principle elevations will be in keeping with the parameters of the local vernacular echoing a rural barn style dwelling.
2. The existing bungalow and outbuildings are not listed, nor is it of any particular architectural merit.
3. The principle, in terms of the development of previously developed land, is generally considered acceptable. By way of a previous planning consent for 4 new dwellings Ref: 22/01835/FP.
4. It is felt that the scale and massing of the new building will have no greater impact on the greenbelt setting but will in fact clean up the site and enhance the area.
5. The proposed scheme utilises a modern layout with a single access route into the site and a hammer head turning point at the back of the site.
6. The dwellings are situated off of the new shared access road.
7. The road layout within the site has been laid out to maximise the garden amenity space for the proposed dwellings and further adding to the openness across the site. This arrangement also provides some privacy and interest when viewed from London Road.
8. The existing landscape levels will generally be retained. A detailed landscape scheme will be submitted at the appropriate stage to deal with the soft and hard landscaping proposals.

Transport Statement:

1. The note demonstrates that the proposed access arrangement has been designed to accommodate vehicles associated with servicing and refuse and is appropriate for the scale of development.
2. The level of visibility identified is appropriate based on the recorded speeds along London Road.
3. The provided information demonstrates that the proposed access arrangements are safe and suitable.

Bat Survey Report:

1. During the Preliminary Bat Roost Assessment walkover carried out on the 3rd July 2024, all buildings underwent full internal and external inspection.
2. The main house was classed as low potential to support roosting bats therefore a further bat survey was recommended.
3. An emergence survey was carried out on the 8th August 2024. With the use of night vision aids and surveyors, the building was monitored and no bats were seen emerging from the building. Limited foraging or commuting activity was picked up on either detector.
4. Two Common pipistrelle emerged from the adjacent property to the southwest and commuted north.
5. No other activity was detected.
6. Recommendations: R1: In accordance with best practice guidance relating to lighting and biodiversity (Miles et al, 2018; Gunnell et al, 2012), any new lighting should be carefully designed to minimise potential disturbance and fragmentation impacts on sensitive receptors, such as bat species. R2: It is recommended to install bat tubes on all the properties to be constructed. (Officer note – conditions are recommended covering these recommendations).

4.3 Key Issues

Principle of development and Green Belt considerations

- 4.3.1 Section 13, Protecting Green Belt land, of the NPPF sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of the Green Belts being their openness and permanence. Paragraph 152 states that inappropriate development, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 sets out that a local planning authority (LPA) should regard the construction of new buildings in the Green Belt as inappropriate development unless it complies with one of the seven exceptions listed in paragraph 154. Exception g) states:

“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”.

- 4.3.2 Whilst Local Plan Policy SP2 identifies Langley as a Category C settlement where only limited affordable housing or facilities with local community needs will be permitted, this application is being presented for determination on the basis that this proposal complies with this NPPF 154 criterion (g), as an exception to the approach that new buildings within the Green Belt are inappropriate development.
- 4.3.3 However, Application 22/01835/FP approved four dwellings, with detached garages, accepting this argument, and concluded that the proposed new houses would not have a greater impact on the openness of the Green Belt than the existing development. The report for that application sets out that the application site currently consists of a single storey residential dwelling, three large outbuildings that serve a variety of purposes, and a group of outbuildings along the southern boundary of the site. These buildings total approximately 1,012 sqm in footprint. The proposed 4-bedroom, two storey houses with detached garages, proposed a combined footprint of 604 sqm, giving a decrease in built footprint across the site of 408 sqm.
- 4.3.4 This application is now proposing six smaller dwellings with no garages, although they are still generously sized 4-bedroom homes. The Planning, Access and Design statement sets out that the six dwellings and six bin and bike store structures combined have a built footprint area of 974 sqm. Therefore, this proposal is still showing a reduction in the built footprint across the site.
- 4.3.5 The site as existing has a mix of single and two storey buildings. The proposed buildings are chalet-bungalow homes, and would be taller than some of the existing buildings on the site. The proposed layout plan, also shows some ‘floorspace trade areas’ with the new homes either side of the access road, introducing two new homes at the east end of the site, but removing and not replacing buildings on the south-east side of the site, which are proposed to be gardens, and along the north-west boundary with The Forge, allowing for more space to this listed neighbour. As a result, it can be concluded that with the homes positioned more centrally within the site, than the existing layout, the gardens provide for openness to the site’s edges and whilst there is a different layout and impact of built form on the site, there is no greater impact on the openness of the site in the Green Belt. The proposal is therefore considered to

comply with the requirements of paragraph 154 g and it not considered to be inappropriate development in the Green Belt.

4.3.6 Development in the Green Belt must also be considered against the five purposes of the Green Belt as set out in paragraph 143 of the NPPF. This states the five purposes as being:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.3.7 This proposal is to re-use a brownfield site in a village location, and does not conflict with any of the purposes of the Green Belt and no objection against the application is raised on this basis.

4.3.8 It is noted that a neighbour objection is against the loss of the existing business located on the site. Whilst Section 6, 'Building a strong and competitive economy' of the NPPF, seeks to support the sustainable growth and expansion of rural businesses, it does not specify the protection / retention of rural businesses. There are also no Local Plan Policies seeking the retention of premises for a rural businesses, whilst there is policy support for the delivery of 'windfall' housing schemes on sites that are not allocated as housing sites, as together, these can make a material contribution to the delivery of new homes in the District over the Local Plan period. Therefore, no weight can be given to the loss of the rural business from this site in the consideration of this application. As a result, with the proposal considered to comply with a Green Belt exception criterion and no objection to the loss of a premises for a rural business, there is no objection to the principle of this proposal.

Sustainability

4.3.9 The NPPF December 2023 version, like the versions before, sets out that the purpose of the planning system is to contribute to the achievement of sustainable development and that to achieve this the planning system has three overarching objectives. These are that development must have an economic, social and environmental objective. These core aims are reflected within the Local Plan Policies SP1 and D1.

4.3.10 Regarding economic sustainability, the build process will provide for local jobs and will contribute to the local economy. Socially, friendships may form between new neighbours and residents can join in with local clubs and activities if they wish. The new houses will have to meet the high environmental code of current building regulations with regards to insulation, double glazing, low energy light fittings, low flow water fittings and an energy efficient boiler and each house will be provided with EV parking provision secured by condition. Solar panels and ground source heat pumps are not included on the plans. A condition is recommended to ensure that a scheme of sustainability measures to address the climate change emergency is agreed and implemented on site. On this basis, the development is considered to be sustainable and comply with the aims of the NPPF and Policies SP1 and D1.

Layout, design and heritage considerations

- 4.3.11 Local Plan Policy SP9 states that the Council considers good design to be a key aspect of sustainable development and that we will support new development where it is well designed and located and responds positively to its local context. These aims are supported by Policy D1 which requires for new development to 'respond positively to a site's local context'.
- 4.3.12 There are no objections to the layout and design of the proposal. The chalet-bungalows are considered to be complimentary to the locality both in terms of building height and external materials, and will form an attractive development with good sized frontages and large rear gardens. On this basis, the proposal can be considered to be good place making.
- 4.3.13 It is noted that the neighbour, The Forge, is a Grade II listed building, and that the NPPF, in paragraph 205 requires for great weight to be given to the asset's conservation. This is supported by Local Plan Policy HE1. The Conservation Officer has raised no objection to the proposal on the proviso that they would prefer that the whole of the area of the site alongside the western boundary with The Forge is 'green'. The extant 2022 scheme shows the whole of this area as lawn. However, in this proposal, along the western boundary with The Forge, whilst most of this area would be lawn, four visitor parking spaces are proposed adjoining the access road, rear of existing outbuildings at The Forge. The applicant has declined to amend the scheme to remove the proposed visitor parking from this location as this is the best location for the visitor parking in the layout. The surface of the parking spaces can be laid with grasscrete, which would allow for grass to 'green up' within the parking areas, and a condition is recommended to achieve this. Given the parking spaces are set away from The Forge, separated from The Forge by its own garden and outbuildings, the public footpath and proposed planting, in my view there will be no adverse impact on the setting of The Forge from the visitor parking in this location.
- 4.3.14 The proposed dwelling on plot 4, would replace the existing bungalow that currently sits close to the party boundary with The Forge. Due to the acceptable design of the proposed new dwelling combined with new planting along the west site boundary following the removal of barns and outbuilding which will open the setting of the rear of The Forge, it can be concluded that there will be no harm to the setting of The Forge from the proposal. There are further listed building located away to the north, but due to an existing field between these listed buildings and the application site, it is not considered that the application site is within the immediate setting of these buildings.
- 4.3.15 The proposal is not considered to represent harm to the setting of The Forge and is development in accordance with the aims of paragraph 205 of the NPPF. The layout and design of the application is therefore considered to be acceptable.

Amenity

- 4.3.16 Local Plan Policy D1 also requires for new development to meet or exceed the National Described Space standards. The houses are generous in size, all exceeding the minimum space requirements of these standards. This, along with large private rear gardens, on plot parking and bin and bike storage means that these houses can be considered to represent a good standard of amenity for future occupiers, and Policy D1 is considered to be met in this regard.

4.3.17 Local Plan Policy D3 seeks to protect the living conditions of existing and future occupiers. The new homes will form a 'street' providing a fairly traditional relationship with each other and will not give rise to unacceptable overlooking of each other's homes. With regards to the location of the new homes to existing neighbours, plot 1 is positioned with its front elevation 26m rear of Pen-y-Bryn and the side of the house in plot 4 is 19m apart from the side flank of The Forge. Given that there are existing trees and shrubs on the boundaries of The Forge and Pen-y-Bryn as existing, plus there will be new planting along the boundary of the site separating the public footpath and the low ridge height of the chalet-bungalows, whilst The Forge and Pen-y-Bryn will be aware that there is new development on this site, it cannot be concluded that there would be any undue adverse harm on the residential amenities of these homes by way of any unacceptable adverse overlooking, bulk or dominance.

4.3.18 I note concern from a neighbour that the existing business on the site is open 8am – 4pm on Mondays and Fridays and as a result does not generate much traffic, and there is a concern that the comings and goings of six houses will have harm on the residential amenities of the neighbours from traffic noise. This concern is not supported on the basis that the additional traffic movements from the two extra homes in comparison to the approved four house scheme will be minimal. There will also be a degree of road traffic noise in the locality from the traffic on London Road, and the additional noise from the access road past the neighbours will not be so noticeable or adverse over and above the traffic noise from London Road, to justify the refusal of this application. Finally, the site as existing could be used more intensively by business use without needing any planning permission from the LPA, which could result in HGV movements to and from the site, and this would be more harmful than the proposed six houses. On this basis, whilst this concern is noted, it does not justify the refusal of planning permission.

4.3.19 The application is therefore considered to be in accordance with the aims of Policy D3 of the Local Plan.

Highways and Public Right of Way

4.3.20 The Highways Authority did not raise any objection to the previous application for four houses, recommending conditions and an informative. As set out above, for this application they do not raise objection, but do consider that a 'betterment' of a footpath along both sides of the access road could be achieved. This is not supported on the basis that an urban style footpath in this location would be harmful to the setting of the listed The Forge building, as well as visually urbanising of this small development that has a shared surface for the development with good sized front gardens, which is considered appropriate for this rural location. Therefore, this request from the HCC Highways is not supported and the application is being recommended for approval contrary to this request. In the interests of consistency, the highways conditions from the previous application are recommended for this proposal.

4.3.21 Footpath no.14 runs outside of the red line application site, on its western side. Whilst it crosses the access road, which it does now, it remains unaffected by the proposal. A condition is recommended to ensure that it is not affected by the development.

Parking and bins

4.3.22 Local Plan Policy T1 requires that the development should not result in highway safety problems or to cause unacceptable impacts on the highway network, whilst Policy T2 requires that new development meet the car parking requirements. Regarding parking, the parking standards required for each new house of two or more bedrooms to

have two parking spaces and between 0.25 – 0.75 visitor parking with the higher number where there are no garages and the lower number where garages are provided. Each house has space to park at least two cars on plot, and there are four visitor parking spaces, so this proposal meets the parking requirements of the Local Plan.

- 4.3.23 Each house would have a bin and bike store in the frontage of each plot. These are 4m wide, 1.1m deep and 1.7m tall with slatted elevations and a green roof. Each store can hold three wheelie bins and two bikes. The provision of these stores is supported as providing secure cycle parking is in accordance with the parking requirements, and a bin store will prevent the bins from being left cluttering the parking area. At 4m wide and 1.7m tall, these will be visually apparent in the development. However, these are located in relation to each dwelling, and with a green roof top, are not considered to be visually unacceptable.

Bio-diversity and landscaping

- 4.3.24 Local Plan Policy NE4 seeks to ensure that there is a net gain of bio-diversity on site. The application was submitted before the achievement of 10% net gain of bio-diversity on sites became mandatory. As existing there are sections of hardstanding, and this will be removed and more lawn areas and gardens are to be created. A condition is recommended to ensure a scheme of bio-diversity measures is achieved on site, and there is no objection to the application on this basis.
- 4.3.25 With regards to landscaping, whilst some indicative landscaping is shown around the edges of the site, full landscaping details are not included. A condition is therefore recommended to ensure planting across the site is achieved.

Other matters

- 4.3.26 A condition is recommended removing permitted development rights to prevent extensions to the dwellings, that may harm neighbouring residential amenity, but more importantly as these houses have large rear gardens, and the justification for the principle of this proposal is that the proposed development will not have a greater impact on the openness of the Green Belt, to prevent large garden outbuildings from being constructed without the consideration of the LPA.
- 4.3.27 The conditions from the existing 2022 scheme are largely recommended again for this proposal with the addition of the ecology and sustainability measures conditions for this proposal.

4.4 Conclusion

- 4.4.1 This application is recommended for conditional permission on the basis that the proposed six (smaller dwellings than those approved under the four-house scheme) will not have a greater impact on the openness of the Green Belt than the existing arrangement of buildings on the site. The six new homes will make a minor contribution to the delivery of housing numbers in the District, which is a planning benefit, and the proposed scheme will have no harm on the setting of the listed neighbouring building The Forge, or adverse harm on the amenity of the neighbouring occupiers. The benefits of the application are therefore considered to be in accordance with the aims of Section 13 of the NPPF and Local Plan policies T1, T2, D1, D3, NE4 and HE1 and the application is recommended for conditional permission.

4.5 Alternative Options

4.5.1 None applicable

4.6 Pre-Commencement Conditions

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

5.0 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:

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

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, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

4. 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.

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

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

5. Prior to occupation, each dwelling shall incorporate one Electric Vehicle (EV) ready domestic charging point and it shall thereafter be retained.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

6. All public right of way routes (Langley footpath 014) shall remain undisturbed and unobstructed at all times unless legally stopped up or diverted prior to the commencement of the development hereby permitted or closed temporarily for the purpose of works on the footpath, by a Temporary Traffic Regulation Order, Road traffic Regulation Act 1984. The alignment of any public right of way shall be protected by temporary fencing/signing in accordance with details first submitted to, and approved in writing by, Highway Authorities Rights of Way Service throughout the course of the development.

Reason: To safeguard the rights of the public and in the interest of pedestrian safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

7. Before the development hereby permitted is occupied, landscape details shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the following:

- a) which, if any, of the existing vegetation is to be removed and which is to be retained;
- b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting;
- c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed;
- d) details of any earthworks proposed.

Reason: To ensure a satisfactory appearance to the completed development and to ensure biodiversity net gain is delivered

8. 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.

9. 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.

10. (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of written information allowing a preliminary environmental risk assessment to be undertaken, which allows the creation of a Conceptual Site Model which indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites), with a view to determining the presence of contamination likely to be harmful to human health, and the built and natural environment.
- (b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
- (ii) The results from the application of an appropriate risk assessment methodology
- (c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(e) Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

11. No development shall commence until a Construction Method Statement to include demolition of the existing buildings 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:

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

12. Prior to any above ground works being commenced, full details of all external lighting for the development shall be submitted to and approved in writing by the Local Planning Authority. This should include non-intrusive light fittings and locations designed to minimise light spill into adjoining residential properties. Thereafter, the development shall be completed in complete accordance with the approved details.

Reason: In the interests of residential amenity and to minimise light nuisance

13. No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features, has been submitted to and approved in writing by the local planning authority. These shall include:

1. One integrated bat box per dwelling should be incorporated in the design of the building;
2. Hedgehog highways should be formed to ensure hedgehogs can freely forage across the site - one hedgehog gap per fence should be created;
3. One integrated bird box per dwelling should be incorporated in the design of the building;
4. The provision of bee and insect habitats across the site and the agreed measures are to be implemented on site prior to the first occupation of the first dwellinghouse and thereafter retained on site.

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

14. Prior to the commencement of development a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation. The approved measures must be implemented on site for each dwelling prior to its first occupation.

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

15. No gates shall be provided across the access to the site.

Reason: In the interests of local visual amenity and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

16. Notwithstanding the details on the proposed site layout plan, drawing no. 2023-16-PL-001, the four visitor parking spaces are to be laid with grasscrete and thereafter retained as such.

Reason: To allow for a green edge buffer to the edge of the application site in the interests in the setting of the neighbouring listed building, The Forge. LP Policy HE1.

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. "If European Protected Species (EPS), including bats and great crested newts, or evidence for them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
To avoid the killing or injuring of wildlife during development, best practice should keep any areas of grass as short as possible and any longer, ruderal vegetation should be cleared by hand. To avoid creating refugia that may be utilised by wildlife, materials should be carefully stored on-site on raised pallets and away from the boundary habitats. Any trenches on site should be covered at night or have ramps to ensure that any animals that enter can safely escape, and this is particularly important if excavations fill with water. Any open pipework with an outside diameter greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.
In order to protect breeding birds, their nests, eggs and young, demolition or vegetation clearance should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed".
2. Environmental Health Informative:

During the construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.
3. Environmental Health Informative:

During the construction works phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.
4. EV CHARGING POINT SPECIFICATION INFORMATIVE:

Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco Developments).

- o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed determination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

5. External materials informative:

Further to condition X (external materials), with regards to submitting details to the Council when an application to discharge the condition is made, in the first instance please provide a website link / photographs / brochure details of the proposed material choice. If it is necessary to submit an actual sample, this Council will only accept a single brick or tile or sample panel without prior agreement. If you need to submit a sample larger than this, please contact the named case officer for your discharge of condition application to determine if the materials are to be viewed on site or if it / they can be delivered to the NHDC Council Offices. In the event that a larger sample is delivered to the Council Offices please ensure that you arrange collection / removal of the sample once the discharge of condition application is agreed.

6. 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/businesslicences.aspx> or by telephoning 0300 1234047
7. 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:
<https://www.hertfordshire.gov.uk/services/highways-roads-andpavements/business-and-developer-information/developmentmanagement/highways-development-management.aspx>

8. Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.
9. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
10. New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-andpavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
11. Pull distances to the collection vehicle should not exceed 15m in accordance with BS5906:2005.

Separate internal storage provision for waste should be provided in kitchen areas to support the recycling of different waste streams to support the National Planning Policy for Waste's requirements to support driving waste up the waste hierarchy.

The surface to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins this should be 1 metre, with a maximum gradient of 1:12. Storage areas should be conveniently located with easy access for residents - residents should not have to take their waste and recycling more than 30metres to

a bin storage area, or take their waste receptacles more than 25metres to a collection point, (usually kerbside) in accordance with Building Regulations Approved Document H Guidance.

Consideration should be given to parking arrangements alongside or opposite the access to individual streets. If car parking is likely in the vicinity of junctions then parking restrictions may be required to ensure access is not inhibited.

For infill applications consideration should be given to parking arrangements alongside or opposite the access to the site. If car parking is currently permitted the consideration of parking restrictions may be required to ensure access is not inhibited.

For houses, bins should be ordered direct from the Council's contractor 2 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.

Pull distances from the storage point to the collection point should not be within close proximity to parked cars.

The gravel drive makes pulling bins difficult and consideration should be given to whether this surface is the most suitable or whether bins stored closer to the collection point would be more preferable.

The applicant should note that collections occur from the kerbside and residents will be required to present their bins in this location on collection day.

Further general advice on waste provision for developments is available on our website: <http://www.north-herts.gov.uk/home/planning/waste-and-recyclingprovision>

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Location Plan

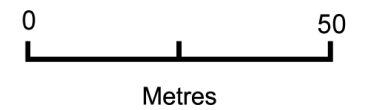
Site Address: **Greenside, London Road, Langley, SG4 7PP**

Date Produced: **22-Mar-2024**

Scale: **1:1250 @A4**



Planning Portal Reference: **PP-12913106v1**



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By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Planning Control Committee

3rd September 2026

*PART 1 – PUBLIC DOCUMENT

Planning Enforcement Quarterly Report

INFORMATION NOTE OF THE DEVELOPMENT AND CONSERVATION MANAGER

1.0 SUMMARY

- 1.1 An overview of the work and performance of the Planning Enforcement team is reported to the Planning Control Committee on a quarterly basis.
- 1.2 This report outlines the strategic context, local priorities, and an overview of investigations, formal action, appeals and S106 obligations.
- 1.3 The information within this report is underpinned by a secondary, Part 2 Restricted Document, which provides detailed information on a number of investigations that principally relate to matters identified as being high profile, high public interest, updates requested by Members, and/or sensitive cases.

2.0 LEGAL AND STRATEGIC CONTEXT

- 2.1 Planning Compliance is primarily concerned with works which have taken place in breach of planning control as set out in the Town and Country Planning Act 1990 (as amended), Planning (Listed Buildings and Conservations Areas) Act 1990 (as amended), and Town and Country Planning (Use Classes) Order 1987 (as amended).
- 2.2 Established procedures and practices ensure that planning enforcement action complies with the relevant legislative framework, balanced with providing a service which maintains the public's confidence in the Council delivering effective planning enforcement. Every complaint is reviewed and triaged, and new cases opened for investigations where we receive evidence alleging a breach.
- 2.3 It is not usually an offence to undertake development without first obtaining planning permission, and taking formal enforcement action is discretionary and is informed by planning policies. A large number of complaints are from residents concerned about building works undertaken to neighbouring properties, land use and how authorised development is carried out. Investigations relate to unauthorised adverts, harm to protected trees/hedgerows and listed buildings all of which can be criminal offences.
- 2.4 Most cases investigation reports alleging that development has been undertaken without the required planning permission; however, most investigations conclude that developments benefit from 'permitted development'. Other matters that are reported most frequently relate to planning conditions/limitations, listed buildings, and trees.
- 2.5 We aim to ensure that all action is proportionate to the breach and formal action will only be taken when it is expedient and in the public interest to do so, which will vary from case to case.

3.0 INFORMATION AND UPDATES

- 3.1 The Planning Enforcement Technical Support Officer routinely handles a large volume of reports and email queries received in the dedicated inbox. Our webpages provide information which includes responses to questions that we receive most often, and how to report an alleged planning breach.
- 3.2 We would also encourage Members to contact us via the Planning Enforcement webpage, and can provide quickest responses to queries about planning enforcement matters: [Planning enforcement | North Herts Council](#)
- 3.3 The Planning Enforcement Team manages an average of 130 investigations at any time and are prioritised and progressed according to factors, such as the level of seriousness, immunity deadlines. Therefore, the priority of individual cases can change, and some cases can take longer time to resolve, particularly where landowners decide not to resolve, retrospective applications are submitted, or appeals are involved.
- 3.4 S106 agreements are legally binding and entered between a local planning authority and the developers of land that delivers residential schemes of 10 units or greater. Such agreements may include obligations to undertake work and / or obligations to make a payment to mitigate harm or comply with certain policy requirements. The Council monitor compliance with these obligations; the S106 Supplementary Document sets out the approach and expectations from developers in terms of how the discharging conditions is recorded, evidenced, monitored and enforced.
- 3.5 S106 monitoring quarterly reports are now published on the Council webpages along with the Infrastructure Funding Statement: [Planning obligations \(section 106 agreements\) | North Herts Council](#)
- 3.6 Public-facing information is key for helping people to understand planning control and enforcement. A key part of this relates to updated information on the council website. Work is currently taking place to update the conservation pages, which, when completed will see the introduction of a series of Q&As in response to the most common questions and issues for development in conservation areas and works to listed buildings.

4.0 INVESTIGATIONS AND PRIORITIES

- 4.1 Planning enforcement ensures that where harmful development is carried out without permission, it is remedied, either by its removal or its modification would make the development acceptable and conditions attached to planning permission.
- 4.2 Investigations are prioritised according to a range of factors including the severity of the breach, immunity, complexity, and resources. Therefore, the priority of cases can change, we cannot predict how long it will take to conclude investigations. We will update reporters at key stages throughout investigations. Current priorities are:

- Unlawful works to listed buildings
- Unauthorised residential accommodation
- Breaches of planning conditions
- Unauthorised shopfronts within conservation areas
- Unlawful works and removal of protected trees

5.0 INVESTIGATIONS & ENFORCEMENT ACTION

5.1 In light of the information above outlining how investigations are prioritised, we do not measure based on the number of cases that are completed, nor by the number of formal notices that are served. Successful investigations are achieved when breaches are resolved, which can take time due to a number of factors – invalid applications, appeals against refused planning applications, appeals against formal notices, non-compliance with notices, escalated enforcement action such as prosecution or injunctive action.

5.2 In line with the Council's approach to enforcement across the regulatory services, we aim to resolve breaches through information steps, where possible. We work collaboratively with Development Management, Environmental Health, Licensing, Housing and external agencies to resolve cases formally and informally.

5.3 Updates on planning enforcement investigations are published on the Council website and include details on the number of cases investigated. The following summary reflects the enforcement work undertaken from April – 11 Aug:

	2024 (completed)	2025 (completed)	2026 (completed)	Pending decision
Investigations	283	214	148	123
Related Retrospective Applications	65	86	29	23
Planning Contravention Notices	6	13	24	4
Formal Notices to Resolve Breach	7	4	9	8
Appeals Against Formal Notices	1	2	4	5
Temporary Stop Notices	0	3	2	0
Prosecutions	1	1	1	5
Injunctions	1	0	0	0
Other	1	0	1	3

5.4 This data demonstrates that most breaches identified are resolved informally, and proportionate action taken to resolve cases where there is evidence of planning harm. There is a need to strike a balance between protecting the environment, protecting the amenities of neighbours and conserving historic building and areas, whilst at the same time enabling the freedom of the owners to use or alter their property in line with planning regulations.

5.5 Expediency

When assessing whether formal action should be taken, the Council will ensure that the action is reasonable, proportionate and is in the public interest to achieve a meaningful outcome that addresses planning harm. For planning enforcement the term expediency enforcement relates to the 'planning balance' for taking action, and landowners should note that development undertaken without the required planning permission is at their own risk.

5.6 Notices and Appeals

The table below details the details and status of formal notices that Planning Enforcement has served this year. The information shows that the cases are at various stages of the resolution journey.

Recipients of Enforcement Notices may to appeal to the Planning Inspectorate for an independent decision about the breach/es alleged. When Notices are complied with, we take no further action, however for non-compliance with Notices is an offence and we consider further action - including prosecution and direct action. Some matters are an outright offence, so prosecution is also considered in those cases.

LOCATION	BREACH	COMMENTS
Breachwood Green	Material change of use as car park and associated hardstanding	Retrospective application refused Planning appeal dismissed EN appeal submitted
The George, Baldock	Material change of use to residential flats	Appeal dismissed Compliance by 11.02.2027
4c Sun Street	Change of fenestration within conservation area	Complied with Notice
96 High Street	UVPC windows installed to listed building	Complied with Notice
34 Gaping Lane	Incongruous dormer roof addition	Retrospective conditional planning permission granted
19 Sollershott Hall	Timber trellis and gates affect integrity of listed building	Compliance not secured – direct action under consideration
Tea Green Events Venue	Material change of use to events venue	Retrospective application refused EN appeal submitted
31 Thatcher's End	Rear and side extension and raised land levels	Retrospective application refused Planning appeal dismissed EN appeal submitted
Land at Morrisons Letchworth Garden City	Damage to protected tree and installation of lighting columns and CCTV associated with EV charging	Communications to secure tree replanting in progress
36 Victoria Avenue	Unauthorised cladding of dwellinghouse and unauthorised development of roof terrace on roof of rear extension	EN appeal submitted
66 High Street	Unlawful dormer to listed building	Pending appeal or compliance

6.0 S106 MONITORING and ENFORCING PLANNING CONDITIONS

6.1 S106 Monitoring

The planning system supports the delivery of better recreation facilities, open spaces and health facilities and therefore impacts positively on the health and wellbeing of those living, working and visiting North Herts. This delivery can be through s106 obligations where appropriate. S106 Monitoring and Compliance takes an increasingly proactive role in the monitoring the delivery of financial and non-financial S106 obligations.

6.2 A key aim is to ensure that S106 obligations are secured in accordance the relevant planning legal agreement. As part of this work Officers maintain a schedule of all the S106 financial contributions held, and processes now track and monitor the implementation of schemes of 10 units or larger to ensure they are delivered in accordance with permissions and associated conditions.

6.3 Proactive monitoring of S106 schemes centres on early engagement with developers, as part of building relationships with them, and clearly setting out the S106 monitoring plan and trigger points.

6.4 However, developers are not required to inform a LPA that work is starting on most developments once planning permission has been granted; it is unlawful to make this a condition of a planning consent. The ethos of the planning system is that it is the responsibility of the applicant or any subsequent developer to ensure that the terms of all conditions are met in full. Significantly for an applicant, failure to both discharge and comply with conditions at the correct time runs the risk of impacting on a planning permission and questions whether this remains in force due to a breach.

6.5 Enforcement of Planning Conditions

Planning conditions are used to enhance the quality of development, by mitigating harm and to enable a development to take place that would otherwise have been refused. In essence, they must be fair, reasonable and practicable and tailored to deal with specific issues.

Officers monitor sites in conjunction with other officers where resources permit. tree protection measures being put in place prior to any construction work starting or, as set out below, where work is proposed to a listed building.

7.0 RESTRICTED INFORMATION UPDATES FOR MEMBERS

7.1 Part 2 of the report is restricted and will provide members with more detailed updates on high-profile, sensitive and cases that Members has expressed interest in receiving update information.

8.0 NEXT STEPS

8.1 To note this report.

CONTACT OFFICER

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