

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:** 17<sup>th</sup> 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-PI-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-PI-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 buildings 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 require 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.

- 3 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-andpavements/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>