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

Date of expiry of statutory period: 4 July 2025

Extension of statutory period: 19 February 2026

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

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

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

1.0 **Site History**

1.1 No relevant previous history.

2.0 **Policies**

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

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

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

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP9: Design and Sustainability

Policy HS3: Housing mix

Policy D1: Sustainable Design

Policy D3: Protecting living conditions

Policy D4: Air quality

Policy NE2: Landscape

Policy NE4: Biodiversity and geological sites

Policy HE1: Designated Heritage Assets

Policy HE4: Archaeology

Policy IC1: Land at Duncots Close.

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

Section 2: Achieving sustainable development

Section 6: Building a strong, competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places and beautiful places

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

Section 16: Conserving and enhancing the historic environment

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

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

Policy E2 – Protecting the Landscape

Policy E3 – Rural Character

Policy E4 – Biodiversity

Policy SD1 - Development within the settlement boundary

Policy SD2 – New Housing Development

Policy SD3 – High Quality Design

Policy SD4 – Provision of Energy Efficient Buildings

Policy SD5 – Water Management

Policy MTT2 – Car Parking

3.0 **Representations**

3.1 **Neighbour Consultation –**

8x Objections:

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

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

3x Representations:

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

3.2 **Parish Council –**

10 July 2025 – Objection.

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

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

September 2025 –

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

3.3 **Anglian Water –**

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

3.4 **Archaeology –**

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

3.5 **Ecology**

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

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

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

3.6 **Environmental Health –**

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

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

Air Quality: Recommends EV Charger Condition.

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

3.8 **Highways –**

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

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

3.9 **Lead Local Flood Authority –**

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

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

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

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

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

3.13 **Conservation officer** – No response

3.14 **Waste and Recycling** –

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

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

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

4.2 **Proposal**

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

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

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

Principle of Development:

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

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

Land at Duncots Close 9 Homes

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

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

Sustainability:

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

Design and Appearance:

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

Appearance

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

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

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

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

Layout and Access

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

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

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

Landscaping

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

Impact upon Heritage Assets

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

Housing Mix:

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

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

Impact on Neighbouring Properties:

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

Standard of Amenity for Future Occupiers:

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

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

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

Environmental Implications:

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

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

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

Highways and Parking:

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

Other Matters:

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

4.4 **Conclusion and Planning Balance**

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

4.5 **Alternative Options**

- 4.5.1 None applicable.

5.0 **Legal Implications**

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 **Recommendation**

- 6.1 That planning permission be **GRANTED** subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

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

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

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

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

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

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

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

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

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

11. Prior to the first occupation of the development hereby permitted the proposed onsite car and cycle parking, servicing, turning and waiting areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the Proposed Site Layout -External Works Plan (Ref- AA139_0-0-03) and retained thereafter available for that specific use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Proactive Statement:

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

Informative/s:

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

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

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

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