

Public Document Pack

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

THURSDAY, 24TH JULY, 2025

AGENDA

Please find attached papers relating to the above meeting, as follows:

Agenda No	Item
-----------	------

2.	<u>NOTIFICATION OF OTHER BUSINESS</u> (Pages 3 - 30)
----	---

Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency.

The Chair will decide whether any item(s) raised will be considered.

There is one item to be considered as a matter of urgency:

1.	25/00104/FP LAND TO THE REAR OF BANYERS HOTEL, KING JAMES WAY, ROYSTON, HERTFORDSHIRE, SG8 7BZ
----	---

This application was deferred from the Planning Control Committee meeting on 17 July 2025 and will be considered under this item as an urgent decision. It has been agreed as urgent by the Chair of the Council, for the following reason:

The Members who called-in this application were not present at the meeting nor did they provide written statement or appoint another member to present the item. The matter cannot wait until the scheduled meeting of the PCC in August as the statutory period for the matter to be determined (26 March 2025) has already been extended (30 July 2025), meaning that the Council could be liable to appeal against the failure to determine the application.

Included in this pack is the report and plan for Application 25/00104/FP, with minor correctional amendments to the report as follows:

- Paragraph 3.4 – additional Conservation Officer comments added.
- Paragraph 3.13 – Natural England consulted – comments will be reported.
- Additional neighbour responses – two additional responses (no new issues raised) and now 11 objections in total.
- Paragraph 4.2.2 – slight amendments to ridge and eave heights of the buildings.
- Additional Biodiversity Net Gain Plan condition added to recommended list of conditions.
- Recommendation amended to add reference to any response/conditions required by Natural England.

This page is intentionally left blank

<u>Location:</u>	Land To The Rear Of Banyers Hotel King James Way Royston Hertfordshire SG8 7BZ
<u>Applicant:</u>	Mr Borno
<u>Proposal:</u>	Residential development to provide 9 flats with associated vehicular parking and access via existing dropped kerb from King James Way with ancillary bike and refuse store.
<u>Ref. No:</u>	25/00104/FP
<u>Officer:</u>	Tom Rea

Date of expiry of statutory period: 26th March 2025

Extension of statutory period: 30th July 2025

Reason for Delay: Negotiations, submission of additional information and in order to present the application to an available committee meeting.

Reason for Referral to Committee: This application has been called-in to Planning Control Committee by Cllrs Brownjohn and Lucas to request the Committee's scrutiny with particular regard to the ecological implications of the development.

1.0 Planning Policy

North Hertfordshire District Local Plan (The Local Plan) 2011 – 2031

Policy SP1: Sustainable Development in North Hertfordshire
Policy SP2: Settlement Hierarchy and Spatial Distribution
Policy SP4: Town Centres, Local Centres and Community Shops
Policy SP6: Sustainable Transport
Policy SP8: Housing
Policy SP9: Design and Sustainability
Policy SP10: Healthy Communities
Policy SP11: Natural Resources and Sustainability
Policy SP12: Green Infrastructure, Landscape and Biodiversity
Policy SP13: Historic Environment
Policy HS3: Housing mix

Policy T1: Assessment of Transport Matters
Policy T2: Parking
Policy D1: Sustainable Design
Policy D3: Protecting Living Conditions
Policy NE1: Landscape
Policy NE2: Green Infrastructure
Policy NE4: Biodiversity and geological sites
Policy NE10: Water Framework Directive and wastewater infrastructure
Policy NE12: Renewable and Low Carbon Energy Development
Policy HE1: Designated Heritage Assets
Policy HE4: Archaeology

National Planning Policy Framework (NPPF) (December 2024)

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

Supplementary Planning Guidance

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

Sustainability SPD (2024)

2.0 **Site History**

2.1 24/01075/FP: Residential development to provide 15 flats with associated vehicular parking and access via existing dropped kerb access from King James Way and ancillary plant, bike and refuse enclosure. Refused on 7th August 2024 for the following reasons:

1. Due to the size, height, external materials and location of the proposed building on the site, the block is considered to be out of context and unsympathetic to local character, contrary to the aims of Local Plan Policies SP9 and D1 and the design advice of paragraph 135 of the NPPF.
2. Due to the width and height of the proposed building in close proximity to the rear of the neighbours in Hunters Mews, it would result in a form of development that would dominate outlook and have an over bearing impact on these existing neighbours, as well

as cause unacceptable levels of overlooking and loss of privacy from this proposed close relationship, contrary to the aims of Local Plan Policy D3 and paragraph 135 of the NPPF.

3. Due to the design, location, scale, bulk, massing and tree loss / reduction, less than substantial harm would be occasioned to the setting of nearby heritage assets and to the character and appearance of the Royston Conservation Area. This harm would not be outweighed by the public benefits of the proposed development. As a result, the proposal fails to satisfy Sections 66(1) and 72(1) of the Planning (LB & CA) Act 1990, the aims of paragraph 135 and Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031.

4. A completed S106 Agreement has not been submitted with the application to cover the contributions of affordable housing, education, library, youth and waste services and fire and rescue services contrary to the provisions of Local Plan Policy SP7.

5. The application does not demonstrate that there would be no impact on highway safety and convenience of users contrary to Policy T1 of the North Hertfordshire Local Plan 2011-2031, the Policies contained in the Local Transport Plan (LTP4) and section 9 of the NPPF.

3.0 **Representations**

- 3.1 **HCC Lead Local Flood Authority:** – Objects to the development due to the absence of an acceptable Flood Risk Assessment and Drainage Strategy.

Notwithstanding the submission of additional information by the applicants the LLFA has maintained its objection in a recent response dated 21st July 2025. The latest LLFA comments have been passed to the applicants and a response is expected in due course.

- 3.2 **HCC Highways** – Advises no objections subject to conditions, informatives and a Sustainable Transport contribution via a Section 106 Agreement.

- 3.3 **HCC Archaeology** – no objection subject to archaeological conditions.

- 3.4 **NHDC Conservation Officer** – No formal objection but suggest amendments to enhance the scheme in terms of its relationship to heritage assets.

Additional comments from the Conservation officer advise that the amended elevational plan (2006 Rev P03) and choice of materials is the preferred palette of materials and finishes that results in the proposed block reading like individual dwellings. The officer advises that the proposals would cause 'less than substantial harm' and at the lower end of that spectrum as a result of the latest amended elevations and choice of materials.

- 3.5 **NHDC Environmental Health** – Recommends conditions.

- 3.6 **NHDC Ecology Officer** – Advises no ecological objection. Recommends conditions.

- 3.7 **NHDC Waste Services** – general comments provided regarding waste collection.

- 3.8 **NHDC Housing Officer** – Advises that the provision of 9 flats is below the 11 dwelling threshold for delivery of affordable housing.
- 3.9 **Historic England** – Does not wish to offer any advice. Suggest seeks the views of specialist conservation and archaeological advisors.
- 3.10 **Anglian Water** – Advises development is outside of the remit of Anglian Water. Advises that applicant should check for any encroachment onto Anglian Water assets.
- 3.11 **Royston Town Council**: Objects on grounds of height, overshadowing, loss of light / proximity to neighbours, damage to trees and loss of habitat and design not in keeping with nearby historic buildings.
- 3.12 **HCC Growth & Infrastructure** : Advises that HCC will not be seeking financial contributions to relevant HCC services.
- 3.13 **Natural England**: Any response will be reported verbally at the meeting.
- 3.13 The application has been advertised with site and press notices and neighbour notification letters. 14 responses have been received (with 11 objections) in response to the publication of the application. The details are published on the Council's web site. Key points raised include:
1. Building is too large for the site and too close to adjacent houses
 2. An overdevelopment
 3. Flats not appropriate /Out of scale and context.
 4. Adverse impact on heritage assets
 5. Loss of / damage to the wildlife habitat / biodiversity which covers the site.
 6. Query mix of dwellings proposed
 7. Inaccurate / misleading drawings.
 8. There is not enough parking in the road now and this will lead to more parking problems.
 9. Lack of parking proposed on site.
 10. Will harm the outlook and amenities of the neighbours in Hunters Mews from overlooking, overshadowing and dominance.
 11. Out of scale and context.
 12. There is no route through to Melbourn Street and this is unsustainable as it blocks pedestrian / cycle access through the site.
 13. The new houses in the town are causing the capacity at the schools and doctors to be exceeded.
 14. Request swift bricks
 15. Concerned that this development will cause local flooding.
 16. The local sewage system is already at capacity and we are concerned that these additional houses will lead to problems.
 17. Will impact on the future viability of the Banyers Hotel
 18. Noise and disturbance from construction

4.0 **Planning Considerations**

4.1 Site and Surroundings

- 4.1.2 The application site is roughly rectangular in shape and lies to the north / rear of the Banyers Hotel off the bend, to the south side, of King James Way. The site is within the Royston Conservation Area, with the area of the large group tree preservation order zone TPO/26 and lies close to several listed buildings, including the Banyers Hotel (Grade II), the Manor House (Weatherspoon's Pub) (Grade II*), no. 18 Melbourn Street (Grade 1) and the Parish Church of St. John the Baptist (Grade I). The Lanterns, to the west, is identified as a building of local interest in the Conservation Area. The site has many mature trees around its boundaries and within it. It is neighboured by existing built development on all four sides. To the north and west there is established residential development which is predominantly 2-storeys in height. To the south is the 2-storey Banyers Hotel building and to the east the existing barns at the rear of No. 18 Melbourn Street. The site is roughly level, with a field gate access on the north east side off King James Way.

The majority of the site (central and southern portion) is within the Royston Town Centre boundary.

The site area measures 1944 sq metres.

4.2 Proposal

- 4.2.1 This is a full application for the residential development of the site with a 2-storey block providing 9 apartments comprising the following sizes:

Accommodation schedule

Number	Level	Name	Area
Apartment 1	Ground floor	2 bed, 3 person	64 sq metres
Apartment 2	Ground floor	1 bed , 2 person	53 sq metres
Apartment 3	Ground and first floor	2 bed duplex, 4 person	94 sq metres
Apartment 4	Ground floor	1 bed , 2 person	53 sq metres
Apartment 5	Ground floor	2 bed, 3 person	64 sq metres
Apartment 6	First floor	2 bed, 3 person	67 sq metres
Apartment 7	First floor	1 bed, 2 person	56 sq metres
Apartment 8	First floor	1 bed, 2 person	56 sq metres
Apartment 9	First floor	2 bed, 3 person	67 sq metres

The block would be positioned along an east – west alignment within the southern part of site, with the ground floor accommodation accessing private gardens on the south side of the block, a 14-space parking court on the northern part of the site together with a combined cycle store and refuse/ recycling storage area close to the eastern boundary.

- 4.2.2 The proposed residential block would be 32.4m wide, 11.4m deep with a maximum ridge height of 9.86m and a ground to slab level change of 0.3m. The eaves height is 5.78 metres and the ridge height of the gable projections is 8.25m above ground floor level. The proposed external materials are brick, sections of horizontal cladding in light green, a tiled roof with solar panels on the southern roof slope. The design of the block includes fully hipped roof detail at the eastern and western ends with lower projecting gables on the front and rear elevations. There is no accommodation proposed within the roof space.
- 4.2.3 The proposed ground floor flats would all have a rear door and access to a private rear garden area. To the rear of the private garden areas is a communal garden area including a walkway and planted beds. Further south, beyond the application site area but within the ownership of the applicant, is a 5-metre-deep buffer comprising existing trees and native scrub.
- 4.2.4 The proposed refuse bin / cycle storage building on the eastern side of the site to the north east of the main block would be single storey with a shallow mono pitched style 'green' roof.
- 4.2.5 The following documents have been submitted in support of the application:
1. Drainage strategy and report;
 2. BNG Net Gain Assessment;
 3. Daylight / Sunlight Assessment
 4. Tree Report and tree protection plan;
 5. Design and Access Statement;
 6. Heritage statement;
 7. Archaeological Written Scheme of Investigation;
 8. Ecology survey.
- 4.2.6 Key points as presented by the applicants include:

DAS:

1. The design focus has been to introduce a residential block that makes a positive contribution to local character through the use of high quality and considerate design.
2. The design proposals within this report have been carefully considered and are a response to the refused application for 15 flats (ref: 24/01075/FP)
3. The proposal aims to deliver maximum benefit in terms of density without materially impacting on the residual plot and surrounding buildings, including the historically important wall, stables and barn located to the eastern boundary of the development site and Thurnalls House itself.
4. The proposals would require the reinstatement and improvement of the existing vehicular access in accordance with the previous consent granted for development to the rear of 18 Melbourn Street (NHDC ref 07/00632).
5. A landscaping strategy has been produced that primarily is aimed at the retention of existing trees wherever possible with enhancements through a new landscaping strategy.
6. The car parking area will feature a permeable style block paving that will help manage rainwater run-off and be more forgiving to any potential movements generated by the nearby trees.

7. The building has been placed centrally within the site away from the neighbouring boundaries to reduce the risk of overlooking and any loss of privacy to existing neighbouring occupiers.
8. The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.
9. No impacts to any notable habitats are anticipated due to the small scale and distance of the proposed development from such habitats as well as the urban location of the site with surrounding physical barrier.
10. The current proposed plan results in a 13.43% net loss in habitat units and therefore off-site units will be sought.
11. The deficit will need to be delivered in a suitable offsite location i.e. biodiversity offsetting.
12. The site is located in Flood Zone 1 indicating the lowest risk of fluvial flooding. As such the site is sequentially appropriate and no further search for alternatives is necessary under national policy. Any localised flooding is managed through an elevated threshold for the dwellings and an enhanced Sustainable Drainage Strategy (SuDS).
13. The development would benefit from having finished floor level of the dwellings set above the surrounding ground level by at least 300mm to mitigate against the residual effects of flooding from surface water, groundwater, and sewers. Flood risk is considered to be reduced even further through the use of a SuDS based surface water management strategy.
14. Surface water is to be disposed of via infiltration.

4.3 Key Issues

Principle

- 4.3.1 The site is located with Royston Town Centre. Royston is mentioned in Policy SP2 of the Local Plan as one of the settlements within the district which will accommodate approximately 80% of the District's housing development and the substantial majority of new employment, retail and other development. In proposing residential development the development would, in general terms, be in line with this main policy thrust concerning the location of new development in towns.

This is not an allocated housing site in the Local Plan although the contribution of 'windfall' sites can make a positive contribution to the delivery of housing during the Plan period. However, this site has the significant constraints of it being both within the Conservation Area and TPO/26 area as well as neighbouring listed buildings, and these constraints are discussed below.

Sustainability

- 4.3.2 The NPPF 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.

- 4.3.3 With regards to the above objectives and this development, the site is located within the town centre of Royston, where the facilities of the town, shops, services, community facilities, bus routes and the train station, are accessible in terms of walking and cycling in addition to the private car. In social terms the development would add a number of small housing units to the district's housing stock. The build process would provide for local jobs and contribute to the local economy and in the longer-term new residents would support the town and its facilities. The flats would 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 energy efficient boilers and Electric vehicle charging points would be provided in accordance with Building Regulations. Solar panels are also shown on the submitted plans. Overall, the development is considered to have social, environmental and economic benefits and therefore comply with the aims of the NPPF and Policies SP1 and D1 in terms of sustainability and no objection is raised on this basis.

Housing mix and accessibility

- 4.3.4 Local Plan Policy HS3 requires an appropriate mix of house types and sizes to be proposed in a development, whilst Policy HS5 requires major housing schemes to ensure that at least 50% of homes can be built to M4(2) accessible and adaptable standard. This is not a major application as only 9 dwellings are proposed. In this location close to the town centre and taking into account the number of family houses located just to the north and west of the site, a mix of 1 and 2-bed flats is considered appropriate. There is no direct footpath access from the site to the south but access to Melbourn Street can easily be achieved via King James Way and through the Council car park and the health centre site immediately to the east. Accordingly, it is considered that the housing mix and accessibility of the site is acceptable given the wider pattern of development and ease of access to local services.

Amount of development and design and layout considerations

- 4.3.5 Local Plan Policy SP9 states that the Council considers good design to be a key aspect of sustainable development and that it 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'.
- 4.3.6 The residential density of the site equates to approximately 45 dwellings per hectare (dph). For a town centre location this is not excessive and comparable to, if not considerably less than, several other recent Royston town centre developments in the Conservation Area and close to listed buildings. Examples include the following:

- Land at 5 Kneesworth Street – 5 units at 71 dph (21/02432/FP)
- 10 Melbourn Street – 6 flats at 85 dph (22/02047/FP)
- Former Morrisons site – 32 flats at 114 dph (24/00436/FP)

Earlier development at Hunters Mews (adjacent the site to the west) for 6 units (98/01031/1) created a residential density of 53 dph.

- 4.3.7 It is considered that the site coverage of the proposed development reflects the spacious and open character of the site. The proposed building footprint plus the cycle and refuse store would be 405 sqm in total which, when taken with the whole site area (1944 sqm), means that only 21% of the site would involve built development which is a ratio of built form to site area that is low for an urban location even considering other constraints such as heritage matters, proximity to adjacent occupiers, ecology and flooding considerations (see below).
- 4.3.8 The built form is located in the centre of the site on an east – west alignment where there is no substantial existing vegetation and where it avoids the canopy and root protection zones of the TPO trees. The block is set in from both side boundaries by over 4 metres providing ‘breathing space’ between existing adjacent development and maintaining the building line with the flanking Hunters Mews development to the west.
- 4.3.9 To the south of the proposed block formal gardens are proposed beyond which is a communal amenity area for residents and then a retained existing belt of vegetation outside of the application site which provides a substantial landscaped buffer to The Banyers Hotel outside seating area further south.
- 4.3.10 The car parking area is located to the north of the residential block separated by a landscaped walkway. This arrangement allows for natural surveillance of the car parking area and cycle store and ease of access to the refuse store which is discreetly located close to the eastern boundary within a landscaped environment. The provision of the car park in this northern part of the site limits the intrusion of vehicles into the site whilst providing ease of access / egress from and to King James Way.
- 4.3.11 The residential accommodation is provided in one block which has the benefit of limiting the spread of development across the site and maintain its openness and sylvan character as mentioned above. The footprint and elongated form takes its cue in some part from the terraced housing in King James Way immediately to the north, the barns to the rear of the listed Thurnalls and the scale, width and depth of the linear development along Melbourn Street including The Banyers, Nos 2 - 14 Melbourn Street and the Police station all of which are in close proximity to the site.
- 4.3.12 The majority of the surrounding development is two storeys high with some three-storey development. The proposed residential block has two stories of accommodation with a traditional two storey eaves height and pitched hipped roof. As such the development is compatible with the scale and form of development in the vicinity of the site. In terms of detailed design the block will include projecting gables, brick detailing and soldier courses and a brick plinth, entrance porches and some horizontal weatherboarding all design features of which are common to the locality.
- 4.3.13 In respect of trees the proposal is accompanied by an arboricultural report which sets out the potential effects of the development on the trees within the site. One mature tree (T1) (Sycamore) is required to be removed to facilitate access otherwise all other trees are retained with some tree surgery works required to reduce back or lift various canopies. Essentially the proposed development has been designed to retain trees and place the main building outside of the root protection area (RPA) of trees to be retained. A method statement for tree protection measures forms part of the report and a tree protection plan condition shows how development can be achieved without impacting the RPA's or through a no dig construction method. Conditions are proposed to require

the submission of landscaping and earthworks and development to be carried out in accordance with the recommendations and tree protection measures set out in the arboricultural report.

- 4.3.14 Overall, it is considered that the proposals will improve the character and appearance of the area through appropriate scale and massing, efficient site layout and good architecture and quality materials. The public realm is also likely to be enhanced. The proposed development is well designed and located and responds positively to its local context in accordance with Policy SP9 of the Local Plan.

Amenity

- 4.3.15 Local Plan Policy D1 requires for new development to meet or exceed the National Described Space standards. These set out that 1B2P flat should be a minimum of 50 sqm in floorspace, a 2B3P flat should be 61 sqm and a 2B4P flat should 70sqm with additional storage provision. The plans show that the flats would exceed this space requirement. This, along with garden space on site, bin and bike storage and parking means that these flats can be considered to represent a good standard of amenity for future occupiers, and Policy D1 is considered to be met in this regard.
- 4.3.16 Local Plan Policy D3 seeks to protect the living conditions of existing neighbouring occupiers. The existing neighbours closest to the proposal to be directly affected are those in Hunters Mews the dwellings of which lie immediately adjacent to the western boundary of the site.
- 4.3.17 The rear elevations of Nos 30, 31 & 32 Hunters Mews face directly onto the site. The back gardens to these properties are very short and consequently the outlook from these properties across the site is of particular importance. That said, the proposed block is not directly in the line of sight from these properties being located to the south east with the main field of vision being over the proposed car park although separated by a group of protected trees shown to be retained (as well as being outside of the application site). I consider that this physical relationship is acceptable and a considerable improvement on the previously refused scheme.
- 4.3.18 Nos 33 – 35 Hunters Mews are angled at 90 degrees to the site boundary with their main rear aspects facing south / south east. No. 33 is the most affected as it lies immediately adjacent to the western boundary of the site and has several windows facing across the site although most have obscure glazing. The main living room and bedroom windows in this property face south or west. Nevertheless, daylight and sunlight may be affected to the west facing windows on No. 33 as the proposed residential block is located approximately 4.3 metres to the east of the main flank elevation of No. 33.
- 4.3.19 The applicant was asked to commission a daylight and sunlight assessment and this was submitted in May 2025 (Create Consulting engineers). The report advises that the assessment has been undertaken following the guidance given in the Building Research Establishment's (BRE) Publication 'Site Layout Planning for Daylight and Sunlight', 2022 Edition. It calculates the Vertical Sky Component (VSC), Illuminance Levels (Lux) and Sunlight Hours for the proposed units and reviews these values in line with BRE guidance. For the existing buildings in the vicinity of the site, the assessment determines

the overall reduction in VSC for the relevant windows within the dwellings, which will be experienced following the construction of the proposed extension. It also assesses the Annual Probable Sunlight Hours (APSH) for existing living spaces, which is a key indicator of how much sunlight a window can receive with and without the new development, helping to assess the level of overshadowing.

4.3.20 In respect of the impact on neighbouring properties the report states:

Daylight (VSC)

- 91% of neighbouring windows assessed will retain at least 0.80 of their former VSC, indicating that there will be no significant reduction in daylight for most of the neighbouring properties due to the construction of the proposed development.
- Some of the windows that do not meet the BRE criteria are located within Hunter Mews. Although these windows have VSC values that fall below 0.8 times their former values, they still receive a reasonable amount of daylight in the proposed scenario, with VSC values remaining above 20%. Therefore, the reduction in daylight is unlikely to be noticeable to the occupants or to significantly affect their comfort levels.

Sunlight (APSH)

- 91% of neighbouring windows will retain at least 0.80 of their former annual sunlight value, and 85% retain at least 0.80 of their winter sunlight value, in compliance with BRE standards.
- Windows that fall short of the BRE criteria already receive low levels of sunlight under existing conditions. The marginal reduction is not expected to be noticeable or have any significant impact on occupant comfort and wellbeing.

Amenity Areas

It is concluded that there are no external amenity areas that would be impacted by the proposed development. It is concluded that the proposed development will have a satisfactory level of daylight and sunlight in all new spaces and will have a small impact on the internal day and sunlight levels in the neighbouring buildings. The impact caused is deemed typical to the developments in the dense urban environment and should not be noticeable to current residents of the neighbouring buildings.

4.3.21 In view of the above findings it is considered that the development will have an acceptable relationship with the occupiers of neighbouring dwellings, in particular the occupiers of No 33 Hunters Mews.

4.3.22 In terms of the impact of the development on the living conditions of the prospective occupiers the daylight and sunlight assessment concludes as follows:

Daylight Assessment

The assessment finds that all relevant spaces meet BRE guidance for the recommended daylight levels in new developments.

- 96% of windows achieve a Vertical Sky Component (VSC) above 27%, which is considered an adequate level of daylight.
- The remaining 4% of windows have VSC values between 15% and 27%, which is generally deemed acceptable for dense urban settings.

Sunlight Assessment

An assessment of sunlight access was carried out for all living rooms with windows facing within 90° of due south. The findings indicate: • All living rooms with windows facing within 90° of due south receive at least 1.5 hours of direct sunlight on 21 March, meeting the BRE requirement for sunlight access

- 4.3.23 Other neighbours, 1 and 3 King James Way, and unit 5 at no.16 Melbourn Street are not adversely affected. Unit 5 is an office / business so impact on residential amenities is not a consideration. Numbers 1 and 3 are off set from the access point, and the siting, and bulk of the block is far enough away from the side flank of these homes to not have adverse harm.
- 4.3.24 Overall, it is concluded that the proposed development will maintain a reasonable standard of residential amenity for both existing and proposed residents in accordance with Policies D1 and D3 of the Local Plan.

Heritage impact

- 4.3.25 The application is supported by a heritage statement which describes the significance of the heritage assets and the impact of the development on the assets and their setting. The report is limited in its conclusions on the impact of the development on the affected heritage assets with a short conclusion as follows:

'The proposed design has been redeveloped taken into consideration the feedback received on previous planning application, having amended the orientation, appearance, scale and massing of the proposal in relation to previous designs. Moreover, the site is visually separated from the Banyers Hotel due to dense vegetation along the boundary line and being predominantly overgrown land. Existing large trees acts a natural screen between the historic building and the proposed development. Furthermore, the orientation of the building would follow the existing building line to the rear of Hunters Mews, maintaining the partial openness of the site and mitigating its visual impact of the adjacent recent developments.'

- 4.3.26 In response to the previous application (ref: 24/01075/FP) the Conservation officer acknowledged that the impact of the development on the setting and significance of the Banyers Hotel has been reduced due firstly to the change in ownership (no longer part of Banyers curtilage) and secondly the southern boundary tree belt restricting visual connectivity. This remains the case with this current application.
- 4.3.27 The current application has been designed in accordance with advice from the Council's Conservation officer who suggested the following:

'In my opinion, a more acceptable scheme could perhaps be achieved by re-orientating a built form to run east-west rather than north-south providing a smaller number of properties with larger rear south-facing gardens considering the height of the tree belt and this would also reduce the impact of the development on Hunters Mews and the 2007 scheme at Thurnalls (should this be resurrected).'

'If the building line of any development of this site were limited to the southern building line of Hunters Mews (red line above) not only would this maintain the gap and partial openness of the site, it would also take the development further away from the southern boundary tree belt providing more generous garden areas. Furthermore, if limited to two-storey or lower and reoriented, this would ease the relationship with the existing built form to the east and west of the application site. This would be considered good planning'.

- 4.3.28 In response to the current scheme the Conservation Officer does not raise a formal objection but suggests that the proposed block could be reduced in massing and footprint pulling it from the side boundaries and a potential solution of a single dwellinghouse located on the site and a reduced footprint of the block of apartments. Planning officers have some reservations concerning this further suggestion as it would lead to a spread of buildings across the site affecting openness and the character of the area, more hardsurfacing and potentially greater impact on protected trees and greater impact on neighbouring properties. As such this request has been considered but because of these several drawbacks not pursued. The applicant favours the retention of a single residential block as proposed and on balance, because of the many constraints over the development scope for the land, it is considered that this is the optimal option for this important site in the Conservation Area.
- 4.3.29 The Royston Conservation Area Map does not identify any key features of the site such as key views across it, any important group of trees or any other features that place any specific constraints on its potential development. It is private land and not identified as an important area of open or green space. A small section of historic wall in the south east corner is to be retained. However, it is acknowledged that the site is unusual in that it is surrounded by development and one of the last parcels of undeveloped land in the town centre – this undeveloped nature makes a very positive contribution to the significance of the Conservation Area and development on it will compromise its current open and landscaped setting to some extent.
- 4.3.30 Notwithstanding the above, as seen by the site coverage, a significant portion of the application site will remain free of built form and important trees will be retained. Residents close to the site will still be able to experience views across the undeveloped parts of the site. The main landscape features of the site – i.e. the mature trees are around the edges and the historic barns and wall to the east will remain.
- 4.3.31 The proposed residential block would be large but not substantially larger than the footprint of much of the surrounding blocks of development such as The Banyers, Police station, terraced blocks in King James Way and The Lanterns. The design of the block would include traditional features such as a pitched and hipped roof, projecting gables and reasonable proportions of brickwork, cladding and fenestration. The two-storey scale of the development together with retained and new landscaping would not be completely out of place in this urban context.
- 4.3.32 There would be some erosion of the current open and landscaped setting of the site to accommodate the development and this will occasion some moderate harm to the significance of the Conservation Area however the impact of the development on the setting of the nearby listed buildings would be to a lesser degree given their separation from the site and intervening landscaping and other buildings. Public views into the site

from King James Way are limited due to the narrow entry point, retained trees and the siting of the main building into the centre of the site.

- 4.3.33 Given the above it is concluded that there will be some harm to the character and appearance of the Royston Conservation Area and some limited harm to the setting of The Banyers and 18 Melbourn Street although there is no longer any functional connection between these assets and any historic ownership.
- 4.3.34 Taking into account paragraphs 214 and 215 of the NPPF the magnitude of the above identified harm needs to be assessed. In this case there would undoubtedly be less than substantial harm and because of the limited impact on the nearby listed buildings and the retention of a good degree of the site's landscaping and openness it is considered that the level of harm must be low on the scale of less than substantial in this instance. The NPPF advises that harm should be weighed against the public benefits of the proposal and the wider planning benefits are set out in the planning balance below.

Archaeological matters of heritage importance have been addressed through the submission of a Written Scheme of Investigation and this will be required to be submitted as the first part of information required to discharge the archaeological conditions which have been recommended by the Hertfordshire Historic Environment officer.

Bio-diversity Net Gain (BNG)

- 4.3.35 The documents submitted with the application set out there is a loss of habit units on the site and that off-site mitigation is required. In the event that the application were to be recommended for approval, then a Bio-diversity Gain Plan is sought by a condition to secure this. However, the non-compliance of this at this stage cannot be used as a reason for refusal on the application as bio-diversity net gain can ultimately be achieved by a condition however, as there is a conflict with LP Policy NE4 in terms of loss of biodiversity, this needs to be taken into account in the planning balance.

Ecology & Protected species

- 4.3.36 The site is not identified as a Site of Scientific Interest (SSSI) or has it any other wildlife designation in the local plan. as An Ecological Walkover report has been submitted with the application. The report concludes that the site was found to host limited ecological value and as such no further ecological surveys have been recommended. The report advises precautionary working methods during the construction phase for roosting bats, nesting birds, reptiles, amphibians and hedgehogs.
- 4.3.37 Neighbouring representations state that bats and owls and other wildlife are regularly seen on the site and it is reasonable to assume that the site, even with the scrub partially cleared acts as a wildlife refuge and foraging area for various forms of wildlife. An experienced ecologist has identified the potential habitats for protected species and provided recommendations for further mitigation measures and potential ecological enhancements. If permission is granted it is recommended that the development is carried out in accordance with the recommendations and mitigations in the submitted Ecological Walkover survey and a condition is attached to protect nesting birds.

Parking and highway issues

- 4.3.38 The Council's Parking Standards require for 1 space per 1-bed dwelling and 2 spaces per 2-bed dwelling plus visitor and cycle parking. The proposed vehicle parking complies with residential parking standards in the local plan with the exception of visitor spaces where it is argued that the close proximity to Royston Town Centre and the nearby Council car park (within 50 metres) means that there is reasonably alternative provision for visitors. I would agree that in this sustainable location the amount of parking strikes the right balance in providing on-site parking whilst encouraging non-car modes of transport. The proposed cycling parking within a secure storage area overlooked by the development is considered acceptable.
- 4.3.39 With regard to access the applicant has demonstrated that service vehicles can enter the site sufficiently to collect waste and provide emergency service. In terms of fire provision the site is within 45 metres of King James Way. The Highway Authority raises no objections to the proposals in terms of highway safety acknowledging that the applicant has agreed to provide improved access arrangement including provision of tactile paving and an additional pedestrian crossing onto King James Way together with a sustainable transport contribution (see below).

Flood Risk

- 4.3.40 The site is located within Flood Risk Zone 1 where there is the lowest risk of fluvial flooding. The Environment Agency mapping does highlight potential high risk of Surface Water flooding and therefore a formal Flood Risk Assessment has been undertaken by Encon Associates and validated through Barkers engineering assessment and Drainage Statement. The Lead Local Flood Authority has raised an objection on the basis that there is surface water flow path across the site raising the risk of surface water flooding. The applicant has prepared supplementary documentation with regard to this matter highlighting that in fact it is only the eastern part of the site where there is a 1 in 100 year surface water flood risk but that this area is to be undeveloped and landscaped. In addition there will be elevated thresholds to the apartments to mitigate the risk of flow paths. The submitted Drainage Strategy is based on an infiltration system which addresses the levels and arboricultural constraints with permeable paved car parks, with localised root protection subbase replacement cell systems that will ensure the protection of root systems, while ensuring the effectiveness of infiltration through this area for storms up to and including the 100-year plus 40% climate change intensity. A further flood risk technical note submitted confirms how the development will address localised flood risks. The response of the Lead Local Flood Authority is awaited however it is confidently expected that this issue will be resolved to the satisfaction of the flood authority together with any necessary conditions that the LLFA may request. Accordingly, the recommendation below is framed in order to allow this issue to be resolved.

Planning Obligations

- 4.3.41 Policy SP7 requires for development proposals to make provision for the infrastructure that is necessary in order to accommodate the additional demands resulting from a development.

- 4.3.42 For this proposal, S106 contributions have only been requested from the Highway Authority in line with their adopted 'Guide to Developer Contributions' (Technical Appendix 1) in respect of a sustainable transport contribution (£61,434.00 index linked) to which the applicant has agreed.

4.4 Planning balance and Conclusion

- 4.4.1 As of May 2024 the Council cannot demonstrate a five-year supply of housing land (currently 3.9 years) as required by the NPPF. The NPPF sets out how small and medium sized sites can make an important contribution to meeting the housing requirements of an area and are often built out quickly achieving early delivery.
- 4.4.2 The proposal would make a modest but valuable contribution to the shortfall of homes in the district in a sustainable location where future occupiers would have easy access to services and facilities and consequent interaction with the community. I consider that this social benefit should be given significant weight. There would also be some economic benefit from the provision of housing through the provision of employment and additional local spending in the town and therefore I consider moderate weight can be attributed to this benefit.
- 4.4.3 In environmental terms whilst there will be a net loss of habitat units on site this can be compensated for off-site thus ultimately achieving bio-diversity net gain. The provision of solar panels, electric vehicle charging points and other energy efficient measures will assist in combating climate change although only limited weight can be given to these matters.
- 4.4.4 All technical details and matters relating to highways and sustainable transport , flood risk and drainage, ecology, landscape, trees, archaeology, and contamination can be satisfactorily dealt with or made acceptable through the imposition of planning conditions and Section 106 agreement.
- 4.4.5 It is acknowledged that there will be some harm to heritage assets and this would be in the 'less than substantial' category. From the analysis above together with the well contained nature of the site and retain screening it is considered that the level of harm would be at the lower end of the less than substantial scale. The various social, economic and environmental benefits to the area would in my view outweigh the relatively minor heritage harm. Accordingly, it is considered that there is no strong reason for refusing the development under paragraph 11 d) i) of the Framework and any identified harm is outweighed by the various benefits of this scheme in a sustainable location. It is concluded that the development can therefore be supported.

Alternative Options

None applicable

Pre-Commencement Conditions

I can confirm that the applicant agrees 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:

- a) The resolution of the surface water flood risk matter to the satisfaction of the Local Planning Authority with the imposition of additional planning conditions as necessary; and
- b) The addition of any conditions required by Natural England (if any)
- c) The completion of a satisfactory Unilateral Undertaking or similar mechanism under Section 106 of the Town and Country Planning Act (in respect of the sustainable transport contribution) and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and
- d) That subject to a), b) and c) above the decision on the planning application be delegated to the Development & Conservation Manager subject to the following conditions and informatives:

Biodiversity Gain Condition:

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>). Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Planning 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 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. Details (including material, sections, method of opening and external finish) of all windows shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that part of the development hereby approved. Thereafter the windows shall be manufactured and installed in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special character of the Royston Conservation Area under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan

5. Before commencement of the development, additional plans must be submitted and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the provision of tactile paving either side of the proposed site access, at the existing access and an additional pedestrians crossing onto King James Way to connect the existing footpath in the northern side & supported by a stage1 RSA. These works shall be completed prior to first occupation of the development hereby permitted under a s278 agreement with the highway authority. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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)

6. Before commencement of the development additional plans must be submitted and approved in writing by the LPA in consulting the Highway Authority which shows swept path analysis for a 12.1m long refuse collection vehicle (RCV) to demonstrate that the RCV can enter and exit the site in a forward gear.

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)

7. Prior to the first occupation of the development hereby permitted sufficient space shall be provided within the site to enable a standard size family car, delivery vehicle to park, turn and re-enter the highway in a forward gear. This area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority 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)

8. Prior to the first occupation of the development hereby permitted a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

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

9. No development shall commence until a Construction Traffic 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.

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).

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

Reason: The site lies within an area where there is significant potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permitted and to comply with Policy HE4 of the North Hertfordshire Local Plan 2011 to 2031

11. 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 approved Written Scheme of Investigation and the provision made for analysis and publication where appropriate.

Reason: The site lies within an area where there is significant potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permitted and to comply with Policy HE4 of the North Hertfordshire Local Plan 2011 to 2031.

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

13. Before the occupation of any of the dwellings hereby permitted, the car parking facilities shown on the approved plan shall be marked out and made available, and shall thereafter be kept available solely for the parking of motor vehicles.

Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development and to comply with Policy T2 of the North Hertfordshire Local Plan 2011 to 2031

14. No development shall take place until an Ecological Enhancement Plan (EES) for the creation of new wildlife features such as hibernacula, 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 National Planning Policy Framework. To accord with Policy NE4 of the Local Plan

15. No development shall take place (including any ground works, site clearance) until a Biodiversity Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall be informed by November 2024 Ecological Walkover and include the following:
- a) Review of site potential and constraints.
 - b) Details of any necessary working methods to prevent harm to wildlife.
 - c) Type and source of materials to be used where appropriate.
 - d) Persons responsible for implementing the works.

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework. To accord with Policy NE4 of the Local Plan

16. In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with BS10175:2011. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

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

17. Prior to the commencement of the development hereby approved a noise assessment to include possible noise from any surrounding commercial sources and its potential impact on the future occupiers of the development, together with any recommended mitigation measures, shall be submitted to and approved in writing by the Local

Planning Authority. The development shall be carried out in accordance with the approved report.

Reason: To protect residential amenity in accordance with Policy D3 of the North Herts Local Plan.

18. Notwithstanding the submitted details, no development shall commence until a scheme of both hard and soft landscape works has been submitted to and approved in writing by the local planning authority. These details shall include:
- i. earthworks showing existing and proposed finished levels or contours;
 - ii. means of enclosure and retaining structures;
 - iii. boundary treatments
 - iv. all hard surfacing materials, including surface materials/footpaths/access to homes within the development;
 - v. details of soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment);
 - vi. schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate
 - vii. provisions for replacement planting within a period of 5 years from the completion of the development for species which die, are removed or become seriously damaged or diseased; and
 - viii. an implementation programme.

The landscaping works shall be carried out in accordance with the approved details in accordance with the agreed implementation programme.

Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation

Reason: To ensure that the full landscaping scheme set out in the application is improved and implemented in full in a timely manner in the interests of phasing and to ensure the development is comprehensively landscaped in the interests of visual amenity. Local Plan Policies D1 and NE2

19. 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.

20. 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.

21. No external lighting shall be installed until a wildlife-sensitive lighting scheme and biodiversity lighting scheme, in accordance with the recommendations contained within the Ecological Walkover Assessment have been submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details and thereafter maintained and retained.

Reason: In the interests of protecting local wildlife To accord with Policy NE4 of the Local Plan

22. 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 hereby approved 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

23. The proposed development shall be carried out in accordance with the recommendations and method statement for tree protection measures as set out in the submitted Arboricultural report by Andrew Day Arboricultural consultancy.

Reason: To ensure that the development has no adverse impact on the landscape character and general amenity of the site and its surroundings in accordance with Policy D1 of the Local Plan.

24. No removal of trees/scrub/hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect nesting birds and other wildlife and to comply with Policy NE4 of the North Herts Local Plan

25. The development hereby permitted shall be carried out in accordance with the recommendations contained within the submitted Ecological Walkover report by Arbtech (November 2024).

Reason: To maintain a satisfactory level of nature conservation over the site and to comply with Policy NE4 of the North Herts Local Plan

Proactive statement

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

Informatives:

Highway informatives:

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) 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-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.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:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

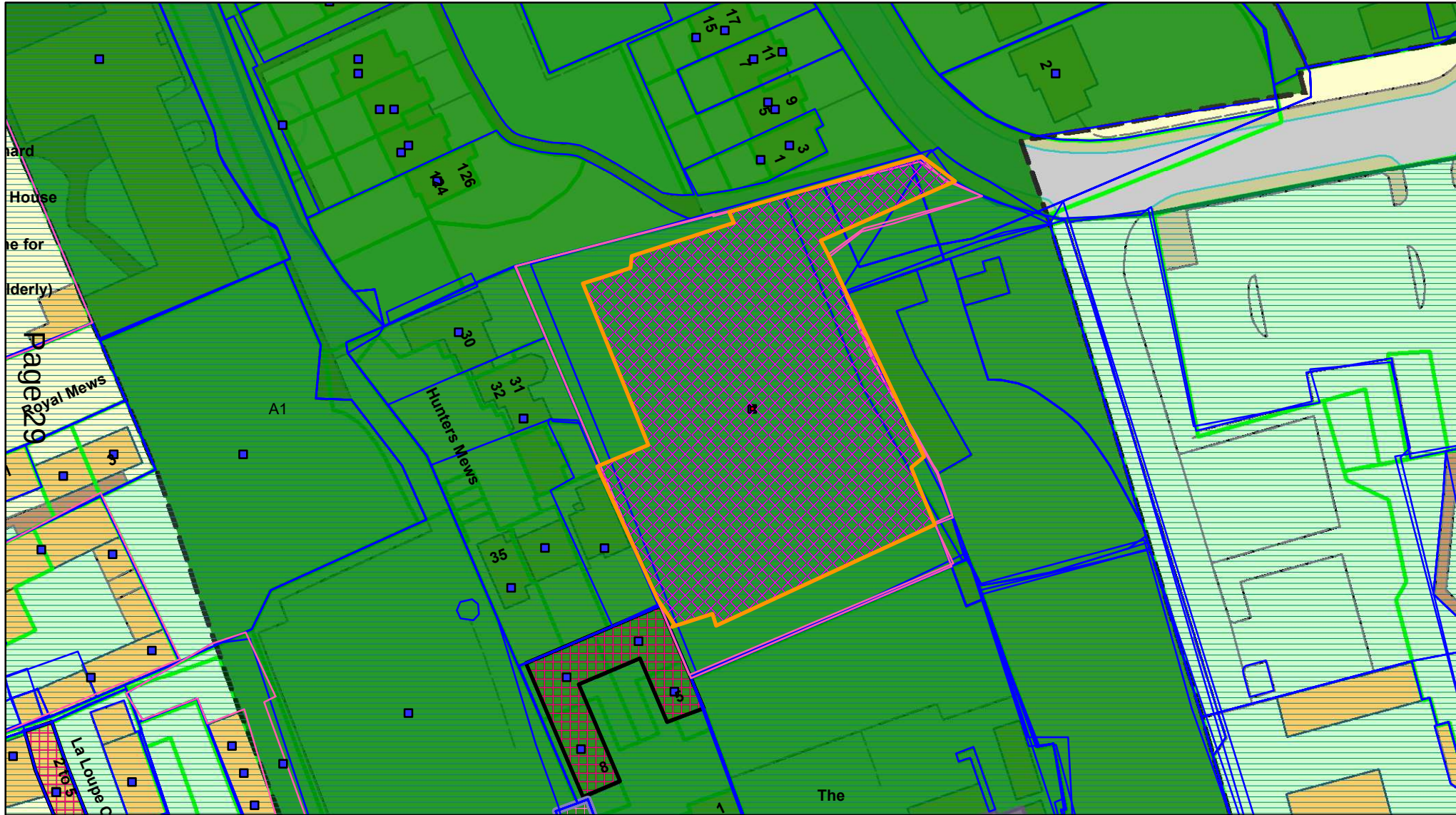
This page is intentionally left blank



**North
Herts**
Council

NORTH HERTFORDSHIRE DISTRICT COUNCIL

25/00104/FP Land to the Rear of Banyers Hotel, King James Way, Royston, Herts, SG8 7BZ



This page is intentionally left blank