

NORTH HERTFORDSHIRE DISTRICT COUNCIL



29 September 2023

Our Ref Planning Control Committee 12 October 2023
Contact. Committee Services
Direct Dial. (01462) 474655
Email. committee.services@north-herts.gov.uk

To: Members of the Committee: Val Bryant, Tom Tyson, Daniel Allen, Simon Bloxham, Mick Debenham, David Levett, Nigel Mason, Ian Moody, Sean Nolan, Louise Peace, Terry Tyler and Phil Weeder

Substitutes: Councillors David Barnard, Cathy Brownjohn, Sam Collins, Steve Jarvis, Ian Mantle, Michael Muir and Dave Winstanley

NOTICE IS HEREBY GIVEN OF A

MEETING OF THE PLANNING CONTROL COMMITTEE

to be held in the

**COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY**

On

THURSDAY, 12TH OCTOBER, 2023 AT 7.30 PM

Yours sincerely,

Jeanette Thompson
Service Director – Legal and Community

****MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL
AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION
ON YOUR TABLET BEFORE ATTENDING THE MEETING****

Agenda

Part I

Item		Page
1. APOLOGIES FOR ABSENCE	Members are required to notify any substitutions by midday on the day of the meeting. Late substitutions will not be accepted and Members attending as a substitute without having given the due notice will not be able to take part in the meeting.	
2. MINUTES - 14 SEPTEMBER 2023	To take as read and approve as a true record the minutes of the meeting of the Committee held on the 14 September 2023.	(Pages 5 - 20)
3. NOTIFICATION OF OTHER BUSINESS	Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chair will decide whether any item(s) raised will be considered.	
4. CHAIR'S ANNOUNCEMENTS	Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chair of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
5. PUBLIC PARTICIPATION	To receive petitions, comments and questions from the public.	
6. 18/01154/OP LAND NORTH OF HIGHOVER FARM TO STOTFOLD ROAD, HIGHOVER WAY, HITCHIN, HERTFORDSHIRE REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER	Outline application with all matters reserved other than access, comprising residential led development of up to 700 dwellings of use class C3 (dwellings), approximately 500 sqm of neighbourhood-level facilities, a new	(Pages 21 - 144)

2FE primary school, open space, play space, green infrastructure, and associated accesses (vehicular, pedestrian and cycle), including a new primary access off Stotfold Road with limited access off High Dane (as amended by plans and documents received 6th, 13th and 29th January 2020, 4th, and 20th February 2020, 8th September 2020 and 17th, 20th and 21st December 2021 and 24th January 2023 and 21 August 2023).

- | | | |
|-----------|--|-------------------------|
| 7. | 22/00303/FP LAND FOR FOOTPATH BETWEEN THE GREENWAY AND STOTFOLD ROAD, HITCHIN, HERTFORDSHIRE
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER. | (Pages
145 -
152) |
|-----------|--|-------------------------|

Creation of footpath/cycleway between Stotfold Road, Hitchin and The Green Way, Letchworth Garden City

- | | | |
|-----------|---|-------------------------|
| 8. | 22/03092/FP LAND TO THE EAST OF FOXHOLES AND GAINSFORD HOUSE AND ON THE WEST SIDE OF, CROW FURLONG, HITCHIN, HERTFORDSHIRE
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER | (Pages
153 -
200) |
|-----------|---|-------------------------|

Residential development of 47 dwellings and associated car parking, open space, landscaping and creation of access off Grays Lane (as amended by plans received 12.05.2023)

- | | | |
|-----------|---|-------------------------|
| 9. | 23/01198/FP 55 HARKNESS COURT, FRANKLIN GARDENS, HITCHIN, HERTFORDSHIRE, SG4 0BS
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER | (Pages
201 -
208) |
|-----------|---|-------------------------|

Excavation of front grassed area and formation hardstanding and associated works to facilitate two parking spaces

- | | | |
|------------|---|-------------------------|
| 10. | TPO/00208 (2023) 4 COACH DRIVE, HITCHIN, HERTFORDSHIRE
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER | (Pages
209 -
214) |
|------------|---|-------------------------|

Confirmation of Tree Preservation Order TPO/00208 (2023) – 1x Common Beech (*Fagus sylvatica*), 4 Coach Drive, Hitchin, Herts.

This page is intentionally left blank

Public Document Pack Agenda Item 2

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY

ON THURSDAY, 14TH SEPTEMBER, 2023 AT 7.30 PM

MINUTES

Present: Councillors: Val Bryant (Chair), Tom Tyson (Vice-Chair), Mick Debenham, David Levett, Nigel Mason, Ian Moody, Michael Muir, Sean Nolan, Louise Peace, Terry Tyler, Phil Weeder and Dave Winstanley

In Attendance:

Peter Bull (Senior Planning Officer), Shaun Greaves (Development and Conservation Manager), Alex Howard (Senior Planning Officer), Nurainatta Katevu (Legal Regulatory Team Manager and Deputy Monitoring Officer), Susan Le Dain (Committee, Member and Scrutiny Officer), James Lovegrove (Committee, Member and Scrutiny Manager), Anne McDonald (Area Planning Officer) and Sjanel Wickenden (Committee, Member and Scrutiny Officer)

Also Present:

At the commencement of the meeting approximately 46 members of the public, including registered speakers.

102 APOLOGIES FOR ABSENCE

Audio recording – 2 minute 15 seconds

Apologies for absence were received from Councillors Simon Bloxham and Daniel Allen.

Having given due notice, Councillor Michael Muir substituted for Councillor Simon Bloxham and Councillor Dave Winstanley substituted for Councillor Daniel Allen.

103 MINUTES - 6 JULY 2023, 11 JULY 2023 AND 27 JULY 2023

Audio Recording – 2 minute 45 seconds

Councillor Val Bryant, as Chair, proposed and Councillor Mick Debenham seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meetings of the Committee held on 6 July 2023, 11 July 2023 and 27 July 2023 be approved as a true record of the proceedings and be signed by the Chair.

104 NOTIFICATION OF OTHER BUSINESS

Audio recording – 3 minute 41 seconds

There was no other business notified.

105 CHAIR'S ANNOUNCEMENTS

Audio recording – 3 minute 45 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be recorded.
- (2) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.
- (3) The Chair clarified matters for the registered speakers and advised that 10 minutes had been allowed for each group on Agenda item 7.
- (4) The Chair advised that Section 4.8.23(a) of the Constitution applied to the meeting.
- (5) The Chair advised that Item 8 on the agenda had been deferred to a later meeting, as the Planning Officer is waiting on a response from the Environmental Health consultee and to allow time to review comments received relating to Air Quality.

106 PUBLIC PARTICIPATION

Audio recording – 5 minute 31 seconds

The Chair confirmed the registered speakers were in attendance.

107 23/00666/FP DIXIES MEADOW, HIGH STREET, ASHWELL, HERTFORDSHIRE, SG7 5NS

Audio recording - 6 minute 43 seconds

The Chair advised that Councillor Tyson was to speak as a Member Advocate against this item and would therefore move to the public gallery and not take part in the debate or vote.

N.B Councillor Tom Tyson moved to the public gallery at 19:42

The Area Planning Officer provided an update from Ashwell Parish Council, who had noted, that:

- They agreed with the Planning Officers recommendation to refuse planning permission in this application.
- Should the application be approved, or the matter was overturned at appeal stage, Ashwell Parish Council would request a £22K payment towards the Ashwell Pavilion Project, the applicant had agreed to this payment.

The Area Planning Officer presented the report in respect of Application 23/00666/FP supported by a visual presentation consisting of photographs and plans.

The Chair invited Mr Clive Self and Mr Harry Jenkinson to speak against the application.

Mr Self thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that:

- The application site was not an allocated site, and was located just outside of Ashwell, part of the site falls within a conservation area.
- The application site was bordered by two listed buildings and was on open countryside and sheep meadows.
- The National Planning Policy Framework (NPPF) required that applications were of a high quality design and respected the setting of listed buildings and conservation areas.

- The generic cul de sac application did not respect the character of Ashwell with the site lying perpendicular to the main roads.
- The proposed site would prevent the public view of open countryside and falls within a conservation area.
- The application cannot be described as an infill development as it extends further north than the nearest properties.
- The loss of countryside would cause harm to the conservation area and the nearby listed buildings.
- The application was of poor quality and design, and there were concerns regarding the flood level.
- The Parish Council agreed with the report of the Planning Officer and that this application would cause irreparable harm to the assets of Ashwell.

Mr Jenkinson thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The application would cause harm to the area and had a holding objection from the Lead Local Flood Authority (LLFA) regarding flood risks.
- There was no agreed s106 money.
- The application would cause damage to the village and the open countryside.
- There were 165 detailed objections from resident to this application.
- The development was neither sustainable, affordable, or practical.

There were no points of clarification from Members.

The Chair thanked Mr Self and Mr Jenkinson for their presentations and invited Councillor Tom Tyson to speak against the application. Councillor Tyson thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that:

- This planning application was the least policy compliant application that he had ever seen.
- The site of the application was outside the settlement boundary of Ashwell.
- The application was primarily for larger dwellings, and this did not meet the needs of the neighbourhood plan.
- The application would cause harm to the conservation area of Ashwell and the listed buildings.
- The application would have a negative impact on the High Street, and the rural character of Ashwell.
- There was no s106 money generated by this application.
- The report of the Planning Officer concluded that this application would cause clear and identified harm to the heritage assets of Ashwell.

There were no points of clarification from Members.

The Chair thanked Councillor Tyson for his presentation.

N.B Councillor Tom Tyson left the Council Chamber at 19:50

Councillor David Levett proposed that the application be refused, and Councillor Sean Nolan seconded and, following a vote, it was:

RESOLVED: That application 23/00666/FP be **REFUSED** planning permission due to the reasons outlined in the report of the Development and Conservation Manager.

108 22/00741/FP LAND WEST OF ASHWELL ROAD, BYGRAVE, HERTFORDSHIRE, SG7 5EB

Audio Recording: 22 minute and 8 second

N.B Councillor Tom Tyson returned to the Council Chamber at 19:53

Councillor Tom Tyson announced to the Chair that he had a Non-Registerable Interest, and an Other Registerable Interest in this item and would not take part in the debate or vote and would leave the Chamber for the duration of the item.

N.B Councillor Tom Tyson left the Council Chamber at 19:54

The Chair read an email received from the Secretary of State regarding application 22/00741/FP which stated that:

- Under Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Secretary of State hereby directed the Council not to grant permission on this application without specific authorisation.
- This direction was issued to enable the Secretary of State to consider whether they should direct under Section 77 of the Town and Country Planning Act 1990 that this application should be referred to the Secretary of State for determination.
- This direction did not, of course, prevent the Committee from considering the application, forming a view as to its merits or, refusing permission.
- This letter was for procedural purposes and should not be taken as any indication of the attitude of the Secretary of State towards this application.

The Chair advised that the application could still be considered.

The Development and Conservation Manager stated that the email from the Secretary of State prevented the Committee from granting planning permission this evening, the application could still be refused or deferred but could not be granted.

The Senior Planning Officer provided an update regarding the supplementary document which had some amendments and corrections to the report and an update from the Applicant and Bygrave Parish Council, and highlighted that:

- Hertfordshire Fire and Rescue had been consulted but had not responded to the application.
- The date for achieving zero carbon emission was 2040 and not 2030 as stated at paragraph 4.6.1
- There was an amendment to paragraph 4.6.14 regarding the anaerobic digester at Bygrave Lodge.
- Further information had been received from the applicant regarding their grid connection, which could be delivered as soon as the development was approved and would be constructed in phases.
- An update from Bygrave Parish Council requesting some amendments to the planning conditions.

The Senior Planning Officer presented the report in respect of Application 22/00741/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked points of clarification:

- Councillor Mick Debenham
- Councillor Nigel Mason

In response to the points of clarification the Senior Planning Officer advised that:

- The Knoll would have a direct line of sight to the Solar Farm.

- The distance to the nearest property from the Solar Farm was approximately 120-130 metres.

The Chair invited Mr James Colegrave and Ms Julie Stothard to speak against the application.

Mr Colegrave thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that:

- Bygrave Action Group supported the need to reduce fossil fuels, but such applications needed to be sited in the right locations, Bygrave already had the Biogen anaerobic digester and would support a solar farm or wind turbines in an appropriate location.
- This application would dominate the North Baldock Chalk Uplands and was too large and too exposed in a sensitive area.
- The planned site was listed as grade 2 agricultural land and would be lost for the next 40 years.
- The proposed route for construction traffic was unsafe and the compromise from Highways did little to reduce the risks.
- There would be additional noise whilst construction occurred and when the solar farm was operational it would produce a resonating humming noise as heard at sites in Royston and Reed, an independent acoustic report should be commissioned.
- The applicant claimed the grid point is ready to go, but the connection route would need to go around Baldock and under the A1 and the East Coast trainline.
- They believed this would be the first solar farm for the applicant.

Ms Stothard thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that:

- Too little weight had been attached to the landscape and visual impact issue, this area would be decimated by the development and many properties backed on to the site.
- The proposed site was in an area designated as rural beyond green belt and local policy SP5 considered the area to contain some of the highest quality countryside in this District.
- The Planner Officer had used biodiversity net gains to justify the loss of agricultural land for 40 years.
- There were properties that backed on to the proposed site and they would have a loss of amenities.
- The noise report commissioned by the applicant was flawed and did not consider 3.1 of the NPPF, to identify and protect tranquil areas, which was exactly what this site was.
- There would be risks from construction traffic and this should be given significant weight.
- There would be a risk from fire.
- There was not an urgent local need for renewable energy, and this should be deleted from the table and should not count towards the weighting of this application.
- Weight had been given to the availability of the grid connection and the immediate delivery of this site.
- There were concerns that the biodiversity net gain had been overinflated.
- There was very little information relating to the economic benefits of the application.

The following Members asked points of clarification:

- Councillor David Levett
- Councillor Michael Muir
- Councillor Nigel Mason

In response to the points of clarification Mr Colegrave advised that:

- The Bygrave Action Group was set up to oppose this application.
- Originally there were 10 members of the action group, with all members living in Bygrave.

- They supported renewable energy but had serious concerns about the proposed site.

In response to the points of clarification Ms Stothard advised that:

- The biodiversity net gain had been overstated and an independent assessment should be carried out especially as the DEFRA spreadsheet model had come under recent criticism.
- The biodiversity report listed the solar farm field as poor, the report was supplied by PACE, and an independent report would be preferred.
- A solar farm at the Old Swan in Liverpool had a battery fire with a special enquiry highlighting a failure in the battery's thermal runaway. The fire took 59 hours to extinguish, and hazmat suits had to be used.
- The noise assessment was commissioned by PACE and used a statistical model that assumed that the ground was soft, therefore absorbing more sounds. This would not be the reality on this site at the height of summer.

In response to the points of clarification the Development and Conservation Manager advised that, the batteries used in the Liverpool site were no longer manufactured.

The Chair thanked Mr Colegrove and Ms Stothard for their presentations and invited Councillor Lisa Nash to speak against the application. Councillor Nash thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that:

- The report of the Planning Officer had misinterpreted the Climate Strategy of the Council and an aspiration of the district to become carbon neutral by 2040.
- There was no Council policy in favour of building solar farms on private land.
- The Local Plan stated that applications of this matter should be decided based on national criteria.
- The report described an urgent local need for solar energy yet the amount of green energy that North Herts received from nuclear power and offsite wind is greater than the amount this solar farm could ever produce.
- The proposed solar farm would only make a tiny contribution to carbon savings, the emissions savings of 11300 tonnes a year would equate to 1.7% of the net total carbon emission of North Herts.
- The urgent need had been overstated and was unjustified with no evidence.
- In a 2011 landscape study this land was designated as the valuable North Baldock Chalk Uplands with long distance views, a rarity in this district.
- The proposal would have a significant impact on these views, would not be in keeping with the rural character of the area, and the site would not be concealed by the proposed hedges.
- The NPPF stated that large scale solar farms can have a negative impact on the rural environment.
- Planning policies and decisions should contribute to and enhance the natural environment as stated at paragraph 174 of the NPPF.
- The public right of way was significant, two sides of the site were used by walkers, cyclists and horses riders, many coming from outside of the district, and these amenities would be spoilt by the sound of the solar farm.
- This proposal would destroy a significant local environment in an attempt to protect the global one, when there were other suitable areas nearby.
- There would be a loss of grade 2 land as stated in the NPPF which should be used for food.
- The report of the Planning Officer suggested that this grade 2 land was worth sacrificing, but there is a need for both food and green energy.
- The noise assessment report commissioned by the applicant stated that it was feasible in principle to have acceptable average construction noise levels without specifying how the averages were derived, the consideration of operating noise in the report was derived from modelling, and an independent Council assessment had not occurred.

- Highways had concerns regarding the Baldock junction which would need to be enlarged to cater for the low loaders, articulated and heavy good vehicles needed for this project. These would then have to negotiate quiet rural lanes, which were inappropriate for heavy trucks even with the imposed condition of 2 articulated vehicles per day.
- No restriction had been placed on non-articulated vehicles.
- The site was 4.5 miles from the Letchworth sub station as the crow flies and much greater in reality.
- The applicant had not been able to show the cabling route despite repeated requests.
- The Committee should defer the matter until the Great Wymondley inquiry had been completed.

The Chair clarified that assumptions could not be made about the outcome of the Public Inquiry.

There were no points of clarification from Members.

The Chair thanked Councillor Nash for her presentation and invited Mr Rob Shaw, Mr Edward Wainright-Lee and Mr Stewart Reddaway to speak in support of the application.

Mr Shaw thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that:

- The project would reduce the dependency on fossil fuels with a priority to reverse the loss of biodiversity and assist with the cost of living crisis.
- The solar farm would produce low-cost energy and contribute to the 2040 net zero target.
- The project was not subject to any grid connection delays, the benefits could be delivered as soon as the project was completed.
- PACE had worked closely with the Planning Officer and engaged with the local community and that feedback had been incorporated into this proposal.
- The topography minimised the visibility of the site.
- The footpath, cycleways and bridleways would have hedgerows and trees shielding the solar farm from view.
- Construction would take into consideration other road users and horses, with an HGV restriction and temporary access.
- The British Horse Society had been consulted about the fencing and construction of the site.
- As other solar farms had shown, there would be a biodiversity net gain, important species would be protected, and the habitat used for wildlife.
- A management plan had been developed for the duration of the project.
- This site was well located and designed and had attracted local support.
- This application complied with the Local Plan and all technical matters had been addressed.

Mr Wainright-Lee thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that:

- The land had been owned and farmed by his family for over 400 years.
- The woods had been planted and tended throughout that time and the family now had sustainability concerns for future generations.
- Farming was at the core of their business but had been affected by the removal of landowner subsidies.
- The land had 50 acres set aside for wildlife which had led to an increase in wildlife.
- There was a need to diversify income streams to continue the longevity of the business.
- The solar farm would provide the family business with a certain long-term income.
- The land was reasonable, grade two and grew good crops, and sheep would still graze in the area.

- The land would eventually be returned to cropping.
- This project would enhance the sustainability objectives of the area.

Mr Reddaway thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that:

- On balance the application was supported but acknowledged that no solar farm site was perfect.
- The site was north facing and would generate less kilowatts.
- The impact of construction vehicles to the site would last months, not years, and would be tolerable.
- The solar farm would have limited visibility from Arbury banks and the solar panels would be positioned on ground that falls away, which would limit any spoiling of views. This would also limit any noise impact from the site.
- Generating renewable electricity would reduce climate change and therefore it was not only PACE and the landowner who would profit.
- Solar panels should ideally be located on warehouse roofs but this was not always easy or practical, this solar farm was an alternative.
- The land would be reinstated to farmland after the term of the project.

The following Members asked points of clarification:

- Councillor David Levett
- Councillor Nigel Mason
- Councillor Louise Peace

In response to points of clarification, Mr Shaw advised that:

- On a day-to-day basis the solar farm would be remotely operated, with periodic attendance by employees for cleaning and maintenance.
- The landowner would undertake land management.
- The energy produced on this solar farm could go anywhere in the country but generally it tends to go to the closest point.
- An extensive site search was undertaken, 90% of the land was green belt. PACE then identified and investigated suitable sites, this site was suitable, and the landowner was willing.
- A management plan would be in place to ensure that traffic restriction did not affect the proposed duration of the project, especially with a redistribution of deliveries.

In response to a point of clarification, Mr Wainright-Lee stated that there were 950 sheep that ran across this land and other farms.

The Chair thanked Mr Shaw, Mr Wainright-Lee and Mr Reddaway for their presentations.

Councillor David Levett requested for a recorded vote on this item .

The following Members took part in debate:

- Councillor David Levett
- Councillor Sean Nolan
- Councillor Mick Debenham
- Councillor Nigel Mason
- Councillor Michael Muir
- Councillor Louise Peace
- Councillor Dave Winstanley

The following points were raised during the debate:

- Whether the email received from the Secretary of State had an impact on the decision included in the report of the Planning Officer.
- Whether weighting should be applied to the email in consideration of this item.
- A lot of questions remained of the application, including noise impact of the installation.
- The applicant claimed to have a grid connection, but the details of the proposed route had not been disclosed.
- How could the amendments suggested by the Bygrave Parish Council be incorporated into the decision conditions.

In response to points raised in the debate the Development and Conservation Manager advised that:

- The email from the Secretary of State arrived 40 minutes before this meeting.
- A resolution could be passed to grant planning permission, but the a decision notice could not be issued, until the called in matter was resolved.
- The application could be deferred, subject to substantiated reasons, however the email from the Secretary of State was not a substantive reason for deferral.
- It took the Secretary of State five and a half months to call in the Great Wymondley solar farm.

In response to points raised in the debate the Legal Regulatory Team Leader advised that:

- A reason for deferral was required to be provided to the applicant.
- The impact of the Secretary of State's email would only come into effect if the Committee followed the recommendations of the Planning Officer to grant approval of this application.
- Applications were required to be called in within 21 days.
- If the item was deferred, the impact of the email from the Secretary of State was unknown, but the applicant would have guidelines.

Councillor Sean Nolan proposed to defer the application to allow Members of the Committee to consider the late submissions relating to biodiversity and the proposed effect upon traffic and access and the Officers advise on these, visit a solar farm of comparable size, consider the proposals of the Bygrave Action Group and the impact of the email from the Secretary of State. This was seconded by Councillor David Levett and following a vote, it was:

The results of the recorded vote were as follows:

YES	: 10
ABSTAIN	: 0
NO	: 0
TOTAL	: 10

The individual votes were as follows:

Cllr Val Bryant	
Cllr Dave Winstanley	YES
Cllr David Levett	YES
Cllr Ian Moody	YES
Cllr Louise Peace	YES
Cllr Michael Muir	YES
Cllr Mick Debenham	YES
Cllr Nigel Mason	YES
Cllr Philip Weeder	YES
Cllr Sean Nolan	YES

Cllr Terry Tyler
Cllr Tom Tyson

YES

RESOLVED: That application 22/00741/FP be **DEFERRED** planning permission for the following reasons:

1. For officers to advise upon and for Members to consider late submissions relating to biodiversity.
2. For officers to advise upon and Members to consider late submissions relating to the effect of the proposal upon traffic and access.
3. Members would like to visit a comparable and operating solar farm to understand likely noise impacts arising from the proposal.
4. For officers to advise upon and for Members to consider proposed conditions by Bygrave Parish Council.
5. Members are minded to await the decision of the Secretary of State for Levelling Up, Housing and Communities as to whether or not they will be calling-in the application for his determination before making a decision on the application.

N.B Following the conclusion of this item there was a short break in proceedings until 21:34

109 22/03092/FP LAND TO THE EAST OF FOXHOLES AND GAINSFORD HOUSE AND ON THE WEST SIDE OF CROW FURLONG, HITCHIN, HERTFORDSHIRE

Audio recording – 2 hour 4 minute 10 seconds

N.B Councillor Tom Tyson returned to the Council Chamber at 21:34.

This item was deferred from this Committee to a later meeting, as the Planning Officer is waiting on a response from the Environmental Health consultee and to allow time to review comments received relating to Air Quality.

110 20/02412/FP LAND BETWEEN 53 AND 81 AND LAND REAR OF 7-53 WATERDELL LANE, ST IPPOLYTS, HERTFORDSHIRE

Audio recording – 2 hour 4 minute 24 seconds

The Area Planning Officer provided an update on this matter which included that:

- An email of supplementary documents had been sent to the Committee and published on the website which corrected some minor typographical errors.
- There was an update to Paragraph 3.24 of the report and the requested upgrade of two bus stops which the applicant had agreed and this was added to the s106 heads of terms.
- In response to further clarification from County, the Highways department advised that the s106 money had been allocated to the upgrading of two existing bus stops and a cycle footpath which they felt was sustainable and reasonable.
- The Area Planning Officer proposed that the amendment to 6.1 of the report be revoked and that the original paragraph 6.1 be reinstated.

The Area Planning Officer presented the report in respect of Application 20/02412/FP supported by a visual presentation consisting of photographs and plans.

The following Members asked points of clarification:

- Councillor Tom Tyson
- Councillor David Levett
- Councillor Dave Winstanley
- Councillor Ian Moody
- Councillor Sean Nolan
- Councillor Michael Muir

In response to the points of clarification the Area Planning Officer advised that:

- The speed limit would remain at 40 miles per hour.
- EV parking would be per house and shared for the flats.
- The ice house would be repaired and protected as detailed in conditions 13 to 16 of the report and the footpath was adjacent to the ice house.
- The boundary fences would be 1.8 metres high around the proposed gardens. The existing neighbours had rear gardens of approximately 40m long, which combined with the existing trees on the boundaries and the proposed rear garden means that there are no anticipated privacy issues.
- The fences did not replace the existing hedgerows on the existing rear boundaries of the existing neighbours. The proposed fences were shown on the plans to be set inside the site.
- All of the development would be within the proposed site which was no longer considered green belt.
- There would be additional and enhanced biodiversity.
- Electric charging points were highlighted in condition 23.

The Chair invited Parish Councillor Robert Moore and Ms Lorna Else to speak in objection of the application.

Parish Councillor Moore thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that:

- In the last three years the applicant and the Parish Council steering group had undertaken a great deal of collaborative work.
- On balance the Parish Council were in favour of this application but requested s106 money to be spent on a new footpath along Hitchin Road, Gosmore.
- The proposed footpath was not mentioned in paragraph 3.2 on page 198 of the report.
- The applicant was making contributions in excess of £1.2M towards s106 money.
- The current proposed footpath was impractical, most pedestrians walked along Waterdell Lane and through the village of Gosmore using the footbridge which was safer and more visually stimulating.
- The payment allocated to priory school would be better spent between secondary education and St Ippolyts Parish.

Ms Else thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that:

- The foreword of the Local plan talked about the importance of sustainable developments with considerations of the natural environment to deliver housing growth in the right place, now and in the future.
- There was an opportunity to build housing to meet these goals, a housing estate of the right character and quality.
- The development needed more than EV Charging points and bat boxes to achieve the goals of the Local Plan and would be required to meet green standards with sustainable building construction and to meet the 2025 future home standards.
- The development relied on adjacent greenbelt fields to provide much needed green spaces.

- The application failed to meet the Local Plan in almost every way.
- The St Ippolyts residents deserved a better application for their village, and their objections to this application had been registered on the Planning website.

The following Members asked points of clarification:

- Councillor Sean Nolan
- Councillor David Levett
- Councillor Nigel Mason

In response to a point of clarification Parish Councillor Moore stated that, Hertfordshire County Council (HCC) would receive £1.2M of s106 money from the applicant, at least 15% should be shared and spent in St Ippolyts.

In response to a point of clarification the Area Planning Officer advised that 4.3.62 of the report summarised the applicants draft s106 obligation.

In response to a point of clarification the Chair advised that, the s106 money would be budgeted and spent on educational areas and not on named sites.

The Chair thanked Parish Councillor Moore and Ms Else for their presentations and invited Councillor Claire Strong to speak against the application. Councillor Strong thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- She was here to support the request from St Ippolyts Parish Council for a footpath to be included in the application.
- HCC had been asked to reconsider this footpath request.
- The Local Plan highlighted sustainable travel and this path would allow the residents of Gosmore a safe pathway through their village.
- The area already had bus stops, therefore upgrades would be a maintenance matter and not a s106 matter.
- The s106 money was the only opportunity for money to be given to the village for improvements and this pathway was a desired improvement.
- It was disappointing that condition 6.1 placed on the supplementary document had now been revoked.
- On the Local Plan the site was allocated for 40 dwellings, this application was now for 52, the Parish should benefit from these additional dwellings.
- Had the Council implemented the Community Infrastructure Levy (CIL), the applicant would have paid more money and St Ippolyts Parish Council would have had more say in the improvements.
- The amended condition 6.1 should be reinstated and consideration made for the residents to have a safer and quieter footpath, instead of subjecting the residents to a footpath along London Road, an area known for poor air quality.

There were no points of clarification from Members.

The Chair thanked Councillor Strong for her presentation and invited Mr David Fletcher to speak in support of the application. Mr Fletcher thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The application was on a Local Plan adopted site, and careful consideration over a significant period of time had been taken to get to this point.
- No objections had been received from any technical consultees and the comments from St Ippolyts Parish Councils had been welcomed.
- The proposal had been amended to 52 dwellings, which had a density of 16.3 dwelling per hectare, and in line with the prevailing dwellings in the area.

- The public right of way to the ice house had been preserved and would be subject to improvements and a detailed management maintenance plan.
- The proposal provided the benefit of affordable housing and 0.6 hectares of public open space including a play area for children.
- An enhancement to the wildflower meadow area would lead to a biodiversity net gain.
- The Gosmore recreation area would receive a financial contribution towards play equipment.
- A three metre wide footpath and cycle-way would be provided, along with two safe crossing points and bus stop improvements.

In response to a point of clarification from Councillor Dave Winstanley, Mr Fletcher confirmed that an energy statement was a condition of the planning permission.

The Chair thanked Mr Fletcher for his presentation.

The following Members asked questions:

- Councillor David Levett
- Councillor Sean Nolan

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

- Herts County Council Highways Officer stated in the report that the bus stop upgrade formed part of the s106 payment.
- The Transport Officer Planning Policy NHDC had asked for the bus stop upgrade as a s278 matter.
- The supplementary update clarified that the bus stop upgrade should be from s106 money.
- A request had been made to HCC for details of how they would decide if a new footpath was needed and funded. HCC had not yet responded to the email.
- Councillor Strong had also requested information from HCC regarding sustainable transport, a response to which was presented at the start of this item.
- The recommendation to revoke condition 6.1 was based on the reply from HCC to Councillor Strong.
- The amended recommendation on condition 6.1 could be put back into the application and investigated further.
- It was outside the remit of the Committee to impose a condition on when County spent the s106 money.

Councillor David Levett proposed the application with the amended condition 6.1, and Councillor Nigel Mason seconded, and following a vote it was:

RESOLVED: That application 20/02412/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager with the following amended recommendation:

"Recommendation 6.1:

- A. Clarification from HCC Highways regarding local sustainable transport. The response will be shared with the applicant; Parish Council and Chair of Planning Control Committee. If this results in a change to the sustainable transport S106 Contribution for this to be agreed by the Chair of Planning Control Committee;
- B. The completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and

- C. Providing delegated powers to the Development and Conservation Manager to update conditions and informatives as set out in the report above; and
- D. Conditions and Informatives as set out below.”

111 23/00549/OP BELL FARM INDUSTRIAL PARK, BELL LANE, NUTHAMPSTEAD, SG8 8ND

Audio recording – 2 hour 55 minute 4 seconds

- The Senior Planning Officer presented the report in respect of Application 23/00549/OP supported by a visual presentation consisting of photographs and plans, including that there was a typological error at 4.3.12 and 4.3.13 of the report, which should read ‘due west’ and ‘eastern’ respectively. They also advised that a supplementary document had been published regarding Condition 8.

The following Member asked points of clarification:

- Councillor Sean Nolan
- Councillor Dave Winstanley

In response to points of clarification, the Senior Planning Officer advised:

- The differences between Highways and the Planning Officers opinions of the proposed access were highlighted in paragraphs 4.3.32 to 4.3.37 of the report.
- The planning statement made it clear that the two access points had good visibility onto a 30 mile per hour road.
- Highways had noted the road as a 40 miles per hour.
- It was acknowledged that this was a rural area with no footpaths and not a suburban area as stated by Highways, the proposed change from an industrial park to housing, would positively impact on the volume of vehicles using the road.
- It was acknowledged as stated by Highways that this was not a sustainable location for housing, but the considerations in favour of this application outweighed the conflicts.
- Hedgerows would be retained, as would two large trees, and a detailed landscaping scheme would be required for full planning permission.

The Chair invited Mr James Gran, Dr Julia McGill and Mr Phil Burchell to speak in support of the application.

Mr Gran thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- The Highways authority considered the access to be acceptable.
- The frontage trees would be retained, and the dwellings would be set back from the road.
- Previously at least 50 employee vehicles and daily heavy good vehicles would use these narrow lanes, just 1 employee was now occasionally onsite.
- Since 2021 other commercial usage for the land had been investigated.
- The development of this site was appropriate and would make a positive impact on the village.
- The proposal was for nine detached dwellings with spacious gardens and with no harm to the rural area.
- There would be fewer trips compared to the current and previous industrial use of this site and associated noises and odours would be reduced.
- Biodiversity net gains would be achieved in accordance with Condition 8.
- There would be social and economic benefits to the village.
- There was no identified harm which would outweigh the benefits of the proposal.

Dr McGill thanked the Chair for the opportunity and provided the Committee with a verbal presentation, including that:

- This development would enhance the setting of all the nearby listed buildings and was strongly supported.
- There had previously been disruption from speeding vehicles, noise and air pollution on this site.
- The site had attracted unlawful and anti-social behaviour.
- There would be a net environmental gain with the reduction of traffic volume.
- The report from Highways had numerous errors and did not include any environmental and safety gains from the change of use to dwellings.

Mr Burchell thanked the Chair for the opportunity and provided the Committee with a verbal presentation including that the Nuthampstead Parish meeting was consulted on the proposed usage options for the industrial park site and it was unanimously agreed that the site be used for residential dwellings.

There were no points of clarification from Members.

The Chair thanked Mr Gran, Dr McGill and Mr Burchell for their presentations.

Councillor Tom Tyson proposed the application with an amendment to condition 8, and Councillor Dave Winstanley seconded and after a vote, it was:

RESOLVED: That application 23/00549/OP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager with the following amendment to condition 8:

“Condition 8:

As part of the details at Reserved Matters stage, a Biodiversity Net Gain Plan shall be submitted and approved by the Local Planning Authority, using the Defra Biodiversity Metric to demonstrate how a minimum of 10% Biodiversity Net Gain (BNG) will be fulfilled by this development”

Reason: To achieve a BNG of at least 10%, in accordance with Policy NE4 of the Local Plan.

112 APPEALS REPORT

Audio recording – 3 hour 10 minute 32 seconds

The Development and Conservation Manager advised the Committee that there had been five new planning appeals in the last monitoring period.

Four decisions had been made all of which had been dismissed by the Inspector.

RESOLVED: That the Committee noted the report.

The meeting closed at 10.42 pm

Chair

This page is intentionally left blank

ITEM NO:	
<u>Location:</u>	Land North of Highover Farm to Stotfold Road Highover Way, Hitchin
<u>Applicant:</u>	BDW Trading Ltd
<u>Proposal:</u>	Outline application with all matters reserved other than access, comprising residential led development of up to 700 dwellings of use class C3 (dwellings), approximately 500 sqm of neighbourhood-level facilities, a new 2FE primary school, open space, play space, green infrastructure, and associated accesses (vehicular, pedestrian and cycle), including a new primary access off Stotfold Road with limited access off High Dane (as amended by plans and documents received 6th,13th and 29th January 2020, 4th, and 20th February 2020, 8th September 2020 and 17th, 20th and 21st December 2021 and January 2023).
<u>Ref. No:</u>	18/01154/OP
<u>Officer:</u>	Sarah Kasparian

Date of expiry of statutory period: 18 September 2018

Extension of statutory period: 31 August 2023

Reason for Delay

Application was deferred from Planning Control Committee on 6 July 2023 pending further transport information.

Reason for Referral to Committee

The site area for this application for residential development exceeds 0.5ha and therefore under the Council's scheme of delegation, this application must be determined by the Council's Planning Control Committee.

1.0 Site History

1.1 This Planning Control Committee Report follows on from another Report to Committee on 6 July 2023 recommending that planning be granted for Outline Planning Permission subject to conditions and a suitable Section 106 agreement. That Report is appended to this Report in Appendix A for ease of reference and should be read together.

1.2 The scope of the Report is limited to consider the reasons for deferral of the application from Planning Control Committee on 6 July 2023 and the submission of further information to support the application. From the Minutes of that PCC (Appendix 2) it was '*resolved*

that application 18/01154/OP be deferred outline planning permission to allow a review and update of the submitted Transport Assessment in order to address the cumulative impact of recent housing development in Hitchin on the road network and provide more detail of transport mitigation measures.'

2.0 Policies

2.1 North Hertfordshire District Local Plan 2011 – 2031

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP6: Sustainable transport

Policy SP7: Infrastructure requirements and developer contributions

Policy SP17: Site HT1 'Highover Farm, Hitchin

Policy T1: Assessment of transport matters

2.2 Supplementary Planning Documents

Developer Contributions SPD 2023

2.3 National Planning Policy Framework updated 2023

Section 9: Promoting sustainable transport

2.4 Hertfordshire County Council

Local Transport Plan (LTP4 – adopted May 2018)

3.0 Representations

Statutory Consultees

3.1 HCC Highways – No objection, subject to conditions and s106 obligations as set out in Appendix 1

3.2 National Highways – No objection

3.3 County Archaeologist – The County were consulted on a submitted Written Scheme of Investigation, which was the subject of a proposed condition in Appendix 1. Given the applicant has prepared a WSI and the County Archaeologist is content with its content, there is no need for a condition to have a WSI approved. The condition has been replaced with wording to secure the appropriate implementation of the agreed WSI.

3.4 Neighbour and Local Resident Representations

The application has been advertised via letters to 758 neighbours and a press notice. At the time of finalising this report and in addition to those representations reported at PCC on 6 July 2023, a further 42 comments have been received. Comments relate principally to transport matters as requested in the consultation letter, but raising some other matters which are summarised at the end of this section. These are not considered in this report as they have all been previously considered in the committee report dated 6 July 2023.

- 3.5 The objections and the issues raised are as follows and will be addressed in the remainder of this Committee Report:

Cumulative Impact comments:

- Flawed traffic data - why have specific days been chosen rather than a mean over several days? Why were evening data collections started at 4pm, missing some of the school run? Also, comparison between 2017 and 2022 is flawed as traffic at the end of July is different to that at the start of the month. May 2022 was considered to still be in the aftermath of the pandemic and so data from then should not be used. Year were chosen for comparison which are not reflective of the real situation
- Para 2.2.4 figures generated as a result of North Herts College development look intuitively too small
- Para 3.3.4 questions suitability of Map and June assessments which are during exam times for school
- It did not include measuring the traffic at various different times of the day
- Table 3.1/para 3.3.5 reductions appear 'within bounds of normal fluctuations' prefer to see surveys from consecutive days; no ref to -49% in supporting text; comments regarding the decline in PM peak period – what is the reasons, forecast changes to future working patterns and need more data to compare and predict
- The largest comparable site for TRICs data is 195 units which is significantly smaller than the application site; the railway bridges are a barrier to movement of pedestrians and cyclists which increases car movements; and do trip rates include deliveries, gardeners, etc?
- Regarding the school site, the site will generate some additional traffic due to teachers/staff arriving/departing the site
- Noting the traffic report which was presumably undertaken during school holidays and is not considered to be a true assessment
- Argument that there will be 'significant' impact on the volume of traffic
- Assessment doesn't take into account cumulative impact of development from Fairfield, Arlesey and Stotfold
- Inappropriate comparison to other sites which were unlike the Highover Farm site in number, in development and nature
- No updated traffic survey
- There should be no addition to the impact on the roads
- Request for independent transport assessment

Mitigation measures:

- The traffic lights mentioned will make it even harder get out with build-up of cars
- Existing infrastructure for pedestrians and cyclists is insufficient
- Need safe and sustainable routes into Hitchin such as a safe cycle path and infrastructure
- Lack of space on existing roads for new cycle infrastructure
- Wheelchair access required from the site to the town centre
- Unconvinced that HCC Highways have provided sufficient certainty that the monies identified for offsite improvements are adequate
- Bus services have been reduced since undertaking the assessment
- Solution is to build a relief road from Cadwell lane and/or Wilbury way to Stotfold Road, significantly reducing the industrial traffic to/from these industrial estates from going via Grove/Woolgrove/A505

- Generic funding for mitigation but with no breakdown in detail of funding making it impossible to judge if there was enough funding for mitigation.
- People won't cycle up Stotfold Road due to topography
- Important that the outline permission is not granted until the figure for a commuted sum toward such measures is properly considered and accepted
- Traffic lights at Woolgrove road / Cambridge Road needs to improved
- The constraints of the two local railway bridges represent a significant barrier
- Concern that heavy commercial vehicles that have to use the central position under Woolgrove Road bridge will impact, together with the curvature of the road, the proposed width of the footpath and potential for cyclists to travel alongside.
- Note the high pressure gas main under the railway bridge could be a constraint
- Suggests that signalising under the bridge and the Grove Road crossroad will cause longer traffic queues especially at peak times
- Suggests that fundamental improvements needs to be made to Hitchin to improve the town and prepare for developments such as these
- It was a condition of the North Herts College development to contribute to Hitchin station eastern access project, for which 'nothing has happened'
- Approval plans should show off site improvements

Other Transport comments raised, which were considered in the Committee Report in Appendix 1:

- Little updated detail to address the deferral of the last committee meeting
- Application should have been assessed by Active Travel England (Officer note: ATE not a required consultee on this application as it was submitted before the requirement)
- The site is overall unsustainable due to the need for most people to use the car between Hitchin and Letchworth, ref NPPF para 34 for developments to be located where sustainable transport can be maximised
- Visibility along Stotfold Road is very difficult with the topography and speeding cars
- Cars on Stotfold Road most days during rush hour are at a standstill, and problems with the mini-roundabout (Grovelands Avenue?)
- There is no local neighbourhood near the site, so the A505 would be a required route for everyone to access supermarkets and critical facilities in the town which are 2 miles away, creating a severe impact on the road network
- Letchworth and Hitchin stations are too far to walk, residents on Highover Farm will be car dependant
- Millary Way will become a 'rat run' and concern for pedestrian safety
- Stotfold Road is already extremely busy, there are often accidents
- Congestion from High Dane onto Woolgrove Road in morning peak
- Woolgrove Road is congested and at a 'standstill' especially at peak times and the road under the bridge is not 'fit for purpose'
- Negative impact on Cambridge Road and Walsworth crossroads Walsworth which is already a 'bottleneck'
- Despite 'limited access' to High Dane, any access would put further pressure on Woolgrove Road
- Existing traffic pressure of Cambridge Road junction with Woolgrove Road is unsustainable.
- Both bridges are very narrow and cannot cope now with amount of traffic
- The roads into Hitchin are overcrowded due to the expansion of house development in the villages including Arlesey, Stotfold and Clifton

- It doesn't take much for the roads to be gridlocked
- The lack of access to and from the site would restrict all emergency services.
- Proposals do not take into account proposed development north and west of the town
- Plans look worse compared to previous versions with an increased negative impact on High Dane/Sturgeons Way; Concern about parked cars along High Dane, repair of potholes, safety of children and construction vehicles
- Concern over 'rat run' between Stotfold Road and High Dane

Other comments raised, which were considered in the Committee Report in Appendix 1:

- No need for new housing; existing overcrowding
- Enough housing development in nearby towns (Letchworth and Central Beds)
- Woolgrove Road and Cambridge Road crossroads susceptible to flooding
- Site should remain as valuable agricultural land
- Reduction of green space between Hitchin and Letchworth
- There is a need for more housing which is supported in principle, but the infrastructure must be in place to support new housing so that new and existing residents are accommodated not just in terms of a home but also a community, services and access
- Concern over noise and air pollution of increased traffic
- Development should contribute to affordable housing
- Lack of secondary school provision, GP, dentist and medical provision
- Concern about the water supplies and sewerage infrastructure in the area
- Impact on wildlife and need for updated assessment
- Comments regarding lack of consultation to all residents and limited time to respond

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 See previous description in Appendix 1.

4.2 Proposal

4.2.1 This is an outline planning application with all matters reserved other than access to the site.

4.2.2 Development proposals comprise residential led development of up to 700 dwellings of use class C3 (dwellings), approximately 500 sqm of neighbourhood-level facilities, a new 2FE primary school, open space, play space, green infrastructure, and associated accesses (vehicular, pedestrian and cycle).

4.2.3 The proposals include a new primary vehicular access off Stotfold Road with limited access off High Dane. The development will be phased and subject to future application(s) for reserved matters.

4.2.4 Plans and documents have been amended as of January 2020, February 2020, September 2020, December 2021 and January 2023. Since the PCC meeting on 6th July 2023 the applicant has also submitted an ES Supplementary Note accompanied by an Appendix known as a Supplementary Transport Note (STN).

4.2.5 The application is supported by the following plans and supporting documents, which has been updated as per the update sheet to PCC dated 4 July 2023:

- Updated Strategic Masterplan Framework Document (dated 4 May 2023)
- Updated Planning Statement (December 2021)
- Updated Design and Access Statement (January 2023)
- Sustainability Statement (April 2018)
- Phase 1 Environmental Risk Assessment (July 2017)
- Utilities Statement (September 2017)
- Indicative Housing Mix Note December 2019)
- Statement of Community Involvement (April 2018)

- PL1685-PLA-00-XX-DR-U-001 S4 Rev P02 Site Location plan
- 19604 Topographical Survey Sheets 1-5

- PL1685-PLA-00-XX-DR-U-002-S4-P01 Movement and Access Framework Plan
- PL1685-PLA-00-XX-DR-U-007-S4-P05 Urban Framework Plan
- PL1685-PLA-00-XX-DR-U-015-S4-P01 Biodiversity and Landscape Framework Plan
- PL1685-PLA-00-XX-DR-U-016-S4-P01 Density and Building Heights Framework Plan
- PL1685-PLA-00-XX-DR-U-017-S4-P01 Land Use Framework Plan
- PL1685-PLA-00-XX-DR-U-018-S4-P01 Development Areas Framework Plan
- PL1685-PLA-00-XX-DR-U-103-S4-P01 Green Infrastructure Plan
- PL1685-PLA-00-XX-DR-U-108-S2-P04 Character Areas Framework Plan
- NTS2d Illustrative Masterplan

- 62240435-TAA-DP-100-001 P09 General Arrangement
- 62240435-TAA-DP-100-002 P12 Stotfold Road Proposed Access
- 62240435-TAA-DP-100-003 P10 High Dane Proposed Access
- 62240435-TAA-DP-100-004 P10 Highover Way Proposed Access
- 62240435-TAA-DP-100-005 P08 Stotfold Road Cycle-Footpath Access
- 62240435-TAA-DP-100-006 P09 Armour Rise Cycle-Footpath Access
- 62240435-TAA-DP-100-007 P10 Collinson Close Cycle-Footpath Access
- 62240435-TAA-DP-100-008 P11 Stotfold Road Cycle-Footpath Improvements
- 62240435-TAA-DP-100-009 P10 Treatment of Stotfold Road
- 62240435-TAA-DP-100-013 P08 Typical Spine Road/Avenue Junctions and Tracking
- 62240435-TAA-DP-100-014 S P07 Spine Road/Avenue Movement Restriction

4.2.6 The application is also accompanied by the Environmental Statement with various updates having been undertaken as set out in the Report in Appendix 1.

4.3 Legal basis of determining the Planning application

4.3.1 Members will be familiar with the standard legal advice that is set out at the end of each planning Control Committee report which advises that legislation requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. This approach was developed within Section 54A of the

Town and Country Planning Act 1990 (as amended). It is also re-emphasised within Section 38(6) of the Planning and Compensation Act 2004, which reads as follows:

- 4.3.2 *'if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise'.*

5.0 Key Issues

- 5.1 In addition to the Report in Appendix 1, the key issue for consideration of this application is twofold:

- the cumulative impact of recent housing development in Hitchin on the road network; and
- provide more detail of transport mitigation measures.

5.2 Cumulative impact on the road network

- 5.2.1 Paragraph 110 of the NPPF 2023 states that *'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'*
- 5.2.2 The NPPF also sets a high bar in terms of grounds to refuse an application on highway matters: Para 111 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.*
- 5.2.3 NHLP Policy T1 on Assessment of Transport Matters states that *'Planning permissions will be granted provided that a) development would not lead to highway safety problems or cause unacceptable impacts upon the highway network'.*
- 5.2.4 The Highway Authority and National Highways were both reconsulted on the Supplementary Transport Note and Addendum to the Environmental Statement submitted in response to the key issues for consideration.
- 5.2.5 National Highways continue to raise no objection to the proposed development and its impact on the strategic road network.
- 5.2.6 The Highway Authority has also examined the additional information and concluded that the additional information presented supports the TA and demonstrates it remains a robust assessment. The Highway Authority aided the applicant in scoping the information that would help satisfy the reasons for deferral. This information included updated traffic flows using more recent data to compare to the data collected in 2018 as a 'sense-check'. The Highway Authority provided the applicant with the most up to date data from manual counts, ATC counts and signposting to DfT count data.

- 5.2.7 Comments were received by members of the public regarding the timing of additional traffic counts. The Highway Authority have reviewed these comments and provided the following feedback that: Thursday is considered to be a neutral day, as well as the months of May and June, despite potential for changes to traffic due to 'exam season'. It was agreed that May 2022 was still in the aftermath of the Covid pandemic and so results need to be assessed in that light. Regarding TRICS data the purpose is to broadly select sites which reflect the population, car ownership, location and size, it does not have to match exactly but provide a basis for forecasting.
- 5.2.8 Regarding the school site and commercial floorspace, it is anticipated in the TA that *'the primary school and the local centre which are intended to serve the proposed development will therefore have a negligible external trip ends and have not been considered as part of the trip generation for the site'*. A suitable travel plan for both residential and the school site, is a requirement of any planning permission should this application be granted, together with a contribution to HCC for the monitoring of such a travel plan.
- 5.2.9 Lastly on comments from the public, the applicant also noted an error in a calculation during the consultation period, which was corrected, and information passed back to Officers and the Highway Authority, but did not make a change to the conclusion of the STN. Overall, the Highway Authority are content that the data is robust, the comparisons are helpful and that the update is helpful in supporting the original TA.
- 5.2.10 The conclusion of the Highway Authority on traffic flows is that *'on balance, network flows may be considered to be lower in 2023 than when compared to the flows as presented'* previously. This demonstrates that the original assessment, although being 5-6 years old is a robust assessment and based on a worst-case scenario on the impact of the development on traffic.
- 5.2.11 Regarding cumulative impact from other developments, between the Local Planning Authority and Highway Authority a list of sites that received planning permission since 2018 for new housing of more than 10 units ('major' applications) was scoped in. This included 116 units at North Herts College, 28 units at Westons Motors Ltd, 107 units at John Barker Place and 53 units at Minsden Old Peoples Home. These include all in the closest proximity to the site that have been granted planning permission since the TA for Highover Farm. Also, some of these developments have commenced but are not yet occupied or fully occupied, and it is fair to assume that their traffic impacts are not yet seen in existing traffic flows. The information on these sites have been extracted from the approved Transport Assessments / Transport Statements submitted with those planning applications and input into the TA for Highover Farm which builds a model of what the traffic impact would be.
- 5.2.12 The Highway Authority conclude that *'the analysis demonstrates that the committed/new developments are not of sufficient magnitude to precipitate a material impact on the network over and above the assessments already concluded'*. This reflects the applicant's conclusion that *'the cumulative impact of the Proposed Development (taking into account the additional sites) is considered low and the residential cumulative impact on the evaluated junctions is regarded as inconsequential and not severe in the context of the NPPF Paragraph 111'*.

5.2.13 It is worth noting that although sites allocated in the Local Plan along the west side of Hitchin (HT3, HT5 and HT6) with a total of 116 units, have not been included in this scoping these numbers were included in traffic modelling in the preparation of the Local Plan, which has been examined in public and adopted. This is the same principal for large housing developments in the other towns in the district, particularly Letchworth for its close proximity, but also developments in places such as Stotfold in Central Beds which is all managed through the Local Plan preparation and the 'duty to cooperate' with neighbouring authorities (NPPF 2023 para 24).

5.2.14 Officers are satisfied that the applicant has demonstrated that the cumulative impact of more recent developments in the area will not have an unacceptable impact on highway safety, or that there would be a severe impact on the road network, in accordance with the NPPF 2023 or NHLP Policy T1.

5.3 Mitigation measures

5.3.1 The NPPF 2023 is clear on the type of mitigation required for developments that generate 'significant amounts of movement'. Para 112 requires all applications for development (among others) to:

- a) 'Give priority first to pedestrian and cycle movements...and second – so far as possible – to facilitating access to high quality public transport...'
- b) 'Address the needs of people with disabilities and reduced mobility in relation to all modes of transport'...

5.3.2 NPPF 2023 requires a travel plan to be submitted with applications for development that generate significant amounts of movement.

5.3.3 NHLP Policy SP6 on Sustainable Transport requires the applicant to '*seek the earliest reasonable opportunity to implement sustainable travel infrastructure on Strategic housing Sites and other development sites in order to influence the behaviour of occupiers or users...*'

5.3.4 NHLP Policy T1 also states that '*Planning permission will be granted provided that:...b) mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network are secured in accordance with Policy SP7; and d) for major developments, applicants demonstrate (as far as is practicable) how: i. the proposed scheme would be served by public transport...*'

5.3.5 There are a range of mitigation measures already set out in the previous committee report in Appendix 1, which have been identified as being able to be delivered via various mechanisms in consultation with the Highway Authority.

5.3.6 There are several ways that the District Council can secure mitigation works for the traffic impact and promoting active travel, in consultation with the Highway Authority. This is a summary of the agreed position on mitigation measures and how they will be delivered:

Works associated with the development, secured by reserved matters, condition for S106:

- a) Access from High Dane (vehicular, pedestrian, cycle and bus) (limited to 137 units) with traffic calming.
- b) Access from Highover Way, Armour Rise and Collison Close (pedestrian and cycle)
- c) Travel Plan (both Residential and School) and monitored by the County Council with a financial contribution from the applicant
- d) Reduction in the speed limit along Stotfold Road
- e) Provision of a shared footway/cycleway along Stotfold Road from the roundabout to the application site

Strand 1 – Section 278 works (paid in full by the developer and work approved and undertaken by HCC):

- f) Bus service extension through the site together with vouchers for all new households for 3 months complimentary bus travel.
- g) New toucan crossing over Stotfold Road
- h) New path between Stotfold Road and the Letchworth Greenway (subject to application 22/00303/FP)
- i) New path link from the Letchworth Greenway into The Highfield School

Strand 2 – Off-site works to improve safety and connectivity (paid to HCC who undertake feasibility, design, consultation and implementation based on identified projects in the town) (also set out in para 5.6.28 in Appendix 1):

- j) PR41 Cycle facilities at Hitchin station including increased cycle parking
- k) PR50 Improve pedestrian and cycle infrastructure where the rail lines cross Grove Road and Woolgrove Road
- l) PR51 Hitchin northern loop bus services work with partners to improve bus service 81
- m) PR55 Access to new development north of Hitchin – ensure high quality pedestrian and cycle access is provided through new development to the north of Hitchin to connect with routes to station, industrial estate, town centre and A505 North Hertfordshire Sustainable Spine
- n) SM39 Eastern Entrance to Rail Station – provide an eastern entrance to the rail station in Hitchin, in order to make walking and cycling from eastern Hitchin more attractive, including safe and well signposted connections to the cycle network and cycle parking. Consider improvements to pedestrian connectivity through the station
- o) SM52 Continuous cycle routes with junction treatments including from Highover Farm site to the rail station, schools and the A505 sustainable spine
- p) SM59 Continuous cycle route along A505 sustainable spine with new and improved junction/crossing facilities for cyclists
- q) SM61 Cycle hub at Hitchin rail station including repair facilities, secure parking and cycle hire improvements to the pedestrian access to Hitchin station

- 5.3.7 During the Planning Control Committee meeting on 6 July 2023 Members discussed the level of detail given on mitigation measures to be secured with the funds that would be created by this development. It is standard practice for the Highway Authority to request a financial contribution, based on the number of units proposed and identify what projects it would be most relevant for.

- 5.3.8 Given the specific local concern about the suitability of the railway line and bridge over Woolgrove Road, the applicant has reviewed in detail the potential for works to the traffic system here. The problems raised are to do with the narrow footpath on one side of the road, which is prohibitive to people walking, cycling or those using wheelchairs or prams. There is also a problem with traffic connecting with the signalised junction with Grove Road/Cadwell Lane, as well as large vehicles, bridge strikes and hesitation of two cars being able to pass each other under the bridge.
- 5.3.9 There are limited ways of dealing with these problems, which is an existing problem and not entirely the responsibility for this development to address. One option in theory is to rebuild the railway bridge over Woolgrove Road with a wider aperture, but this would be hugely costly and would not provide the public benefit commensurate with the cost.
- 5.3.10 A more affordable option is to formalise the de fact shuttle system for motor vehicles passing under the bridge with traffic lights. This frees up space to widen the existing footway to create a less conflicted shared space for people walking and cycling. The applicant has looked at this in more detail and suggests a system would need to be signalised and coordinated with the main junction with Grove Road/Cadwell Lane and timed accordingly. Cycle priority can be designed into the lanes to promote safe and active travel. The traffic modelling undertaken shows that the system with signals will formalise the hesitation of drivers to pass alongside another car under the bridge. It will allow drivers to move confidently at the right time under the bridge in a coordinated way with the main junction. It will make the route much safer and pleasant for those on foot and encourage cyclists in a safe and priority environment. This is considered to be a key link between the application site and the town centre, even access to the railway station. The estimated costs (approx. £500k) involved in this level of work is within the scope of the contributions requested under Strand 2 and can be identified as a priority for Strand 2 money to contribute to. Comments received from the public note the presence of a high-pressure gas line. This will be addressed in the Highway Authorities work on feasibility and design of the scheme.
- 5.3.11 With regard to the wider picture of the town, the County Council currently have a range of proposed works planned for Hitchin. These are in response to matters raised by Members, the public and issues known to Highway Officers. The Highway Authority uses a range of funding streams to manage these projects themselves according to the complexity of each project.
- 5.3.12 Officers, in collaboration with the Highway Authority, have compiled a table which helps to provide an update on those projects set out above under Strand 2. The colours indicate the priority and likelihood of being able to deliver the scheme from this developments funding, with green being most likely and realistic:

Scheme ref.	Description	Work	Progress	Indicative work and costs
PR50	Improve pedestrian and cycle infrastructure where the rail lines cross Grove Road and Woolgrove Road	Single lane/shuttle system under railway bridge with traffic signals coordinated with those at the junction with Grove Road, creating space for a wider shared-use path footpath	Initial feasibility work undertaken by applicant High priority for HT1	For full design and construction £425k-£475k (green)
SM91	Employment Area Connectivity – Grove Road between A505 Nightingale Road and the industrial estate to the north	This scheme connects with PR50 and provides onward connectivity for active travel to the town centre and (via Ransoms Park) the railway station.	Audited as part of the LCWIP High priority for HT1	Estimate £500k-£1m (green)
SM52	Cycle routes from Highover Farm to the rail station, schools and the A505	New foot and cycle path required under S278 along Stotfold Road with speed reduction; and traffic calming along High Dane New access points to the site for pedestrians and cyclists for permeable edge to the development New toucan crossing over Stotfold Road with extension to the Letchworth Greenway and link to Highfield School	High priority for HT1	All to be delivered under Strand 1 contributions (green)

Scheme ref.	Description	Work	Progress	Indicative work and costs
SM38 and SM39	B656 Walsworth Road Pedestrian Priority Corridor	Provide a pedestrian priority corridor between Hitchin Rail Station and the town centre, including measures to improve pedestrian priority along the corridor, footway widening as appropriate and wayfinding	Audited as part of LCWIP. Further validation work is ongoing, funded by DfT/Active Travel England. High priority in relation to HT1	For further feasibility work and public consultation SM38 £500k-£1m SM39 £500k-£1m (orange)
PR55	Access to new development north of Hitchin	Ensure high quality pedestrian and cycle access is provided through new development to the north of Hitchin to connect with routes to station, industrial estate, town centre and A505 North Hertfordshire Sustainable Spine	Initial scoping undertaken by HCC. Work required on options, feasibility and public consultation.	For further feasibility and public consultation Estimate £1m-£2.5m (orange)
SM59	A505 and B656 cycle route and junction treatment for cycle priority	To improve access by walking and cycling to Hitchin station from east of the railway line	HCC to undertake feasibility of A505 and B656 improvements for active travel High priority in relation to HT1	Scoping and feasibility work required £TBA (orange)
		Hitchin Station eastern entrance	Study completed in 2022 to estimate cost of creating an eastern entrance via an extended pedestrian subway. HCC	Further work required on feasibility and design £TBA (orange)

Scheme ref.	Description	Work	Progress	Indicative work and costs
			and NHDC currently co-funding a study to review other options that may be cheaper or provide greater benefit. High priority in relation to HT1	
SM61	Cycle hub at Hitchin railway station	This would potentially encourage more people to cycle to the railway station.	No assessment yet made of need or beneficial impacts	£500k-£1m (red)

5.3.13 There is unavoidable uncertainty about exactly which scheme will in fact benefit from the financial contributions from this development. This depends on many factors, which are the responsibility of the Highway Authority to manage. There are several projects within Hitchin which will all make active and sustainable travel easier. Funding comes from various sources, which is sought and managed by either the District Council or the Highway Authority.

5.3.14 Officers are satisfied, as is the Highway Authority that there is sufficient clarity on how the contributions of approx. £3.3m in Strand 2 may be spent in Hitchin, to the benefit of existing residents and to enable and support future residents to choose active and sustainable modes of travel. The proposals are in accordance with the NPPF 2023, the NHLP Policies SP6 and T1 and the Developer Contributions SPD.

5.4 Conclusions

5.4.1 Both National Highways and the Highway Authority do not raise any objection to the supplementary information requested by Members at PCC on 6 July 2023 regarding cumulative impacts and mitigation measures associated with the proposed development.

5.4.2 The Highway Authority in particular are satisfied that although there would be some increase in traffic arising from the proposed development, this would not have an unacceptable impact on highway safety or result in a residual cumulative impact that would be severe so as to warrant an objection or reason for refusal in accordance with the NPPF 2023.

5.4.3 This is read together with a substantial package of planning obligations towards active and sustainable transport as set out in the report above. Mitigation measures are to be delivered by various appropriate mechanisms and the applicant, North Herts planning

Officers and the Highway Authority have investigated additional detail on the priorities identified for Strand 2 contributions. The Highway Authority remain content with the recommended conditions set out at the end of this report.

- 5.4.4 In the light of the supplementary information submitted, the proposals are considered to be in accordance with the NPPF 2023, NHLP 2022 Policies SP7, T1, and HCC LTP4, and have address fully the reasons for the applications deferral from PCC 6 July 2023. Therefore, the proposal accords with the Local Plan as a whole and there are no material considerations that indicate that the decision should not be made in accordance with the recently adopted Local Plan. In the circumstances, planning permission should be granted.

6.0 Alternative Options

- 6.1 None applicable (see 'Key issues' section of this report above)

7.0 Climate Change mitigation measures

- 7.1 There has been no change since the Report in Appendix 1.

8.0 Pre-Commencement Conditions

- 8.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed. Following the update sheet to PCC dated 4 July 2023, the conditions have been consolidated at the end of this report for clarity.

9.0 Legal Implications

- 9.1 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.

10.0 Recommendation

- 10.1 That outline planning permission is resolved to be **GRANTED** subject the following:
- A) The completion of a satisfactory legal agreement and associated land transfer agreement, and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and
 - B) Providing delegated powers to the Development and Conservation Manager to update conditions and informatives; and
 - C) Conditions as set out below:

Definitions:

‘Development Parcel’ means a phase or part of the development excluding Enabling and Associated Works. For instance, this would include a phase or part of the development comprising housing, a local centre, a primary school, allotments and/or play areas

‘Enabling and Associated Works’ means the preparation of a site in readiness for the first stage of development: this includes (i) surveying, (ii) environmental and hazardous substance testing and sampling (including the making of trial boreholes, sampling and test pits in connection with such testing) (iii) soil tests, (iv) pegging out, (v) tree protection, (vi) ecological survey and mitigation works, (vii) archaeological investigation and (viii) demolition and removal of buildings and other structures on the site and site set up.

Approval Plans and Documents

1. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting, approved documents and plans, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

Submission of Reserved Matters

2. No part of the built development hereby permitted shall be commenced on a development parcel within a particular development parcel or sub-phase (as referred to in condition 4) until full details of the layout, scale, appearance and landscaping within the parcel (hereinafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and the provisions of the Town and Country Development Management Procedure Order 2015 and to ensure high quality urban design and co-ordinated development.

Time Limits

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

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

Quantum of land uses

4. The number of homes and floorspace of land uses as set out below shall not be exceeded pursuant to this planning permission:
Residential (Use Class C3) – up to 700 residential dwellings
Flexible mixed use, neighbourhood level facilities: Classes E (a)(b)(c) – up to 500 sq.m

Phasing & Delivery

5. No development shall commence apart from enabling or associated works until a Site Wide Phasing & Delivery Plan which accords with the s106 triggers and Transport Mitigation Phasing Strategy has been submitted to and approved in writing by the local planning authority. Thereafter each subsequent reserved matters application for any phase (or part thereof) shall be accompanied by an updated programme or statement of compliance with the approved strategy for subsequent approval by the local planning authority.

The development shall be carried out in accordance with the approved Phasing Plan unless there are unforeseen events / obstacles to delivery and alternative timing for provision is agreed in writing by the Local Planning Authority.

All reserved matters submissions shall be in accordance with the Site Wide Phasing and Delivery Plan as approved by the Local Planning Authority, unless otherwise agreed with the Local Planning Authority. Any references to a Phase of the development within this permission shall be taken to be a reference to phases as identified within the Site Wide Phasing and Delivery Plan submitted under this condition.

The Site Wide Phasing and Delivery Plan shall include but not be limited to the sequence of providing the following elements:

- a) Residential development parcels;
- b) Location of self-build plots
- c) A programme for the delivery of public transport infrastructure;
- d) Major distributor roads/routes within the site, including timing of provision and opening of access points into the site;
- e) Strategic footpaths and cycleways;
- f) Primary school (playing pitches), community/neighbourhood centre facilities
- g) Strategic foul and surface water features and SUDS;
- h) Formal and informal public open space, park/square, allotments, parks, NEAP and LEAP;
- i) Strategic/structural landscaping
- j) Strategic electricity, telecommunications and gas networks;
- k) Infrastructure for the provision of fibre optic cables;
- l) Environmental mitigation measures
- m) Off-site highway improvements.

Reason: To secure comprehensive, co-ordinated and sustainable development and assist with the determination of subsequent reserved matters applications in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development, in accordance with Policy SP1, SP9 and SP17

Design Code

6. Prior to or concurrently with the submission of the first reserved matters application(s) a Site Wide Design Code shall be submitted to the Local Planning Authority for approval. No development shall commence except enabling and associated works until the Design Code has been approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council (as highway authority, education authority and LLFA). The Design Code shall be prepared in accordance with the approved parameter plans

established in this outline permission and build upon the Strategic Masterplan and Design and Access Statement. The Design Code shall include:

1. Vision for Development and Place-making Objectives

2. Framework Masterplan

3. Character Assessment of the Local Area

4. Nature

(a) The green space network including the design and approach to the character and treatment of each green space and corridor with regards to:

- formal and informal green space
- hard and soft landscaping
- removal of existing vegetation and trees
- treatment of existing and retained hedgerows and trees (buffer design)
- new tree planting
- habitat creation
- SUDS arrangements
- strategic earth modelling and mounding
- boundary treatment
- footpaths and cycleways/crossings within or adjacent to green space

5. Movement

(b) The street network and hierarchy and design specifications, including:

- public transport infrastructure
- key junction design
- traffic management and calming
- pedestrian /cycle crossing treatment
- bus only section, bus gate location and operation, modal filters and associated vehicular turning area treatments

(c) Typical cross sections of street types to include details of footways, cycleway, kerb treatment, tree planting, tree species, sustainable urban drainage, landscaping, service corridors and on street parking

(d) Extent of highway to be offered for adoption

(e) The design treatment of footpaths and cycleways through the site and off-site

(f) Vehicular and cycle parking design across the site for residents and visitors

6. Uses Primary School

(g) Design approach to the disposition, orientation, setback, massing and height of building, playing fields, landscaping and associated public realm

(h) Design approach to active frontage, primary entrances and architectural principles

(i) Design approach to vehicular, pedestrian and cycle access and parking
Neighbourhood Centre

(j) Approach to disposition of building, setbacks and height, associated landscaping and public realm

(k) Approach to vehicular, pedestrian and cycle access, parking and servicing and hard and soft landscaping

7. Built Form

- (l) Block principles to establish use, density, building typologies, building line, primary frontages, pedestrian access points, fronts and backs, setbacks, space between buildings, landscaping, gardens, parking typologies and design, boundary treatments
- (m) Key groupings, landmark and marker buildings including specification on frontage character, heights, scale, form, level of enclosure, architectural principles and features
- (n) Principles of elevational treatment, architectural principles and building materials

8. Public Space

- (o) The conceptual design and approach to the public realm with reference to surfacing and materials, boundary treatment, landscaping and planting, signage, and street furniture
- (p) The conceptual design and approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs so as to maximise energy efficiency, minimise light pollution, protect wildlife and avoid street clutter
- (q) Details of waste and recycling provision for all building types and recycling points

9. Homes & Buildings

- (r) Specifications for space standards, accessibility, lighting, aspect, privacy, secured by design and garden space
- (s) Approach to incorporation of ancillary infrastructure such as sub stations, pipes, flues, EV charging points, fibres, wires and cables as required by statutory undertakers

10. Resources

- (t) Measures to demonstrate how the design can maximise resource efficiency through energy efficiency standards, on-site renewables and reduced water consumption and climate change adaptation through external passive means such as landscape, orientation, massing and external building features

11. Stewardship

- (u) Details of adoption, management and maintenance arrangements of highways, footpaths, cycleways, green space and public realm

The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code shall apply, who should use the Design Code and how to use the Design Code. Details of the Design review procedure and of circumstances where a review of the Design Code shall be implemented. All subsequent reserved matters applications shall accord with the details of the approved Design Code and be accompanied by a statement which demonstrates compliance with the code. There shall be no variation or amendment to the approved Design Code unless this is formally agreed in writing by the Local Planning Authority.

Reason: To ensure high quality design and co-ordinated phased development in accordance with Policy SP9 Design and Sustainability and D1 Sustainable Design in the North Hertfordshire Local Plan and Section 12 of the NPPF, National Design Guide and National Model Design Code and to mitigate and minimise any negative impact on the significance and setting of the Grade II listed Threshing Barn.

Highways

Existing Access – Closure

7. Prior to the first occupation of the development hereby permitted, vehicular and pedestrian access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number 62240435-TAA-DP-100-001 Rev P09 General Arrangement only. Any other access(es) or egresses shall be permanently closed (except construction accesses), and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

Bus Gate

8. No development apart from enabling and associated works shall commence until details shall be submitted to the Local Planning Authority in consultation with the Highway Authority relating to the design and operation of a bus gate preventing the through movement of general vehicular trips from High Dane to Stotfold Road.

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

Construction Traffic Management Plan

9. No development apart from enabling and associated works, shall commence until a Construction Traffic Management Plan (in accordance with the best practice guidelines as described in the Construction Logistics and Community Safety (CLOCS) Standard), 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, unless otherwise agreed in writing by the LPA. The Construction Traffic Management Plan shall include details of:
 - i. Phasing of the development of the site, including all highway works;
 - ii. Details of temporary access points for construction vehicles
 - iii. Construction vehicle numbers, type, routing;
 - iv. Traffic management requirements;
 - v. Construction and storage compounds (including areas designated for car parking);
 - vi. Siting and details of wheel washing facilities;
 - vii. Cleaning of site entrances, site tracks and the adjacent public highway;
 - viii. Timing of construction deliveries to avoid school pick up/drop off times; and
 - ix. Provision of sufficient on-site parking prior to commencement of construction activities.

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).

Detailed Highways Plans – Reserved Matter

10. All reserved matters applications for each development parcel or sub-phase shall include full details in relation to the design of estate roads (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to detail the following:
- a. Roads;
 - b. Footways;
 - c. New pedestrian and cycle accesses into the site;
 - d. Cycleways (compliant with LTN 1/20);
 - e. External public lighting;
 - f. Minor artefacts, structures and functional services;
 - g. Foul and surface water drainage;
 - h. Visibility splays;
 - i. Access arrangements including temporary construction access
 - j. Hard surfacing materials;
 - k. Parking areas for vehicles and cycles;
 - l. Loading areas; and
 - m. Turning and circulation areas.

The development shall be implemented in accordance with those approved plans.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018.

Maintenance of Streets

11. Prior to the first occupation of the dwellings within each development parcel of the development, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within that Parcel. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.

Reason To ensure that any future management arrangements for the various elements of the transport network are in accordance with Policy SP9 of the Local Plan and Policy 5 of Hertfordshire's Local Transport Plan 2018.

Fire Hydrants

12. No development apart from enabling and associated works shall take place until details of a scheme for the provision of fire hydrants to serve the relevant phases of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.

Reason: To ensure all proposed dwellings have adequate water supplies for in the event of an emergency.

Tree protection

13. 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.

Land Contamination

14. (a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
 - (ii) The results from the application of an appropriate risk assessment methodology.
- (b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.
- (c) Each phase of the development shall not be occupied, or brought into use, until:
- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed for that phase and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
 - (ii) A Remediation Verification Report confirming that each relevant phase of the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.
- (d) If, during development of each phase, contamination not previously identified is found to be present at the site then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

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

15. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs 109, 120, 121, North Hertfordshire Local Plan Policies NE8 and NE11, and the Environment Agency's approach to groundwater protection.

Ecology

16. Development apart from enabling and associated works shall not commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat and hedgerow units in the approved biodiversity metric (104.49 habitat units, 31.89 hedgerow units) to achieve a net gain in biodiversity and include the following.

- a) Description, areas and evaluation of features to be managed, marked on plans.
- b) Compensation and Habitat creation as proposed and detailed in the environmental statement 'ecology and conservation'.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving target condition for habitats as described in the approved metric, directly cross referenced to lines in the approved metric.
- e) Details of the make, model, and location of a minimum of integrated bat and swift boxes in appropriate buildings has been supplied to and approved by the LPA. These should be clearly marked on plans. Boxes shall be fully installed prior to occupation and retained as such thereafter.
- f) Prescriptions for management actions, only definitive measures are acceptable.
- g) Preparation of a work schedule if applicable (including a 5 year work plan and 30 year work schedule, capable of being rolled forward in perpetuity).
- h) Details of the body or organisation responsible for implementation of the plan.
- i) Ongoing monitoring plan and remedial measures to ensure approved habitat condition targets are met.
- j) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with the NPPF and North Hertfordshire Local Plan Policy NE4.

Sustainability Strategy

17. Prior to or concurrently with the first reserved matters submission a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation.

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

EV Recharging Infrastructure Condition

18. Prior to occupation, each of the proposed new dwellings shall incorporate an Electric Vehicle (EV) charging point. Details of which shall be submitted to an approved in writing by the Local Planning Authority. Proposals should also be made for the provision of EV charging within other public parking areas of the proposed development. The charging points shall be retained thereafter.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP9 and D4.

EHO – Noise

19. Prior to first use of (each of the different Class Uses of) any non-residential development hereby permitted, a scheme including noise control measures shall be submitted for approval to the Local Planning Authority to demonstrate that the rating level of sound emitted from any external fixed plant and/or machinery associated with the development shall not exceed the existing background level inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014+A1:2019 (Method for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The scheme shall be such that the combined noise level of all plant shall not exceed the Rating levels detailed in Table 12.10 of Environmental Statement Chapter 12 on Noise and Vibration. No plant shall be installed and operated at the site until the noise survey has been approved by the LPA.

Reason: To ensure an adequate level of amenity for residents of the new and existing dwellings in accordance with North Hertfordshire Local Plan Policy D3.

HCC Archaeology

20. No development shall take place until the Site Investigation works as set out in the approved WSI (prepared by Orion dated May 2023, ref PN3519) have been completed by an Archaeological Contractor Registered with the ClfA. The development shall not be occupied until the Site Investigation works as set out within the approved WSI have been completed and signed off by the local planning authority/county archaeologist. Thereafter, the post-excavation analysis and archive report shall be completed in accordance with the approved WSI and submitted for approval to the local planning authority within one calendar year of the date of this planning permission, together with confirmation in writing to the planning authority/county archaeologist, that provision has been made for publication, and for deposition of the archive, where appropriate.

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

LLFA 1

21. No development apart from enabling and associated works shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Highover Farm Hitchin, Flood Risk Assessment and Drainage Strategy, Revision 5, dated 12/12/19, prepared by WSP and the Drawing titled: Drainage Construction Sequencing Plan, Drawing No. 62240435-TTP-DP-300-001-02, Rev P07, dated February 2020. The scheme shall also include:
1. Detailed infiltration tests to BRE Digest 365 standard carried out at the exact location and depth of the proposed infiltrating features
 2. Updated calculations for storage based on detailed infiltration testing.
 3. Provision of a SuDS design code for the entire site securing the provision of above ground SuDS features throughout the entire development for all and each phase.
 4. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
 5. Provision of half drain down times within 24 hours.
 6. Details on silt management, ensuring the protection of infiltration as a means of discharge.
 7. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving, swales etc. for the paved areas ensuring the lack of requirement for any underground storage.

Reason To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

LLFA 2

22. Upon completion of the drainage works for the site and in accordance with the timing / phasing arrangements, the following must be submitted to and approved in writing by the Local Planning Authority (for each phase):
1. Provision of a verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme). The verification report shall include photographs of excavations and soil profiles/horizons, installation of any surface water structure (during construction and final make up) and the control mechanism.
 2. Provision of a complete set of as built drawings for site drainage.
 3. A management and maintenance plan for the SuDS features and drainage network.
 4. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

LLFA 3

23. Development (other than enabling and associated works) shall not commence until the final design of the drainage scheme has been submitted to and approved by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

Waste and Minerals

24. Prior to the commencement of development, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved details.

Reason: To seek to reduce waste from the site, both during and after construction, in accordance with Policies 1, 2 and 12 of the adopted Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document 2012.

Allotments – reserved matter

25. Any reserved matters applications which incorporate allotment provision shall where appropriate include the following details:
- a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost;
 - b) Proposed management arrangements;
 - c) Access and parking arrangements to allow easy and safe access to the allotments;
 - d) Boundary treatment, including security arrangements for the allotments;
 - e) Water supply, including use of stored rainwater and SuDS for watering crops.

The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

Reason: To ensure that appropriate allotments are provided in relation to the development of the site in accordance with North Hertfordshire Local Plan Policy NE6.

Lighting – reserved matter

26. No development shall commence within a development phase until the artificial lighting scheme for that development phase has been approved in writing by the Local Planning Authority. The approved lighting scheme for that phase shall be installed, maintained and operated in accordance with the approved details / measures for that phase unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect the character and appearance of the area and the amenity of existing and future residential properties in accordance with NPPF paragraphs 120 and 125 and North Hertfordshire Local Plan Policy D3.

Waste and recycling collection – reserved matter

27. Any reserved matters application pursuant to this outline permission for a development phase shall provide full details of the on-site storage facilities for waste including waste for recycling and/or composting. Such details shall identify the specific positions of where wheeled bins will be stationed, and the specific arrangements to enable collection from within 15m of the kerbside of the adopted highway/refuse collection vehicle access point and walk distances for residents. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To facilitate refuse and recycling collections, and to protect the amenities of nearby residents/occupiers and in the interests of visual amenity in accordance with North Hertfordshire Local Plan Policies D1 and D3.

Landscape – reserved matter

28. All reserved matters applications for any development parcel or sub-phase shall include the follow design details:

Soft Landscape

- a) Details of trees, hedgerows, habitats, ponds and other natural features it is proposed to retain or remove and details of how they will be protected during the construction phase. Such details to include the tree protection measures in accordance with BS5837:2012.
- b) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;
- c) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of each development phase;
- d) The landscape treatment of roads (primary, secondary, tertiary and green) through each development phase;
- e) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;
- f) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate;
- g) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;
- h) Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS 3882: 2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works;
- i) A specification for the Topsoil Strip, storage, re-spread and remediation in accordance with Defra: Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Hard Landscape

- j) Full details, including cross-sections, of all bridges and culverts;
- k) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;
- l) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways;
- m) Details of all hard surfacing materials (size, type and colour).

No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development Phase shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings in accordance with the North Hertfordshire Local Plan Policies SP9, SP17, NE2 and NE6.

Open Space Management and Maintenance

29. Prior to or concurrent with the first reserved matters submitted in each phase identified in Condition 6 a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with an agreed timetable and phasing strategy approved under condition 6. Details to be submitted shall include:

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

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

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

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and 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: Remain the same as per Appendix 1

This page is intentionally left blank

<u>Location:</u>	Land North of Highover Farm to Stotfold Road Highover Way, Hitchin
<u>Applicant:</u>	BDW Trading Ltd
<u>Proposal:</u>	Outline application with all matters reserved other than access, comprising residential led development of up to 700 dwellings of use class C3 (dwellings), approximately 500 sqm of neighbourhood-level facilities, a new 2FE primary school, open space, play space, green infrastructure, and associated accesses (vehicular, pedestrian and cycle), including a new primary access off Stotfold Road with limited access off High Dane (as amended by plans and documents received 6th,13th and 29th January 2020, 4th, and 20th February 2020, 8th September 2020 and 17th, 20th and 21st December 2021 and 24th January 2023).
<u>Ref. No:</u>	18/01154/OP
<u>Officer:</u>	Sarah Kasparian

Date of expiry of statutory period: 18 September 2018

Extension of statutory period: 31 August 2023

Reason for Delay

Ongoing delays with the examination of the emerging Local Plan, which is now adopted together with detailed negotiations and drafting of the s106 legal agreement.

Reason for Referral to Committee

The site area for this application for residential development exceeds 0.5ha and therefore under the Council's scheme of delegation, this application must be determined by the Council's Planning Control Committee.

1.0 Site History

- 1.1 The site has been subject of major housing development for many years through submission of site representations during the preparation of the adopted Local Plan 2011-2031.
- 1.2 The site had been included in the emerging Local Plan from an early stage for approx. 700 dwellings with associated development and infrastructure.

- 1.3 In 2016 and 2017 applications were submitted ref. 16/02022/1SO and 17/00680/1SCP for screening and scoping opinions in relation to Environmental Impact Assessment regulations. As a result, an Environmental Statement was included in this planning application.

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan 2011 – 2031**

Adopted 8th November 2022

Policy SP1: Sustainable Development in North Hertfordshire
Policy SP2: Settlement Hierarchy
Policy SP5: Countryside and Green Belt
Policy SP6: Sustainable transport
Policy SP7: Infrastructure requirements and developer contributions
Policy SP8: Housing
Policy SP9: Design and sustainability
Policy SP10: Healthy communities
Policy SP11: Natural resources and sustainability
Policy SP12: Green infrastructure, biodiversity and landscape
Policy SP13: Historic Environment
Policy T1: Assessment of transport matters
Policy T2: Parking
Policy HS1: Local Housing Allocations
Policy HS2: Affordable Housing
Policy HS3: Housing Mix
Policy HS5: Accessible and adaptable housing
Policy D1: Sustainable design
Policy D3: Protecting living conditions
Policy D4: Air quality
Policy HC1: Community facilities
Policy NE1: Strategic green infrastructure
Policy NE2: Landscape
Policy NE4: Biodiversity and geological sites
Policy NE6: New and improved open space
Policy NE7: Reducing flood risk
Policy NE8: Sustainable drainage systems
Policy NE9: Water quality and environment
Policy NE10: Water conservation and wastewater infrastructure
Policy HE1: Designated heritage assets
Policy HE4: Archaeology

The application site is identified in the NHDC Submission Local Plan 2011 – 2031 as an allocated Strategic housing site under Policy SP17: Site HT1 ‘Highover Farm, Hitchin’

2.2 **Supplementary Planning Documents**

Design SPD
Developer Contributions SPD 2023
Vehicle Parking Provision at New Development SPD (2011)
North Hertfordshire and Stevenage Landscape Character Assessment

2.3 National Planning Policy Framework (February 2019)

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

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

Section 13: Protecting Green Belt land

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

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

2.4 Hertfordshire County Council

Local Transport Plan (LTP4 – adopted May 2018)

Hertfordshire Waste Core Strategy and Development Management Policies

Development Plan Document 2012

2.5 National Planning Practice Guidance

Provides a range of guidance on planning matters including flood risk, viability, design and planning obligations.

3.0 Representations

Consultees

- 3.1 NHDC Senior Conservation Officer** – Objection (referring to amended plans) - increasing the area of the grassland meadow to the west of Highover Farm and omitting some housing is sufficient in terms of preserving a reasonable rural setting to Highover Farm...whilst there would undoubtedly still be an adverse impact upon the setting of the listed barn, the position of this harm on the 'less than substantial harm' continuum has, in my opinion, moved further away from the upper end and towards there being a moderate degree of less than substantial harm...my concerns have been positively addressed. In my opinion, the scheme remains a para 196 case and as I have said before, these comments are given in the full acknowledged that there would likely be significant public benefits overall.
- 3.2 NHDC Principal Strategic Planning and Implementation Officer** – The document demonstrates conformity with Policy SP9 and SP17 and provides a robust design framework to secure and co-ordinate design quality and support more detailed design.
- 3.3 NHDC Waste and Recycling** – No objection, subject to conditions requiring suitable waste storage and collection facilities.
- 3.4 NHDC Environmental Health (Contaminated Land)** – No objection regarding contamination, subject to conditions requiring a further Phase II environmental risk assessment be carried out and assessed.

- 3.5 **NHDC Environmental Health (Air Quality)** – No Objection objections to conditions requiring a Detailed Demolition and Construction and Management Plan, a Residential Travel Plan and EV charging points.
- 3.6 **NHDC Environmental Health (Noise)** – No objection subject to conditions requiring a scheme of noise protection for dwellings close to Stotfold Road, to the Rail line and the Industrial sources and requiring a scheme of noise control measures on fixed plant.
- 3.7 **NHDC Housing Development Officer** – No objection, subject to the provision of 40% affordable housing (280 units), to comprise of 65% affordable rent (182 units) and 35% shared ownership units (98 units) (see table below at 5.8.4 for further details)
- 3.8 **NHDC Greenspace Manager** – No objection subject to North Herts Council adopting open space, parks and allotments. Recommendation for 1x NEAP and 2x LEAP, with financial contributions towards the upkeep of the greenspaces (see table below at 5.8.4 for further details)
- 3.9 **NHDC Landscape and Urban Design Officer** (commenting only on original proposals September 2018) – No objections, although pedestrian linkages should be increased and improved.
- 3.10 **HCC Highways** – No objection, subject to 15 conditions and s106 obligations set out in table below at 5.8.4.
- 3.11 **HCC Growth and Infrastructure** – No objection subject to the suitable transfer of land to allow for the construction of a new 2 form of entry Primary School on site and subject to financial contributions via a s106 legal agreement towards Primary education, Secondary education, Childcare Services, Library Services, Youth Services and SEND Services (Special Educational Needs Department) (see table below at 5.8.4 for further details).
- 3.12 **HCC Lead Local Flood Authority (LLFA)** – No objection, following the submission of additional information and subject to conditions requiring the development be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy, that the final design of the drainage scheme be submitted and approved prior to commencement and that on completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted and approved.
- 3.13 **HCC Historic Environment (Archaeology)** – No objections, subject to conditions requiring submission of a Written Scheme of Investigation involving a further programme of strip, map and sample excavation. This is required as the proposal is likely to have impacts on heritage assets of archaeological interest.
- 3.14 **HCC Minerals & Waste** – No objection, subject to a condition requiring the submission and agreement of a Site Waste Management Plan
- 3.15 **HCC Fire and Rescue Services** – No objection, subject to a s106 obligation for the provision of fire hydrants on site
- 3.16 **HCC Countryside and Rights of Way Officer** – No objection, subject to improved accessibility over the railway line to the north and crossing over Stotfold Road and off-site contributions to improve the wider Public Right of Way Network.

- 3.17 **Environment Agency** – No objection, subject to four conditions requiring a remediation strategy regarding contamination, a scheme for surface water disposal and restricting piling or foundation designs and boreholes without the express permission of the LPA.
- 3.18 **Hertfordshire Ecology** – No objection, subject to suitable financial contributions towards off-site biodiversity compensation scheme, to secure overall biodiversity net gain, and subject to conditions requiring a Landscape and Ecology Management Plan and to retain 12m buffers with wildlife sites
- 3.19 **Herts and Middlesex Wildlife Trust** – No Objection. Reconsulted February 2023. Satisfied that the site can achieve biodiversity net gain, subject to a condition. Noted that there should be a 12m buffer to priority habitats across the site.
- 3.20 **Natural England** – No objection
- 3.21 **Historic England** – No objection
- 3.22 **Highways England** – No objection
- 3.23 **NHS Clinical Commissioning Group** – No objection, subject to s106 obligations towards the expansion of Portmill Surgery in Hitchin (see table below at 5.8.4 for further details)
- 3.24 **Herts Constabulary (Crime Prevention Design Advisor)** – No objection, however concerns raised regarding rear parking courts and applicants/ developers seek ‘Secured by Design’ Accreditation.
- 3.25 **Sport England** – initial objection has been addressed through s106 contributions towards off-site contributions towards sports pitch expansion and improvements (see table below at 5.8.4 for further details).
- 3.26 **Thames Water** – No objection
- 3.27 **Affinity Water** – No objection
- 3.28 **Anglian Water** – No objection subject to a condition regarding details of a phasing plans and details of foul water drainage. The foul drainage from this development is in the catchment of Hitchin Water Recycling Centre which currently does not have capacity to treat the flows the development site will produce. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning permission and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should permission be granted.
- 3.29 **Network Rail** – No objection, subject to the closure of the existing pedestrian level-crossing and all drainage be directed away from Network Rail’s retained land and structures.
- 3.30 **National Grid (Asset Protection Team)** – No objection
- 3.31 **Hitchin Forum** – Objection due to building on the Green Belt, it would reduce the important separation between Hitchin and Letchworth and would generate a large amount

of traffic, worsening the already congested roads in the surrounding area. Also, reservations about the traffic modelling and the distance from the site to Hitchin town centre, which would induce residents to travel by car.

3.32 **CPRE Hertfordshire (Campaign to Protect Rural England)** – Objection. Contrary to Green Belt policies in the NPPF and Emerging Local Plan. The site forms a significant part of the Green Belt buffer between Hitchin and Letchworth. There are no very special circumstances and although this site is allocated in the ELP, it is not yet adopted. In addition, the proposed development uses substantially Grade 2 agricultural land, with small areas of Subgrade 3a, which is amongst the highest quality agricultural land in Hertfordshire.

3.33 **Department for Levelling Up, Housing and Communities (Casework Team)** – No comments to make on the Environmental Statement (formally 'Ministry for Housing, Communities and Local Government')

3.34 **Letchworth Garden City Heritage Foundation** – No objection, subject to a strong buffer being provided to the northern and eastern boundaries of the site. Concerns raised regarding the Transport Assessment originally submitted

3.35 **Neighbour and Local Resident Representations**

The application has been advertised via neighbour notification letters, the display of site notices and a press notice. At the time of finalising this report, a total of 198 comments have been received including 185 objections, 2 submissions in support and 11 neutral comments.

3.36 The objections and the issues raised are summarised as follows:

- Protection of the Green Belt and quality farmland; development would be premature of the adoption of the Local Plan and reduction of the gap between Hitchin and Letchworth
- Location is not sustainable or suitable due to poor highway access
- Landscape value would be lost to residents and walkers
- High density form of development that will not address local housing needs or blend with the existing character of existing adjacent development. Question regarding affordability of 'affordable homes'
- Housing should provide for an aging population as well as disabled people with single storey dwellings with reference to compliance with the Equality Act
- Increase to the proposed number of houses from ~480 to 700, and up to 800 units
- Objection to new footpath links to Collison Close and Roundwood Close which will attract anti-social behaviour and increased footfall
- Increased traffic on main and local roads which cannot cope with the existing level of traffic through Hitchin and between junctions with Cambridge Road, concern regarding road safety and speeding along Stotfold Road, suggestion of a bypass to the north of Hitchin. Driving will be the main mode of transport due to the distance of the site from the town centre, secondary schools and railway station
- Cumulative impact of other developments in Hitchin on traffic and infrastructure/services
- Lack of local employment for new residents
- Concern regarding the school access arrangements and impact on new residents and the local highway network

- No information regarding parking and impact on parking in residential streets nearby, particularly High Dane for people accessing the industrial estate or as a 'rat run'
- No support for parking courts to be included in the design as they will not be used by residents putting pressure on nearby roads
- Increased noise and air pollution as a result of traffic and construction
- Developer should contribute towards new foot and cycle paths, including dedicated cycle path along the A505 under the railway line to the station
- Better sustainable modes of transport should be provided such as buses
- Capacity of infrastructure and services (education, especially lack of onsite secondary school provision, and healthcare); noted that a GP surgery has been removed from the proposals. Concern regarding the timing of delivery of the primary school
- Concern for residents of Highover Cottages regarding overlooking and access from Highover Way – this objection has been addressed following amendments to the masterplan
- Difficult access to Hitchin station from the north/east and lack of parking there
- Impact on local ecology and their habitats, disagreement with the way that biodiversity net gain is calculated, lack of thorough assessment, reference to bats, owls, newts and birds
- Lack of consideration to environmental principles including increased flood risk (on Grovelands Avenue, Stotfold Road and Cambridge Road junction)
- Preference for a landscape buffer between existing and proposed housing to ensure surface water infiltration, existing hedgerow maintenance and to protect residential amenity
- Supporting new housing goes against the Council's aims on climate change
- Lack of consideration to energy consumption and measures to decrease carbon emissions
- Lack of water pressure in the area exacerbated by the proposals and in the event of a fire emergency
- More consideration should be given to archaeological remains
- Amendments to the plans do not address initial objections
- Spelling mistakes in evidence base demonstrating out of date information and a lack of confidence in the developer

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is located to the north-east of Hitchin urban area, within a triangular shape between part of the Great Northern railway line, Stotfold Road and the built-up edge of the town. An employment site sits on the other side of the railway line from the site to the west. There are open arable fields to the north and east beyond the road and railway line. The urban area of Letchworth is 700m to the northwest.
- 4.1.2 The site comprising about 37.5 ha was traditionally part of Highover Farm, and farming on the land ceased in the last few years in lieu of housing development as allocated in the now adopted Local Plan. There are two larger fields of about 12 hectares each, and three smaller parcels of 3-4 hectares each, with a track through the centre of the site out from the farmyard. There is hedgerow with small trees around the perimeter of the site and between field boundaries. The site slopes down gently away from Hitchin towards the most northern point of the site and rises again up towards Letchworth.

- 4.1.3 The Highover Farm farmyard adjacent to the site boundary has been excluded from this application and comprises a tightly knit set of traditional farm buildings and farmhouse. The largest barn has recently been statutorily listed for its historic interest. In 2022 scaffolding was constructed around the building in order to protect it due to its vulnerable condition. The farmyard is accessed from the end of Highover Way, an unclassified adopted road serving residential properties, which turns into a track serving the farmyard to the right and Highover Cottages to the left.
- 4.1.4 The site is adjacent to the end of several residential roads including High Dane, Armour Rise, Collison Close and Roundwood Close. Access to the larger fields can be taken from Stotfold Road, where there is an agricultural access halfway along the site boundary where the two larger fields meet. Stotfold Road is a straight road between Hitchin and Letchworth running roughly north to south. It runs across and under the railway line also linking the two towns. There are no public rights of way within the application site boundary.

4.2 Proposal

- 4.2.1 This is an outline planning application with all matters reserved other than access to the site, where the main vehicular access from Stotfold Road is un-reserved and the principle of vehicular access from High Dane and the principle of pedestrian/cycle access from Highover Way, Armour Rise and Collison Close is un-reserved.
- 4.2.2 Development proposals comprise residential led development of up to 700 dwellings of use class C3 (dwellings), approximately 500 sqm of neighbourhood-level facilities, a new 2FE primary school, open space, play space, green infrastructure, and associated accesses (vehicular, pedestrian and cycle).
- 4.2.3 The proposals include a new primary vehicular access off Stotfold Road with limited access off High Dane. The development will be phased and subject to future application(s) for reserved matters.
- 4.2.4 Plans and documents have been amended as of January 2020, February 2020, September 2020, December 2021, with a final submission of various amended plans and documents received January 2023.
- 4.2.5 The application is supported by the following supporting documents and plans:
- Updated Strategic Masterplan Framework Document (dated 4 May 2023)
 - Updated Planning Statement (December 2021)
 - Updated Design and Access Statement (January 2023)
 - Sustainability Statement (April 2018)
 - Phase 1 Environmental Risk Assessment (July 2017)
 - Utilities Statement (September 2017)
 - Indicative Housing Mix Note (December 2019)
 - Statement of Community Involvement (April 2018)
 - 19604 Topographical Survey Sheets 1-5
 - 62240435-TAA-DP-100-004 P10 Highover Way Proposed Access
 - 62240435-TAA-DP-100-005 P08 Stotfold Road Cycle-Footpath Access
 - 62240435-TAA-DP-100-006 P09 Armour Rise Cycle-Footpath Access

- 62240435-TAA-DP-100-007 P10 Collinson Close Cycle-Footpath Access
- 62240435-TAA-DP-100-008 P11 Stotfold Road Cycle-Footpath Improvements
- 62240435-TAA-DP-100-009 P10 Treatment of Stotfold Road
- 62240435-TAA-DP-100-013 P08 Typical Spine Road/Avenue Junctions and Tracking
- 62240435-TAA-DP-100-014 S P07 Spine Road/Avenue Movement Restriction
- NTS2d Illustrative Masterplan

Plans to be Approved:

- PL1685-PLA-00-XX-DR-U-001 S4 Rev P02 Site Location plan
- PL1685-PLA-00-XX-DR-U-002-S4-P01 Movement and Access Framework Plan
- PL1685-PLA-00-XX-DR-U-007-S4-P05 Urban Framework Plan
- PL1685-PLA-00-XX-DR-U-015-S4-P01 Biodiversity and Landscape Framework Plan
- PL1685-PLA-00-XX-DR-U-016-S4-P01 Density and Building Heights Framework Plan
- PL1685-PLA-00-XX-DR-U-017-S4-P01 Land Use Framework Plan
- PL1685-PLA-00-XX-DR-U-018-S4-P01 Development Areas Framework Plan
- PL1685-PLA-00-XX-DR-U-103-S4-P01 Green Infrastructure Parameter Plan
- PL1685-PLA-00-XX-DR-U-108-S2-P04 Character Areas Framework Plan
- 62240435-TAA-DP-100-001 P08 General Arrangement (in so far as it related to the main vehicular access from Stotfold Road and the principle of vehicular access from High Dane and the principle of pedestrian/cycle access from Highover Way, Armour Rose and Collison Close)
- 62240435-TAA-DP-100-002 P11 Stotfold Road Proposed Access
- 62240435-TAA-DP-100-003 P09 High Dane Proposed Access

4.2.6 The application is also accompanied by the Environmental Statement with the following updates having been undertaken:

- Updated ES parameter plans and short Addendum sheet for consistency between documents
- Updated ES Technical Appendix 8.1a Flood Risk Assessment December 2019; Appendix 9.2 Transport Assessment November 2021; Appendix 10.7 Biodiversity Impact Calculation January 2023; Appendix 10.8 Breeding Birds August 2020; Appendix 10.9 Bat Tree Climbing Survey August 2020; Appendix 10.10 Reptile Survey August 2020;
- Updated ES Non-Technical Summary

4.3 Environmental Impact Assessment

4.3.1 During the promotion of this site for housing development the applicants for the site at the time submitted a request in 2016 for a Screening Opinion ref. 16/02022/1SO, which resolved that the proposals fell within the scope of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 1999 and that an Environmental Statement (ES) would be required. Subsequently a scoping request was made in 2017 to which a response was provided in May 2017.

- 4.3.2 Whilst EIA regulations form an important part of planning legislation, they are not an exact fit, in that matters to be determined under the EIA process can be wider in scope than normal land use planning considerations. Nevertheless, the ES supporting this planning application comprises much of the technical work that support the proposals and is accompanied with other technical work that was not 'scoped in' to the ES for this planning application (such as the phase 1 contamination report).
- 4.3.3 When determining a planning application for development which has been accompanied by an ES, LPAs must demonstrate that they are satisfied that the environmental impacts set out in the ES can be satisfactorily mitigated. This additional responsibility will be reflected in an addition to the final decision notice and under the EIA regulations 2011 (as amended) Part 6 Regulation 29 and 30, to include the following information:
- i. The content of the decision, the reasoned conclusion, any conditions attached or monitoring measures considered, if appropriate;
 - ii. The main reasons and consideration on which the decision is based, including if relevant, information about the participation of the public;
 - iii. A description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of development.
- 4.3.4 These points are covered in this Committee Report, which includes conditions at the end of this report, should the resolution be to grant planning permission. The Environment Statement, along with other relevant documentation submitted with the planning application, consultee responses and representations made by any other persons constitute the 'environmental information' which has been considered in this report and is required to be taken into account when arriving at a decision on this planning application. The environmental effects have been comprehensively assessed and are understood, such that officers are able to form a planning judgement on the acceptability of the Outline application proposal and the necessary mitigation.

4.4 Legal basis of determining the Planning application

- 4.4.1 Members will be familiar with the standard legal advice that is set out at the end of each planning Control Committee report which advises that legislation requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. This approach was developed within Section 54A of the Town and Country Planning Act 1990 (as amended). It is also re-emphasised within Section 38(6) of the Planning and Compensation Act 2004, which reads as follows:
- 4.4.2 *'if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise'.*

5.0 Key Issues

- 5.1 The key issues for consideration of this planning application are as follows:
- a. Policy background and the principle of development
 - b. Masterplanning and site-specific requirements
 - c. Impact of the development on heritage assets

- d. Impact of the development on the wider landscape and visual setting
- e. Impact of the local highway network, access and parking
- f. Environmental considerations
- g. Planning Obligations
- h. Summary and Conclusion

5.2 Policy background and the principle of development

- 5.2.1 The North Hertfordshire Local Plan 2011-2031 (NHLP) was adopted by the Council in November 2022 after it was found sound following Examination in Public between 2017 and 2022. This planning application was made in 2018, following the submission of the emerging Local Plan to the Planning Inspectorate. Weight was given to the emerging NHLP in consideration of the proposal in its advance stage, and the Applicant had been working with the Council to prepare a suitable Strategic Masterplan for the site in line with emerging policies. As the NHLP is formally adopted and negotiations on the planning application have progressed, Officers are now in a position to present the application and its proposals to Committee.
- 5.2.2 NHLP Policy SP1 on sustainable development in the district is the backbone for considering proposals. It requires the main role of key settlement, such as Hitchin to be the main focus for new development. Proposals should *'deliver an appropriate mix of homes, jobs and facilities that contribute towards the targets and aspirations of this Plan'*, *'provide the necessary infrastructure...'*, *'protect [the] environment'*, and *'secure any necessary mitigation measures that reduce the impact of development...'*
- 5.2.3 Policy SP2 identifies a significant housing need in the district which is for *'at least 13,000 new homes'* over the plan period. Hitchin is planned to accommodate around 1,800 in total between this Strategic Housing Site, other smaller site allocations for housing, sites within the existing urban area and any other 'windfall sites'.
- 5.2.4 The text in Policy SP5 on the Countryside and Green Belt supports the national approach taken to principles for developing in the Green Belt through the NPPF 2021. The supporting text to the policy in the NHLP provides the background to how and why Green Belt boundaries have been altered through the NHLP. It was considered that relevant circumstances exist *'to review the boundaries and enable development to meet locally identified needs'*. Site HT1 at Highover Farm was considered to contribute significantly to the purposes of the Green Belt through the Green Belt Review. However, the Inspector noted the 'unmistakeable and obvious break' between Hitchin and Letchworth of Stotfold Road and the railway line would remain, meaning that the new Green Belt boundary with this application site is defensible in accordance with NPPF 2021 para. 143 on defining boundaries.
- 5.2.5 The site is allocated as a Strategic Housing Site through Policy SP17: Site HT1 – Highover Farm, Hitchin. The proposed development of up to 700 dwellings and associated development to create a 'new neighbourhood' is acceptable in principle in line with Policy SP17. The applicant has been working to produce an acceptable 'comprehensive and deliverable Strategic Masterplan' also in accordance with Policies SP17 and SP9. The detailed requirements of these policies will be assessed in the following sections of this report.

- 5.2.6 Highover Farm farmyard comprises a range of traditional farm buildings, a heavily vegetated area and a paddock. One of the traditional farm buildings is now statutorily listed. The farmyard area described has been excluded from this planning application. The area is about 1.6ha between the development at Armour Rose and the application site. Officers expect that the farmyard will be subject to a separate application for housing development. Although the farmyard is within the site allocation ref HT1, this part of the site will remain accessible from Highover Way and will not prejudice the delivery of the vast majority of this site. A tight boundary has been drawn around the farmyard, so as to maximise the delivery of the rest of the site. This is a proportionate and appropriate course of action given the recent listing of a farm building. Therefore, due to these specific characteristics and constraints of the farmyard, this is excluded and will be subject to separate proposals.

Conclusions on policy background and the principle of development:

- 5.2.7 The Local Plan is now adopted by the Council. The site has been removed from the Green Belt and is an allocated Strategic Housing Site for approximately 700 homes. The site is the largest around Hitchin and the first Strategic Housing Site allocated through the NHLP to be considered. The site will make a significant contribution to the delivery of homes in North Hertfordshire for the rest of the Plan period and benefits from a strong defensible boundary to the Green Belt. The principle of development for this Strategic Housing Site is therefore acceptable in accordance with NHLP Policies SP1, SP2 and SP5.

5.3 Masterplanning and site-specific requirements

- 5.3.1 NHLP Policy SP9 allows for masterplans to be agreed "...prior to **or as part of** the grant of planning permission" (emphasis added). This application was submitted in 2018, prior to the introduction of the detailed Policy SP9 masterplanning requirements through the Local Plan Examination. The applicant has therefore worked with the Council to address its requirements as part of the application.
- 5.3.2 The Council's accompanying Policy SP9 Approval Process procedural guidance, at para.1.21-1.25, sets out how masterplans can be approved by virtue of granting planning permission through an application:

'1.22 The Strategic Masterplan in these instances will be part of the planning application approval documentation and/or planning conditions and subject to formal assessment by the nominated case officer informed by responses from other local authority officers, statutory consultees, stakeholders and the community to inform their professional recommendation to Planning Control Committee.'

'1.23 In this respect formal 'agreement' will be achieved through any positive decision by Planning Control Committee on any relevant application(s). This will require the case officer to assess any material submitted to inform their professional recommendation (in terms of meeting the requirements of SP9 and the masterplan documentation requested).'

- 5.3.3 Para 1.25 of the guidance states that Strategic Masterplans that will be approved as part of the grant of planning permission will be presented to the [Strategic Planning Project] Board for information and on an advisory basis only. The draft masterplan was presented to the Board in January 2022, prior to the full public re-consultation on the masterplan

document and associated revised plans through the application. The Board have been kept updated on progress with the application since this point.

5.3.4 Policy SP17 is the site-specific policy for site HT1. Policy SP17 with its site-specific requirements need to be read alongside Policy SP9 on Masterplanning. The Strategic Masterplan (SMP) has been assessed under Policy SP17 on Highover Farm as follows:

5.3.5 A principal requirement is that there is a '*comprehensive and deliverable Strategic Masterplan for the entire allocation and agreed between the developer and the Council*'. This planning application is for outline permission and comprises the SMP that meets this requirement. Applications for reserved matters will follow to build on the foundations of this strategic masterplan. Conditions to this permission would also build on the framework agreed through this application. As per Policy SP17 all subsequent applications will be assessed against this SMP.

5.3.6 The site is allocated for '*a new neighbourhood of approximately 700 homes*'. This planning application is for development of 'up to 700 homes'. This will be made up through phases of development with a policy compliant mix and tenure secured through a Section 106 legal agreement. This will be examined in more detail later in the report.

a) *Neighbourhood-level retail facilities providing approximately 500m2 (net) of retail and food and beverage floorspace;*

The SMP includes a mixed-use area located on The Avenue, which runs from High Dane to Stotfold Road for 'neighbourhood level facilities'. It is envisaged that this mixed-use area would provide a central location for retail, also located to form a community hub next to the new school, play area, park and allotments.

b) *Principal access from Stotfold Road with provision for sustainable modes of transport and comprehensive integration into the existing pedestrian and cycle, public transport and road networks;*

A new roundabout will be provided on Stotfold Road as the principal access to the site. There will also be limited access from High Dane and no through access except for buses and emergency vehicles. There will be pedestrian and cycle access from Stotfold Road with a new footpath to link the site up with existing footpaths, and from High Dane. There will be foot and cycle access only from the end of Highover Way and Armour Rise. Financial contributions will be made to support public transport through the site as well as a new link from the site across Stotfold Road with a new pedestrian crossing to the Letchworth Greenway. These elements will be elaborated on and examined in a later section of this report.

c) *At least 7 serviced plots for self-build development;*

The proposals include 7 serviced plots for self-build development, also in accordance with the Developer Contributions SPD adopted by the Council in January 2023.

d) *Approximately two hectares of land reserved for provision of a new primary school;*

A new 2 form entry primary school can be accommodated on site with early years provision within an allocated area of 2.25ha. The developer will contribute about 75% of the cost of building the school as well as providing the land to the County Council to deliver the school as Local Education Authority. The remainder of the costs of building the school will be sought from other developers of site allocations around Hitchin. Contributions are also to be made towards childcare services, that is early years provision, which could be delivered on the school site, or elsewhere in Hitchin or nearby to serve the development. This is all agreed in consultation with the County Council. Financial contributions will also be made towards secondary school education, SEND, library and youth facilities.

Officers have proposed a condition for a 'design code' for the site. The condition and ultimately the design code itself will be drawn up and consulted on in conjunction with the County Council to ensure that the development is well coordinated between the various land uses and stakeholders, in particular the school.

- e) *Appropriate separation distances from the adjoining railway embankment to safeguard residential amenity;*

As the road from High Dane will follow through into the site there could be some new dwellings continuing the existing building lines of High Dane. The rear elevations currently sit around 50-55m away from the railway line. The remainder of the development shown on the illustrative layout in the SMP would be further away. A natural buffer has been incorporated into the layout, using allotments, school fields, drainage features to create a green barrier to the railway line. The Environmental Health Officer for noise has also recommended conditions to safeguard the issue of noise to future residents. This will be examined in more detail later in this report.

- f) *Lower density development and / or green infrastructure provision as informed by detailed landscape assessments at the north of the site to:*
- i. *maintain appropriate visual and physical separation between Hitchin and Letchworth Garden City;*
 - ii. *address surface water flood risk; and*
 - iii. *respect the setting of the scheduled burrows to the north-east;*

As per the SMP higher density development (up to 40dph) will focused on a roughly central position of the site, along The Avenue. Density would be reduced to the outer edges of the site and particularly to the north. This will create a softer edge to the development with the gap between Hitchin and Letchworth, enable space for biodiversity and sustainable drainage features in the most suitable position on the site, and respect the setting of the scheduled burrows.

- g) *Sensitive consideration of other designated and non-designated heritage assets at Higoover Farm including the Grade II listed Threshing Barn;*

The farmyard is not included in this planning application for the SMP for the site due to its historic sensitivity and its recent designation. The site area included in the SMP is sufficient to meet the housing requirements in Policy SP17 and should the farmyard part come forward for development in the future its contribution would be limited but still within the allocation for 'approximately 700 homes'. The farmyard could potentially come forward for development in the future separate to this application.

To respect the setting of the listed building and any non-designated heritage assets, an area of green space adjacent would be retained, termed 'Threshing Barn Green' on the illustrative plans. This green would also incorporate foot and cycle links from the end of Highover Way (including access to Highover Cottages) to the application site, and access would also be retained for the farmyard itself. Within the scope of this application, this green space will be retained to protect the setting of the listed building, buildings would be set back and the footpath through reflects the position of an existing agricultural track alongside the farmyard. The height of the development facing the farmyard would be limited to two-storey and at a moderate density, further respecting the setting of the listed barn.

The Conservation Officer recognises the 'less than substantial harm' that the proposed development would have on the listed barn, which would be outweighed by 'significant public benefits overall' in accordance with NHLP Policy HE1 and NPPF para 202. This is discussed in full detail in section 5.4 of this report.

- h) Undertake Contaminated Land Preliminary Risk Assessment, particularly relating to current and historic agricultural use; and*

A Phase 1 or preliminary risk assessment for contaminated land has been undertaken for the site and a condition to the approval of this application would ensure Phase 2 investigations take place as well as any necessary remedial work.

- i) Undertake ecological appraisal in relation to Stotfold Road Verges and Hitchin Railway Banks Wildlife Sites.*

The Ecological Assessment undertaken assessed the application site and wildlife sites. Biodiversity Net Gain (BNG) and detailed matters will be discussed later in this report.

5.3.7 The proposals therefore comply with all requirements of Policy SP17.

5.3.8 Comments on the application by the Principal Strategic Planning and Implementation Officer are available in Appendix 1 of this report. The application has been assessed under Policy SP9 on masterplanning as follows:

- a) Support new development where it is well designed and located and responds positively to its local context;*

The site is located on the edge of Hitchin, one of the main settlements in North Hertfordshire. The site is well located to the selection of services and facilities in the town. Effort has been made to link the site to the existing road network to encourage sustainable modes of transport. The proposals are supported by the SMP as well as a design and access statement. Both provide a framework on which the development will be based. The built development at Highover Farm will link in, but respect existing development by including green spaces, buffers and lower densities around the perimeter of the site. Officers consider that through the process of producing these frameworks there is a good basis for the next stages of the planning process.

- b) Require Strategic Masterplans to be produced for Strategic Housing Sites and other significant development. Significant development generally comprises residential development of 100 dwellings or more. Exceptionally, developments under 100*

dwelling will be considered significant if there are site specific complexities and sensitivities that require a masterplan-led approach. In some circumstances a Strategic Masterplan may also be required to consider the cumulative impact of more than one site to support a co-ordinated and integrated approach to place-making and design.

The SMP has been produced for this site. Site HT1 Highover farm is by far the largest site allocation around Hitchin. There are six other allocated sites, which in total comprise just 40% of the number of units proposed for HT1. The delivery of these units, although not coordinated will inevitably be naturally phased and their locations will not directly impact on one another. The developer of HT1 has committed to financial contributions through the s106 towards various services and infrastructure to mitigate any negative impacts.

With particular regard to transport and cumulative impacts on the highway network, general traffic modelling was undertaken for the preparation of the NHLP, and a transport assessment was undertaken as part of this planning application which took into account the cumulative effects of other developments. The Inspector, in his report on the NHLP, considered the 'localised' traffic situation and reasoned that the improvements to the junction of Cambridge Road with Woolgrove Road and Willian Road with an optimised signal system would be an appropriate response to dealing with the increase in traffic as a result of the development at HT1.

There has been several public consultations on this planning application including with statutory consultees. The SMP has been amended to take account of all comments. Officers conclude that the SMP creates a coordinated and integrated approach to place-making.

c) Require Strategic Masterplans and planning applications for Strategic Housing Sites and significant development to (as applicable):

i. create buildings, spaces and streets which positively reflect and respond to the local landscape, townscape and historic character

The SMP sets out a range of 'framework' plans that layer various aspects of the development to provide the fundamental elements first. The urban design framework, together with green spaces, height and density, land use, biodiversity and landscape, and character area frameworks all build a picture of how all those elements of the development will work together, how it could look, and realistically can be delivered. The framework plans take into account the local area and what is existing on the site such as hedgerows. Equally the site will have a character of its own, in order to make the most efficient use of the land for housing and providing required infrastructure, the design of buildings will have its own sense of place in order for a new neighbourhood and community to form. The developer has provided a 'design and access' statement which provides a basis again for a 'design code' to be developed. This will be the subject of a condition from which applications for reserved matters will be based.

ii. create integrated, accessible and sustainable transport systems with walking, cycling and public transport designed to be the most attractive forms of transport and effectively linking into the surrounding areas;

iii. provide a clear structure and hierarchy of pedestrian friendly streets and well-connected footpaths and cycleways integrate with the wider built and natural environment and communities;

iv. plan for integrated and mixed-use communities with walkable locally accessible community, employment and retail facilities;

The 'movement' framework together with the 'urban design' framework in the SMP provide a clear spatial strategy for how people will use the site. It sets out a walkable new community that is easy to navigate, safe and secure through a permeable and connected street network and a network of footpaths that provides edge to edge connectivity, prioritises walking, cycling and public transport and effectively links into the surrounding areas. This will encourage physical activity and pedestrian and cycle movements both within the site and to key destinations in Hitchin and Letchworth.

The 'primary route' known as The Avenue through the middle of the site, from Stotfold Road linking with High Dane, although there will be access to a limited number of properties from High Dane and through access restricted to buses and emergency vehicles only using bollards.

There will be permeability into the existing urban area into High Dane, Highover Way, Armour Rise, Collison Close and onto Stotfold Road. There will also be a new pedestrian crossing on Stotfold Road and link to the Letchworth Greenway (see application 22/00303/FP), creating a shorter route for cyclists and pedestrians into Letchworth. The site will be well connected, and The Avenue will be delivered before any housing as identified in the Phasing and Delivery Parameter Plan, meaning that this main route for pedestrians and cyclists to the railway station and town centre will be in place on first occupation, as well as the main vehicular access.

In addition, the developer will contribute financially towards the diversion of the local bus service, as well as the provision of a set of free bus passes to all new occupants of the development.

The site benefits from a centrally located 'mixed use' area to provide retail or other commercial floorspace at ground floor level. This will be in a central area with the school, playground, main park and allotments, creating a local and walkable hub to the development. The street and public realm area around the school will be designed to reduce traffic speeds and to facilitate pedestrian crossing to Highover Park through material specification and raised table designs.

v. positively integrate with adjacent rural and urban communities and positively contribute to their character and the way the area functions, including addressing cumulative, cross boundary planning and infrastructure matters;

The site at Highover Farm will very much be part of the urban area of Hitchin. The two boundaries of the site with the Green Belt benefit from an existing road and railway line, which are strong boundaries preventing further urban sprawl or blurred lines. Officers do not consider that this site necessarily requires the integration of the site with adjacent rural communities because of the strong boundary. The proposals have however included uses such as sustainable drainage, landscaping, allotments and school grounds to back onto the boundary, which also protects from noise and works with natural drainage patterns. The site will be integrated to The Greenway extension, subject of application ref. 22/00303/FP.

This site also does not give rise to cross boundary planning matters due to its location in Hitchin, far from neighbouring authorities boundaries. The proposals have considered cumulative effects of development, also in the context of the NHLP. Regarding infrastructure matters, the developer is contributing land and financially to mitigate adverse impacts. These are set out in table 5.8.4 of this report.

- vi. *create and accessible multi-functional green infrastructure network that provides:*
- *a key structuring and functional place-making feature supporting healthy lifestyles, sport, play and recreation linking into the wider Green Infrastructure Network; and a high-quality integrated network to support ecological connectivity, biodiversity net gain, climate adaptation and mitigation linking into the wider Ecological Network*
 - *ensure the effective use of sustainable urban drainage and sustainable water management;*
 - *ensure a hierarchy of linked, high quality and attractive public spaces and public realm that is safe, attractive and supports social interaction for all age groups; and*

The framework plans for drainage, biodiversity and landscape as well as green infrastructure set out the hierarchy and overall plan of routes with green spaces and their roles. There will be a main Highover Park with a large playground (NEAP) as a central feature to the development. Hitchin Meadows to the north corner with a small playground. This area will generally be of more natural character and appearance with sustainable drainage features and habitat improvements to support the existing corn bunting population on site.

Threshing Barn Green will provide a buffer to Highover Cottages and the farmyard with a cycle and footpath and landscaping. There will be a second LEAP 'pocket park' within the urban grain, school field and allotments also within the site, together with structural landscaping throughout and around the perimeter of the site. Hedgerows throughout the site of are some biodiversity and landscape value and will be retained and incorporated into the development as shown on the illustrative masterplan.

The key green spaces are linked together by a series of greenways or 'linear parks'. These are areas that will include the protection and enhancement of existing hedgerows and tree belts with additional planting, the incorporation of paths for walking and cycling and new habitat. They will provide an attractive alternative to using streets and bring people closer to nature. They will provide ecological, recreational, landscape and amenity benefits ensuring development is embedded in a green setting appropriate to the countryside edge and setting. They will also provide mitigation from noise from both the railway line and Stotfold Road.

Preferably the Council would adopt the green spaces and maintain them. A financial contribution would be made by the developer to ensure that on adoption of the green spaces sufficient funds are available through the Section 106 agreement to secure the costs for the long-term maintenance of all green spaces. The adopted Developer Contributions SPD (Jan 2023) defines this as at least 20 years, whereas maintenance of biodiversity habitats is for 30 years. Details are set out in table 5.8.4.

- vii. *design to last with a clear stewardship, management and maintenance strategy.*

This is secured through conditions and the s106 agreement. Green space, in the first instance will be provided to the Council for ongoing management together with financial contributions for its initial maintenance. The s106 provides a fallback position for a management company should the council not be able to adopt the green space, although it is the council's preference to manage all green space. The land allocated for a new school and most of the build costs will be passed to the County Council to design, build and run the primary school and nursery. The main roads will be adopted by the County Council as Highway Authority.

A condition has been included for a site wide phasing and delivery plan for the development. Whilst a framework phasing plan is provided in the SMP more detail is required before any application for reserved matters can be determined. Further details will be worked up through applications for reserved matters and conditions to this outline application.

- d) *Ensure Strategic Masterplans are informed by a technical and design evidence base and include the following for Strategic Housing Sites and where applicable for other significant development:*
- i. *site specific vision and place-making principles*

Set out in para 2.2.2 of the SMP *'the vision for the site is to deliver a sustainable northern extension to Hitchin planned around traditional garden village principles comprising a new centrally located Highover Park, new primary school and community hub and set within an extensive network of green spaces connected by attractive greenways and tree-lined streets to support health, well-being and wildlife and provide an attractive landscape setting to the new development.'*

The SMP includes objectives which are site specific, these are: a community heart, a walkable community, with landscape led design, distinctive building design, and working towards zero carbon.

Sustainable development is the overarching theme of the NPPF 2021 para 8 and is reflected in the vision for the site. The objectives accord with the principle of Policy SP9 and Policy SP17. Reflecting these, the SMP uses existing landscape features on which to base the masterplan. The development will be of a scale to support some of its own infrastructure, such a commercial floorspace, the school and allotments. Other services and infrastructure require a larger population, so in this case financial contributions will be made through the s106 towards

- ii. *Masterplan setting out the quantum, scale, type, mix and distribution of land uses, housing and community facilities;*

The SMP sets out the proposed development, in particular:

- Housing:
 - o The site will provide up to 700 homes, of which 40% will be affordable. The mix and tenure is policy compliant where of the 40% units that will be affordable, 35% will be 'affordable intermediate' comprising 98 units based on 700 units and 65% will be 'affordable rent comprising 182 units based on 700 units.
 - o There will be 7 plots for self-build, which is compliant with Policy SP17 requiring at least 7 plots to be for self-build.

- Across the site and based on 700 units, there will indicatively be 54x 1 bed flats (8%), 60x 2 bed flats (8.5%), 154x 2 bed houses (22%), 243x 3 bed houses (35%), 168x 4 bed houses (24%), and 21x 5 bed houses (3%). The mix of units within the affordable sections meet the identified need for those units. Further detail on mix and tenure is provided in table 5.8.4. The mix and tenures could change should the total number on units alter below 700 units across the site, but the proportions will remain broadly the same, with only minor variation where reserved matters do not allow for the envisioned mix. The detail of this will also come out through the detail of the condition for the phasing and delivery plan.
- The proposed housing in the SMP is NHDC Policy HS2 compliant and is secured through the Section 106. Each phase of development through individual applications for reserved matters will be subject to these mixes and tenures.
- Community facilities:
 - The site is providing the land and financial contributions to a new primary school with playing field – to provide a 2 FE primary school with nursery, children from this housing development will take approx. 75% of this school. The remainder will provide capacity to the rest of Hitchin. The school provides a central point to the application site and secured through the s106.
 - Parks and green spaces are provided in accordance with the scale of development. The SMP sets out the minimum areas required for the parks together with a NEAP and two LEAPS.
 - Allotments will be delivered and managed by the Council, where it is anticipated that rental income will cover the costs of maintaining the site.
- Other land uses:
 - A commercial hub is included comprising 500 sq.m of Class E floorspace at ground floor level all based in a central position on The Avenue. The applicant has applied for a mix of (former) use classes A1, A2, A3, A4 and A5. Class E covers a range of uses and the flexibility ensures this floorspace can be market led to a certain extent and subject to subsequent applications for reserved matters at a later date. Former use classes A4 and A5 are now Sui Generis though and therefore not considered suitable for giving express permission unit more detail is known. Classes E (a/b/c) will therefore be reflected in a condition. The quantum, scale, type and mix is considered to be proportionate to the scale of development.

iii. Green Infrastructure Framework identifying the scale, distribution, type and design of green spaces, biodiversity net gain, strategic drainage and on and off-site linkages:

As identified above parks and green spaces are provided through the SMP. This is broken down as follows:

Green Spaces:

1. Hitchin Meadows 5.7ha – includes compensatory farmland bird habitat, rural character fencing, enhancing existing hedgerow, species rich semi-natural grassland and rough grassland, creates a semi-rural character edge to the development, series of foot and cycle paths for access to the parkland, sustainable drainage integrated into the park layout, provision of a LEAP at 400 sq.m within this area to be designed with natural materials.
2. Highover Park 1.8ha – includes a NEAP comprising 1100sq.m, existing hedgerow boundaries to be retained and enhanced, species rich semi-natural grassland and rough

grassland, links to the new public square area and surrounding housing and existing pond to be retained.

3. Pocket Park LEAP 0.16ha – to be the focus to one of the development parcels and connected into the wider green infrastructure network.
4. Threshing Barn Green 0.67ha – green setting to the listed building, species rich grassland and retention and enhancement of surrounding hedgerow, provision of continuous green space linking with Highover Park

Greenways:

5. Icknield Linear Greenway – provision of a park and footpath alongside the railway line to create a buffer to the housing and link parts of the development site to Hitchin Meadows. Sustainable urban drainage features will be included to create landscape features and opportunity for informal play, species rich grassland and structural landscaping of native trees and shrubs. Minimum width for play provision 40m and 25m between rear of the school fields and the railway line.
6. Stotfold Linear Greenway – provision of a green buffer to Stotfold Road, minimum width of 25m with priority habitat hedgerow and trees, and inclusion of foot and cycle paths for linking through to the local foot, cycle and highway networks.
7. Dane Walk – by utilising existing field boundaries and established hedgerow, this buffer will form a green corridor between development parcels. Gaps in the hedgerow will be filled in and new verge areas with wildflowers will be established. The minimum width is 12m, 6m either side of the hedgerow. Dame walk will link in with Highover Park and the Stotfold Linear Greenway

Off-site:

8. Greenway link between Stotfold Road and the Letchworth Greenway to provide easier direct access between towns and to encourage active travel. This is subject of application ref. 22/00303/FP and financial contributions are secured through the S106 towards the implementation of the Greenway. Letchworth Heritage Foundation is the landowner and will be responsible for future maintenance.

iv. *Movement Framework setting out the key access points, strategic highways, street hierarchy and footways and cycleways (on and off site)*

The Movement and Access Framework set out in the SMP includes the key vehicular, foot and cycle access points to the site, with a hierarchy of the primary, secondary and 'green' streets. There is a main vehicular access from Stotfold Road with a new roundabout and a limited vehicular access from High Dane to serve circa 135 dwellings only. There will be a main street through the site known as The Avenue and from which the secondary streets and then green streets will be located. The detail of the secondary and green streets will be subject to subsequent applications. The Avenue is fixed and will be the first piece of infrastructure to be delivered. The school and community hub will be accessed from main Stotfold Road access point. Foot, cycle and bus access will be throughout the length of The Avenue primary route.

There will be foot and cycle access only from Highover Way, Armour Rise and Collison Close. The new Greenway link subject to application ref. 22/00303/FP will link the site with Letchworth and be accessed by a new toucan crossing on Stotfold Road. The existing footpath to the west of Stotfold Road will be extended into the site and form part of the above Stotfold Linear Greenway. The developer will have committed to these costs and/or actions through the S106.

- v. *Urban Design Framework and design principles identifying how the site responds to local character and context and key structuring elements and layout principles including heights and densities)*

The applicant has prepared a Design and Access Statement, most of which also forms part of the SMP, which sets out key considerations (designations, topography, access, land uses, open spaces, key views, landscape character, trees, ecology and water). There are framework plans for each of these elements with constraints and opportunities arising from each. The plans that make up these layers are presented in the SMP and form the basis for the thinking around 'what makes a great neighbourhood'. These principles are applied to the application site, and in defining what the five character areas for the site will look like.

These are the agreed areas and their characteristics:

1. **Highover Green** – To include the primary school, neighbourhood facilities, public realm and Highover Park. The key community elements to the site have been located closely together, in a central position and in order to provide a buffer to the railway line. Taller buildings up to 3-storey would be acceptable. The frontages of these building would be used to frame the public realm 'village square' with the main access The Avenue through the middle, as well as the bus, foot and cycle routes. There would be street trees and linkage to Highover Park which should be the focal point with the sites main play area. The existing pond would be retained and new tree planting around the perimeter of the park.
2. **The Avenue** – The area around the main spine road through the site, 'The Avenue'. It is presented as 'a formal green street' and the road from which other areas will be accessed from. The land uses would mainly comprise housing, although allotments are also included in this area. Based on developable areas and building heights, density would range between 35-40 dpha with the higher densities on the central local facilities towards Highover Green. The street structure would reflect examples of roads in Letchworth for example Willian Way, where buildings are set back 2-6m from the edge of the street with space for grass verge and street trees. Building height would generally be between 2 and 2.5 storeys, with some 3 storeys on corners and junctions, with different materials and/or roof slopes to create variation and interest. Focal buildings can also be used to define a frontage or create a gateway. Variation of different types of parking can be used, depending on the house type and to restrict the level of on street parking. Front gardens, footpaths and cycle lanes will be included as well as a palette of materials to define spaces.
3. **Grovelands** – This is the area to the south of The Avenue up against the existing urban edge of Hitchin (Grovelands Avenue, Collison Close and Roundwood Close). Overall the density will be between 25 and 35 dpha reflecting the density of existing built up areas adjacent. There would be a lower to higher density from east to west respectively in order to respect the rural setting between Hitchin and Letchworth and frame Highover Park to the west. Building heights would be 2 to 2.5 storeys around secondary streets and green streets. The structure will be formal, using grid patterns with frontage setbacks of 1-3m from the street with smaller front gardens compared to The Avenue. The pocket park will be within this character area, set out as a formal park/garden, strongly enclosed by

building frontages. There will be a key green foot/cycle link from Stotfold Road through to Highover Park with medium-large street trees. Most car parking should be on plot.

4. **Meadow View** – This is the triangular area to the north of The Avenue, with boundaries with the railway line and Stotfold Road and countryside beyond. A significant portion of the northern point of the triangle will be for sustainable drainage, corn bunting habitat and landscaping. There will be a play area and footpaths through. The density again will be low around 25-35 dpha and buildings between 2 and 2.5 storeys with some 3 storeys on corner and junctions. The building layout will be informal though, typically detached and semi-detached properties with on plot parking with driveways and front gardens. Buildings would be set back 6m from the street with a green character comprising street trees and evergreen hedging. Along the northern edges of development buildings will look out towards the parkland to create a safe and overlooked space, as well as a 'soft' edge of the development to the countryside beyond. There will be substantial new planting between the parkland and the edge of the railway line and to bolster existing landscaping along Stotfold Road.
 5. **Threshing Barn Green** – This is a small area of housing adjacent to the listed barn and farmyard of Highover Farm. The area includes the green space at the end of Highover Way and area of housing to the south of The Avenue and to the west of Highover park. This will be low density of between 25-35 dpha and limited to 2 storeys only. This area will be informally arranged to take into account views from the barn, as the topography here is pronounced compared to existing built-up areas adjacent, and to maximise permeability between Highover Way and The Avenue. There will be a green informal character about the area with good setbacks of 2-6m from building frontages to the street. Dwellings will be in the form of short terraces and semi-detached buildings, with on plot parking and front gardens.
- vi. *Sustainability & Energy Framework identifying site-wide and building scale opportunities for low and zero carbon*

Section 9 of the Design and Access Statement considers integrating sustainable design principles into the SMP through governance, social and economic well-being, resources and energy and land use and ecology. Due to the outline stage of proposals the detailed considerations of renewable energy, carbon emissions and water conservation can be address through conditions and applications for reserved matters. Two conditions are proposed, the first on the design code for the site which includes elements of energy efficiency, and another condition for a 'site wide sustainability strategy' in accordance with Policy SP9 and D1 (Sustainable Design) of the NHLP.

vii. *Illustrative Masterplan Layout*

An illustrative layout is included in Section 5 of the SMP which indicates how a well-designed layout could be delivered through the application of the masterplan framework plans and design principles. This will assist in the preparation of the site-wide design code and subsequent reserved matters.

viii. *Infrastructure Delivery, Phasing & Management Strategy*

Section 7 on Phasing and Delivery in the SMP sets out how the applicant envisages the site will be delivered. There are five main principles, in summary:

1. to use existing infrastructure to minimise disruption from construction;
2. to encourage new residents to adopt more sustainable modes of transport from the outset by constructing The Avenue first;
3. to start development around a central community hub, close to the primary school;
4. advanced structural landscaping, shrub and tree planting to enable early establishment of green infrastructure; and
5. delivery of a mix of housing type and tenure within each phase.

The overall phasing strategy has been prepared on the basis that The Avenue will be constructed first together with enabling infrastructure such as drainage, and the land for the school will be passed over to the County Council. There will then be at least two phases to building the main development: the first relating to housing development along The Avenue as shown in pink on the indicative phasing plan; and the second to be the areas of housing both to the north and the south of The Avenue.

A condition is recommended to secure a 'site wide phasing and delivery plan' to secure the detailed arrangements for phasing delivery as well as a construction management plan. This condition is pre commencement and could run alongside the first application for reserved matters once more details are in place.

Various aspects of management and maintenance will also be secured by condition and through S106 obligations including arrangements for green space, public realm, highways and the school site. The delivery of the school site will be the responsibility of the county council and officers are working closely with the HCC GIU to agree appropriate parameters for delivery.

The delivery process is also set out in Section 7, which sets out how each stage of the planning process can deliver various aspects in a logical order.

e) Encourage the submission of Strategic Masterplans for the Council's consideration and agreement before the submission of a planning application. We will also confirm the scope and contents of individual Strategic Masterplans with applicants in pre-application discussions. Planning applications must be accompanied by a Strategic Masterplan. Where applications have already been submitted to the Council a Strategic Masterplan should be agreed with the Council prior to or as part of the grant of planning permission. Adherence to the Strategic Masterplan will be secured through planning conditions and/or legal agreement.

Policy SP9 encourages the submission of Strategic Masterplans for the Council's consideration and agreement in advance of the submission of a planning application. However, the application was submitted before the policy provisions and requirements of SP9 were introduced as part of the proposed modifications to the local plan and the Council. As such this was not possible. From March 2021 onwards when the Council started applying weight to the emerging SP9 policy the applicant has positively engaged with the Council to both confirm the scope and contents of a Strategic Masterplan and worked collaboratively with the Council to agree a Strategic Masterplan. This confirms the SP9 policy requirement which states: '*where applications have already been submitted to the Council a Strategic Masterplan should be agreed prior to the or as part of the planning permission.*'

The applicant was willing to work with the Council over the last 4-5 years to ensure there is a policy compliant Strategic Masterplan, so that applications for detailed reserved matters can be determined within the broader Masterplan. Officers are content that this application for outline planning permission satisfies this requirement.

f) Assess proposals against detailed policy requirements set out in this Plan and have regard to the Design SPD; and

See subsequent sections of this report looking at detailed policy requirements.

g) Adopt the Government's additional technical standards for the size of new homes, water efficiency and, in specified circumstances, accessibility.

Given the Illustrative Masterplan, Officers are satisfied that with the development blocks and densities proposed the Government's technical standards for new homes is achievable. Should planning permission be granted, building regulations will ensure water efficiency for all new development. The S106 also includes requirements for 10% of affordable housing to be wheelchair accessible, which will be reviewed as part of each phase of development that will be subject of applications for reserved matters.

Conclusions on Masterplanning

- 5.3.9 As this site and the proposed development has been through the formal, collaborative masterplanning exercise with extensive negotiations and improvements over the last 5 years, it is officers' view that the proposals represent a high standard of urban design, in keeping with its context and which would include high quality green infrastructure and multi-functional green spaces. As such, it is considered that an effective masterplan has been secured which would comply with Policy SP9 and SP17.

5.4 Impact of the development on heritage assets

- 5.4.1 The Threshing Barn at Highover Farm was Grade II listed in May 2018 for its architectural interest as a *'well-preserved example of a late-C16 or early-C17 timber-framed threshing barn; for the legibility of the original plan form of the threshing barn; for the survival of a high proportion of the original queen-post roof structure, timber-framing, and flint and brick wall construction'*. Its historic interest is *'as a key surviving example of English architectural and tenorial practice, exhibiting the agricultural prosperity of Highover Farm in the late C16 or early C17'*.
- 5.4.2 There are no other listed buildings or Conservation Areas affected by the proposed development. The farmyard had previously been part of the site allocation HT1 for 700 new homes, however since the listing of the Threshing Barn this application for outline planning permission has removed the farmyard from the application site as well as the heavily vegetated green space including a pond to the north-east. This pond is referenced in the listing of the Barn, and there is a second pond also included within the application site.
- 5.4.3 The NPPF 2021 requires the description of *'the significance of any heritage assets affected, including any contribution made by their setting'*. LPAs should then *'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) ...'* Para. 199 of the

NPPF states that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'*. This approach is reflected in NHLP Policy HE1 on Designated Heritage Assets.

- 5.4.4 The historic fabric of the Threshing Barn is not subject of this planning application, but much of the significance of the building is in the historic fabric and the importance of architectural features of the Threshing Barn. The setting of this Grade II listed building is another key consideration. The historic interest in the setting of the Threshing Barn is the agrarian character of Highover Farm, which at present is defined by the fields and meadows located on the western, northern and eastern sides of the farmyard, as well as the farmyard itself with the Threshing Barn.
- 5.4.5 The character of the setting to the Threshing Barn will be impacted in that the agrarian character of the fields will change from agricultural to housing led development. During the course of this application, the applicant has revised the layout of the site to accommodate a park termed Threshing Barn Green, which will provide a good buffer of green space and landscaping to the northern boundary of the farmyard. This green space will also provide pedestrian and cycle access through from Highover Way. Views of the Barn will be maintained from a wide degree and the quality of housing development closest can be designed to take into account the sensitive character of the area due to the listed building.
- 5.4.6 The layout of the farmyard will not change as a result of this application and there are no proposals as part of this application for the listed building itself. However, the wider agrarian setting of the listed building would be affected by the proposal. As such the heritage significance of the listed building would be harmed. Officers consider that the impact related to the wider setting of the listed barn the harm to heritage significance of the building would be within the moderate to lower end of the spectrum of less than substantial harm.
- 5.4.7 Given the less than substantial harm to a designated heritage asset, the NPPF para. 202 requires that *'this harm should be weighed against the public benefits of the proposal...'* NHLP Policy HE1 reflects this position in point c). This application is for up to 700 new homes to be delivered on an allocated Strategic Housing Site (Policy SP17 ref. HT1) through the recently adopted Local Plan. The public benefit is the delivery of a significant number of new homes, to be delivered with a range of housing mix and tenures. This housing development will significantly contribute to the district's delivery of housing and in particular the 5-year housing land supply as per Policies SP8 and IMR1.
- 5.4.8 In accordance with the NPPF and NHLP policies the proposals are considered to be compliant regarding the impact on heritage assets. Officers note the 'less than substantial harm' that the proposals will have on the designated heritage asset, but that the public benefits of the delivery of up to 700 new homes which secures the districts housing land supply on an allocated Strategic Housing Site is sufficient to outweigh the harm.

5.5 Impact on the wider landscape and visual setting

- 5.5.1 This is a large-scale housing development. Given its nature and scale there will inevitably be impact on the landscape. Within the context, national and development plan policies adopt an approach where development should only be approved where the harm would be outweighed by the benefits of the development.

Landscape Character

- 5.5.2 NPPG Para 174 indicates that the intrinsic character and beauty of the countryside should be recognised. The NPPF does not seek to protect the countryside for its own sake from development, rather it concentrates on seeking to protect valued landscapes. The site does not form part of any designated landscape.
- 5.5.3 The NPPF does not define what is a valued landscape, albeit most landscapes are valued in one form or another, but case law demonstrates that value lies in it being considered more than just open countryside. Residents have indicated that they value the countryside within an around the application site, however there is nothing in the comments that would result in elevating the application site to that of a NPPF 'valued landscape'.
- 5.5.4 NHLP Policy NE2 confirms that planning permission will be granted for development proposals that respect the sensitivities of the relevant landscape character, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this, ensure the health and future retention of important landscape features and have considered the long-term management and maintenance of any existing and proposed landscaping.

Landscape Character Assessment

- 5.5.5 The application site is located in the far eastern end of National Character Area (NCA) 110 for The Chilterns, with NCA87 for East Anglian Chalk on the east side of Stotfold Road. NCA110 The Chilterns is a large area, wider than the designated Area of Outstanding Natural Beauty and comprises extensive wooded and farmed areas, underlain with chalk bedrock that creates the north-west facing escarpments, long views out and small streams that provide a major source of public water supply. NCA87 is described as comprising '*a visually simple and uninterrupted landscape of smooth, rolling chalkland hills with large regular field enclosed by hawthorn hedges, with few trees and expansive views to the north*'.
- 5.5.6 The Council published the North Herts Landscape Study as part of the Local Development Framework in 2011 which is based on the Hertfordshire Landscape Character Assessment and subsequent sensitivity and capacity work. The site is within Region 3 The East Anglian Chalk, North Hertfordshire Ridge and detailed LCA 216 Arlesey-Great Wymondley area. The key characteristics of the Arlesey-Great Wymondley LCA are listed as: '*large flat expansive arable landscape in the north; rolling arable landscape of large-scale fields and with relatively few trees in the south; and the core is defined by the urban development of Letchworth and Hitchin*'.

5.5.7 The built development guidelines for the character area LCA 216 include:

- *'Encourage planting of appropriate broadleaved woodland and vegetation to screen any new development that could intrude in panoramic rural views;*
- *'Ensure new development doesn't necessitate the removal of existing woodland blocks or hedgerows;*
- *'Ensure new development provides mitigation for itself and where possible existing intrusive features in the vicinity;*
- *'Ensure lighting associated with new development doesn't create additional urbanising influences; and*
- *'Use the opportunity of new development to create new accessible green infrastructure.'*

Review of the submitted Landscape and Visual Impact Assessment (LVIA)

5.5.8 The application is accompanied by a LVIA in the 'Landscape/Visual' section in the Environmental Statement, prepared by Rapleys LLP, which identifies the landscape and visual effects of the proposed development. In applying a standard methodology and professional judgement the LVIA sets out conclusions.

5.5.9 The LVIA identifies the sensitivity/value of landscape elements, landscape character and visual receptors, the magnitude of impact on each of these assessed, and then the significance of these impacts were evaluated.

5.5.10 The LVIA undertakes an assessment of visual and landscape effects during the construction phase, and operational phase. It proposed no further mitigation measures over and above those set out in the design of the proposed development.

5.5.11 The identified residual effects and conclusion in the LVIA indicate that there would be moderate to low impacts on landscape, character and visual elements which would be *'lessened through the preservation of existing vegetation on the site and the provision of new mitigation and enhancement planting... Overall, the development will be visible from a few viewpoints in the immediate area but will be partly screened and softened by planting'*.

5.5.12 The LVIA also comments on the gap between Hitchin and Letchworth, which will be diminished in extent, although a good buffer will remain. It notes that although the character of the landscape will change as a result of the development most views from footpaths will only be slightly negatively affected and over time a well-planned urban extension to Hitchin will blend into the rest of the town in time.

5.5.13 The Council's Landscape and urban Design Officer at the time commented on the application. The area LCA 216 is overall considered to be of low sensitivity due to its position with urban influences and *'numerous landscape detractors such as roads and railway lines'*. This is reflected in the application site, which is adjacent to the urban edge of Hitchin and bound between the railway line and Stotfold Road.

5.5.14 In the context of the application site fitting in with the built development guidelines for the local character area, the masterplan for the site includes a good level of structural green space and planting around the perimeter and through the site, which would be integrated

into the new highway network to create green streets. The masterplan has sought to retain as much existing hedgerow and landscaping as possible including hedgerow through the centre of the site and the small pond. Some hedgerows will be lost along Stotfold Road to create the new vehicular access, although overall there will be a landscape and biodiversity net gain.

- 5.5.15 The topography of the site also allows for a multipurpose green space, termed 'Hitchin Meadow' in the far northern corner of the site where the sites level is lowest. This space will be for sustainable drainage, habitat for the existing corn bunting on site, and open green space which can be left for a more natural character. This urban edge here will be less dense and greener in terms of 'green streets', larger gardens, less formal road layout and therefore more semi-rural character.
- 5.5.16 During the course of the planning application the applicant has agreed to provide a toucan pedestrian crossing over Stotfold Road as well as finance and submit the planning application for an extension to the Letchworth Greenway. The link directly from the application site across the fields to the edge of Letchworth will enhance access to the countryside from the application site, as well as for existing residents on this side of Hitchin.

Conclusion on the impact on wider landscape and visual setting

- 5.5.17 In conclusion on this matter, it is considered that the site is of low sensitivity due to its urban features and physical infrastructure, but that the proposals would inevitably have some adverse landscape and visual impact. Through a combination of topography, inclusion of existing hedgerows into the masterplan, provision of parks and green space and inclusion of green buffers around the perimeter of the site, it is considered that the adverse effect would be localised and limited as far as possible. The site, which would form an urban extension to Hitchin will sit in context of existing urban development and in time blend into the established urban character. The proposed mitigation would also be beneficial to biodiversity and see significant new landscaping and green spaces provided.
- 5.5.18 Overall, the proposals are considered to be in accordance with the NPPF and NHLP Policy NE2 on Landscape.

5.6 Impact on the local highway network, access and parking

Impact on local highway network

- 5.6.1 NHLP Policy SP6 on Sustainable Transport requires, amongst other matters considered later in this report, to '*seek the earliest reasonable opportunity to implement sustainable travel infrastructure on Strategic housing Sites and other development sites in order to influence the behaviour of occupiers or users...*'
- 5.6.2 The issue of highway capacity is of great concern to many local residents and this issue has been raised in many (if not most) of the objections received on this proposal. It is acknowledged that there are issues of congestion through Hitchin along Cambridge Road (A505) and the junctions it crosses at Stotfold Road roundabout and the Woolgrove Road/Willian Road signalised junction. Typically, congestion is understood to be particularly bad during peak rush hours times in the morning and the evening, when people

are travelling to work and during school drop-off and pick-up. This can be worsened if there are traffic issues due to works or an accident on the surrounding road network.

- 5.6.3 Paragraph 110 of the NPPF states that *'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'* The NPPF also sets a high bar in terms of grounds to refuse an application on highway matters: Para 111 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.
- 5.6.4 NHLP Policy T1 on Assessment of Transport Matters states that *'Planning permissions will be granted provided that a) development would not lead to highway safety problems or cause unacceptable impacts upon the highway network'*.
- 5.6.5 This planning application has been submitted with a Transport Assessment (TA), Transport Assessment Addendum (TAA), Travel Plan and ES Section 9 of the Environmental Statement on Transportation.
- 5.6.6 The proposed site would feature two vehicular access points with a spine road through the site known as The Avenue. The Avenue would provide a vehicular road between Stotfold Road, which would serve the vast majority of the development and comprise a new roundabout; and High Dane which would serve a smaller area of the development. The Transport Assessment assessed the access in the context of c.135 dwellings. The Avenue would be a 'no through' road except for buses and emergency vehicles using retractable bollards. This would be secured by condition and through a S278 highway agreement.
- 5.6.7 In terms of impact on highway capacity, the vehicular trip rates were sourced from the industry standard TRICS database. The associated peak hour trip rates are indicated in Table 9 of the Transport Assessment (TA). This anticipates that the site would generate a total number of trips (arrivals and departures) in the AM peak travelling period (08:00-09:00) to be 275 and would generate approximately 322 trips during the PM peak travelling period (17:00-18:00).
- 5.6.8 HCC Highway Officers conclude on highway capacity that they are *'content that the development will not have a severe impact on the local highway network'*, which is reflected in the summary of the TA, which states: *'The development will not have a significant detrimental impact on the local highway network. The majority of the junctions assessed operate within their capacity restraints and with no notable delay increase as a consequence of the development'*. This should be read together with a package of sustainable transport measures, essential to ensuring that the development may be accommodated on the local highway network and demonstrate compliance with LTP4. Therefore, taking account of the lack of a severe impact as well as the package of sustainable transport measures, the residual cumulative impact of the proposals would be acceptable and in accordance with the requirements of the NPPF and NHLP Policy T1.

Access

- 5.6.9 As noted above, the application site would have two vehicular accesses. One from High Dane serving a limited number of dwellings and would be designed as a continuation of the road with secondary and 'green streets'. The main access from Stotfold Road would serve the remainder of the development (approx. 565 dwellings and the primary school) and would comprise a new roundabout, which has been designed in conjunction with Highway Officers and would be subject of Section 278 agreement. The TA submitted with this application includes detailed plans showing the specification for the two access points and these demonstrate that both would be suitable in terms of highway safety.
- 5.6.10 Other measures are proposed associated with the new accesses, including a new roundabout on Stotfold Road and a change of speed limit from national speed limit to 30mph to the south of the new roundabout. The procedure for reducing the speed limit has been in progress and in principle has the highway authority's support. The process requires a Traffic Regulation Order (TRO) to be made and should be in place once construction on site has been completed at the latest. Although a condition was requested, this is not considered to be a suitable process as the district council do not have any control over the TRO process, so this will be secured through the s278 process as well as the triggers for delivery agreed through the condition for a Site Wide Phasing and Delivery Plan.
- 5.6.11 With regard to pedestrian and cycle access, the site would be well served by linkages through to existing residential areas of Hitchin, the principle of these links are agreed and secured through the S106 but the detail is a reserved matter. There will be pedestrian and cycle links along the main spine road, from Stotfold Road to High Dane, creating the east to west connection. This will provide easy access from the site towards the town centre, railway station and main employment areas including Bury Mead Road and Wilbury Way. The footpath on the west side of Stotfold Road would be extended into the site. A new toucan crossing would be provided across Stotfold Road to link with the extension to the Letchworth Greenway. There will also be foot and cycle access into Highover Way, Armour Rise and Collison Close, which would assist residents is travelling around with ease towards local shops such as on Cambridge Road from across the development site.
- 5.6.12 It is noted that the connection from the site to Highover Way and Armour Road is simplified as the land required is within the applicant's ownership, however the verge of land at the end of Collison Close is in third party ownership. Representations from local residents make it clear that residents of Collison Close (and Roundwood Close about a potential link there as well) do not support a link in the interested of their amenity, security and potential noise. However, to ensure best possible chances of sustainable transport, permeability and blending the proposed development into existing urban areas a link here is desirable. Balancing the benefits and concerns of this matter together with potential landownership difficulties, Officers have agreed with the applicants the S106 agreement requires the applicant to make reasonable endeavours to install the foot and cycle link here. The highway authority also recommended a condition regarding the delivery of these links with 'phase 3' of the emerging phasing plan, however Officers do not consider that this condition meets the tests for effective conditions (NPPF para.56) and has agreed to include the triggers for delivery through the s106.

- 5.6.13 In addition to these access features, the applicant has also agreed to contribute financially towards an extension to the Letchworth Greenway, a route around the perimeter of Letchworth Garden City, together with an additional path from the Greenway directly into Highfield School. This will significantly add to the appeal of using sustainable forms of transport to get between the towns and shorten travel distances by foot and bike. It will also increase access to the countryside. The Greenway extension is subject to application ref. 22/00303/FP also considered at this Planning Committee Meeting.
- 5.6.14 This site can provide the level of housing allocated through Policy SP17 together with the access measures set out above. A key masterplanning requirement in Policy SP17 for Site HT1 supported by Policies SP1 and SP6 is *'to make provision of sustainable modes of transport and comprehensive integration into the existing pedestrian and cycle, public transport and road networks'*.

Parking provision

- 5.6.15 The NHDC Vehicle Parking at New Developments Supplementary Planning Document ('Parking SPD') sets out the minimum parking requirements for this proposal. This outlines that x1 space is required per 1 bedroom dwelling and that x2 spaces are required for any dwellings of 2 bedrooms or more. In addition, between 0.25 and 0.75 visitors parking spaces are required per dwelling, with *'the higher standard applied where every dwelling in the scheme is to be provided with a garage'*.
- 5.6.16 On the basis of the proposed housing mix, the proposal of up to 700 units would require a minimum of 1346 private spaces for dwellings (54x 1 bedroom flats, 646x 2+ bedroom properties proposed) and between 175 and 525 visitor parking spaces. This is a reserved matter for future applications to include. Each phase of the development will be required to deliver the proportionate number of spaces for private and visitor use according to the particular mix in that phase.
- 5.6.17 The illustrative masterplan has shown that parking has been designed into the layout and can be accommodated. The SMP identifies that in order to create a distinctive neighbourhood parking needs to be integrated and designed in different ways across the site and often using innovative design where appropriate.
- 5.6.18 Some local residents object to the use of parking courts, which can become areas of antisocial behaviour. The development will include some buildings with flats and smaller houses in terraces, and it is inevitable that some communal parking will be required. During the process of determining applications for reserved matters on smaller phases of development this will be examined in detail to ensure that the design and layout of buildings with parking, streets, green spaces are well thought out. For the purpose of this application for outline planning permission and the consideration of the overarching masterplan for that site, the applicant has demonstrated that the parking requirement can be achieved successfully using a range of parking layouts.
- 5.6.19 In terms of cycle parking and storage, the Parking SPD requires *'1 secure covered space per dwelling. None if garage or secure area provided within curtilage of dwelling'*. To ensure this is complied with and sufficient provision is provided on site, a schedule with details of cycle parking and storage across the site will be required with all applications for reserved matters on the site should planning permission be granted.

- 5.6.20 In light of the above observations, it is considered that the proposal would include sufficient parking provision, which is in accordance with the requirements of the Parking SPD.

Construction and phasing

- 5.6.21 Regarding construction of the site, it is anticipated that there would be two additional accesses of Stotfold Road to enable construction during each phase of development. No construction traffic would use High Dane for access. The applicant will require detailed discussion and s278 agreement with the Highway Authority.
- 5.6.22 As set out in Section 7 of the SMP, The Avenue spine road and the new roundabout will be completed as 'phase 1' before any housing construction starts on site. This will include foot and cycle links between Stotfold Road and High Dane, and the new footpath along Stotfold Road. The first phase of housing (phase 2) will be constructed around The Avenue. The southern and northern sections can be completed thereafter as phase 3, each using a construction access off Stotfold Road. It is anticipated that the construction compound can be moved around the site according to the location of construction at that time. Construction of the school will be self-contained and the responsibility of the County Council who will be the landowner and developer at that time. An indicative phasing plan is included in the SMP which is broad at this stage and a detailed site wide phasing and delivery plan will be the subject of a condition to this application for outline planning permission, to cover all aspects of the development as well as access.

Mitigation measures

- 5.6.23 Paragraph 110 of the NPPF states that: *'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance...and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'*
- 5.6.24 NHLP Policy T1 also states that *'Planning permission will be granted provided that:...b) mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network are secured in accordance with Policy SP7; and d) for major developments, applicants demonstrate (as far as is practicable) how: i. the proposed scheme would be served by public transport...'*
- 5.6.25 The existing bus service, number 81 through Hitchin between Westmill and Walsworth areas is hourly six days a week between High Dane and the town centre. The applicant is facilitating the extension of the bus service within the site, providing a place for the bus to divert into, terminate and be able to turn around rather than on Sturgeon's Way. This will be useful for residents to access the town centre and the services and facilities there. The applicant is also financing bus vouchers for all households on the site together with a travel awareness campaign. Each household will receive three months' worth of free bus travel in the form of a voucher booklet, worth £70 per household per month.

- 5.6.26 The site is between two railway stations: Hitchin 2.3 miles and Letchworth Garden City 2.1 miles, both measured from the Stotfold Road entrance. Both of these are within reasonable cycling distance. Depending on where one begins their journey within the site it could be a 1 mile journey, which is reasonable by foot. The proposed pedestrian and cycle accesses from the site will assist with these shorter travelling distances to Hitchin railway station.
- 5.6.27 For access to Letchworth Garden City railway station the journey could be made shorter, safer and more pleasant using the new link to the Letchworth Greenway, making it a 1.7 mile journey from the Stotfold Road access. This is further assisted by a new toucan crossing over Stotfold Road south of the new roundabout and located to link easily to the Greenway extension.
- 5.6.28 The applicant has committed to financial contributions towards projects identified in Hitchin to support sustainable transport. HCCs Local Transport Plan (LTP) 4 include several projects for proposed development to feed into via obligations. Calculated based on the number of dwellings proposed and the estimated number of non-car driver trips, a contribution of £3,382,572 will be secure in the S106. The projects identified that are relevant and necessary include:
- PR41 Cycle facilities at Hitchin station including increased cycle parking
 - PR50 Improve pedestrian and cycle infrastructure where the rail lines cross Grove Road and Woolgrove Road
 - PR51 Hitchin northern loop bus services work with partners to improve bus service 81
 - PR55 Access to new development north of Hitchin – ensure high quality pedestrian and cycle access is provided through new development to the north of Hitchin to connect with routes to station, industrial estate, town centre and A505 North Hertfordshire Sustainable Spine
 - SM39 Eastern Entrance to Rail Station – provide an eastern entrance to the rail station in Hitchin, in order to make walking and cycling from eastern Hitchin more attractive, including safe and well signposted connections to the cycle network and cycle parking Consider improvements to pedestrian connectivity through the station
 - SM52 Continuous cycle routes with junction treatments including from Highover Farm site to the rail station, schools and the A505 sustainable spine
 - SM59 Continuous cycle route along A505 sustainable spine with new and improved junction/crossing facilities for cyclists
 - SM61 Cycle hub at Hitchin rail station including repair facilities, secure parking and cycle hire improvements to the pedestrian access to Hitchin station
- 5.6.29 A Draft Travel Plan has also been submitted with the application which includes several short, medium and long-term actions to increase the use by residents of sustainable modes of travel and to reduce the use of the private car, both for the residential use on the site and the new primary school. These are to be included via the s106 and monitored by HCC, through a further s106 financial contribution of £6,000 and £10,500 for residential and the school travel respectively. The Highway Authority recommended a condition for a travel plan to be submitted however this is already addressed by the s106. The primary target is to increase the number of residents and visitors cycling, walking and using public transport to and from the development by 2% each.

- 5.6.30 A further aspect of the proposals is that each dwelling with on-curtilage parking or a garage will be provided with electric vehicle (EV) charging points and 10% of communal parking spaces will also be provide with EV recharging infrastructure. This would accommodate and encourage the use and ownership of more sustainable electric vehicles. It is noted that this is now a required provision of Part S in Building Regulations, which comes into effect in June 2023. A condition is recommended below to go beyond the requirements of Part S.

Conclusions on the local highway network, access and parking

- 5.6.31 Many of the objections received from local residents refer to the impacts this proposal would have on matters of highway capacity and access. It is acknowledged that there are issues of congestion particularly along Cambridge Road (A505) and various junctions. This is particularly the case during peak rush-hours. However, the HCC Highway Officer has not objected to these proposals, subject to conditions and subject to a package of mitigation measures to be secured via a s106 legal agreement, as outlined above. It is found by the HCC Highway officer that although there would be some increase in traffic arising from the proposed development, this would not have an unacceptable impact on highway safety or result in a residual cumulative impact that would be severe so as to warrant an objection or reason for refusal in accordance with NHLP Policy T1 and the NPPF, together with a package of planning obligations towards sustainable transport.
- 5.6.32 An initial phasing and construction plan has been reviewed indicating priorities for sustainable travel and for implementing the main spine road and new roundabout to the site before any house building commences. There will be two construction accesses from Stotfold Road and no construction access from High Dane. The first phase of housing will be focused on the spine road and later phases to the south and north of the site.
- 5.6.33 A range of access points will be provided to the site to create a well-integrated development that encourages patterns of sustainable travel. The Avenue will form the main spine road through the site which will support the diversion of a local bus service. Several access points are proposed for pedestrians and cyclists, as well as an extension to the Letchworth Greenway to the edge of the site with a toucan crossing over Stotfold Road. These measures are secured through the S106 for this application for outline planning permission as well as various conditions such as the condition for the Design Code to ensure consistency, should the application be granted.
- 5.6.34 The draft s106 and proposed conditions include a commitment to a residential and a school Travel Plan with associated monitoring costs. The Highway Authority have advised that data analysis within the TA together with traffic impact assessments demonstrates that the development proposals will not result in a severe impact on the local highway network, subject to the agreed mitigation works. These are to be delivered through both conditions included at the end of this report and in the Heads of Terms in para. 5.8.4.

5.7 Environmental considerations

Drainage and Flooding

- 5.7.1 NHLP Policy NE7 on Reducing Flood Risk sets out that a FRA is prepared to support applications for planning permission in accordance with national guidelines, and that

development takes account of reducing flood risk, does not increase flood risk elsewhere, minimise residual flood risk, sensitively designed flood prevention and mitigation where applicable, and protection of overland flow routes and functional floodplain. The application is accompanied by a Flood Risk Assessment (FRA) and Drainage Strategy in the ES (by consultants WSP) together with associated technical appendix and Drainage Construction Sequencing Plan.

- 5.7.2 The site is entirely within EA Flood Zone 1. The River Purwell sits 450m to the south west of the application site. It is acknowledged that a number of concerns have been raised by local residents with regard to surface water and potential increased flood risk from the proposed development.
- 5.7.3 Having assessed the submitted reports and information, the Lead Local Flood Authority (LLFA) now raises no objection, with concern previously based only on the phasing of the development and implementation of sustainable drainage systems. The technical appendix of the FRA was updated although the LLFA requested that the attenuation volume and discharge for each phase were incorporated onto the plan. Confirmation was sought, and has now been given from the applicant, that the site-wide SUDS scheme is to be delivered before the first phase of development (the construction of the spine road). This is included in principle in the phasing section of the SMP. The site-wide SUDS scheme needs to be capable of accommodating the runoff from each of the subsequent phases of development. Therefore, a condition will be applied, pre-commencement, to agree the SUDS scheme so that it can be implemented before development starts. The alternative would be to have a SUDS scheme for each phase of development, although the full details of the phasing plan for the site will also be subject to a condition. In these circumstances a site-wide SUDS scheme is a logical solution.
- 5.7.4 The drainage strategy would mimic the existing natural drainage, but utilising attenuation ponds prior to infiltration through an infiltration basin and soakaway since there are no watercourses, rivers and suitable SW sewers within or adjacent to the site. The far north-eastern point of the site is a natural low point and will be the main point for drainage, which will be a dual purpose area for green space, buffer to the countryside and ecological habitats.
- 5.7.5 As such, there is no objection from the LLFA, subject to conditions requiring that the drainage strategy be carried out in full and that a management and maintenance plan be provided. Furthermore, Thames Water and Affinity Water have also confirmed that they raise no objections with regard to wastewater, surface water drainage and foul water sewerage infrastructure capacity, and Anglian Water raise no objection subject to a condition relating to phasing and foul drainage.

Ecology

- 5.7.6 The biodiversity impacts arising from the development of the site have also been considered. The associated features of the land, such as hedgerows are likely to contain at least some features of biodiversity interest and value and are sought to be retained and incorporated into the masterplan as far as possible. A Phase 1 Habitats Survey and a Biodiversity Net gain calculator have been submitted with this application which demonstrates that the site would result in a small/ marginal net gain in biodiversity, compared to the current situation.

- 5.7.7 Whilst the proposals would result in the loss of these arable fields, these score relatively low, in terms of biodiversity and habitats. The proposals would also result in some loss of existing hedgerows, most notably whether the new access will be created and temporarily where the construction accesses will be installed. Measurable Biodiversity Net Gain is demonstrated by use of the Defra Metric 3.0. The results of the calculation show that overall, the development is capable of achieving a net gain of 15.36% based on the number of biodiversity units post development. This will be though:
- New hedgerow and tree planting including around retained hedgerows to enhance their status to species rich
 - A new attenuation pond and swales enriched for wildlife through native aquatic and marginal plants
 - Enhancement of semi-natural grassland to create species rich grassland
 - Enhancement of existing pond by planting native aquatic and marginal plants
 - Tree planting at various locations using suitable native species with the retention of the mature tree belt along Stotfold Road which is suitable for supporting protected species
 - Grassland habitat for farmland birds
- 5.7.8 The retention and creation of new on-site habitat will enhance the existing ecological network by strengthening wildlife corridors and habitats to improve habitat functionality and connectivity.
- 5.7.9 Officers consider that there would not be any harm to biodiversity and ecology. In addition, in order to seek to ensure the delivery and longer-term viability of the on-site mitigation (landscaping, natural grasslands etc), a suitable planning condition would also require the management and maintenance of these features.
- 5.7.10 It is acknowledged that Herts and Middlesex Wildlife Trust (HMWT) have also supported the plans from a biodiversity perspective but comments that the proposals need to include a 12m buffer around trees and hedgerows. A condition was recommended to secure a 12m 'ecological buffer' to the LWS Stotfold Verges and Railway Embankments. However, as these buffers for landscaping are shown on the parameter plans, as well as other conditions such as for landscaping and the Design Code, Officers do not consider this condition to be necessary.
- 5.7.11 The illustrative masterplan has maintained a buffer around hedgerows and trees, although it is not as deep as 12m along the internal hedgerows, which shows 6m either side. The detailed plans for reserved matters will define the buffer together with the overall layout of development. It is considered that as the whole, taking into consideration the net gain across the proposal, that the overall impact of this proposal in the long term is a small net benefit to ecology in accordance with NHLP Policies SP17 and NE4.

Archaeology

- 5.7.12 The application site is not located within an Area of Archaeological Significance (AAS). Wilbury Hill to the north is an AAS approximately 100m to the north which contains a Schedule Ancient Monument: Two bowl barrows located 330m from the site boundary to the north-east.

- 5.7.13 NHLP Policy HE4 on Archaeology states that permission for development proposals affecting heritage assets with archaeological interest will be granted provided that: a. developers submit an appropriate desk-based assessment and, where justified, an archaeological field evaluation. Policy HE4 as modified also states that *'Areas of as yet, unknown archaeology may be identified during research, or through the planning or plan making process. These sites or areas should be treated in the same way as archaeology areas and areas of archaeological significance'*. The NPPF para.199 sets out the same approach to sites of archaeological significance as other heritage assets, in that *'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'*. Para. 203 also requires *'in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*
- 5.7.14 The site has been subject of a desk-based assessment and trial trenching investigations. This work identified archaeological features in several parts of the proposed development areas: A Late Iron Age/Romano-British farmstead was revealed in the southwestern part of the site, with finds including pottery, brick/tile, glass and animal bone. A trackway was also seen of a similar date as well as a series of sinuous ditches, indicating past land division and considered to constitute substantial archaeological features, which are of regional and local significance.
- 5.7.15 HCC Historic Environment have confirmed that they do not object to the proposals as the findings are unlikely to be so significant so as to warrant 'scheduling' and would not restrict the proposed development. However, further investigations would be required to analyse the findings and provide a report and publication of the results. Subsequently the applicant has been liaising with the County Archaeologist to agree the final Written Scheme of Investigation to commence that work should outline planning permission be granted. Nevertheless the full condition is recommended and set out below, to ensure the WSI is fully agreed.
- 5.7.16 Overall, whilst there are significant finds on the site, as an undesignated heritage asset the action to investigate further and record the findings in a publication are proportionate and a balanced response to the scale of the harm and significance of the findings. The proposals are therefore in accordance with NPPF paragraph 199 and 203 and NHLP Policy HE4.

Land contamination

- 5.7.17 The application is accompanied by a 'Preliminary risk assessment and geo-environmental Site Investigation report' (by RSK consultants). A Phase 1 report was considered appropriate during the Scoping of the proposals in line with EIA regulations. Having considered the submitted report, the NHDC Environmental Health Officer stated: *'I have no objection to the granting of permission. I recommend that further investigation of potential contamination on land be undertaken, as recommended in the Phase I environmental risk assessment report that was submitted with the application. To this end, I have recommended that the following condition is attached to any permission...'* The proposed condition relates to a Phase II environmental risk assessment being undertaken and appropriate remediation if required undertaken, all pre-commencement of development.

Air Quality

- 5.7.18 NPPF para. 105 states that *'The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health'*. NPPF para. 186 (under section 'Ground conditions and pollution') states that *'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement'*.
- 5.7.19 The application has been submitted together with an Air Quality Assessment, as well as a Transport Assessment and a Travel Plan. The Council's approach and guidance to matters on air quality is outlined in the 'North Herts Air Quality Planning Guidance (October 2018)' document. The Council's Environmental Health Officer advises that in accordance with NHDC guidance, there is no objection subject to conditions. The assessment considers the development to represent a 'major' Scale development in terms of the measures that will be required to mitigate any adverse impact on local air quality.
- 5.7.20 The mitigation to be secured via conditions for developments of this scale include a Detailed Demolition and Construction Management Plan, a Travel Plan and the provision of EV charging points. The Demolition and Construction Management Plan is required to ensure there are adequate measures to control nuisance during works from the spread of pollution, dust and fine particulate matter, to protect the amenity of neighbouring residents. It is noted that the submitted Travel Plan does not include any reference to the provision of EV charging points, although it is acknowledged that there is a strong emphasis on encouraging a shift away from the use of private car journeys. The deficiencies of the submitted Travel Plan can be addressed via a suitable condition and through the S106. Lastly, all dwellings with allocated parking either on or adjacent to the plot will include EV charging points, to encourage the uptake and use of low emission electric vehicles. Officers are also aware of Part S coming into effect in Building Regulations that require all new dwellings to provide EV charging. A condition is included to require details to be submitted which go beyond the requirements of Part S.

Noise and Vibration

- 5.7.21 The application is accompanied by a Noise and Vibration assessment by WSP as part of the ES. Having assessed the submitted information, the Council's Environmental Health Officer has not raised any objections and has advised that the main sources of noise, namely road traffic noise from Stotfold Road, the railway line and employment area at Wilbury Way, have been correctly and adequately assessed using appropriate standards and guidance.

- 5.7.22 It is advised that some of the proposed properties along Stotfold Road will likely require mitigation measures, such as taller fencing and detailed consideration to orientation of the buildings closest to the road. Some proposed dwellings shown on the Illustrative Layout were shown close to the road, which would be most affected, but could be dealt with by considering specific fenestration and boundary treatment. However, this will be subject to a finalised site layout together with noise mapping as part of relevant applications for reserved matters where properties are alongside Stotfold Road.
- 5.7.23 In relation to the railway line, a substantial buffer has been provided in the form of green infrastructure, allotments and school playing fields to create the separation required to protect residents from noise and vibration from trains.
- 5.7.24 With regard to noise and vibration during the construction phases including traffic, whilst this is addressed in the assessment, it has been advised that no further conditions are required, although an informative is to be included which will require the developers and contractors to adhere to the noise limits suggested (that British Standards noise limits be adhered to and that during the construction phases, no activities take place outside of Mon-Fri 0800-1800 and 0800-1300 Saturdays and no work on Sundays and Bank holidays). The assessment identifies that there will be slight to negligible impact of construction noise and moderate for shorter times while work takes place closer to existing residents, as the main receptors, although the impact is also identified as temporary.

Railway Line

- 5.7.25 A response from Network Rail on the application does not raise objection in principle to the development but raises concerns regarding the proximity of the proposals to the electrified railway line. The main concern is in relation to the potential for increased trespassing on the railway. This has been addressed by requiring a 'trespass proof' fence along the entire boundary of the application site with the railway line. In addition, the masterplan identifies a green corridor between the railway line and any development which will act as a landscape buffer for strategic landscaping, green infrastructure, ecology as well as visual and residential amenity.
- 5.7.26 There is also an existing crossing over the railway line, used to provide access between two fields. It would have become redundant when the development commences, but work has already been undertaken to close the crossing. Network Rail's request for the applicant to fund and agree the closure of the crossing is no longer relevant. However, to ensure the safety and security of the development and the railway line, Officers seek to ensure there will be appropriate fencing along the railway by way of detail required through a landscaping condition.
- 5.7.27 Lastly there are several informatives from Network Rail to do with protecting the railway line and the construction phase of development. These will be added to the decision notice for future reference.

Impact on the residential amenity of existing local and neighbouring residents

- 5.7.28 Concern has been raised from residents living nearby to the proposed development with regard to loss of privacy, overshadowing and loss of light. The nearest proposed dwellings to the side boundaries of High Dane (potentially within a few meters as the street layout

continues), Collison Close and Roundwood Close (both with a buffer of strategic landscaping between existing and new built form shown on the parameter plans); rear boundaries of properties on Grovelands Avenue and Armour Rise (rear garden to rear garden would be about 25m between properties).

- 5.7.29 Proposed dwellings would be screened and separated from existing properties on the north side of Grovelands Avenue and edges of High Dane and Armour Rise by enhanced landscaping. Given the distances, potential site layout and enhanced planting, the proposals are not considered to result in any material adverse impacts in terms of any overlooking, any loss of light and there would not be any direct overlooking of existing properties.
- 5.7.30 Officers conclude that the living conditions of existing residents would not be significantly affected as a result of the development. This will of course be examined in much greater detail during the course of an application for reserved matters. In the short term, there would likely be at least some impacts to existing neighbouring properties during the construction phase due to construction noise, vibration and traffic. Whilst various conditions would be imposed on the grant of planning permission, which seek to minimise this impact (for example, construction method statements and construction hours etc), there is likely to be at least some impact and disturbance, even if it is kept at a minimal level. All construction traffic will come from Stotfold Road, thereby limiting the impact of construction traffic on residents from High Dane and Highover Way. This will also be managed through a Construction Traffic Management Plan. It is therefore considered that the construction phase of this proposal will have a small adverse impact on residential amenity.

Loss of agricultural land

- 5.7.31 Paragraph 174(b) of the NPPF states decisions should recognise the economic and other benefits of the best and most versatile agricultural land (defined as land in Grades 1, 2 and 3a). The harm arising from the loss of agricultural land is a further factor to be considered.
- 5.7.32 The Natural England classification Maps show the land around Hitchin and Letchworth to fall within the 'good to moderate' (3) category, with some pockets of 'very good' (2). The Agricultural Land Classification Report submitted as part of the ES with this application concludes that the site is categorised as 2 (very good quality) and 3a (good). The site therefore does contain best and most versatile grade of agricultural land, which would be lost as a result of the development. This is an adverse impact of the proposal that will be considered in the planning balance.

Conclusion on environmental considerations

- 5.7.33 As outlined above, the proposed development would have a small net benefit in terms of ecology, and there is no objection subject to various conditions to drainage, land contamination, air quality and noise. There will be some adverse impact in relation to residential amenity in the short term, and the loss of best and most versatile agricultural land. It is acknowledged that there would be some disturbance to neighbouring properties during the construction phase, but less so once the development is completed in areas

close to existing development. Overall, in the planning balance, the proposals cause a small level of environmental harm.

5.8 Planning Obligations

5.8.1 In considering planning obligations in relation to this development NPPF para. 57 advises that: *'Planning obligations should only be sought where they meet all of the following tests:*

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

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

5.8.3 Officers have held detailed negotiations with the applicant and agreement has been reached on a range of matters which are included in the draft s106. These include the phased provision of 40% affordable dwellings of which 65% will be for affordable rent; the transfer of the 'school land' to HCC for a new primary school and early years provision; and index-linked financial contributions towards secondary education. Also included are index-linked financial contributions towards the bus diversion of no.81, range of highways and sustainable transport measures, delivery of the Greenway extension, improvement of sports and community facilities, waste and recycling centre improvements, off-site habitat creation, and expansion of GP services (Portmill Surgery).

5.8.4 All of the s106 obligations are listed in the following table:

Element	Detail	Justification
Affordable Housing (NHDC) with private and self-build tenure	Based on 700 units, on site provision of 40% (approx. 280 units) based on 65% rented tenure (approx. 182 units) and 35% intermediate tenure (approx. 98 units) to be agreed through a Scheme of Affordable Housing	NHDC Developer Contributions Supplementary Planning Document (SPD) Feb 2023
	Indicative housing mix for Affordable Rented:	NHLP Policy HS2 Affordable Housing
	1bed flat	
	2bed flat	
	2bed house	
	3bed house	
	4+bed house	
	Indicative housing mix for Intermediate:	
	1bed flat	
	2bed flat	
	2bed house	

	3bed house	54% (approx. 53)	
	4+bed house	10% (approx. 10)	
	Indicative housing mix for Private:		
	1bed flat	2% (approx. 8 units)	
	2bed flat	7% (approx. 30)	
	2bed houses	21% (approx. 88)	
	3bed house	30% (approx. 126)	
	4bed house	35% (approx. 147)	
	5bed house	5% (approx. 21)	
	Self-build – 7 units (approx. 1%) to be self-build		
Primary Education (HCC)	<p>Indicative contribution of £7,605,242 (based on the build cost minus the land cost) (to be index linked) towards the cost of delivering the new on-site primary school which includes new nursery provision.</p> <p>The transfer of the land for the new primary school shown on the Illustrative Masterplan to HCC via Land Transfer Agreement. The transfer of the land for the new primary school will be subject to the land meeting the HCC School Land Site Specification, the details of which will be included as part of the S106 Legal Agreement</p>	<p>Policy SP7 Infrastructure requirements and developer contributions</p> <p>Developer Contributions SPD</p> <p>HCC ‘Guide to Developer Infrastructure Contributions’ 2022</p>	
Secondary Education contributions (HCC)	<p>Indicative contribution of £6,961,516 (to be index linked) towards the expansion of The Priory School and/or secondary education provision serving the development</p>	<p>Policy SP7</p> <p>Developer Contributions SPD</p> <p>HCC ‘Guide to Developer Infrastructure Contributions’ 2022</p>	
Childcare Services (HCC)	<p>Indicative contributions of £541,610 (to be index linked) towards new childcare provision on the primary school land and/or provision serving the development</p>	<p>Policy SP7</p> <p>Developer Contributions SPD</p>	

		HCC 'Guide to Developer Infrastructure Contributions' 2022
Special Educational Needs and Disabilities (SEND) (HCC)	Indicative contribution of £853,451 (to be index linked) towards the EAST severe learning difficulty school and/or provision serving the development	<p>Policy SP7</p> <p>Developer Contributions SPD</p> <p>HCC 'Guide to Developer Infrastructure Contributions' 2022</p>
Library Services (HCC)	Indicative contribution of £157,718 (to be index linked) towards increasing the capacity of Hitchin Library and/or provision serving the development	<p>Policy SP7</p> <p>Developer Contributions SPD</p> <p>HCC 'Guide to Developer Infrastructure Contributions' 2022</p>
Youth Services (HCC)	Indicative contribution of £210,190 (to be index linked) towards increasing the capacity of facilities for young people in Hitchin and/or provision serving the development	<p>Policy SP7</p> <p>Developer Contributions SPD</p> <p>HCC 'Guide to Developer Infrastructure Contributions' 2022</p>
Waste Service (HCC)	Indicative contributions of £125,624 (to be index linked) towards increasing capacity at Letchworth Recycling Centre or provision to serve the development and/or provision serving the development	<p>Policy SP7</p> <p>Developer Contributions SPD</p> <p>HCC 'Guide to Developer Infrastructure Contributions' 2022</p>

Sustainable Transport contributions (HCC)	<p>Strand 1 – Contributions of £235,000 (to be indexed linked) towards extension to the Letchworth Greenway (subject of application 22/00303/FP) comprising £166,750 for landowner maintenance, compensation, legal fees; and £68,250 for construction of path by HCC</p> <p>Contribution of £17,000 (to be indexed linked) towards a footpath link between The Greenway and Highfield School</p> <p>Contributions of £100,000 (to be indexed linked) towards a new toucan crossing over Stotfold Road</p> <p>Contributions of £875,000 (to be indexed linked) towards bus diversion no.81/81a (£175k for 5 years) first payment to be received prior to occupation</p> <p>Contributions of £163,100 (to be indexed linked) towards bus vouchers including each household receiving 1 booklet for 3 months as well as design time and a travel awareness campaign</p> <p>Contributions of £6,000 (to be indexed linked) towards Residential Travel Plan to be approved and monitored for 5 years</p> <p>Contributions of £10,500 (to be indexed linked) towards School Travel Plan monitoring for 7 years</p> <p>Strand 2 – Contributions of £3,382,572 (to be indexed linked) towards measures to enhance sustainable transport in the vicinity calculated based on the number of non-car driver trips and the scale of residential and non-residential development, to upgrade and improve sustainable transport in line with priorities identified</p>	<p>Policy SP7</p> <p>Policy SP17</p> <p>Policy D1</p> <p>Developer Contributions SPD</p> <p>HCC LTP4</p> <p>HCC 'Guide to Developer Infrastructure Contributions' 2022</p>
Ecological off-site compensation scheme (HCC)	Contribution of £166,000 (to be indexed linked) towards creation and management of habitat off-site to mitigate for Corn Buntings	<p>Policy SP7</p> <p>Developer Contributions SPD</p>

		HCC 'Guide to Developer Infrastructure Contributions' 2022
Monitoring Fees (HCC)	<p>Towards the County Council's reasonable and proper administrative costs of monitoring compliance with the provision in the legal agreement.</p> <p>The fees will be calculated based on the number of triggers within the legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021)</p>	<p>Policy SP7</p> <p>Developer Contributions SPD</p> <p>HCC 'Guide to Developer Infrastructure Contributions' 2022</p>
Health Services	Contribution of £30,000 to be indexed linked, towards the extension of services at Portmill Surgery, Hitchin	<p>Policy SP7</p> <p>Developer Contributions SPD</p>
Community Centre/ Halls Contribution (NHDC)	Contribution of £398,721 to be indexed linked, towards the improvement and/ or expansion project at Walsworth Community Centre, Woolgrove Road, Hitchin	<p>Policy SP7</p> <p>Developer Contributions SPD</p>
Outdoor Sports Contribution (NHDC)	<p>Contribution of £419,922 to be indexed linked, towards football for a new pavilion at Walsworth Common (Sports England)</p> <p>Contribution of £35,506 to be indexed linked, towards rugby turf pitch improvements at Hitchin Rugby Club and £86,230 to be indexed linked for second phase of improvements to club house and/or expansion of carpark at Hitchin Rugby Club</p> <p>Contribution of £10,000 to be indexed linked, towards cricket for a non-turf wicket at Ickleford Cricket Club</p> <p>Contribution of £10,000 to be indexed linked, towards hockey for a replacement carpet on pitch at Lucas Lane Sports Club, Hitchin</p> <p>Contribution of £160,000 to be indexed linked, towards MUGA renovation of facilities at King George 5th Playing Fields, Hitchin</p>	<p>Policy SP7</p> <p>Developer Contributions SPD</p> <p>'Local Football facilities Plan' (NHDC, FA Herts and FA document)</p>

	Contribution of £79,636 to be indexed linked, towards a new 3G artificial grass pitch at Priory School (or at alternative location such as Fearnhill School or Highfield School)	
Indoor Sport Contribution, Health, Leisure and Fitness (NHDC)	<p>Contribution of £250,000 to be indexed linked, towards improvements to changing rooms and hall (flooring and lighting) at Fearnhill School</p> <p>Contribution of £50,000 to be indexed linked, towards replacement of pool boiler and/or refurbishments of changing rooms at Hitchin Swim Centre</p> <p>Contribution of £35,000 to be indexed linked, towards expansion of Archers Gym at Hitchin Swim Centre</p>	<p>Policy SP7</p> <p>Developer Contributions SPD</p>
Waste Collection & Recycling (NHDC)	Contribution of £61,799 to be indexed linked	<p>Policy SP7</p> <p>Developer Contributions SPD</p>
Open space provision and management/ maintenance arrangements (NHDC)	<p>On-site provision of open space including 1x NEAP and 2x LEAPs to be adopted by NHDC as shown on the indicative masterplan and to be provided in accordance with the standards of <i>NHDC Open Space Review and Standards 2016</i> and <i>Guidance for Outdoor Sport and Play: Beyond the six acre standard (England)</i></p> <p>Contributions of approximately £4,637,815 (to be index linked) as based on the Biodiversity and Landscape Framework Plan towards the long-term maintenance of green and open spaces within the site by North Herts Council to cover a period of 25 years, which is the preferred option with alternative backup to use a management company to maintain green spaces</p> <p>Scheme of provision, adoption and management for all play areas and open space required to be submitted prior to commencement</p> <p>Allotments within 0.5ha as shown on the indicative masterplan and to be provided in accordance with the standards</p>	<p>Policy SP7</p> <p>Developer Contributions SPD</p>

Monitoring Fee (NHDC)	One off monitoring fee of £25,000 (to be index linked) to cover the monitoring of all obligations (except for those relating to HCC)	Policy SP7 Developer Contributions SPD
-----------------------	--	---

- 5.8.5 At this stage the planning contribution figures have been agreed by all parties. Discussions are ongoing regarding the wording of the s106 Agreement, such as trigger points. However, it is considered that the s106 Agreement is advanced enough to refer this matter to Planning Committee and that the outstanding issues are minor in nature and can be resolved prior to determination.
- 5.8.6 All the elements of these Obligations are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. In the light of the detailed evidence, all the elements of the Obligation meet the policy in paragraph 256 of the NPPF and the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).
- 5.8.7 Some of the provisions of the Obligation are designed to mitigate the impact of the proposal and these elements, most notably the infrastructure contributions, therefore do not provide significant benefits weighing in favour of the proposal. However other matters, most notably the transfer of the 'school land' and the provision of affordable housing, heavily weigh in favour of the proposed development. Further agreed contributions towards sustainable transport and the bus diversion and vouchers, community centres/halls and both indoor and outdoor sports facilities contributions, whilst mitigating the impact of the development, would also be a wider public benefit as residents beyond those living at the proposed development site will benefit and make use of the new and improved facilities.

5.9 Summary and Conclusion

- 5.9.1 The site at Highover Farm Hitchin, Policy SP17 ref. HT1 was removed from the Green Belt on adoption of the North Hertfordshire Local Plan in November 2022 to enable to development of the site as a Strategic Housing Site for approximately 700 homes. The site will make a significant contribution to the delivery of homes in the district for the rest of the Plan period which also benefits from a strong defensible boundary to the Green Belt around Hitchin.
- 5.9.2 Through this planning application for outline permission, this site has been through a formal, collaborative masterplanning exercise with extensive negotiations and improvements to the final Strategic Masterplanning Framework document over the last 5 years. The SMP represents a high standard of urban design, green infrastructure and in keeping with the context. The proposals are in accordance with Policies SP9 and SP17 of the NHLP 2022.
- 5.9.3 Regarding the impact on heritage assets, Officers note the 'less than substantial harm' that the proposals will have on the setting of the Threshing Barn as a Grade II listed building, but that the public benefits of the delivery of up to 700 new homes which secures the districts housing land supply on an allocated Strategic Housing Site outweighs the harm, in accordance with the NPPF and NHLP Policies.

- 5.9.4 Regarding landscape, the proposals are considered to be in accordance with the NPPF and NHLP Policy NE2 on Landscape, where the site will sit as an urban extension to Hitchin in context with the existing urban development. The proposed green infrastructure and significant new landscaping will mitigate any localised adverse impact.
- 5.9.5 Hertfordshire Highways raise no objection to the proposed development, stating that '*the development will not have a significant detrimental impact on the local highway network*' read alongside the substantial package of sustainable transport measures incorporated into the development and planned off-site, it is concluded that the proposals are in accordance with the NPPF, NHLP Policy T1 and LTP4.
- 5.9.6 The construction phase from a highway perspective is particularly important given the scale of the site and proximity of existing residents and will be controlled through conditions relating to the site wide phasing and delivery of the site, together with a construction traffic management plan.
- 5.9.7 Other material considerations have been assessed for this stage of the planning process relating to drainage and flooding, ecology, archaeology, land contamination, air quality, noise and vibration, the railway line, impact on residential amenity and loss of agricultural land. Further detail on some of these areas will be secured through conditions for further information or reserved matters applications.
- 5.9.8 The application is accompanied with a package of planning obligations which are necessary to make the development acceptable, directly related to the development, and fairly and reasonably related in scale and kind. These are set out in para. 5.8.4 above and include policy compliant levels of affordable housing, education, sustainable transport, community facilities, sports provision, GP surgery provision, waste services, green infrastructure and parks.
- 5.9.9 Overall, the proposed development is in accordance with the NPPF 2021 and the NHLP 2022.

6.0 Alternative Options

- 6.1 None applicable (see 'Key issues' section of this report above)

7.0 Climate Change mitigation measures

- 7.1 This application is accompanied by a 'Sustainability Statement' by Rapleys dated April 2018. Members will note that this application was submitted before the Council announced a Climate Emergency and so the proposals have been submitted on the basis of the Policy requirements in the NHLP and the NPPF.
- 7.2 Notwithstanding this, there are several aspects of this proposal which are of note, with regard to seeking to mitigate climate change and whilst many of these have already been discussed in this report, these are summarised below:
- Electric Vehicle charging points will be incorporated throughout

- Substantial contributions towards sustainable transport, including the diversion of the 81/81a bus service through the site
- Contributions for bus vouchers for all new residents for 3 months
- The implementation of the submitted Travel Plan, seeking incentives to reduce use of the private car and push towards more sustainable modes of travel with contributions for the monitoring of the travel plans from a residential and school perspective
- Funding of an extension to The Greenway around Letchworth to connect the site and enable easy access by sustainable forms of travel to Letchworth and access to the countryside.
- Hedgerow would be reinforced within the site
- New structural planting within the site totalling 3.04 ha
- Biodiversity net-gain on site and contributions towards additional net-gains off-site.
- The submission of a Landscape and Ecology Management Plan in order to implement and maintain the on-site landscaping and ecology benefits.
- A recommended condition will require that a Site Waste Management Plan be submitted prior to commencement, in order to reduce waste both during and after construction

7.3 Notwithstanding the above, as the submitted Energy and Sustainability statement is now several years old, a further condition will require that this be updated and resubmitted to the Council, whereby the use of sustainable technologies can be reconsidered in accordance with up-to-date planning policy.

8.0 Pre-Commencement Conditions

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

9.0 Legal Implications

9.1 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.

10.0 Recommendation

10.1 That outline planning permission is resolved to be **GRANTED** subject the following:

- A) The completion of a satisfactory legal agreement and associated land transfer agreement, and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and
- B) Providing delegated powers to the Development and Conservation Manager to update conditions and informatives with minor amendments as required; and
- C) Conditions as set out below:

Definitions:

‘Development Parcel’ means a phase or part of the development excluding Enabling and Associated Works. For instance, this would include a phase or part of the development comprising housing, a local centre, a primary school, allotments and/or play areas

‘Enabling and Associated Works’ means the preparation of a site in readiness for the first stage of development: this includes (i) surveying, (ii) environmental and hazardous substance testing and sampling (including the making of trial boreholes, sampling and test pits in connection with such testing) (iii) soil tests, (iv) pegging out, (v) tree protection, (vi) ecological survey and mitigation works, (vii) archaeological investigation and (viii) demolition and removal of buildings and other structures on the site and site set up.

Approval Plans and Documents

1. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting, approved documents and plans, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

Submission of Reserved Matters

2. No part of the built development hereby permitted shall be commenced on a development parcel within a particular development parcel or sub-phase (as referred to in condition 4) until full details of the layout, scale, access (other than main vehicular access), appearance and landscaping within the parcel (hereinafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and the provisions of the Town and Country Development Management Procedure Order 2015 and to ensure high quality urban design and co-ordinated development.

Time Limits

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

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

4. **Quantum of land uses**

The number of homes and floorspace of land uses as set out below shall not be exceeded pursuant to this planning permission:

Residential (Use Class C3) – up to 700 residential dwellings

Flexible mixed use, neighbourhood levels facilities: Classes E (a)(b)(c) – up to 500 sq.m

Reason: To ensure that the development is completed within the scope of the approved parameter upon which the application has been assessed, in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

Phasing & Delivery

5. No development shall commence apart from enabling or associated works until a Site Wide Phasing & Delivery Plan which accords with the s106 triggers and Transport Mitigation Phasing Strategy has been submitted to and approved in writing by the local planning authority. Thereafter each subsequent reserved matters application for any phase (or part thereof) shall be accompanied by an updated programme or statement of compliance with the approved strategy for subsequent approval by the local planning authority

The development shall be carried out in accordance with the approved Phasing Plan unless there are unforeseen events / obstacles to delivery and alternative timing for provision is agreed in writing by the Local Planning Authority.

All reserved matters submissions shall be in accordance with the Site Wide Phasing and Delivery Plan as approved by the Local Planning Authority, unless otherwise agreed with the Local Planning Authority. Any references to a Phase of the development within this permission shall be taken to be a reference to phases as identified within the Site Wide Phasing and Delivery Plan submitted under this condition.

The Site Wide Phasing and Delivery Plan shall include but not be limited to the sequence of providing the following elements:

- a) Residential development parcels;
- b) Location of self-build plots
- c) A programme for the delivery of public transport infrastructure;
- d) Major distributor roads/routes within the site, including timing of provision and opening of access points into the site;
- e) Strategic footpaths and cycleways;
- f) Primary school (playing pitches), community/neighbourhood centre facilities
- g) Strategic foul and surface water features and SUDS;
- h) Formal and informal public open space, park/square, allotments, parks, NEAP and LEAP;
- i) Strategic/structural landscaping
- j) Strategic electricity, telecommunications and gas networks;
- k) Infrastructure for the provision of fibre optic cables;
- l) Environmental mitigation measures
- m) Off-site highway improvements.

Reason: To secure comprehensive, co-ordinated and sustainable development and assist with the determination of subsequent reserved matters applications in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development, in accordance with Policy SP1, SP9 and SP17.

Design Code

6. Prior to or concurrently with the submission of the first reserved matters application (s) a Site Wide Design Code shall be submitted to the Local Planning Authority for approval. No development shall commence except enabling and associated works until the Design Code has been approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council (as highway authority, education authority and LLFA). The Design Code shall be prepared in accordance with the approved parameter plans established in this outline permission and build upon the Strategic Masterplan and Design and Access Statement. The Design Code shall include:

1. Vision for Development and Place-making Objectives

2. Framework Masterplan

3. Character Assessment of the Local Area

4. Nature

- (a) The green space network including the design and approach to the character and treatment of each green space and corridor with regards to:

- formal and informal green space
- hard and soft landscaping
- removal of existing vegetation and trees
- treatment of existing and retained hedgerows and trees (buffer design)
- new tree planting
- habitat creation
- SUDS arrangements
- strategic earth modelling and mounding
- boundary treatment
- footpaths and cycleways/crossings within or adjacent to green space

5. Movement

- (b) The street network and hierarchy and design specifications, including:

- public transport infrastructure
- key junction design
- traffic management and calming
- pedestrian /cycle crossing treatment
- bus only section, bus gate location and operation, modal filters and associated vehicular turning area treatments

- (c) Typical cross sections of street types to include details of footways, cycleway, kerb treatment, tree planting, tree species, sustainable urban drainage, landscaping, service corridors and on street parking

- (d) Extent of highway to be offered for adoption

- (e) The design treatment of footpaths and cycleways through the site and off-site

- (f) Vehicular and cycle parking design across the site for residents and visitors

6. Uses

Primary School

- (g) Design approach to the disposition, orientation, setback, massing and height of building, playing fields, landscaping and associated public realm
- (h) Design approach to active frontage, primary entrances and architectural principles
- (i) Design approach to vehicular, pedestrian and cycle access and parking

Neighbourhood Centre

- (j) Approach to disposition of building, setbacks and height, associated landscaping and public realm
- (k) Approach to vehicular, pedestrian and cycle access, parking and servicing and hard and soft landscaping

7. Built Form

- (l) Block principles to establish use, density, building typologies, building line, primary frontages, pedestrian access points, fronts and backs, setbacks, space between buildings, landscaping, gardens, parking typologies and design, boundary treatments
- (m) Key groupings, landmark and marker buildings including specification on frontage character, heights, scale, form, level of enclosure, architectural principles and features
- (n) Principles of elevational treatment, architectural principles and building materials

8. Public Space

- (o) The conceptual design and approach to the public realm with reference to surfacing and materials, boundary treatment, landscaping and planting, signage, and street furniture
- (p) The conceptual design and approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs so as to maximise energy efficiency, minimise light pollution, protect wildlife and avoid street clutter
- (q) Details of waste and recycling provision for all building types and recycling points

9. Homes & Buildings

- (r) Specifications for space standards, accessibility, lighting, aspect, privacy, secured by design and garden space
- (s) Approach to incorporation of ancillary infrastructure such as sub stations, pipes, flues, EV charging points, fibres, wires and cables as required by statutory undertakers

10. Resources

- (t) Measures to demonstrate how the design can maximise resource efficiency through energy efficiency standards, on-site renewables and reduced water consumption and climate change adaptation through external passive means such as landscape, orientation, massing and external building features

11. Stewardship

- (u) Details of adoption, management and maintenance arrangements of highways, footpaths, cycleways, green space and public realm

The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code shall apply, who should use the Design Code and how to use the Design Code.

Details of the Design review procedure and of circumstances where a review of the Design Code shall be implemented.

All subsequent reserved matters applications shall accord with the details of the approved Design Code and be accompanied by a statement which demonstrates compliance with the code.

There shall be no variation or amendment to the approved Design Code unless this is formally agreed in writing by the Local Planning Authority

Reason: To ensure high quality design and co-ordinated phased development in accordance with Policy SP9 Design and Sustainability and D1 Sustainable Design in the North Hertfordshire Local Plan and Section 12 of the NPPF, National Design Guide and National Model Design Code and to mitigate and minimise any negative impact on the significance and setting of the Grade II listed Threshing Barn.

Highways

Existing Access – Closure

7. Prior to the first occupation of the development hereby permitted, vehicular and pedestrian access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number 62240435-TAA-DP-100-001 Rev P08 General Arrangement only. Any other access(es) or egresses shall be permanently closed (except construction accesses), and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

Bus Gate

8. Prior to commencement of development apart from enabling and associated works, details shall be submitted to the Local Planning Authority in consultation with the Highway Authority relating to the design and operation of a bus gate preventing the through movement of general vehicular trips from High Dane to Stotfold Road.

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

9. **Construction Traffic Management Plan**

No development apart from enabling and associated works, shall commence until a Construction Traffic Management Plan (in accordance with the best practice guidelines as described in the Construction Logistics and Community Safety (CLOCS) Standard),

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, unless otherwise agreed in writing by the LPA. The Construction Traffic Management Plan shall include details of:

- i. Phasing of the development of the site, including all highway works;
- ii. Details of temporary access points for construction vehicles
- iii. Construction vehicle numbers, type, routing;
- iv. Traffic management requirements;
- v. Construction and storage compounds (including areas designated for car parking);
- vi. Siting and details of wheel washing facilities;
- vii. Cleaning of site entrances, site tracks and the adjacent public highway;
- viii. Timing of construction deliveries to avoid school pick up/drop off times; and
- ix. Provision of sufficient on-site parking prior to commencement of construction activities.

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. Detailed Highways Plans – Reserved Matter

All reserved matters applications for any development phase or sub-phase shall include full details in relation to the design of estate roads (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to detail the following:

- a. Roads;
- b. Footways;
- c. New pedestrian and cycle accesses into the site;
- d. Cycleways (compliant with LTN 1/20);
- e. External public lighting;
- f. Minor artefacts, structures and functional services;
- g. Foul and surface water drainage;
- h. Visibility splays;
- i. Access arrangements including temporary construction access
- j. Hard surfacing materials;
- k. Parking areas for vehicles and cycles;
- l. Loading areas; and
- m. Turning and circulation areas.

The development shall be implemented in accordance with those approved plans.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018.

11. Maintenance of Streets

Prior to the first occupation of any dwellings within any Parcel of the development, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within that Parcel. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under

Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.

Reason To ensure that any future management arrangements for the various elements of the transport network are in accordance with Policy SP9 of the Local Plan and Policy 5 of Hertfordshire's Local Transport Plan 2018.

12. Fire Hydrants

No development apart from enabling and associated works shall take place until details of a scheme for the provision of fire hydrants to serve the relevant phases of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.

Reason: To ensure all proposed dwellings have adequate water supplies for in the event of an emergency.

13. Tree protection

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 in accordance with North Hertfordshire Local Plan Policy NE4

14. Land Contamination

(a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
- (ii) The results from the application of an appropriate risk assessment methodology.

(b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.

(c) Each phase of the development shall not be occupied, or brought into use, until:

- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully

completed for that phase and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

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

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

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

15. If, during development of each phase, contamination not previously identified is found to be present at the site then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs 174 and 185, North Hertfordshire Local Plan Policy NE11 and the Environment Agency's approach to groundwater protection.

16. Development shall not begin apart from enabling and associated works until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs 174 and 185, North Hertfordshire Local Plan Policy NE8 and the Environment Agency's approach to groundwater protection.

17. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs 109, 120, 121, North Hertfordshire Local Plan Policies NE8 and NE11, and the Environment Agency's approach to groundwater protection.

Ecology

18. Development apart from enabling and associated works shall not commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat and hedgerow units in the approved biodiversity metric (104.49 habitat units, 31.89 hedgerow units) to achieve a net gain in biodiversity and include the following.
- a) Description, areas and evaluation of features to be managed, marked on plans.
 - b) Compensation and Habitat creation as proposed and detailed in the environmental statement 'ecology and conservation'.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving target condition for habitats as described in the approved metric, directly cross referenced to lines in the approved metric.
 - e) Details of the make, model, and location of a minimum of integrated bat and swift boxes in appropriate buildings has been supplied to and approved by the LPA. These should be clearly marked on plans. Boxes shall be fully installed prior to occupation and retained as such thereafter.
 - f) Prescriptions for management actions, only definitive measures are acceptable.
 - g) Preparation of a work schedule if applicable (including a 5 year work plan and 30 year work schedule, capable of being rolled forward in perpetuity).
 - h) Details of the body or organisation responsible for implementation of the plan.
 - i) Ongoing monitoring plan and remedial measures to ensure approved habitat condition targets are met.
 - j) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with the NPPF and North Hertfordshire Local Plan Policy NE4.

Sustainability Strategy

19. Prior to or concurrently with the first reserved matters submission a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation.

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

EV Recharging Infrastructure Condition

20. Prior to occupation, each of the proposed new dwellings shall incorporate an Electric Vehicle (EV) charging point. Details of which shall be submitted to an approved in writing by the Local Planning Authority. Proposals should also be made for the provision of EV charging within other public parking areas of the proposed development. The charging points shall be retained thereafter.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP9 and D4.

EHO – Noise

21. Prior to first use of (each of the different Class Uses of) any non-residential development hereby permitted, a scheme including noise control measures shall be submitted for approval to the Local Planning Authority to demonstrate that the rating level of sound emitted from any external fixed plant and/or machinery associated with the development shall not exceed the existing background level inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014+A1:2019 (Method for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The scheme shall be such that the combined noise level of all plant shall not exceed the Rating levels detailed in Table 12.10 of Environmental Statement Chapter 12 on Noise and Vibration. No plant shall be installed and operated at the site until the noise survey has been approved by the LPA.

Reason: To ensure an adequate level of amenity for residents of the new and existing dwellings in accordance with North Hertfordshire Local Plan Policy D3.

HCC Archaeology

22. No development including groundworks shall take place 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 for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved set out above.

The development shall not be occupied until the Site Investigation works as set out within the approved WSI have been completed and signed off by the local planning authority/county archaeologist. Thereafter, the post-excavation analysis and archive report shall be completed in accordance with the approved WSI and submitted for

approval to the local planning authority within one calendar year of the date of this planning permission.

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

LLFA Flooding

23. The development permitted by this planning permission shall be carried out in accordance with the Highover Farm Hitchin, Flood Risk Assessment and Drainage Strategy, Revision 5, dated 12/12/19, prepared by WSP and the Drawing titled: Drainage Construction Sequencing Plan, Drawing No. 62240435-TTP-DP-300-001-02, Rev P07, dated February 2020 and the following mitigation measures:
1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% for climate change event. Attenuation volume for the entire site to be provided as part of Phase 1: a. Infiltration Basin Volume: 12,509m³ b. Detention Basin Volume: 3365m³
 2. Implement drainage strategy based on above ground SuDS features such as swales, permeable paving, infiltration basin and detention basin, with discharge via infiltration.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP11 and NE7, and Section 14 of the NPPF 2021.

24. No development apart from enabling and associated works shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Highover Farm Hitchin, Flood Risk Assessment and Drainage Strategy, Revision 5, dated 12/12/19, prepared by WSP and the Drawing titled: Drainage Construction Sequencing Plan, Drawing No. 62240435-TTP-DP-300-001-02, Rev P07, dated February 2020. The scheme shall also include:
1. Detailed infiltration tests to BRE Digest 365 standard carried out at the exact location and depth of the proposed infiltrating features
 2. Updated calculations for storage based on detailed infiltration testing.
 3. Provision of a SuDS design code for the entire site securing the provision of above ground SuDS features throughout the entire development for all and each phase.
 4. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
 5. Provision of half drain down times within 24 hours.
 6. Details on silt management, ensuring the protection of infiltration as a means of discharge.
 7. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving, swales etc. for the paved areas ensuring the lack of requirement for any underground storage.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP11 and NE7, and Section 14 of the NPPF 2021.

25. Upon completion of the drainage works for the site and in accordance with the timing / phasing arrangements, the following must be submitted to and approved in writing by the Local Planning Authority (for each phase):

1. Provision of a verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme). The verification report shall include photographs of excavations and soil profiles/horizons, installation of any surface water structure (during construction and final make up) and the control mechanism.
2. Provision of a complete set of as built drawings for site drainage.
3. A management and maintenance plan for the SuDS features and drainage network.
4. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP11 and NE7, and Section 14 of the NPPF 2021.

Waste and Minerals

26. Prior to the commencement of development apart from enabling and associated works, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved details.

Reason: To seek to reduce waste from the site, both during and after construction, in accordance with Policies 1, 2 and 12 of the adopted Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document 2012.

Allotments – reserved matter

27. Any reserved matters applications which incorporate allotment provision shall where appropriate include the following details:
- a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost;
 - b) Proposed management arrangements;
 - c) Access and parking arrangements to allow easy and safe access to the allotments;
 - d) Boundary treatment, including security arrangements for the allotments;
 - e) Water supply, including use of stored rainwater and SuDS for watering crops.

The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

Reason: To ensure that appropriate allotments are provided in relation to the development of the site in accordance with North Hertfordshire Local Plan Policy NE6.

Lighting – reserved matter

28. No development shall commence within a development phase until the artificial lighting scheme for that development phase has been approved in writing by the Local Planning Authority. The approved lighting scheme for that phase shall be installed, maintained and operated in accordance with the approved details / measures for that phase unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect the character and appearance of the area and the amenity of existing and future residential properties in accordance with NPPF paragraphs 120 and 125 and North Hertfordshire Local Plan Policy D3.

Waste and recycling collection – reserved matter

29. Any reserved matters application pursuant to this outline permission for a development phase shall provide full details of the on-site storage facilities for waste including waste for recycling and/or composting. Such details shall identify the specific positions of where wheeled bins will be stationed, and the specific arrangements to enable collection from within 15m of the kerbside of the adopted highway/refuse collection vehicle access point and walk distances for residents. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To facilitate refuse and recycling collections, and to protect the amenities of nearby residents/occupiers and in the interests of visual amenity in accordance with North Hertfordshire Local Plan Policies D1 and D3.

Landscape – reserved matter

30. All reserved matters applications for any development parcel or sub-phase shall include the follow design details:

Soft Landscape

- a) Details of trees, hedgerows, habitats, ponds and other natural features it is proposed to retain or remove and details of how they will be protected during the construction phase. Such details to include the tree protection measures in accordance with BS5837:2012.
- b) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;
- c) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of each development phase;
- d) The landscape treatment of roads (primary, secondary, tertiary and green) through each development phase;

- e) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;
- f) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate;
- g) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;
- h) Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS 3882 : 2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works;
- i) A specification for the Topsoil Strip, storage, re-spread and remediation in accordance with Defra : Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Hard Landscape

- j) Full details, including cross-sections, of all bridges and culverts;
- k) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;
- l) Details of fencing along the northern boundary alongside the railway line;
- m) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways;
- n) Details of all hard surfacing materials (size, type and colour).

No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development Phase shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings in accordance with the North Hertfordshire Local Plan Policies SP9, SP17, NE2 and NE6.

Open Space Management and Maintenance

31. Prior to or concurrent with the first reserved matters submitted in each phase identified in Condition 6 a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with an agreed timetable and phasing strategy approved under condition 6. Details to be submitted shall include:
- a) Management organisation;
 - b) Details of landscape management and maintenance plans;
 - c) Details of planting, grass cutting, weeding and pruning;
 - d) Management of sustainable urban drainage features;
 - e) Inspection, repair and maintenance of all hard landscaping and structures;
 - f) Management, monitoring and operational restrictions; and

- g) Maintenance and planting replacement programme for the establishment period of landscaping

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

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

Proactive Statement:

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

Affinity water

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site, then the appropriate monitoring and remediation methods will need to be undertaken.

Any works involving excavations below the groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the aquifer.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Water efficiency

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Additional measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

Infrastructure, connections and diversions

It is noted that the applicant has had contact with our Developer Services Team prior to the submission of this application, as set out in the submitted utility statement.

There are potentially water mains running through or near to the proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

Due to its location, Affinity Water will supply drinking water to the development if it is constructed. Should planning permission be granted, the applicant is also requested to contact Developer Services as soon as possible regarding supply matters due to the increased demand for water in the area resulting from this development.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

Environmental Health Informatives

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

The EP Team has a web-page that aims to provide advice to developers, which includes a copy of a Planning Advice Note on “Development on Potentially Contaminated Land and/or for a Sensitive Land Use” in use across Hertfordshire and Bedfordshire. This can be found on www.north-herts.gov.uk by searching for contaminated land

Waste and Recycling Informative

Further advice on waste provision for developments is available on our website. <http://www.north-herts.gov.uk/home/planning/waste-and-recycling-provision> this included details of the required capacity at each property.

Dropped kerbs should be provided to allow for ease of movement of bins to the collection vehicle and the pathway should be 1.5m in width taking the most direct route avoiding passing parked cars.

Storage areas should be conveniently located with easy access for residents - residents should not have to take their waste and recycling more than 30 metres to a bin storage area, or take their waste receptacles more than 25 metres to a collection point, (usually kerbside) in accordance with Building Regulations Approved Document H Guidance.

For flats, bins should be ordered direct from the Council's contractor 10 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.

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

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

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

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

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

The surface to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins this should be 1 metre for four-wheeled bins this should be 1.5 metres wide (including doorways), with a maximum gradient of 1:12.

We do not advise the use of bin compactors, as they often cause excessive damage to bins or cause waste to get stuck inside bins. If bin compactors are used on site you should advise your waste collection contractor. Large scale waste compactors may be appropriate for industrial units.

For flats and commercial properties:-

Doors to bin stores should be sufficient in widths to allow the movement of bins at their widest and prevent entrapment of limbs. This is likely to be a minimum of 20cm in addition to the widest bin contained in the bin store.

Walls and doors should have protection strips to prevent damage and a mechanism for holding doors open should be available. Doors should ideally be keypad entry or standard fire brigade keys. We do not support the use of electronic key fobs.

Bins in communal bin stores should be manoeuvrable to the refuse collection vehicle without the need to move other bins.

EV Charging Point Specification:

A charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation

should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

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

- A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
- If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.
- A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>
- Part S of Schedule 1 to the Building Regulations 2010 is an approved document and came into full effect for development starting from 15 June 2023.

Network Rail:

Drainage

We ask that all surface and foul water drainage from the development area be directed away from Network Rail's retained land and structures into suitable drainage systems, the details of which are to be approved by Network Rail before construction starts on site.

Water must not be caused to pond on or near railway land either during or after any construction-related activity.

The construction of soakaways for storm or surface water drainage should not take place within 20m of the Network Rail boundary. Any new drains are to be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.

The construction of soakaways within any lease area is not permitted.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 20m of the Network Rail boundary where these systems are proposed to

be below existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 30m of the Network Rail boundary where these systems are proposed to be above existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

If a Network Rail-owned underline structure (such as a culvert, pipe or drain) is intended to act as a means of conveying surface water within or away from the development, then all parties must work together to ensure that the structure is fit for purpose and able to take the proposed flows without risk to the safety of the railway or the surrounding land.

Wayleaves and or easements for underline drainage assets

The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

Protection of existing railway drainage assets within a clearance area

There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution.

No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.

There must be no interfering with existing drainage assets/systems without Network Rail's written permission.

The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Matthew Shelton (matthew.shelton@networkrail.co.uk) for further information and assistance.

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use

and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Fencing

Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

OPE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

ENCROACHMENT

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is

a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Noise/Soundproofing

The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Trees/Shrubs/Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Acceptable: Acer (Acer pseudoplatanus), Aspen – Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

A comprehensive list of permitted tree species is available upon request.

Lighting

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Children's Play Areas/Open Spaces/Amenities

Children's play areas (including in this instance the school playing field), open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railings, steel palisade or such other fence approved by the

Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 1.8 metres and the fence should not be able to be climbed.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

Highway Authority:

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN2) Obstruction of public highway land: 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 website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

Appendix 1 – Comments from the Principal Strategic Planning and Implementation Officer on the Strategic Masterplan Framework

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Correspondence address:

North Hertfordshire District Council, PO Box 10613, Nottingham, NG6 6DW

Telephone: (01462) 474000

Text Phone: (01462) 474800

DX324201, Nottingham 59



9th May 2022

By email only

Contact Officer: Helen Flage
Direct Line: 01462 474244
E-mail: Helen.flage@north-herts.gov.uk

I write in relation to the above application and compliance with Policy SP9 and SP17.

Policy SP17 Site HT1 Highover Farm, Hitchin states that *a comprehensive and deliverable Strategic Masterplan for the entire allocation is to be prepared and agreed between the landowner/developer and the Council.*

Where applications have already been submitted to the Council a Strategic Masterplan should be agreed prior to the or as part of the grant of planning permission.

Policy SP9 Design & Sustainability requires *Strategic Masterplans to be produced in collaboration with the council and subject to consultation with key stakeholders and the community.* SP9 requires applicants to confirm the scope and contents of individual Strategic Masterplans with applicants in pre-application discussions. To ensure sites are comprehensively planned and delivered planning applications should be preceded by and consistent with a Strategic Masterplan agreed by the Council. *Where applications have already been submitted to the Council a Strategic Masterplan should be agreed prior to the or as part of the grant of planning permission.*

The application was submitted before the above policy provisions/requirements of SP9 and SP17 were introduced as proposed modifications to the local plan and the Council was applying material weight to the emerging policies given the stage in the local plan examination.

As such there was no ability to confirm the scope and contents of the Strategic Masterplan in pre-application discussions. The applicable policy provision for the application is therefore

Where applications have already been submitted to the Council a Strategic Masterplan should be agreed prior to the or as part of the grant of planning permission.

From March 2021 onwards the applicant has positively engaged with the council to a) confirm the scope and contents of a Strategic Masterplan and b) worked collaboratively with the Council to prepare and agree a Strategic Masterplan.

Strategic Masterplan Framework December 2021

The culmination of this work was the Strategic Masterplan Framework that was subject to formal public consultation from the 14th January to 11th February 2022. Any responses to this

consultation regarding the Strategic Masterplan Framework should be taken into account by the relevant case officer.

Green Infrastructure Issues

The section on Green Infrastructure needs further clarity to ensure the green space standards of the Council are understood and delivered.

The Green Infrastructure Framework Plan on page 36 should indicate that the north-south stretch of hedgerow (that links into Highover Park and the Icknield Greenway) is also classified as Dane Walk.

The Icknield Linear Greenway should continue to the far south west corner of the site to provide the same landscape, habitat and amenity buffer as the rest of the corridor. Criteria e of Policy SP17 requires *appropriate separation distances from the adjoining railway embankment to safeguard residential amenity*. Other parameter plans should be amended to reflect this green corridor.

Paragraph 4.4.3 should explain that Table 1 confirms the green space requirements for the development as indicated by the Fields in Trust Standards and that the Council's cabinet resolved in July 2021 to use these standards pending the formal update to the Councils open standards. The table should also include the following categories:

- Playing pitches 1.20 per 1000 population
- Other outdoor sports provision 1.60 per 1000 population
- Equipped play 0.25 per 1000 population
- Other outdoor provision (MUGA etc) 0.30 per 1000 population

And the site requirement as follows

- Playing Pitches 2 hectare
- Other outdoor sports provision 0.7 hectares
- Equipped play 0.4 hectares
- Other outdoor play provision (e.g. MUGA) 0.5 ha.

The development creates the need for 1 NEAP and 1 MUGA and 2 LEAPS. Whilst the location of a NEAP and 2 LEAPs has been agreed the location of a MUGA has not. Options should be looked at both on and off-site to provide this requirement.

The sizes and separation distances for these should be included as below:

Play Provision	Minimum Size	Separation Distance (to nearest habitable room)
LEAP	0.04 hectare	20 m
NEAP	0.1 hectare	30 m
MUGA	0.1 hectare	30 m

Following the setting out of standards it should be explained that the requirement for playing pitch and other outdoor sports provision is to be met off site at Walsworth Common and other sports centres through the improvement of existing sports facilities.

In terms of space **provided** an additional table should be created as below. in each of the green space categories there should be a clear cross reference to the Green Infrastructure Framework Plan which should be re-coded to the following categories (whilst retaining the

names of each proposed space). The table should be represented as follows to provide greater clarification of planning and design intent:

Green Space Type	Size Requirement	Proposed Size Provision	Description of Green Space Proposed
Parks and Gardens	1.3		Currently in the Masterplan document the whole of Highover Park and Hitchin Meadows is coded as parks and gardens. We advise that this is changed to include a) 1.6 hectares of Highfield Park b) the LEAP pocket park in the proposed Grovelands character area of the site (with size) and c) the proposed pocket park which would include the LEAP along the southern boundary of Hitchin Meadows. The remainder of Hitchin Meadows should be re-designed as semi-natural green space.
Amenity Green Space	1		This should include the Stotfold Road , Icknield Dane Walk, greenways additional spaces can be identified as part of the detailed layout
Semi-natural green space	3.02		This should include Threshing Barn Green (with size) and Hitchin Meadows (with re-calculated size as above)
Equipped play (1 NEAP and 2 LEAPS)	0.4		This should indicate the NEAP and 2 LEAPS with sufficient space as required
Other outdoor provision (MUGA)	0.5		This should indicate the location of a MUGA with sufficient space as required
Allotments	0.5		This should indicate the location of allotments with sufficient space as required
Total	6.7 hectares		

On page 38 where each of the green spaces is described under Hitchin Meadows the final bullet should state:

- A play area *set within a pocket park* will be located within the Meadows...the approximate size of this space should be clarified

Under Threshing Barn Green, the approximate size of the site should be confirmed.

Biodiversity and Landscape

It is important that there is minimal conflict within the proposed Green Infrastructure Network between recreational use and ecological connectivity, health and function.

To address potential conflict between these uses the Council advises that the area of species rich grassland shown within the Biodiversity and Landscape Framework within Hitchin Meadows where a pocket park is proposed and within the north of Highover Park

where a NEAP is proposed are redesignated from *species rich grassland* to '*modified grassland*' which is a more deliverable landscape/habitat given the proposed intensity of recreational use. The BNG calculation post development should be re-calculated accordingly but it is anticipated the 10% net gain will still be achievable.

The emerging local plan contains Policy NeX which requires *appropriate buffers of complimentary habitat for designated sites and other connective features, wildlife habitats, priority habitats and species in the ecological mitigation and design. The appropriateness of any buffers will be considered having regard to the status of the relevant habitat. 12 metres of complimentary habitat should be provided around wildlife sites, trees and hedgerows.*

The Strategic Masterplan document needs to provide clearer design intent in relation to complying with this policy and to address concerns raised by Herts & Middlesex Wildlife Trust. Suggestions are outlined below.

The Biodiversity and Landscape Framework requires further clarification. The key at present codes Category U trees red, vegetation to be removed in red as well as the site boundary in red. Colours should be differentiated to ensure the correct interpretation of this plan.

Proposed new structure planting should continue along the entire length of the railway line (Icknield Greenway) providing a landscape, habitat and amenity buffer.

A new key should be added to the Biodiversity and Landscape Framework with the following areas hatched and referenced 'buffers of complementary habitat to be provided of at least 12 m (or if not a reasonable width given the condition and value of the habitat to buffer)

- Wildlife sites of Stotfold Road verges LWS and Hitchin Railway Banks LWS
- Mature tree belt and hedgerows along the entire length of Stotfold Road
- Trees and hedgerow along the entire length of the Icknield Way Corridor (at present the proposed Icknield greenway proposed along the railway line appears to end whilst the existing tree belt and habitat to be buffered continues, this needs to be addressed)
- The existing north-south hedgerow and east-west hedgerow to be retained and enhanced along Dane Walk
- The tree belt along the southern boundary of the site. This was previously identified as a green corridor with proposed tree planting. This would provide complimentary habitat to the existing trees alongside suitable deep rear gardens, also providing a landscape and amenity buffer to the adjoining existing residential properties.

The width of each proposed buffer should be clarified in the key.

In addition, a new bullet point should be added under the Biodiversity and Landscape Principles as follows:

- *The masterplan parameters and design principles have been developed to retain and buffer the majority of habitats on site.*
- *The framework plan clarifies where at least 12 m buffers or otherwise of complimentary habitat will be provided to protect the habitat connectivity and functionality of these ecological assets and ensure they can continue to provide wildlife corridors as part of the wider ecological network, as well as provide space for nature for residents.*
- *In many areas the buffer will extend further than 12 m as the Green Infrastructure Framework proposals indicate under each proposed green space*
- *There will be some unavoidable loss of an area of trees and hedgerow along Stotfold Road to allow the new access junction to be built as well as the loss of some lower*

quality hedgerow to the south of the site to allow connections between development parcels but this will be compensated for by the proposed extensive new planting across the site.

- *New development will maximise the use of native species in plot boundaries, streets and spaces to ensure species and vegetation diversity*
- *All new development will utilise domestic scale features to support wildlife such as integral bird and bat boxes*

Illustrative Masterplan

Whilst the plan is only illustrative there are concerns with the proposed location of buildings which form a L shaped arrangement in the south west corner of the site directly adjacent and in close proximity to the railway line. Whilst it is appreciated that some enclosure and overlooking of the footway to the allotments is required, it is considered that the current disposition of the buildings is too close to the railway line and not in accordance with criteria e. of Policy SP17 *to provide appropriate separation distances from the adjoining residential embankment to safeguard residential amenity.*

The siting of buildings in this part of the site should reflect the current plot and garden layout along High Dane. The proposed buildings should be removed or reconfigured to allow the proposed green corridor along the entire length of the railway line as referred to in the green infrastructure comments and a more appropriate set back.

Energy Efficiency

The application proposals are relatively silent on how carbon emissions will be minimised in accordance with the energy hierarchy. Whilst the proposals clearly have been developed to reduce transport emissions and maximise biodiversity it would be helpful to provide some aspiration on increasing energy efficiency and incorporating low and renewable energy and sustainable technologies as a precursor to more detailed applications.

Conformity of the Strategic Masterplan Framework with Policy SP9 Design & Sustainability

The document demonstrates conformity with Policy SP9 and SP17 subject to the resolution/clarification of the green space network as advised above. It provides clarity and clear design intent on the key parameters and principles for which approval is sought as the main approval document.

It provides a robust design framework to secure and co-ordinate design quality and support and inform further detailed design through reserved matters subject to the recommended pre-commencement conditions. The document provides the following documentation as required by Policy SP9

- Clear and site-specific distinctive vision and place-making objectives based around a landscape-led design, community heart and walkable community.
- Contextual and character analysis to ensure proposals are in accordance with the National Design Guide and SP9
- Understanding of how the site can effectively integrate with the green infrastructure network and walking, cycling and public transport routes and hubs
- Understanding of site constraints and opportunities which have informed the masterplan development

- Robust set of framework plans which fix the structure of the masterplan in terms of land use, movement, green infrastructure, biodiversity and landscape and urban design parameters and principles
- Illustrative Masterplan to provide an example of how the site could be developed within the parameters and principles set out in the Strategic Masterplan Framework to achieve design quality and SP9 compliance (detailed layouts will be assessed and determined through reserved matters)
- Character Area Guidance to provide a balance of unification and diversity in the built form that respects and responds to local character.

The Strategic Masterplan Framework meets the following design objectives of SP9

- i) *Create buildings, spaces and streets which positively reflect and respond to the local landscape, townscape and historic character;*

The application proposals include a local townscape study, landscape analysis and a historical assessment and the masterplan has been developed to reflect local landscape, historic and townscape character. In terms of landscape, a substantial area of green space is retained to the north of the site to maintain a gap and visual and physical separation between Letchworth and Hitchin. This is in accordance with criteria f of Policy SP17 which *requires a visual and physical separation between Letchworth and Hitchin*. The proposed naturalistic character of this proposed space Hitchin Meadows will reflect the rural landscape character to the east and help to integrate the development into its landscape setting.

The hedgerows and tree corridors along the railway line and Stotfold Road will be retained and buffered and incorporated into green ways which will provide multi-functional benefits for recreational pathways, habitat enhancement and sustainable urban drainage as well as provide strong landscape, visual and noise buffers at the eastern and northern boundaries of the development.

The hedgerow on site running east to west will be retained and incorporated into a greenway and the surrounding block pattern and development parcels. It will also be appropriately buffered by additional tree planting and provide a green corridor to help to integrate new buildings.

The existing pond and improved grassland on site will be retained, enhanced and incorporated into the landscape structure through integration with the new proposed Highover Park in a naturalistic approach to protect their ecological and landscape value.

A series of green streets will be delivered running through the development. As well as providing a wayfinding role they will also act as green landscape fingers helping to visually embed the development into the landscape alongside the strategic greenways and The Avenue.

To reduce impact on the setting of the Grade II Threshing Barn a no build area is proposed that will provide a green space in the south west of the site. This also accords with criteria g of Policy SP17 which *requires sensitive consideration of designated and non-designated heritage assets at Highover Farm including the Grade II listed Threshing Barn*.

In terms of townscape character a local townscape study has distilled the key positive characteristics of the area and applied this to the proposed streets, spaces and buildings through Character Area Guidance. This includes guidance on a range of densities, (with higher densities around the community heart/neighbourhood centre and lower densities on the countryside edge) housing typologies, setbacks/building lines, materials, boundary

treatments and landscaping which take positive local cues to help integrate the proposed development into the local context and character. These 5 character areas are

Highover Green: this includes Highover Park, the proposed primary school and neighbourhood centre, the community heart of the development with co-location of community uses and primary green space on the active travel corridor.

Key characteristics include a positive frontage overlooking the park, mature tree planting, bus, pedestrian and cycling priority spaces and low timber fencing of a village green character. The school is proposed to enclose the Avenue and overlook Highover Park with a positive frontage over the key green space. The school pitches are proposed to the rear of the school adjacent to the railway line to provide a buffer space. The neighbourhood building is located adjacent to the school enclosing the avenue to form a village street style space linking directly (both visually and functionally) to Highover Park.

The Avenue: this area includes the central primary street/active travel corridor that extends east to west through the development from High Dane to Stotfold Road with a gently winding alignment to follow the contours of the site. The character along this street will be a strong unifying and consistent character as the main defining street in the proposed development where important community facilities are co-located and public transport will be accessed.

The street will take on a formal garden city character with wide shrub planted verges and mature tree planting. Typically, detached and semi-detached buildings will be set back from the street with front gardens and recessed on plot parking. Formal brick white render and some stone detailing will reference to local Hitchin and Letchworth will define the architectural character. Density would range from 35-40 dph with higher density nearer the community heart.

Grovelands: This area is proposed to the south of the site and abuts existing residential areas around Grovelands Avenue, Collison Close and Roundwood Close so there is an existing built form and street pattern to reflect to support integration.

The character here will reference the more urban character, pattern and materiality of existing properties with a formal grid pattern of short rows of terraced and semi-detached houses with a continuous building line. Densities will range from 25- 35 dph with up to 40 dph nearer the Avenue.

Narrower setbacks will be proposed with smaller front gardens and side or courtyard parking and hedges and railing to define plot boundaries.

The use of predominantly red brick with stone detailing will reference existing architectural character. Key marker buildings will introduce variations in height and a wider palette of materials.

A key feature of this character area will be the proposed and centrally located pocket park (defined by a grove of trees and LEAP (play area) where dwellings will be designed to enclose and overlook this space within a setback/buffer.

A green street extends east to west through this area connecting Highover Park with the pocket park and Stotfold Road to the west to support connected green spaces and walkable and direct routes. A new pedestrian access point is also proposed at Collison Close to support walking and integrate the development with the surrounding street pattern.

Meadow View: this area to the north of the development will be defined by the large Hitchin Meadows green space to the north and Dane Walk (an existing mature hedgerow) to the south.

The character in this part of the site will be more rural, green and informal to respond to the countryside edge and integrate these naturalistic landscape features. Lower densities are proposed with informally arranged perimeter blocks with a more varied building line and deeper setbacks and variations. Large front gardens will be bound by shrub planting and trees. Architectural principles and materials will utilise a more rural typology with mix of brick, stone and timber boarding that reflects the transition to the rural edge.

Hitchin Meadows will predominantly comprise meadow parkland. It will include a pocket park area and LEAP to the south opposite residential properties. The majority of the Meadows will contain a more naturalistic character incorporating a series of swales, an attenuation pond and infiltration basin to support sustainable urban drainage. New habitat will comprise new marginal planting around the SUD areas and new species rich grassland and tree planting to support biodiversity. Dane Walk will provide the southern boundary to the character area. This key landscape feature will be retained and enhanced with new native hedging to provide a green corridor for wildlife and pathways for active travel.

Threshing Barn Green: This character area is defined by the preservation of a large green space to protect the setting of the Grade II listed Threshing Barn Green. The landscape treatment of this space will reflect the grassland meadow character of the current site and area. New development introduced at the western edge of this space will be between 25-35 dph and informally arranged development blocks of short terraces and semi-detached properties.

The green informal character will be reinforced by a variety of setbacks and front gardens with on plot parking. The materials of properties will reflect the informal character of the listed barn including a soft palette of timber weather boarding and slate roofs. Brick will be used to link with the adjacent Avenue. Timber stock fencing will be used on site boundaries will reinforce the rural character.

Views to the north of the barn along the existing farm track will be retained within the layout connecting visually to the retained field pond to be incorporated into Highover Park. Grassland meadow parkland will provide biodiversity value with pathways cut through for recreational use. New tree and shrub planting will be used to soften edges and reinforce boundaries.

A central new cycle/pedestrian pathway will extend though the grassland into Highover Park and into walking and cycling routes to Hitchin Town Centre and railway station.

- ii) *Create integrated, accessible and sustainable transport systems with walking, cycling and public transport designed to be the most attractive forms of transport and effectively linking into the surrounding areas;*
- iii) *Provide a clear structure and hierarchy of pedestrian friendly streets and well-connected footpaths and cycle ways integrated with the wider environment and communities;*

The site benefits from access to both Hitchin and Letchworth rail stations and frequent bus services. 20-minute walk and 10 minute cycle respectively.

The Strategic Masterplan Framework clearly sets out a walkable new community that is easy to navigate, safe and secure through a permeable and connected street network and a network of footpaths that provides edge to edge connectivity, prioritises walking, cycling and public transport and effectively links into the surrounding areas. This will encourage physical activity and pedestrian and cycle movements both within the site and to key destinations in Hitchin and Letchworth. The design is developed to maximise the number of internal trips made by foot or cycle and reduce the convenience of using the car. This approach accords with criteria b of Policy SP17 *to provide sustainable modes of transport and comprehensive integration into the existing pedestrian and cycle, public transport and road networks.*

A low-speed environment of 20 mph will support active travel and sustainable modes of transport with all houses to be within 400 m of a bus stop.

The masterplan contains a clear street hierarchy framework plan which clarifies the design specification and approach for the streets proposed so they function as places for people as well as vehicular access. Street typology drawings are provided to indicate the design approach to street design which supports multi-functionality and active travel.

The primary street through the development will be the Avenue with the main point of access at Stotfold Road in accordance with criteria b of Policy SP17. The Avenue will provide the central spine to the development where higher levels of activity will be focused providing access to the community heart and the main bus and active travel corridor. The design of the street infrastructure will reflect this with a wider carriageway to accommodate buses, segregated cycle and footways and a well landscaped verges with structural formal tree planting. The building frontage along this route will include a smaller setback with a continuous line, commonality in house typologies, architecture and materials and generously landscaped frontages.

The second point of vehicular access is to the west of the development at High Dane but this will be limited to serve 137 dwellings. To prevent 'rat-running' and to support active travel a bus gate /modal filter is to be provided in the vicinity of the proposed school. This will only allow buses to access the entire length of the Avenue. Cars will be restricted to either the High Dane access for properties to the east of the school or the Stotfold Road access for properties to the west of the school. Bus stops will be located along the Avenue.

The street and public realm area around the school will be designed to reduce traffic speeds and to facilitate pedestrian crossing to Highover Park through material specification and raised table designs.

A series of secondary streets are identified which will act as the main access and circulation routes utilising a garden village approach in their design. Tertiary streets with shared surfaces will provide access to individual development plots and buildings. A series of green streets have also been identified which will act as visual and functional connectors between key destinations and spaces. Their prominence and wayfinding role will be strengthened through the greater use of landscaping where the built form will be set back.

As well as a permeable street network to support everyday active travel commutes to community destinations such as shops and schools a series of recreational pathways have also been proposed to support active travel and recreational use. These routes are aligned to the green spaces and corridors and will support contact with nature, walking, running, dog

walking, cycling, relaxing for recreational purposes and support the use of green spaces by local people.

To ensure pedestrian connectivity with the surrounding area new pedestrian links will be provided to integrate the development with the surrounding community at Stotfold Road, Collison Close and Armour Rise.

In addition, a new toucan crossing at Stotfold Road and new footway to link into the Letchworth greenway is proposed to secure pedestrian and cycle access to Letchworth and its various facilities.

- iv) Plan for integrated and mixed-use communities with walkable locally accessible community, employment and retail facilities;*

The Strategic Masterplan Framework includes the provision of neighbourhood level retail facilities of approx. 500 sq m and a new 2FE primary school with playing fields. This accords with criteria a and d of Policy SP17 *to provide neighbourhood level facilities providing approximately 500 sqm (net) of retail floorspace and 2 hectares of land for a new primary school.*

These uses have been co-located together and integrated with the proposed Highover Park to create a focus for social interaction and community centre for activities. The centre is located on the primary street and a number of other pedestrian routes converge on the centre to support accessibility. These are all legible and overlooked and aligned to green spaces to support their activity, safety and interest. Other retail, employment and community destinations beyond the site can be suitably reached on foot and cycle. The proposed new pedestrian linkage to the Letchworth Greenway will enhance pedestrian accessibility to Letchworth and its schools, shops and services.

- v) Positively integrate with adjacent rural and urban communities and positively contribute to their character and the way the area functions, including addressing cumulative, cross boundary planning and infrastructure matters;*

The Strategic Masterplan Framework proposes a development that will provide a sensitive north east extension to Hitchin with key strategic green spaces to help integrate the development with its historic and landscape setting and character.

The proposed retention and enhancement of key landscape features (such as the mature hedgerows and trees along Stotfold Road and east-west hedgerow on site) will respect the existing character of the area and the way it functions (in landscape and ecological terms). The character area guidance included in the Masterplan will help to ensure that local context and character is respected in the new development. The model filter along the new Avenue will prevent the surrounding neighbourhoods being used as a new rat run and associated traffic impact. A new crossing and pedestrian pathway to the Letchworth Greenway will strengthen the pedestrian network and accessibility.

- vi) Create an accessible multi-functional green infrastructure network that provides*

- *a key structuring and functional placemaking feature supporting healthy lifestyles, sport, play and recreation, linking into the wider Green Infrastructure Network*
- *A high-quality integrated network to support ecological connectivity, biodiversity net gain, climate adaptation and mitigation linking into the Ecological Network*

The proposed development is structured around a connected series of multi-functional and accessible green spaces of different scales and functions and exceed the open space requirements. A significant amount of work has gone into the planning and coding of each green space so there is clarity on its proposed role, function and design. This is detailed in the Green Infrastructure Framework section of the Strategic Masterplan document. In summary this comprises

- 3 strategic green spaces of Hitchin Meadows, Threshing Barn Green and Highover Park 1 NEAP and 2 LEAPs
 - Hitchin Meadows to the north of the site will provide the key area of semi-natural green space providing a landscape and visual buffer between Hitchin and Letchworth, accommodating strategic SUD features and new habitat as well as a locally accessible and overlooked pocket park with LEAP
 - Threshing Barn Green to the south of the site will provide a green and naturalistic setting to the listed Threshing Barn and incorporate the existing farm track through the site providing an attractive naturalistic gateway to the development from the south and area of informal recreation
 - Highover Park will provide the key recreational space for the new development strategically located on the main Avenue opposite the proposed primary school and neighbourhood centre incorporating existing natural features of improved grassland and pond and incorporating a neighbourhood area of play which will act as a spill out area for the school supporting social interaction and community cohesion
- A neighbourhood pocket park will also be provided within the proposed Groveland area incorporating a Local Area of Play. This space will be overlooked and located on a green street to support connectivity
- An area of allotments will be provided in an accessible location backing onto the railway line and adjacent to the neighbourhood centre. The allotment site will provide a gateway into the Icknield Greenway, adjacent to pedestrian pathways and its proximity to the proposed primary school can support learning through nature.

The key green spaces are linked together by a series of greenways or 'linear parks' these are areas that will include the protection and enhancement of existing hedgerows and tree belts with additional planting, the incorporation of paths for walking and cycling and new habitat. They will provide an attractive alternative to using streets and bring people closer to nature. They will provide ecological, recreational, landscape and amenity benefits ensuring development is embedded in a green setting appropriate to the countryside edge and setting. They will also provide mitigation from noise from both the railway line and Stotfold Road. Sensitive lighting strategies will be required for hedgerows to maintain them as dark corridors for wildlife (including insects and bats).

Complementing these recreational greenways are a series of 'wayfinding' green streets which will provide additional support for pedestrian and cycle movement to key destinations

Outdoor sports provision will be provided through an off-site contribution to enhance provision at Walsworth Common and other sports facilities.

The majority of the site is of relatively low ecological value forming cultivated arable fields. The proposed development retains and incorporates (through landscape buffers) the key existing ecological assets including the hedgerows and trees along the railway line and Stotfold Road and the east to west hedgerow which runs through the site, It also incorporates the existing pond and semi improved grassland into the proposed Highover Park.

Measurable Biodiversity Net Gain is demonstrated by use of the Defra Metric 3.0. The results of the calculation show that overall the development is capable of achieving a net gain of 15.36% based on the number of biodiversity units post development. This will be though

- New hedgerow and tree planting including around retained hedgerows to enhance their status to species rich
- A new attenuation pond and swales enriched for wildlife through native aquatic and marginal plants
- Enhancement of semi-natural grassland to create species rich grassland
- Enhancement of existing pond by planting native aquatic and marginal plants
- Tree planting at various locations using suitable native species with the retention of the mature tree belt along Stotfold Road which is suitable for supporting protected species
- Grassland habitat for farmland birds

The retention and creation of new on-site habitat will enhance the existing ecological network by strengthening wildlife corridors and habitats to improve habitat functionality and connectivity.

- vii) *Ensure the effective use of sustainable urban drainage and sustainable water management;*

Only the northern part of the site is at risk of surface water flooding. The proposed development is located outside of flood risk areas. The masterplan follows natural drainage patterns and proposes the use of SUDs to sustainably manage and treat surface water run off through using the northern area of the site to accommodate attenuation ponds (permanent water areas) and infiltration basins and a series of linear swales.

Reference is made to the creation of multi-functional suds with the use of aquatic and marginal planting to enhance biodiversity as part of the overall landscape strategy for Hitchin Meadows. This will provide amenity and ecological benefit and is integrated into the proposed multifunctional green space network. The proposals accord with criteria f of Policy SP17 *to address surface water risk*. A maintenance and management plan for the water features that form the SUDs system will need to be generated and agreed prior to construction in order that good maintenance practices are followed for the lifetime of the development.

- viii) *Ensure a hierarchy of linked, high quality and attractive public spaces and public realm that is safe, attractive and supports social interaction for all age groups; and*

The proposed development incorporates a hierarchy of linked public spaces from strategic to neighbourhood to doorstep spaces as described under the green space section. The central and most intensively used public space/village square will be provided in and around the school and Highover Park and include the central section of the Avenue. This will require an integrated and multi-disciplinary design process to ensure that a high quality attractive and accessible public space is provided that places people first.

The Urban Design Framework sets out a series of place-making principles to support the high-quality design of public space and public realm. These include:

- Relatively compact form of development to support active travel, social interaction, support shops and facilities
- Perimeter block structure to ensure that routes and spaces are overlooked and enclosed with clear separation of public and private space
- Network of green and public spaces throughout the development to provide breathing space, aid orientation and legibility and create opportunities for gathering and interaction and contact with nature
- Hierarchy of connected streets to provide edge to edge connectivity and support active travel, safety and security
- Varied block size, structure and building line to support variety and enclose and define key spaces to support legibility
- Key frontages where a consistent approach is required to the building line and interface between buildings and streets/green spaces to secure an attractive environment that is safe and enclosed.
- The central spine of the Avenue will provide the primary route through the development where a consistent design approach will be required to define its importance as a movement corridor and public space
- Location of gateways, landmark and focal point buildings at key nodal points throughout the development to aid legibility, interaction and a sense of place
- Identification of key internal views and vistas to support wayfinding and legibility and moving around the development.

ix) Design to last with clear stewardship, management and maintenance plans

The management and maintenance of green spaces, play areas, SUDs and other components of public realm will need to be agreed to support the lifetime of the development and that green space is sustainably managed to a suitable level of quality and condition for all residents.

Further discussion on the most appropriate management organisation, financial requirements and community involvement is required.

Recommended Conditions

The application proposals are subject to the Town and Country Planning (Environmental impact Assessment) Regulations 2011. The Environmental Statement and Supplementary Reports submitted consider the likely significant effects of the proposed development during its construction, and once it is complete and operational. The ES assesses the maximum

quantum, physical extent and development principles defined for the proposal as set out in the parameter plans which are to be approval documents.

Regulation 24 of the Regulations state that where an EIA application is determined by a local planning authority a statement shall be made available with a description where necessary of the main measures to avoid, reduce and if possible, offset the major adverse effects of the development. It is recommended that to meet this requirement a Table is provided with a clear schedule of the mitigation proposed in the Environmental Statement and that this is a condition of any planning permission. This will ensure that the development takes place in accordance with the mitigation proposed in the Environment Statement.

NPPF at para 135 states that local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion. In order to ensure policy compliance with NPPF, National Design Guide and the National Modal Design Code, the delivery of the Strategic Masterplan Framework, the phased co-ordination of the development and further design development I recommend the following conditions be attached to the outline permission.

List of Approved drawings

The development, hereby permitted, shall be carried out in accordance with the following approved plans save for only minor variations where such variations do not deviate from this permission or are not predicted to lead to any additional or materially different significant environmental effects to those assessed in the Environmental Statement:

- a) Planning application boundary plan
- b) Parameter Plan - Land Use
- c) Parameter Plan - Access and Movement
- d) Parameter Plan - Green Infrastructure
- e) Parameter Plan – Landscape and Biodiversity
- f) Parameter Plan – Urban Design
- g) Parameter Plan - Density and Building Heights

List of Approved Documents

The development hereby approved shall be carried out in accordance with the approved documents as set out below, except to the extent that those details are superseded or expanded by an approved Design Code or by any Reserved Matters approval or other approval pursuant to any condition of this planning permission.

- a) Strategic Masterplan Framework: Design Parameters and Principles
- b) Design and Access Statement

Reason: To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990, and to ensure that the details and approach are consistent with good planning, in accordance with Policy SP9 of the North Hertfordshire District Local Plan

Phasing & Delivery

No development shall commence apart from enabling or associated works until a Site Wide Phasing & Delivery Plan which accords with the s106 triggers and Transport Mitigation Strategy has been submitted to and approved in writing by the local planning authority. Thereafter each subsequent reserved matters application for any phase (or part thereof) shall be accompanied by an updated programme or statement of compliance for approval by the local planning authority.

It shall include the expected sequence of delivery of development within geographical phases related to the phased implementation of physical, social and green infrastructure according to key trigger points where applicable to support a co-ordinated and comprehensive development.

The development shall be carried out in accordance with the approved Phasing Plan unless there are unforeseen events / obstacles to delivery and alternative timing for provision is agreed in writing by the Local Planning Authority.

All reserved matters submissions shall be in accordance with the Phasing Plan as approved by the Local Planning Authority, unless otherwise agreed with the Local Planning Authority.

The Site Wide Phasing Plan shall include but not be limited to the sequence of providing the following elements:

- a) A framework masterplan
- b) Residential development parcels;
- c) Location of self build plots
- d) Local bus service and stops;
- e) Major distributor roads/routes within the site, including timing of provision and opening of access points into the site;
- f) Strategic footpaths and cycleways;
- g) Primary school (playing pitches), community/neighbourhood centre facilities
- h) Strategic foul and surface water features and SUDS;
- i) Formal and informal public open space, park/square, allotments, parks, NEAP and LEAP;
- j) Strategic/structural landscaping
- k) Strategic electricity, telecommunications and gas networks;
- l) Infrastructure for the provision of fibre optic cables;
- m) Biodiversity net gain;
- n) Environmental mitigation measures
- o) Off-site highway improvements.

Reason: To secure comprehensive, co-ordinated and sustainable development and assist with the determination of subsequent reserved matters applications in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development, in accordance with Policy SP9 Design & Sustainability, SP6 Sustainable Transport and SP7 Infrastructure Requirements and Developer Contributions

Design Code

Prior to or concurrent with the submission of the first application for approval of reserved matters a design code for the character areas identified on plan X as follows

- The Avenue
- Highover Green
- Threshing Barn Green

Shall be submitted to and approved by the Local Planning Authority. The Design Code shall be prepared in accordance with the approved parameter plans, Strategic Masterplan and Design & Access Statement unless otherwise agreed by the LPA.

The Design Code shall include a '**regulating plan**' that establishes the framework for development. The '**regulating plan**' is the key plan associated with the Design Code and the content of the plan and its associated key will guide the structure of the Design Code

The Design Code shall include the following design detail for each character area

The Avenue

- Form of enclosure and definition to development blocks including character and treatment of key gateways, groups of buildings, focal points and landmarks along its entire length
- Relationship of the Avenue to proposed building line of adjacent properties, including setbacks, building typologies, heights, architectural principles, materials, parking, boundary and landscape treatments along its entire length
- Typical cross section and long section of the total length of the Avenue
- Details of the extent of the adoptable highway
- Detail of segregated pedestrian and cycle paths
- Location of street trees and landscaping/planting
- Location of sustainable urban drainage
- Details of surfacing treatments and materials
- Details of intersections and where streets and routes cross and access to individual blocks/plots
- Details of pedestrian crossings and traffic calming measures/speed suppression measures
- Location and design of bus gates, bus stops and manoeuvring/circulation space
- Implementation and phasing details, including any temporary arrangements required to enable safe access to properties in advance of the adoption of the whole corridor

Highover Green

School

- The disposition, layout, entrance, height and frontage design of the school building
- The location of playing fields, play areas, hard and soft landscaping, boundaries and lighting
- The relationship of the school development parcel with Highover Park, Icknield Linear Greenway, Dane Walk and allotments in terms of pedestrian footways and crossings, set-backs, heights, elevational and boundary treatments, landscaping and access
- Details of staff and visitor vehicular and cycle parking and circulation space
- Details of pedestrian and cycle linkages and crossings to the school

Highover Park

- The formal and informal green space locations
- Pedestrian and cycle paths and surfacing treatments
- Character and treatment of pedestrian crossing points to the school
- Locations and surface treatments for any hard landscaped areas
- Locations and surface treatments/planting proposals for soft landscaped areas
- Locations and species details of tree and hedge planting
- Details of intersections where streets and routes cross
- Boundary and lighting treatments
- Integration of public art (identifying appropriate locations) and guidance on materials, signage, utilities, and any other street furniture.
- Sustainable Urban drainage features
- Habitat retention, enhancement and creation
- Biodiversity Net Gain
- Retention and integration of hedgerow
- Relationship of Highover Park to adjacent proposed building enclosure and line of adjacent properties, including setbacks, building typologies, heights, architectural principles, materials, parking, boundary and landscape treatments around its periphery

Threshing Barn Green

- The formal and informal green space locations
- Pedestrian and cycle paths and surfacing treatments
- Locations and surface treatments for any hard landscaped areas
- Locations and surface treatments/planting proposals for soft landscaped areas
- Locations and species details of tree planting
- Details of intersections where streets and routes cross
- Boundary and lighting treatments
- Integration of public art (identifying appropriate locations) and guidance on materials, signage, utilities, and any other street furniture.
- Sustainable Urban drainage features
- Habitat retention, enhancement and creation
- Biodiversity Net Gain features
- Relationship of Threshing Barn Green to proposed building enclosure and line of adjacent properties, including setbacks, building typologies, heights, architectural principles, materials, parking, boundary and landscape treatments around its periphery

Strategic Landscape Design

Prior to the submission of the first reserved matters application strategic landscape proposals for the following strategic green spaces as defined on drawing XXX shall be submitted and approved in writing by the local planning authority:

- Hitchin Meadows
- Icknield Linear Greenway
- Stotfold Linear Greenway/Gateway

- Dane Walk (East to west and north-to south extent)

Landscaping proposals shall include the following:

- a) Width of any required buffer as set out in the Masterplan Framework Parameters and Principles Document
- b) General arrangements of strategic urban drainage systems (SUDs)
- c) Strategic earth modelling and mounding
- d) Pedestrian and cycle access paths, surfacing, boundary treatments and lighting
- e) Treatment of existing and retained hedges and trees
- f) New planting
- g) Biodiversity net gain/habitat creation measures
- h) Design details of adjacent frontage development, including building line, set back, height, plot design, pedestrian, cycle and vehicular access and perimeter landscaping

Future Design of the Primary School

The proposed primary school building will be a key community use at the heart of the development. It is located adjacent to the main 'Avenue' and Highover Park where design integration will be essential to ensure a high quality, enclosed, accessible and attractive public space as required by the National Design Guide and NMDC.

Whilst the application identifies the land area required for the school further design decisions and planning permission will be required on the school building footprint, height, building line, entrance, materials, boundary treatment, landscaping and cycle and pedestrian, bus and vehicular access. These design decisions need to be made in the context of the planned surrounding development to ensure design integration. The design code condition recommended will achieve this aim.

However, it is understood that this code is unlikely to be enforceable as the County will be granting its own planning permission for the detailed planning permission for the school and as such would not be subject to this design code condition.

This risks poor quality piecemeal design lacking integration. The district council should agree with the County how a design brief or code will be agreed for the school that ensure that the 'community heart' (comprising the proposed primary school, the Avenue, neighbourhood centre and Highover Park) is planned as one composite piece to ensure good functional and aesthetic design in line with planning policy.

Yours sincerely

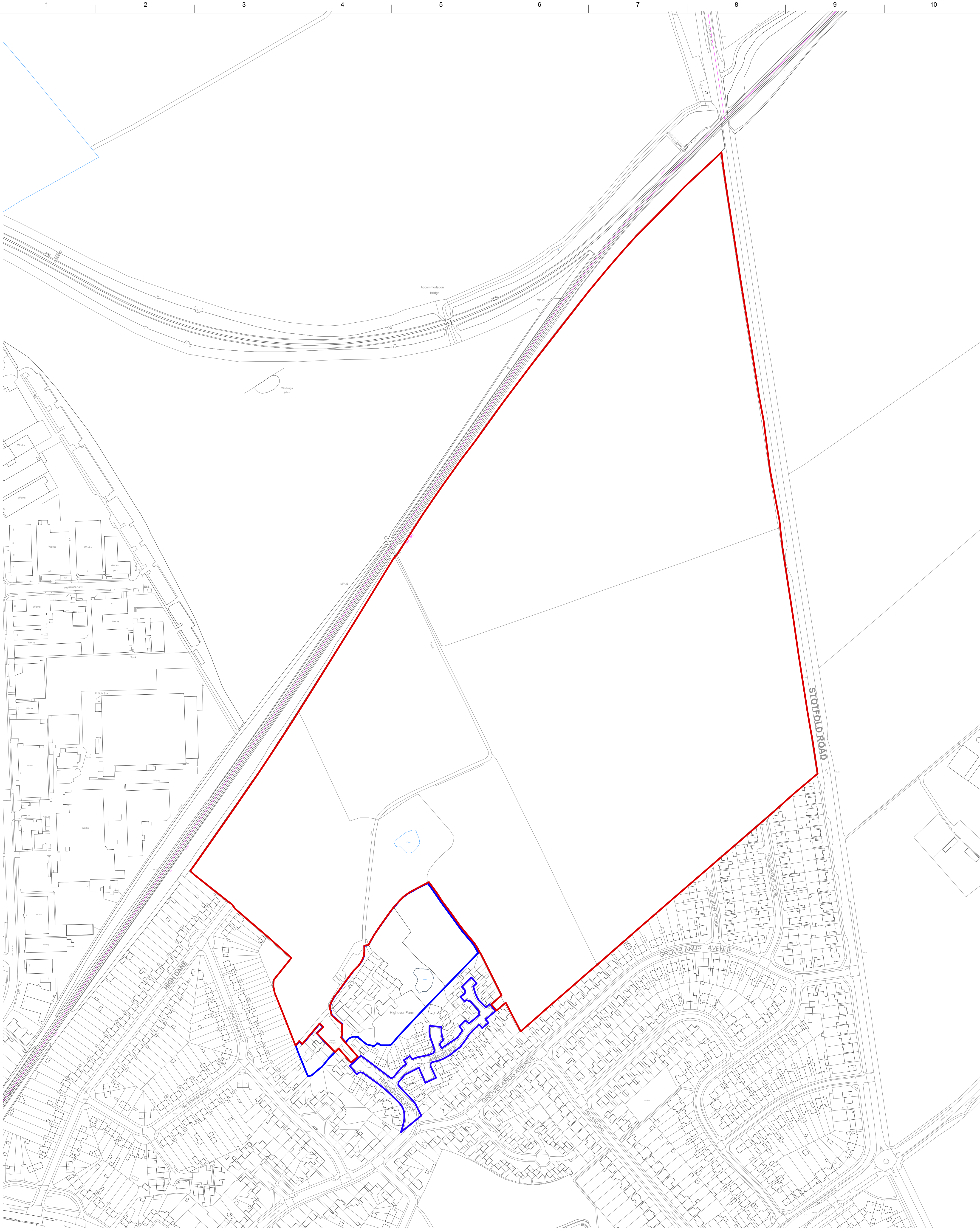


Helen Flage

Principal Strategic Planning & Implementation Officer

BA (Hons) MA MRTPI

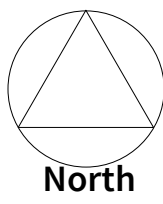
This page is intentionally left blank



KEY

— Planning Application Site Boundary

— Additional land within ownership boundary



02	28/01/20	RED LINE ADJUST	CJ	JW
01	10/12/17	PLANNING - FIRST ISSUE	CJ	JW
Issue	Date	Status	Drawn	Apprvd.

Client	Bellcross Homes		
Project	Highover Farm Hitchin		
Drg Title	Red Line Plan		
Created on	10.12.19	Created by	CJ
		Approved by	JW
Scale	1:2000 @ A1	Status	PLANNING
Drg No.	PL1685-PLA-00-XX-DR-U-001 S4 P02		



Planit Intelligent Environments LLP
E: info@planit-ie.com W: planit-ie.com

MANCHESTER
2 Back Grafton St
Altrincham
WA14 1DY
T: 0161 928 9281

LONDON
Unit 6 Waterside
44-48 Wharf Road
London
N1 7UX
T: 0207 253 5678

THIS DRAWING IS COPYRIGHT PROTECTED AND MAY NOT BE REPRODUCED IN WHOLE OR PART WITHOUT WRITTEN AUTHORITY FROM THE OWNER.

NOTE:

- Do not scale from this drawing. Always work to noted dimensions.
- All dimensions are in millimetres unless otherwise stated.
- All setting out, levels and dimensions to be agreed on site.
- The dimensions of all materials must be checked on site before being laid out.
- This drawing must be read with the relevant specification clauses and detail drawings.
- Order of construction and setting out to be agreed on site.

This page is intentionally left blank

ITEM NO:		
<u>Location:</u>	Land for Footpath between The Greenway and Stotfold Road, Hitchin	
<u>Applicant:</u>	Letchworth Garden City Heritage Foundation	
<u>Proposal:</u>	Creation of footpath/cycleway between Stotfold Road, Hitchin and The Green Way, Letchworth Garden City.	
<u>Ref. No:</u>	22/00303/FP	
<u>Officer:</u>	Sarah Kasparian	

Date of expiry of statutory period: 29 March 2022

Extension of statutory period: 31 August 2023

Reason for Delay

Due to the integral consideration to application ref. 18/01154/OP as Strategic Housing Site ref. HT1 which was delayed for detailed negotiations and adoption of the Local Plan and was deferred from PCC on 6 July 2023.

Reason for Referral to Committee

Site area.

1.0 Relevant History

1.1 There is no planning history for the application site.

1.2 This planning application is considered along site application for outline planning permission ref. 18/01154/OP for a Strategic Housing Site ref. HT1.

2.0 Policies

2.1 North Hertfordshire District Local Plan 2011-2031 adopted 8th November 2022

Policy SP5: Countryside and Green Belt

Policy SP6: Sustainable transport

Policy SP7: Infrastructure requirements and developer contributions

Policy SP9: Design and sustainability

Policy SP10: Healthy communities

Policy SP11: Natural resources and sustainability

Policy SP12: Green infrastructure, biodiversity and landscape

Policy T1: Assessment of transport matters

Policy NE1: Strategic green infrastructure

Policy NE2: Landscape

Policy NE4: Biodiversity and geological sites

Policy NE6: New and improved open space

The application site is associated with the Strategic Housing Site under Policy SP17: Site HT1 'Higover Farm, Hitchin' in the NHDC Submission Local Plan 2011-2031.

2.2 **Supplementary Planning Documents**

North Hertfordshire and Stevenage Landscape Character Assessment

2.3 **National Planning Policy Framework (NPPF) (2021)**

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 12: Achieving well-designed places

Section 13: Protecting Green Belt land

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

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

2.4 **Hertfordshire County Council**

Local Transport Plan (LTP4 – adopted May 2018)

3.0 **Representations**

Statutory Consultees

3.1 **Hertfordshire Public Rights of Way** – See Hertfordshire Highways response

3.2 **Hertfordshire Highways** – No objection, noting that the application is associated with improving sustainable transport for the proposed development at land at Highover farm. *‘The Highway Authority note the submission with the application of drawings which detail the specification of the proposed route. The Highway Authority is content that such a specification is consistent with our Non-Motorised Route Guidance’.*

Neighbour and Local Residents

3.3 There are no adjacent properties to notify regarding the planning application. Two site notices were displayed at either end of the proposed footpath on The Greenway and on Stotfold Road.

3.4 No neighbour or resident representations were received in relation to the application.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.2 The application site sits between the western edge of Letchworth and Stotfold Road Hitchin. It runs along the north side of a hedgerow perpendicular to Stotfold Road. The application site is limited to the area required to install a footpath. The site currently comprises a field in arable production.

4.3 At present there are no footpaths along the eastern site of Stotfold Road and only on the western side as far as the existing building line extends.

4.4 The Letchworth Greenway is a non-motorised route around the perimeter of Letchworth Garden City and provides an almost continuous loop providing access to the countryside, improved accessibility around the town and opportunity for leisure.

4.5 **Proposal**

- 4.6 The proposal is for a new footpath link between Stotfold Road and The Greenway around Letchworth as a link for non-motorised forms of sustainable transport. The new path would be suitable for pedestrians and cyclists and comprise an unsealed gravel path 3m wide with a 1m grass verge either side and 547.5m long. This equates to an area of approx. 2,700 sq.m agricultural land will be lost to enable the footpath.
- 4.7 There is already a permissive route along the hedgerow so this route will formalise it with a level surface, enabling both able bodied and those less able to access it.
- 4.8 This application for full planning permission was submitted by the Agent of the planning application for outline planning permission for Strategic Housing Site HT1 Highover Farm subject of ref 18/01154/OP. The Applicant is Letchworth Garden City Heritage Foundation, who are also the landowner of the application site.
- 4.9 A proposed planning obligation within the planning application for site HT1 Highover Farm ref 18/01154/OP, also considered at this Planning Control Committee, is for the financial contribution of £235,000 to enable the construction and implementation of a new footpath link which will provide access from the application site and Letchworth Garden City. Hertfordshire Highways will construct the path once monies have been received and the Heritage Foundation will maintain the footpath once completed. The contributions have been calculated to cover this work.
- 4.10 For information, associated with this footpath link, the Heads of Terms for application ref. 18/01154/OP also includes a new roundabout junction on Stotfold Road to serve the new development; an extension to the footpath on the western side of Stotfold Road into the development site; and a new toucan crossing over Stotfold Road between the development site and the Greenway extension.

5.0 **Key issues**

5.1 **Principle of Development**

- 5.2 The site is entirely within the Green Belt. The NPPF sets out the five purposes of the Green Belt which are *'to check unrestricted sprawl of large built-up areas', 'to prevent neighbouring towns from merging' together, 'to assist in safeguarding the countryside from encroachment', 'to preserve the setting and special character of historic towns', and 'to assist in urban regeneration...'* It also states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*.
- 5.3 NHP Policy SP5 on Countryside and Green Belt reflects this position stating *'We c) will only permit development proposals in the Green belt where they would not result in inappropriate development...'* Para 4.61 goes on to say that *'proposals for development within the Green Belt will be considered against national policy'*.
- 5.4 In NPPF para.150 there are *'certain forms of development [that] are...not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it'*. These include *'c) local transport infrastructure which can demonstrate a requirement for a Green Belt location'*.
- 5.5 The purpose of the footpath is to provide sustainable forms of active transport from Strategic Housing Site at Highover Farm. From the first occupation of the site residents will be encouraged to use active travel and sustainable transport through a range of ways through planning application ref. 18/01154/OP. The Greenway link from Stotfold Road to

Letchworth town centre or railway station will reduce the journey by foot or cycle from what is currently a longer route by road.

- 5.6 The proposed path is considered to constitute local transport infrastructure. The path is of minimal construction and design, providing an unsealed and unlit path, and will not result in a significant change to the character of the site.
- 5.7 The route is required to be in this location, would be suitable due to the short distance between the towns, and would not conflict with any of the purposes of the Green Belt.
- 5.8 The site will result in the loss of some agricultural land. A total strip width of 5m along one side will continue to enable the rest of the field to remain in its current use. The loss, 0.2ha, is considered to be very small in the context of this field and the rest of agricultural land in North Hertfordshire.
- 5.9 There will be no impact on the wider landscape or landscaping, as the hedgerow is retained, and the path sits alongside it. There will be no change to the levels.

Conclusions on Principle of Development

- 5.10 In conclusion, the proposed path will be of minor construction, unsealed and unlit. It is proposed 'local transport infrastructure', which is not 'inappropriate development' in the Green Belt as defined by the NPPF 2021. The path will not conflict with the purposes of the Green Belt, and add to the active and sustainable transport offer to future residents of the development site at Highover Farm as well as existing residents of Hitchin and Letchworth.
- 5.11 **Highways**
- 5.12 NHLP Policy SP6 on 'Sustainable transport' requires a range of elements towards accessibility and promoting sustainable transport, including working with the county council *'to ensure that a range of sustainable transport options are available to all potential occupants and users. This may involve new or improved pedestrian, cycle and passenger transport...links and routes...'*
- 5.13 NHLP Policy T1 sets out how to assess applications in relation to transport. These include highway safety and *'mechanisms to secure any necessary sustainable transport measured and/or improvements to the existing highway network...'*
- 5.14 Officers have been working with the Hertfordshire Highways and the highway authority to promote the proposals as part of the development of site ref. HT1 at Highover Farm. The Highway Authority has subsequently raised no objection to the proposals within this planning application. Highway Officers support the encouragement of active and sustainable forms of travel, and also the design and construction detail of the proposed path in accordance with their guidance on non-motorised routes.
- 5.15 The highway authority require no conditions should the application be approved due to the level of good detail provided in the plans. The proposals are therefore considered to be in accordance with NHLP Policies SP6 and T1.

5.16 **Design**

- 5.17 NHLP SP9 requires development to be *'well designed and located and responds positively to its local context'* which is reiterated in Policy D1 on Sustainable Design. Relevant elements in Policy D1 also require proposals to *'take all reasonable opportunities, consistent with the nature and scale of the scheme, to: i) create or enhance*

public realm...iv) retain existing vegetation and propose appropriate new planting; v) maximise accessibility, legibility and physical and social connectivity...

- 5.18 The path will be of minimal construction, unsealed gravel with no lighting and timber edging if required to prevent slipping. There will be a grass verge either side for a small buffer between the path and the existing hedgerow and the field. The path will enhance the public realm and connectivity between Hitchin and Letchworth through sustainable transport options. Officers have no objections to the design which is considered suitable and appropriate to the location and purpose.

5.19 **Other material considerations**

- 5.20 The development is associated with planning application ref. 18/01154/OP for the Strategic Housing Site reference HT1 for up to 700 new homes and associated infrastructure. Policy SP7 on 'Infrastructure requirements and developer contributions' *'requires developers to provide, finance and/or contribution towards provision which is fairly and reasonably related in scale and kind the development...'* The agent for the development of Highover Farm have arranged for this planning application with full details and plans to be submitted alongside the main application for HT1. Through application ref. 18/01154/OP a financial contribution is being made towards implementation of this footpath by Hertfordshire Highways, and also includes monies towards the maintenance of the footpath to the landowner – Letchworth Garden City Heritage Foundation.

- 5.21 In accordance with the NPPF and NHLP, the contribution is considered to be fairly and reasonably related in scale and kind, to provide for the increase in population as a result of the development of 700 homes on site HT1. This application ref. 22/00303/FP helps to facilitate that part of the wider development.

- 5.22 In relation to the time limit for development to have commenced, this is wholly reliant on the development of site reference HT1. The financial contribution will be received before commencement of development of that site. According to the conditions of 18/01154/OP and the S106, the first application for reserved matters should be made within 5 years of the decision being issued. This does not correlate with development commencing or approval being given for any reserved matters. To enable sufficient time for the financial contribution and for work to commence 7 years will be provided to ensure the financial contribution is made and Hertfordshire Highways have enough time to commence the work.

6.0 **Conclusions**

- 6.1 The proposed development is not inappropriate development in the Green Belt. The new path will result in 'local transport infrastructure' which is not 'inappropriate development' as defined by the NPPF 2021 but encouraging active and sustainable forms of transport. The path associated with the development of Highover farm will help facilitate more sustainable forms of travel for existing and future residents between Hitchin and Letchworth.

- 6.2 There are no concerns regarding highway safety and the path will be constructed by Hertfordshire Highways in accordance with their guidance. The design of the path is minimal and suitable given its setting and purpose. The proposals are in accordance with the NPPF 2021 and NHLP Policies SP6, SP7, SP9, D1 and T1.

7.0 **Alternative options**

- 7.1 No alternative options applicable. **Page 149**

8.0 **Pre-commencement conditions**

8.1 No pre-commencement conditions are proposed.

9.0 **Legal Implications**

9.1 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.

10.0 **Recommendation**

10.1 That full planning permission is resolved to the **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 7 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.

Proactive Statement:

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

This page is intentionally left blank

ITEM NO:	
<u>Location:</u>	Land To The East Of Foxholes And Gainsford House And On The West Side Of Crow Furlong, Hitchin
<u>Applicant:</u>	Manor Oak Homes
<u>Proposal:</u>	Residential development of 47 dwellings and associated car parking, open space, landscaping and creation of access off Grays Lane (as amended by plans received 12.05.2023)
<u>Ref. No:</u>	22/03092/FP
<u>Officer:</u>	Sarah Kasparian

Date of expiry of statutory period: 28 February 2023

Extension of statutory period: 14 December 2023

Reason for Delay

Following detailed negotiations and re-consultation on amended plans, together with finalising Heads of Terms. This application was deferred from PCC on 14 September 2023 awaiting further comment from NHDC Environmental Health regarding air quality queries. This report is repeated from the previous committee with (1) insertion of comments from EH; (2) updated financial contributions from HCC which are agreed by the applicant; and (3) Updated affordable housing mix.

Reason for Referral to Committee

The site area for this application for residential development exceeds 0.5ha and therefore under the Council's scheme of delegation, this application must be determined by the Council's Planning Control Committee.

1.0 Site History

- 1.1 The site has been subject of housing proposals for several years through submission of site representations during the preparation of the adopted North Hertfordshire Local Plan 2011-2031. The site is a Local Housing Allocation ref. HT6 in the now adopted Local Plan for 53 homes (Local Plan para 13.128).
- 1.2 In 2021 an application for outline planning permission was submitted ref. 21/01562/OP for 58 dwellings. At the time this application was premature to the adoption of the Local Plan, but feedback was given by Officers following public consultation, including advice for the preference for an application for full planning permission rather than outline, requiring more detail than previously submitted given the scale and sensitivities of the site. This application was withdrawn by the applicant on 14 December 2021.

- 1.3 Also, an application for full planning permission was resolved to be granted by Planning Control Committee on 15 June 2023 for the adjacent site reference HT5 (22/00516/FP) for nine units. There is overlap in the site boundaries in relation to the highway access, where the proposals have been coordinated together.

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan 2011 – 2031** (adopted 8 November 2022)

Spatial Strategy and Strategic Policies

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy

Policy SP6: Sustainable transport

Policy SP7: Infrastructure requirements and developer contributions

Policy SP8: Housing

Policy SP9: Design and sustainability

Policy SP10: Healthy communities

Policy SP11: Natural resources and sustainability

Policy SP12: Green infrastructure, biodiversity and landscape

Policy SP13: Historic Environment

Development Management Policies

Policy HT6: Local Housing Allocations and site specific policy criteria – Land at junction of Grays Lane and Lucas Lane

Policy HS1: Local Housing Allocations

Policy HS2: Affordable Housing

Policy HS3: Housing Mix

Policy HS5: Accessible and adaptable housing

Policy T1: Assessment of transport matters

Policy T2: Parking

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy D4: Air quality

Policy NE1: Strategic green infrastructure

Policy NE2: Landscape

Policy NE4: Biodiversity and geological sites

Policy NE6: New and improved open space

Policy NE7: Reducing flood risk

Policy NE8: Sustainable drainage systems

Policy NE9: Water quality and environment

Policy NE10: Water conservation and wastewater infrastructure

Policy HE4: Archaeology

2.2 **Supplementary Planning Documents**

Design SPD

Developer Contributions SPD 2023

Vehicle Parking Provision at New Development SPD (2011)

North Hertfordshire and Stevenage Landscape Character Assessment

- 2.3 **National Planning Policy Framework (February 2019)**
Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
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
Section 13: Protecting Green Belt land
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment
- 2.4 **Hertfordshire County Council**
Local Transport Plan (LTP4 – adopted May 2018)
Hertfordshire Waste Core Strategy and Development Management Policies
Development Plan Document 2012
- 2.5 **National Planning Practice Guidance**
Provides a range of guidance on planning matters including flood risk, viability, design and planning obligations.
- 3.0 **Representations**
- Statutory Consultees**
- 3.1 **NHDC Senior Conservation Officer** – No comments
- 3.2 **NHDC Environmental Health (Contaminated Land)** – No objection, subject to a condition
- 3.3 **NHDC Environmental Health (Air Quality)** – No objection, subject to conditions requiring a Detailed Demolition and Construction and Management Plan, a Residential Travel Plan and EV charging points; and Planning obligations towards air quality emissions mitigation compensation.
- 3.4 Update September 2023 – Further comment received in response to comments from the public: The EHO agrees that the data used may now be out of date, but that the air quality in this location is now significantly improved compared to the 2018 when the data was collected. The EHO notes that the most recent reviews of the AQMAs required annually by DEFRA for every Local Authority has shown both AQMAs in the District (Stevenage Road and Payne's Park) have continually met the AQ objectives, and both can now be considered for revocation. The EHO recommends that prior to issuing the decision notice and signing the S106, the Air Quality Assessment is updated to inform what level of financial contribution, if any, is now required to mitigate the impact. No changes to previously recommended conditions.
- 3.5 **NHDC Environmental Health (Noise)** – No objection, subject to conditions relating to hours of work and a Construction Phase Management Plan and an informative

- 3.6 **NHDC Housing Supply Officer** – No objection, subject to the provision of 40% affordable housing (total 19 units), to comprise of 65% affordable rent (12 units) and 35% shared ownership units (7 units) (see table below at 5.13.4 for further details)
- 3.7 **NHDC Greenspace Manager** – No objection, subject to North Herts Council adopting the open space and parks. Recommendation for a LAP to be provided, with financial contributions towards the maintenance of the greenspaces (see table below at 5.13.4 for further details)
- 3.8 **HCC Highways** – No objection, subject to conditions and informatives relating to CTMP, EV charging points, access design and highway improvements, and financial obligations to 'strand 2' contributions to sustainable transport (see table below at 5.13.4 for further details).
- 3.9 **HCC Growth and Infrastructure** – No objection, subject to securing financial contributions via a s106 legal agreement towards Primary education, Secondary education, Library Services, Youth Services, SEND Services (Special Educational Needs Department) and Waste Services (see table below at 5.13.4 for further details).
- 3.10 **HCC Lead Local Flood Authority (LLFA)** – No objection, subject to conditions and informative
- 3.11 **HCC Historic Environment (Archaeology)** – No objections, subject to conditions
- 3.12 **HCC Minerals and Waste** – No objection, subject to a condition requiring a Site Waste Management Plan and informative
- 3.13 **HCC Fire and Rescue Services** – No objection, subject to a condition for the provision of fire hydrants on site
- 3.14 **HCC Countryside and Rights of Way Officer** – No objection. Comment received regarding improvements to Lucas Lane, although previous consultation concluded that residents were split on the solution to traffic problems. Although sought by Officers, no further comments received in response to comments from British Horse Society.
- 3.15 **Hertfordshire Ecology** – No objection although notes that a 12m buffer has not been maintained in the proposed plans. Considers the assessment and conclusions to be robust and that there will '*unlikely that the proposals would result in significant harm to ecological receptors*'. Recommends conditions for a BNG management plan and to secure identified mitigation measures.
- 3.16 **Herts Constabulary (Crime Prevention Design Advisor)** – No objection, subject to informative about 'Secured by Design' Accreditation.
- 3.17 **Herts and Middlesex Wildlife Trust** – No objection although noting the requirement for a 12m buffer around priority habitat. Recommends conditions in line with Herts Ecology.
- 3.18 **Natural England** – No objection whilst citing various advice regarding impact on the Chilterns AONB and SSSI

- 3.19 **National Highways (previously Highways England)** – No objection following re-consultation on clarity of information submitted.
- 3.20 **Hitchin Forum** – Objection due to the loss of open meadow land, noting previous objection from HMWT. Question raised regarding the use of the southern part of the site, an area previously included in the 2021 site boundary. Questions relating to the robustness of the submitted Transport Assessment and mitigation measures. Questions relating to the assessment of air quality and pollution. Support for 40% affordable housing and low level lighting should the application be approved.
- 3.21 **British Horse Society** – Commenting on the importance and suitability of rights of way and byways in the vicinity of the site, as well as other locations in Hertfordshire.
- 3.22 **Sport England** – No comment
- 3.23 **Historic England** – No comment
- 3.24 **Thames Water** – No comment
- 3.25 **Affinity Water** – No comment
- 3.26 No response received from NHDC Waste and Recycling, National Grid, Leisure Contracts Officers, Ground Maintenance, Chiltern Conservation Board, The Water Officer, Hitchin Historic Society, Network Rail, Parks and Countryside Development Manager, NHS, The Ramblers, RSPB, UK Power Networks or Countryside Management.

Neighbour and Local Resident Representations

- 3.27 The application has been advertised via neighbour notification letters, the display of site notices and a press notice. At the time of finalising this report, a total of 245 comments have been received of which 243 were objections and 2 neutral comments from both rounds of consultation.
- 3.28 Comments were received regarding the consultation period as follows:
- Objection to the consultation period running over the Christmas Period, postal strikes and lack of time given on the second round of public consultation
 - Lack of time given for considering the substantial application pack of documents
 - Error messages when commenting via the Council's application portal, with concern that this skews comments in favour of the applicant against neighbour representations
- 3.29 For clarity, additional time was provided for the consultation over Christmas 2022 knowing that there were postal strikes and holidays. For the second round of public consultation from May 2023 a full 21-day consultation was provided rather than the normal 14 days for re-consultation, plus two days to allow time for posting. Nevertheless, comments can be received in relation to any planning application until a decision is made which will be considered as necessary.
- 3.30 The objections and the issues raised are summarised as follows under appropriate headings. These will be considered in the remainder of the report:

Principle

- Objection in principle to development in the Green Belt where it is better to build on brownfield sites citing that there is plenty available such as empty shops
- Poorly positioned site in the context of the town with lack of available services, shops and far from the railway station, which will encourage unsustainable transport patterns

Housing

- No clear justification for housing need or demand in this location
- Not enough housing mix to provide for smaller households and first-time buyers
- High density of the site would be inappropriate
- The site should provide the full 40% affordable housing (Officer note: The proposal does include policy compliant affordable housing at 40%, see section 5.13.4 for more information)

Design and Neighbour Amenity

- House design, materials and site layout would be out of keeping with the character of the area, namely detached 1930s housing
- Distress and upset to nearby residents

Traffic and the highway network

- The wider highway network cannot accommodate more traffic, where Hitchin is the pivotal point between other major towns
- Increase in all forms of traffic to Gray's Lane, Lucas Lane and West Hill which are quiet and residential, in particular safety of existing and additional children travelling to school
- Increase in traffic and queuing traffic at Upper Tilehouse Street and the roundabout (Paynes Park)
- Increase in traffic and associated air pollution at the junction with Upper Tilehouse Street
- Additional traffic with cumulative impacts of all new development
- Lack of consideration to mitigation of adverse impact from traffic at the junction of Gray's Lane/Pirton Road/Upper Tilehouse Street
- Lack of consideration to the use of High View to Pirton Road for future residents leaving the site
- Bus routes to and from Luton will be affected by heavy traffic and no bus services to the site
- Cycling between the site and the town centre or railway station is very dangerous due to a lack of cycle ways, which will encourage residents to use private cars to get around making traffic and pollution worse
- Suggest contributions should be made to create a cycle route to the town

Access

- Concern over the proposed access described as complicated, problematic and dangerous
- Dangerous junction with Grays Lane and the entrance into Crow Furlong (serving 75 Grays Lane and 24 Crow Furlong)
- Existing problems with access from Gray's Lane and Lucas Lane as a single unmade track

- Potential confusion between different users with this site and site ref HT5
- New access arrangements assumes that the adjacent site (ref HT5) will be approved and concern over cross-land ownership
- No road safety audit has been carried out (Officer note: This was not a requirement of the Highway Authority, see section 5.8 for more information)
- Pedestrian crossing should be included on all roads around the new access arrangements
- Objection to new footpath onto Crow Furlong due to safety

Parking

- Lack of on-site parking for the scale of development and subsequent impact on parking at the top of Gray's Lane which has parking restrictions/resident permits

Byway

- Importance of the bridleway to wildlife contrary to Policy NE2 regarding the impact on function of the green infrastructure network
- Concern the sites development will negatively impact the future use of the bridleway
- Relationship of site access to bridleway seen as 'problematic and dangerous' and over engineered; more consideration should be given to the semi-rural character

Ecology

- Negative impact on wildlife habitat as a wildlife corridor in the setting of agricultural land around
- No Biodiversity Net Gain
- Loss of wildlife with various references to particular species (birds such as kestrels, buzzards, red kites, owls, also bats, fox, muntjac/deer, slow worm, bees, badger, pheasants, rabbits, voles, shrews, mice) and wildflowers
- Loss of meadow and grassland which is natural and unfertilised, its loss will impact on the ecology and biodiversity of the area and reduce carbon absorption
- Ecology survey limited to the season and out of date
- Difficult to imagine how the woodland will thrive once 'sandwiched' between the housing development and the A505

Landscape

- Removal of trees and hedgerow
- Visibility of the site in the landscape due to elevated position
- Loss of green space as a visual amenity at the end of Gray's Lane

Woodland

- Suggest serving a TPO on the woodland area to secure its future protection (Officer note: There is no immediate threat to the woodland area, which is now outside of the application site and remains within the Green Belt. No assessment has been made as to the use of TPO for the woodland)
- Object to the exclusion of the woodland area as a 'community woodland' from the application site
- Proposal to have the woodland as a 'community woodland'
- Concern regarding the future of the woodland area and development amounting to destruction of the woodland

Environmental Health (air pollution, noise, light)

- Consideration to the cumulative impact of development in relation to air pollution and particular on sensitive reception R3 (AQA)
- Increase pollution in such close proximity to Samuel Lucas School
- Overall increase in noise from the proposed development
- Light pollution from new streetlights, should the application to approved should be low level lighting to protect ecology and neighbouring residents
- Concern regarding previously made ground beneath the site surface
- Full and proper assessment of the site's land contamination and any remediation required needs to be undertaken before planning permission given and not secured through conditions

Drainage

- 24 Crow Furlong and 75 Gray's Lane already experience water run off from the application site and there is a concern that building houses on the site will significantly increase the risk of flooding to these properties
- The woodland area is prone to flooding by surface water

Construction

- Concern over the construction of any new access and its safety and disruption to the use of the bridleway during construction
- Concern over the construction phase on noise, air quality, light and traffic and the amenity of neighbouring residents
- Concern that despite conditions to control the construction phase the developer will fail to comply and the council will fail to enforce requirements
- Concern that construction traffic using Grays Lane, which is not a suitable road for construction vehicles, would be a nuisance to residents in terms of traffic and noise

Services and infrastructure

- Pressure on local schools which are already oversubscribed
- Services do not appear to increase capacity at the same rate as development (water, sewerage, gas, doctors, dentists, hospital)
- Concern about water services and resources where there is already poor pressure and supply issues in Gray's Lane due to over abstraction of River Oughton as a chalk stream
- Objection to connecting to gas mains which does not seem to plan for future energy sources

Climate change and sustainability

- Increased carbon emissions as a result of new development
- Lack of any 'sustainable' features in the housing design in particular solar panels

Other material considerations

- Evidence of archaeological remains in the area which should be investigated
- The proposals make the area less safe
- Reduction to the rural feel of the area and entrance to the countryside
- This application is little changed to the previous application, so all objections still apply

4.0 Planning Considerations

4.1 Site and Surroundings

- 4.1.1 The site is located on the western side of Hitchin, less than 1km due west from the town centre. The site currently comprises an approximately square plot of land of about 2 hectares at the end of Grays Lane, previously used as pastureland.
- 4.1.2 There is another square plot of land adjoining to the south comprising woodland, and a small square plot of land to the north which is allocated for housing development (ref. HT5). To the east of the site is the existing urban area of Hitchin comprising established residential area with mainly detached housing of single and two storey buildings. To the west of the site is open arable fields which slope down away from the site and the Foxholes Care Home and Gainsford House.
- 4.1.3 The western edge of Hitchin between Pirton Road and Oughton Head Lane over time has been divided into smaller plots of land which provide a buffer from the countryside beyond and the urban area of Hitchin. This contrasts to the open countryside beyond which are much larger fields in arable production. There is a plot providing for the Hitchin Cricket Club with recent small housing development known as Bowlers End; another for Lavender Fields and Symonds House nursing home; and there are three local housing allocations in this stretch to the west of the town – HT3, HT5 and HT6. The local allocations have been removed from the Green Belt, whereas the cricket club and the woodland to the south of the application site remain in the Green Belt.
- 4.1.4 The sites entrance is taken from the northeast corner of the site at the end of Grays Lane. The junction at the end of Grays Lane is informal and serves the site, the byway to the west, a limited extent of Crow Furlong and Lucas Lane.
- 4.1.5 The site is currently vacant having previously been used for pasture, and now comprises rough grassland with hedgerow and trees around the perimeter. Two trees within the site are protected by Tree Preservation Order (TPO).

4.2 Proposal

- 4.2.1 This is an application for full planning permission for 47 homes and associated car parking, open space with play area, landscaping and new access off Grays Lane.
- 4.2.2 The proposals were amended with revised plans received on 12 May 2023.
- 4.2.3 The application is supported by the following plans and supporting documents:
- Location Plan EX100
 - Proposed Site Plan PL100 Rev R
 - Proposed Parking Plan PL110 Rev D
 - Proposed Materials Plan PL120 Rev E
 - Proposed Housing Mix PL130 Rev D
 - Proposed Tenure Plan PL140 Rev D
 - Proposed Boundary Plan PL150 Rev D
 - Proposed Waste and Recycling Plan PL160 Rev E

- House Type A PL170 Rev A
- House Type B PL180 Rev A
- House Type C PL190 Rev A
- House Type D PL200 Rev A
- House Type E PL210 Rev A
- House Type F PL220 Rev B
- House Type G PL230 Rev A
- House Type H PL240
- House Type I PL250 Rev A
- House Type J PL260
- House Type K PL270 Rev A
- House Type L PL280 Rev B
- House Type M PL185
- Street scenes (Plots 16-21) PL290 Rev A
- Street scenes (Plots 11-15 and 44-47) PL295 Rev A
- Street scenes (Plots 1, 8-10) PL300 Rev A
- Street scenes (Plots 7-32) PL305 Rev A
- Section AA PL310 Rev A
- Section BB PL320 Rev A
- Section CC PL330 Rev A
- Proposed Private and Public Areas PL340 Rev E
- Proposed House Type Plan PL350 Rev A
- Landscape Strategy Plan 6089/ASP4/LSP Rev M
- Infiltration Basin – cross sectional 188-FRA 107

4.2.4 The application is also accompanied by the following technical work:

- Air Quality Assessment
- Arboricultural Impact Assessment
- Archaeological Assessment (including geophysical survey and trial trenching report)
- Ecological Assessment (including Biodiversity net Gain Assessment)
- Flood risk and Drainage Assessment
- Ground Investigation Report
- Landscape and Visual Impact Assessment
- Sustainability Statement
- Technical Note on Access
- Transport Assessment
- Travel Plan
- Planning Statement
- Updated Design and Access Statement 23 August 2023

4.3 Legal basis of determining the Planning application

- 4.3.1 Members will be familiar with the standard legal advice that is set out at the end of each planning Control Committee report which advises that legislation requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. This approach was developed within Section 54A of the Town and Country Planning Act 1990 (as amended). It is also re-emphasised within Section 38(6) of the Planning and Compensation Act 2004, which reads as follows:

'if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise'.

5.0 Key Issues

5.1.1 The key issues for consideration of this planning application are as follows:

- a. Policy background and principle of development
- b. Impact of the development on the wider landscape and visual setting
- c. Impact of the development on heritage assets
- d. Design of the proposals and impact on the character and appearance of the area
- e. Standard of proposed accommodation for future occupiers
- f. Impact on the amenity of adjoining properties
- g. Impact of the local highway network, access and parking
- h. Flood risk and drainage
- i. Ecological, landscape and greenspace considerations
- j. Environmental Health considerations
- k. Planning Obligations
- l. Summary and Conclusion

5.2 Policy background and the principle of development

- 5.2.1 The North Hertfordshire Local Plan 2011-2031 (NHLP) was adopted by the Council in November 2022 after it was found sound following Examination in Public between 2017 and 2022.
- 5.2.2 NHLP Policy SP1 on sustainable development in the district is the backbone for considering proposals. It requires the main role of key settlements, such as Hitchin, to be the main focus for new development. Proposals should *'deliver an appropriate mix of homes, jobs and facilities that contribute towards the targets and aspirations of this Plan'*, *'provide the necessary infrastructure...'*, *'protect [the] environment'*, and *'secure any necessary mitigation measures that reduce the impact of development...'*
- 5.2.3 The proposals are consistent with Policy SP1 in that the development is appropriately located on the edge of Hitchin and will help maintain the role of Hitchin as a key settlement. The development will also contribute to delivering an appropriate mix of homes across the district. The total housing mix will include 6x one bed flats, 13x two bed houses, 19x three bed houses and 9x four bed houses. NHLP Policy HS3 on Housing Mix requires and *'appropriate range of house types and sizes...[and]; the scheme would provide a density, scale and character of development appropriate to its location and surroundings'*. The proposal is considered to be in accordance with this Policy.
- 5.2.4 Policy SP2 identifies a significant housing need in the district which is for *'at least 13,000 new homes'* over the plan period. Hitchin is planned to accommodate around 1,800 in total between this Strategic Housing Site, other smaller site allocations for housing, sites within the existing urban area and any other 'windfall sites'.

- 5.2.5 This application site reflects site allocation reference HT6 for 53 homes. It is noted that the planning application proposes 47 units, which is 10% less than what the Local Plan identifies the site as being suitable to accommodate. However, given the planning history for the site with previous advice given, together with the constraints of the site and policy requirements, 47 units is considered to be appropriate and broadly consistent with the requirements of the allocation.
- 5.2.6 The detailed policy requirements of HT6 will be examined towards the end of this report once all material considerations have been examined.
- 5.2.7 The text in Policy SP5 on the Countryside and Green Belt supports the national approach taken to principles for developing in the Green Belt through the NPPF 2021. The supporting text to the policy in the NHLP provides the background to how and why Green Belt boundaries have been altered through the NHLP. It was considered that relevant circumstances exist *'to review the boundaries and enable development to meet locally identified needs'*.
- 5.2.8 The parcel of land ref. 12 in the Green Belt Review updated 2018 was considered to contribute 'significantly', as most of the land around Hitchin does, to the purposes of the Green Belt. However, on examination of the Local Plan, the Inspector noted that the two sites HT5 and HT6 next to each other would be located between Lavender Fields and the area of woodland to the south, which *'would not protrude farther westwards than either'*. The Inspector cited the Green Belt Review conclusion that the impact of sites HT5 and HT6 on the Green Belt would overall be 'limited'.
- 5.2.9 In summary, the North Herts Local Plan is now adopted by the Council. The site has been removed from the Green Belt and is a Local Housing Allocation for 53 homes. The site will make a quick and positive contribution to the delivery of homes in North Hertfordshire for the rest of the Plan period and benefits from a defensible boundary to the Green Belt. The principle of development for this Local Housing Allocation is therefore acceptable in accordance with NHLP Policies SP1, HS3, SP2 and SP5.

5.3 Impact of the development on the wider landscape and visual setting

Landscape Character

- 5.3.1 Given the moderate scale of development and the change of the site from greenfield to housing, there will inevitably be impact on the landscape. NPPG para. 174 indicates that the intrinsic character and beauty of the countryside should be recognised. The NPPF does not seek to protect the countryside for its own sake from development, rather it concentrates on seeking to protect valued landscapes.
- 5.3.2 The site does not form part of any designated landscape but is located approximately 1.1km from the eastern boundary of the Chilterns AONB. Natural England raised no objection to the application and no comment has been received from the Chilterns Conservation Board. The landscaping buffers around the site ensure that the impact on the setting of the AONB is satisfactorily mitigated.

- 5.3.3 The NPPF does not define what is a valued landscape, albeit most landscapes are valued in one form or another, but case law demonstrates that value lies in it being considered more than just countryside, or green in character. Residents have indicated that they value the countryside within and around the application site, as well as the green character of the site and access along rights of way around the site. However, there is nothing in the comments that would result in elevating the application site to that of a NPPF 'valued landscape'.
- 5.3.4 NHLP Policy NE2 confirms that planning permission will be granted for development proposals that respect the sensitivities of the relevant landscape character, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this, ensure the health and future retention of important landscape features and have considered the long-term management and maintenance of any existing and proposed landscaping.

Landscape Character Assessment

- 5.3.5 The application site is located within the far eastern end of National Character Area (NCA) 110 for The Chilterns, which covers Hitchin up to the eastern side of the town. NCA110 The Chilterns is a large area, wider than the designated Area of Outstanding Natural Beauty and comprises extensive wooded and farmed areas, underlain with chalk bedrock that creates the north-west facing escarpments, long views out and small streams that provide a major source of public water supply. There is *'a mixture of arable, grassland and woodland and the numerous commons reflects the dominance of Grade 3 agricultural land'*. Also noted that now large arable fields are defined by hedged boundaries, often with *'ancient boundaries'*. There are many other features cited for this NCA, although much is not relevant given the character of this site, together with the limited extent of proposals in the context of such a large and distinctive character area that includes the Chilterns AONB and various Special Areas of Conservation (SAC).
- 5.3.6 The Council published the North Herts Landscape Study as part of the Local Development Framework in 2011 which is based on the Hertfordshire Landscape Character Assessment and subsequent sensitivity and capacity work. The site is within LCA 214 Langley Valley area. The key characteristics of the Langley Valley LCA are listed as: *'rolling chalk landform, dominant large scale arable farming; smaller areas of grazing on steeper chalk slopes to the south of Hitchin; and woodland plantations concentrated in the north on most pronounced chalk landscape. Relatively little woodland cover elsewhere'*.
- 5.3.7 The Landscape Character Assessment assesses this Langley Valley area overall as being in 'poor' condition, on the basis that there has been widespread land cover change, mixed tree cover, no obvious management of semi-natural habitat and declining cultural pattern. There are guidelines for 'reconstructing' the character which includes promoting planting of new woodland and hedgerow; habitat connection; reinstating ancient hedgerow boundaries; protecting and preserving *'narrow lanes, hedge banks, sunken lanes'*; maintaining and extending the rights of way network; and encourage management of woodlands.

Review of the submitted Landscape and Visual Impact Assessment

- 5.3.8 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) prepared by Aspect Landscape Planning Ltd, which identifies the landscape and visual effects of the proposed development. In applying a standard methodology and professional judgement the LVIA sets out conclusions.
- 5.3.9 The LVIA identifies the sensitivity/value of landscape elements, landscape character and visual receptors, the magnitude of impact on each of these assessed, and then the significance of these impacts are evaluated.
- 5.3.10 The LVIA undertakes an assessment of visual and landscape effects of the proposed development. It proposed no further mitigation measures over and above those set out in the design of the proposed development.
- 5.3.11 The LVIA identifies that the impact of the development will be significantly localised, due to the existing structure of mature landscape around the site including trees, hedgerows and the wooded area to the south of the site. Beyond the site to the west lies much larger format arable fields, more open with more dramatic topography. The site appears as a pocket within a pattern of other small parcels of land along the western edge of Hitchin. It is acknowledged that the site is currently green field, although it is an allocated housing site in the recently adopted Local Plan and therefore no longer Green Belt land.
- 5.3.12 Views are localised around the site until looking westwards and the site seems contained within the boundaries of the settlement in terms of existing landscaping. The localised landscape character is of low to medium sensitivity and the proposals are considered to represent 'high magnitude of change' due to the change from green field to residential development. Overall, there would be an effect of moderate significance on landscape at 'day 1' but given the chance for vegetation, landscaping and new planting to establish the proposals would give rise to a long term ('year 10') significance of 'moderate/minor'.
- 5.3.13 Given the localised impact on landscape, Officers agree with the LVIA that *'the magnitude of change upon the wider AONB landscape and special qualities of the designation reduces further to negligible to none'*. The substantial buffer along the western boundary, which maintains the 12m of complimentary habitat buffer in line with NHLP Policy NE4, will be further enhanced compared to the existing and provides a soft transition between the proposals and the wider rural landscape to the west. The LVIA concludes that *'the proposals will not significantly harm the key landscape features to contribute to the wider landscape'* despite the degree of change that the individual site will experience.
- 5.3.14 The Assessment also assesses the visibility of the site from surrounding areas, and states that the *'proposed built form will be glimpsed, and not appear prominent, reflecting the appearance and scale of the existing residential buildings'*. Views from the Chilterns AONB have been assessed as being *'indiscernible from year 1 and none at year 15'*. The conclusion of the LVIA states that *'overall, it is considered that the proposals can be integrated within this context and will not significantly affect the localised or wider visual environment'*. Officers agree with this view and find the proposals in accordance with the NPPF and NHLP Policy NE2.

5.4 Impact of the development on heritage assets

- 5.4.1 The NPPF 2021 requires the description of *'the significance of any heritage assets affected, including any contribution made by their setting'*. LPAs should then *'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) ...'* Para. 199 of the NPPF states that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation...'*. This approach is reflected in NHLP Policy HE1 on Designated Heritage Assets.
- 5.4.2 There are no listed buildings or Conservation Areas within close proximity to the site. Neither Historic England nor the NHDC Conservation Officer had any comments on the proposals. Officer do not consider that there will be any impact on this type of heritage assets.
- 5.4.3 NHLP Policy HE4 on Archaeology states that *'permission for development proposals affecting heritage assets with archaeological interest will be granted provided that: a. developers submit an appropriate desk-based assessment and, where justified, an archaeological field evaluation...'*. The NPPF para.199 sets out the same approach to sites of archaeological significance as other heritage assets, in that *'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'*. Para. 203 also requires *'in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*
- 5.4.4 The County Archaeologist have reviewed the plans and note the location within an Area of Archaeological Significance. Through pre-application consultation with the County Council the applicant has undertaken a geophysical survey and trial trench evaluation of the site. Findings conclude that the site formed *'part of a rural Roman farmstead, perhaps with earlier origins'*, and represents enough significance to warrant further investigation.
- 5.4.5 Overall, the Archaeologist raises no objection subject to conditions for a Written Scheme of Investigation and post investigation assessment. In accordance with the NPPF and NHLP policies HE1 and HE4 the proposals are compliant on the impact on heritage assets.

5.5 Design of the proposals and impact on the character and appearance of the area

- 5.5.1 This is a relatively large-scale housing development in the context of this side of Hitchin, although not the largest, and acknowledged to result in a significant change from a green field to the built form for this area at the end of Grays Lane. The site also sits in the context of site allocation HT5, where a resolution to grant has been given for 9 dwellings, and HT3 where a current application at the end of Oughtonhead Lane is for 48 dwellings. Many local residents have raised the level of change as a concern, which will be examined in this part of the report.

- 5.5.2 NHLP Policy SP9 on Design and Sustainability '*support[s] new development where it is well design and located and responds positively to its local context*'. The Design SPD 2011 sets out 8 'key urban design principles' which are: character, continuity and enclosure, quality of public realm, ease of movement, legibility, adaptability, diversity and quality of private space.
- 5.5.3 The character of the area will change, and the end of the bridleway character and appearance will also change. This is inevitable as it's an allocated housing site; however, officers have paid close attention to layout, built form, density, landscaping and access to minimize impact and create a pleasant sense of place.
- 5.5.4 Policy HT6 requires '*improvements to Grays Lane to improve access to sites HT5 and HT6 whilst maintaining appropriate access to, and integrity and character of, Bridleway Hitchin 004 and Byway Open to All Traffic Hitchin 007*'. The changes to the road layout have been carefully considered with the Highway Authority to ensure a safe access between Grays Lane, the bridleway and sites HT5 and HT6. The existing junction between contains many access including Grays Lane, Lucas Lane, Crow Furlong and the bridleway which is very informally managed. It is understood to work at present and minimal interference into the existing main junction for Grays Lane is desirable. Highway matters will be considered later in this report, but insofar as the new road layout and entrance to the site relates to character and appearance, the proposals have found a suitable way of maintaining the entrance to the bridleway in a way that provides a desire line for pedestrians and cyclists, as well as a vehicular access for those who require access. The entrance needs an element of engineering to make it work in terms of highway safety, however, Officers expect the appearance to remain visually and practically separate from the end of Grays Lane/Lucas Lane/Crow Furlong junction. Hedgerows will remain on either side of the bridleway. The bridleway will be easily accessed from a footpath on either side of the new Y part of the road. The bridleway essentially will be pushed about 25m down the lane, where the character, appearance and hedgerows will resume, leaving the vast majority of the bridleway untouched.
- 5.5.5 In terms of the overall layout of the site, an informal layout has been adopted, rather than try to replicate the more logical grid pattern of Grays Lane and surrounding streets. The proposed layout will be more reminiscent of a semi-rural or agrarian character, suitable for this edge of settlement housing site. The layout will provide for a range of styles and property types, as well as mix and tenure, which will be visually appealing. The density is low at about 25 dwellings per hectare (dpha), appropriate for this edge of settlement location. This is reflected in the open character and appearance, together with appropriate 2 storey building heights, will allow open vistas, natural surveillance within the site and create light open spaces around the development, in line with the Design SPD.
- 5.5.6 On entering the site there will be a generous green buffer including new landscaping, green space and an area for sustainable drainage to visually separate the site from the existing residential area and provide a pleasant entrance to the site and natural surveillance. The new dwellings, to the left and right of the entrance will be set back but provide a legible route into the site, leading to the play area along the main spine road through the site as a destination. The vehicular access in itself will not be prominent from Grays Lane as it is set slightly further back from the existing junction.

- 5.5.7 Glimpses of the main development will be seen through gaps in the hedgerow, which is due to be enhanced through the landscaping scheme, recommended to be part of a condition should the application be approved. The new built form will be set back from the boundaries. This provides visual interest and softens the appearance of built form in the vicinity. The proposed green spaces within the site as well will provide a visual focal point and break in built form.
- 5.5.8 Another key principle on the ease of movement relates to accessibility, connectivity, and permeability. A central green space has been incorporated into the site layout. This was amended and reconsulted on in May 2023, relating to a larger area of greenspace to incorporate an existing mature tree, which is protected, together with a larger 'local area of play' (LAP) which is well overlooked by new dwellings and would provide a good level of natural surveillance. The first set of plans submitted also included a footpath around the perimeter of the site. Officers did not consider that it would have served a suitable purpose and conflicted with other policies (eg Policy NE4 on complementary habitat). It was therefore removed. However, two short sections of path have been kept with the scheme, one retained in the northwest corner from the site to the bridleway, and one new path proposed from Crow Furlong towards the newly located play area. Further information will need to be submitted on details and surfacing to be secured via condition. However, both links are desirable from an active travel perspective, for safety and natural surveillance, and providing ease of access to play facilities for existing residents in an area where there is a lack of provision.
- 5.5.9 The Design SPD refers to lighting within a development being '*important for issues of safety and attractiveness... Places should be appropriately lit which will help legibility and movement between places. The use of lighting that shines directly into neighbouring buildings should be avoided as this constitutes light pollution. The style and the type of lighting used should also be in keeping with the area... Lighting should also be energy efficient...*' Comments from residents are noted regarding the impact on lighting on wildlife. This is not a concern raised by Herts Ecology or Herts and Middlesex Wildlife Trust, but was addressed in the Ecological Appraisal, which recommends sensitively designed lighting strategy in relation to protecting bats and other nocturnal animals in relation to construction and operational phases of the development. Herts Ecology recommend the use of a condition to secure a management plan to secure these measures, which will be imposed should planning permission be granted.
- 5.5.10 In terms of the design of individual buildings, a palette has been chosen that reflects an agrarian character, suitable for the semi-rural location and edge of settlement. The palette includes brick, black feather board and some rendering. More detail is required to ensure the quality of the materials and will be secured by condition; however, the principle of the materials is suitable. The design of properties incorporates these materials in a fairly simple built form, using a dozen different house types. This is considered to provide sufficient diversity in each house type with the prescribed mix, whilst maintaining a sense of cohesion across the site. With this in mind, Officers recommend restricting permitted development rights from Class A, Class B and Class C of Part 1 to Schedule 2 of the General Permitted Development Order across the site in order to protect the character of the site and individual buildings.

- 5.5.11 Officers consider that the proposed development would result in a well-designed housing development on the edge of Hitchin, which protects the character and appearance of the area using landscaping and a suitable layout. The internal design of the site and dwellings is appropriate and will create its own sense of place and character once operationally established. The proposals are therefore considered to be in accordance with the NPPF and the NHLP Policies SP9 and HT6 with the Design SPD.

5.6 Standard of proposed accommodation for future occupiers

- 5.6.1 NHLP Policy SP9 on Design and Sustainability requires (g) the adoption of the national *'technical standards for the size of new homes...and, in specified circumstances, accessibility'*. The Technical Housing Standards - Nationally Described Space Standard provides a set of internal space standards to be applied to all new dwellings and for all tenures. All proposed dwellings on the site comply with the space standards as a minimum, including storage areas, bedroom areas, floor to ceiling height of 2.3m and overall Gross Internal Floor Areas.
- 5.6.2 The Design SPD requires *'adequate private space to meet the needs of occupants...the council encourages a mix of garden sizes'* and should have enough space for *'outdoor living requirements such as children's play, lawn/shrub area for leisure and recreation, recycling bins and storage facilities'*. Private amenity space is also provided for all dwellings. Each garden is a minimum of 9-10m deep and the width depending on the width of the house. The smallest is 36 sq.m for a two-bedroom house which is considered sufficient. Due to the informal layout of the site, some gardens are larger or smaller, but all useable and set to an appropriate level in terms of size for each house. The majority of the houses which may be 3-4 bedrooms would have gardens of around 70-100 sq.m.
- 5.6.3 The Design SPD states *'flats...should have outdoor space such as balconies...to meet the need for useable outdoor space'*. For the flats, House Type F is a small block of flats containing 4x one-bedroom flats. There is a communal green space for the flats of approx. 110 sq.m which is easily accessible, useable, south facing and well defined. The other block with house Type G contains 2x one-bedroom flats with approx. 40 sq.m which is again a reasonable amount, although less well positioned with one side adjacent to car parking spaces but easily accessible by both flats, well defined and south facing. The site would also benefit from overall good landscaping and greenspace including the play area, so Officers consider there would not be a shortfall in this regard.
- 5.6.4 In terms of overlooking and privacy of future residents, back-to-back distances of 20m would be achieved between properties where that is the case. Back to side distances are shorter, which is acceptable as the potential for overlooking is significantly reduced. The shortest distance for back to side is between plot 29 and plot 28 where the distance is 10m, although the side of plot no.28 is just to the corner. Otherwise, distances are around 12-14m such as between plots 22-23 and 26. Given the recommendation to restrict permitted development rights from Class A, Class B and Class C this will assist in protecting the amenity of future residents from a potential overdevelopment of the site, distances between buildings and potential for overlooking/impact on privacy.

- 5.6.5 During the course of the application the layout has been revised and careful attention was paid to the flats for plots 44-47 where the front entrance and one elevation is in close proximity to plot 41 and the internal layouts of the flats to ensure sufficient daylight and prevent overlooking and impact on privacy.
- 5.6.6 Overall, between compliance with technical housing standards, good size private amenity spaces across the site that provide useable gardens for all units, and good back-to-back and back to side distances, Officers raise no objection to the proposed development on the basis of the impact on amenity for future residents in accordance with NHLP Policy SP9, the Design SPD and the Technical Space Standards.

5.7 Impact on amenity of adjoining properties

- 5.7.1 The impact of the proposals on existing residents has been considered, also in light of comments received throughout both consultation exercises on the application.
- 5.7.2 In terms of overlooking and privacy, the closest new built form to existing dwellings is 23m. There will be two dwellings, both 1.5 storeys in height and the two-storey block of four flats in the bottom south eastern corner, all along Crow Furlong. The 23m distances covers the 12m buffer to the existing hedgerow, Crow Furlong single track road, and the front gardens of existing dwellings. The residents most affected would be between nos. 12-24 Crow Furlong and no.75 Grays Lane, who are all located alongside the application site boundary. However, Officers consider there would not be any unacceptable impact on overlooking or loss of privacy due to the distance involved together with the vegetation buffer between. Officers consider that there would not be any unacceptable overshadowing of existing residential properties due to the distance involved between buildings and the height of existing and proposed buildings.
- 5.7.3 It is acknowledged that residents at no.24 Crow Furlong and 75 Grays Lane will also be impacted by increased traffic movements at the junction with the new entrance, although the Highway Authority raise no objection to the new access arrangements and impact on these residents. These properties also benefit from viewing green space when looking towards the application site, rather than new properties. Given the attention to sustainable drainage Officers also consider potential reductions in surface water would be a benefit to these residents who raise a concern about existing problems.
- 5.7.4 One objection was received in relation to the new footpath link from the site onto Crow Furlong, which provides easier access to the play area for existing residents. The objection related to safety. Officers do not expect significant numbers of people to utilise the link daily. The link is low key and anticipated to enable residents of the site to use active transport (ie walking and cycling to the town centre with more ease than using the main entrance) and for existing residents to access the play area with greater ease than using the main entrance. The location, design and function is not anticipated to generate large numbers of footfall or use as a key destination in the area. The footpath has been located to provide a short route and good levels of natural surveillance from new and existing properties.

- 5.7.5 The construction phase is of significant concern to residents in terms of construction traffic, noise and air pollution. Due to its scale the development can be completed in one phase. Whilst the construction phase of any development is obtrusive to existing residents it is a temporary phase in the life of the development. These environmental impacts have been considered by the EHO and examined later in this report. On construction traffic a condition is recommended by the Highway Authority to secure a construction traffic management plan to ensure it is suitably managed and to limit the impact on existing residents.
- 5.7.6 Whilst the concerns of existing residents on the impact of the proposals on their amenity are appreciated and understood, the proposed development has been sensitively designed to provide good separation from existing residents, and measures can be put in place to be secured via condition to ensure construction traffic, drainage, noise and air pollution are managed effectively. Some residents raised a concern that despite conditions the developers may not comply with them at the expense of local residential amenity. A point has been added to the CTMP condition requiring details of the construction site liaison contact should residents have a concern they would like to bring to the developer, which should be able to be addressed efficiently. Should a breach of planning control occur, residents may also report this to Planning Enforcement to investigate and take appropriate action. On that basis the proposals are considered to be in accordance with the NHLP Policies SP9 and the Design SPD.

5.8 Impact on the local highway network, access and parking

Impact on local highway network

- 5.8.1 NHLP Policy SP6 on Sustainable Transport requires, amongst other matters considered later in this report, to *'seek the earliest reasonable opportunity to implement sustainable travel infrastructure on Strategic housing Sites and other development sites in order to influence the behaviour of occupiers or users...'*
- 5.8.2 The issue of highway capacity is also of concern to many local residents. It is noted that residents have concerns about congestion through Hitchin along Pirton Road and Upper Tilehouse Street (A505) and the junctions it crosses at the roundabout with Park Way (A602) and the one-way system with Bedford Road, and that residents believe this development will add to that. Resident comments state that congestion is particularly heavy during peak rush hour times in the morning and the evening, when people are travelling to work and during school drop-off and pick-up. This can be worsened if there are traffic issues due to works or an accident on the surrounding road network.
- 5.8.3 Paragraph 110 of the NPPF states that *'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'* The NPPF also sets a high bar in terms of grounds to refuse an application on highway matters: Para 111 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*

- 5.8.4 NHLP Policy T1 on Assessment of Transport Matters states that '*Planning permissions will be granted provided that a) development would not lead to highway safety problems or cause unacceptable impacts upon the highway network*'.
- 5.8.5 This planning application has been submitted with a Transport Assessment (TA) which considered the impact of the proposed development at HT6 as well as HT5 (total 56 proposed units). Vehicular trip rates were sourced from the industry standard TRICS database. The associated peak hour trip rates are indicated in Table 5.7 of the TA. This anticipates that the site would generate a total number of trips (arrivals and departures) in the AM peak travelling period (08:00-09:00) to be 46 and would generate approximately 31 trips during the PM peak travelling period (17:00-18:00).
- 5.8.6 The Highway Authority have reviewed the submitted TA and found that whilst the operational phase of the development will add to the traffic flow and capacity at two nearby junctions (Grays Lane with Upper Tilehouse Street, and Upper Tilehouse Street with the A505), it is not to an unacceptable 'severe' level and will be mitigated with the sustainable transport contribution. Given the scale of development, the Highway Authority considers that '*the cumulative impact of the development proposals and traffic growth on the impact of the existing highway network, traffic furthestmost from the development will disperse and considered not to have a severe/material impact*'.

Access and Internal Arrangements

- 5.8.7 The proposed site would feature a single main vehicular access from the end of Grays Lane, sharing a new split access between sites HT5 and HT6 with the bridleway from the centre. This would be secured by condition and through a s278 highway agreement at the expense of the developer. Two conditions are requested firstly for a detailed scheme of off-site highway improvement works in relation to implementing the new junction, and to ensure that the gradient of the access will not be steeper than 1 in 20.
- 5.8.8 The Highway Authority note the inclusion of 2m footways leading into the site and 5.5m wide carriageway, which is acceptable. It is also noted that the swept path allows for a 12.1m large refuse collection vehicle, which is a longer type of vehicles compared to the Fire and Rescue Service vehicle, so the development will be acceptable to the emergency services. The roads within this proposed development will not be adopted by the Highway Authority.

Parking provision

- 5.8.9 NHLP Policy T2 on Parking requires proposals to be in accordance with the minimum standards set out in Appendix 4. This requires that x1 space is required per 1 bedroom dwelling and that x2 spaces are required for any dwellings of 2 bedrooms or more. In addition, between 0.25 and 0.75 visitors parking spaces are required per dwelling, with '*the higher standard being applied where there are no garages in scheme and the lower standards applied where every dwelling in the scheme is to be provided with a garage*'.
- 5.8.10 On the basis of the proposed housing mix, the proposal would require a minimum of 88 private spaces for dwellings (6x one-bedroom flats, 41x 2+ bedroom properties proposed) and between 12 and 35 visitor parking spaces. On reviewing the Proposed Parking Plan, two parking space have been provided for all properties with two or more bedrooms. Nine

houses benefit from a single garage in addition. Each one-bedroom flat has one parking space as well. All have been conveniently located for each property, either to the front or side of each building. Affordable housing providers prefer parking directly at the front of the building, whereas to maintain a less car dominant appearance from a planning perspective Officers prefer parking set back from the street and consider that a good balance has been struck onsite with a range of parking typologies.

- 5.8.11 It is also noted that 12 visitor parking spaces have been provided, which is the minimum in the 0.25-0.75 spaces per unit range however each dwelling already complies or exceeds the parking requirement so this is considered acceptable and will not likely cause a knock-on effect of on street parking in neighbouring streets.
- 5.8.12 In terms of cycle parking and storage, Appendix 4 also requires '*1 secure covered space per dwelling. None if garage or secure area provided within curtilage of dwelling*'. It is noted that the TA cites the plans including space for each dwelling to provide cycle parking for two bikes. It is acknowledged that garages will be large enough (3m x 7m each) to accommodate cycle parking where a plot benefits from a garage. To ensure that this is complied with at other plots without a garage and sufficient provision is provided on site, a schedule with details of cycle parking and storage across the site will be required by condition should planning permission be granted.
- 5.8.13 In light of the above observations, it is considered that the proposal would include sufficient parking provision, which is in accordance with the requirements of NHLP Policy T2 and Appendix 4.

Construction

- 5.8.14 Regarding construction of the site, it is anticipated that the new access would be constructed first, and construction would take place off the new access. The Highway Authority have requested a condition for a construction traffic management plan to be submitted and approved in writing prior to commencement of development. This will ensure that the Highway Authority and Planning Officers understand how the site can be developed with as little impact on existing residents as possible. No construction traffic would use High View for access. The applicant will also require detailed discussion and s278 agreement with the Highway Authority.
- 5.8.15 It is also noted in the Highway Authority response that 'access to public rights of way must be considered at all periods of construction'. It is important that the bridleway remains open during construction to ensure residents along the bridleway have access to their properties. This will need to be carefully managed, so it has been incorporated into the proposed condition for a Construction Phasing and Environmental Management Plan.

Mitigation measures

- 5.8.16 Paragraph 110 of the NPPF states that: '*In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national*

guidance...and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'

5.8.17 NHLP Policy T1 also states that '*Planning permission will be granted provided that:...b) mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network are secured in accordance with Policy SP7; and d) for major developments, applicants demonstrate (as far as is practicable) how: i. the proposed scheme would be served by public transport...*'

5.8.18 The applicant has committed to financial contributions towards projects identified in Hitchin to support sustainable transport. HCCs Local Transport Plan (LTP) 4 include several projects for proposed development to feed into via obligations. Calculated based on the number of dwellings proposed and the estimated number of non-car driver trips, a contribution of £320,822 will be secured in the S106 based on £6,826 per dwelling. The projects identified that are relevant and necessary include:

- NSM48 – A505/Pirton Road/Upper Tilehouse Street – signalise A505 Pirton Road and A602/A505 junctions. This would reduce congestion and would also provide the opportunity for improved pedestrian crossing facilities.
- Bus stop improvements along Offley Road and Old Park Road

5.8.19 A further aspect of the proposals is that each dwelling will be provided with electric vehicle (EV) recharging points and 10% of communal parking spaces will also be provide with EV recharging infrastructure. This would accommodate and encourage the use and ownership of more sustainable electric vehicles. It is noted that this is now a required provision of Building Regulations, which came into effect in June 2023. The recommended condition requires the charge points to be installed, not just 'EV ready' as Part S of the Building Regulations require.

Conclusions on the local highway network, access and parking

5.8.20 Many of the objections received from local residents refer to the impacts this proposal would have on matters of highway capacity and access. It is acknowledged that local residents raise the matter of congestion during peak rush-hours along Upper Tilehouse Street and the roundabout with the A602. However, the HCC Highway Officer has not objected to these proposals, subject to conditions and subject to a package of mitigation measures to be secured via a s106 legal agreement, as outlined above. It is found by the HCC Highway officer that although there would be some increase in traffic arising from the proposed development, this would not have an unacceptable impact on highway safety or result in a residual cumulative impact that would be severe so as to warrant an objection or reason for refusal in accordance with NHLP Policy T1 and the NPPF, together with a package of planning obligations towards sustainable transport.

5.9 Flood Risk and Drainage

5.9.1 NHLP Policy NE7 on Reducing Flood Risk sets out that a Flood Risk Assessment (FRA) is prepared to support applications for planning permission in accordance with national guidelines, and that development takes account of reducing flood risk, does not increase flood risk elsewhere, minimise residual flood risk, sensitively designed flood prevention and mitigation where applicable, and protection of overland flow routes and functional

floodplain. The application is accompanied by a FRA and Drainage Strategy (both by consultants MAC Pre-Planning Engineering) Updated in April 2023.

- 5.9.2 The site is entirely within EA Flood Zone 1 and is at low risk of flooding from all other sources. It is acknowledged that concern has been raised by local residents with regard to increased surface water flood risk from the proposed development towards the north-eastern corner of the site (top of Grays Lane).
- 5.9.3 Having assessed the submitted reports and information, the Lead Local Flood Authority (LLFA) now raises no objection, with concern previously based on further technical details being required on infiltration features and adoption of a different rainfall method for the surface water run off rates. Following submission of this information, the LLFA now recommends conditions requiring that the drainage strategy be carried out in full and that a management and maintenance plan and method statement be provided.
- 5.9.4 Thames Water and Affinity Water have also responded to the consultation confirming they have no comments to make on the proposed development.
- 5.9.5 It is noted that the sustainable drainage features, such as the attenuation pond to the front of the site and swale features alongside the woodland to the south respond to the topography of the site. Much of these features would be accommodated within or exceed the 12m complimentary habitat buffer around the perimeter of the site. These green spaces will be multifunctional and enhance the biodiversity of the site.
- 5.9.6 The proposals are therefore considered to be in accordance with the NPPF and NHLP Policy NE7.

5.10 Ecological and greenspace considerations

Trees

- 5.10.1 There are several mature trees around the perimeter of the site, which creates an enclosed and attractive site. The vast majority of these trees will be retained, and only removed where the health of the tree is not satisfactory.
- 5.10.2 Several trees within the site will need to be removed (T3, T6, T8, T9, T10, T12, T13, T14, T17, T18, G4), generally positioned in the middle of the site, and are all category C trees. There will also be partial clearance of H1 and H2 which is the hedgerow around the site entrances to site HT5 and HT6.
- 5.10.3 There is a mature Ash tree which is protected by a Tree Preservation Order (TPO no.129). This tree will be retained and has been incorporated into the play area. During the site visit it is clear that this tree will need future some pruning works for its health and longevity and is recommended prior to construction works.
- 5.10.4 At the time the arboricultural survey was undertaken, the woodland area was included within the red line site boundary. The survey therefore picks up on another TPO tree (T16) a mature Lime. The root protection area has been respected and sufficient space around the tree is provided by virtue of the 12m buffer.

Greenspaces

- 5.10.5 In terms of Greenspaces, North Herts Council Officers have negotiated with the applicants to deliver a more substantial play area (increasing the size of the LAP). The minimum area for a LAP is 100 sqm and a LEAP would be 400 sq.m, so at 250 sq.m it would constitute a good sized LAP, which should be equipped
- 5.10.6 The play area has also been repositioned within the site to provide a central area of green space, which will be a focal point within the site and a local destination for children and families to use the play area. There is a deficit of play space in the local area so this will provide a contribution towards that which will benefit future and existing local residents. The play area will have amenity grassland together with a mature tree which is protected by a TPO.
- 5.10.7 A maintenance plan will be required by condition should the application be approved. Following delivery of the play area and landscaping the developer will be responsible for contributing financially towards the long-term management and maintenance of the site. It is the Council's preference to adopt and manage the green space and play area on this development site, which involves taking on the BNG responsibilities for the long term. This is in accordance with the Developer Contributions SPD and NHLP Policy SP7.

Ecology

- 5.10.8 The biodiversity impacts arising from the development of the site have been considered, which was another source of comment from local residents. The associated features of the land, such as the grassland, trees and hedgerows are likely to contain at least some features of biodiversity interest and value. To be clear, the woodland area to the south of the application site is not included in the application site boundary. It did form part of the application site in the application for outline planning permission in 2021, the application has now been withdrawn. The implication is that the Biodiversity Net Gain does not relate to the woodland area, only the area within the red line.
- 5.10.9 Whilst it is inevitable that much of the grassland will be lost as a result of the development, the trees and hedgerows are sought to be retained and incorporated into the proposals as far as possible. A Phase 1 Habitats Survey and a Biodiversity Net gain calculator have been submitted with this application which demonstrates that the site would result in a 10% net gain in biodiversity, compared to the current situation. The NHLP Policy NE4 requires 'measurable net gains', whilst we know that when the Environment Act 2021 comes into effect from November 2023 a minimum 10% will be required, so this is covered should a decision not be issued before then.
- 5.10.10 The aim has also been to provide 12m of habitat alongside hedgerow as a 'relevant habitat' identified in Policy NE4. However, in order to maximise the capacity of the site there will be three main breaches of that from built form along the Crow Furlong elevation – the building of flats nos. 44-47, and plots no.10 and 11, where each building breaches the 12m (Policy NE4) by 3-4m each. Still at these points a minimum of 8m is maintained from the boundary within the site, which is generous and protects the appearance of the site and maintains a strong element of green character along Crow Furlong. Other areas around the perimeter of the site, where the hedgerows are located, there are several other minor breaches by a meter or so and positioning of some hardstanding. It is noted that in other places, due to the informal layout, the 12m is exceeded, in place significantly if taking

back gardens into account. Whilst not strictly compliant with this policy, overall Officers raise no objection given the site meets 10% net gain and noting that number of units contained on site is already lower than the site allocation of 53 units in Policy HT6.

5.10.11 The proposals would also result in some minor loss of existing hedgerow, most notably where the new main vehicular access will be created and the new footpath onto Crow Furlong will be installed. The existing hedgerow will otherwise be bolstered and enhanced with new planting where there are gaps. The 12m buffer particularly alongside the woodland to the south is generous, and will contain sustainable drainage features, providing diversity to habitat and opportunities for species to flourish. The boundary to the west, which will form the new boundary to the Green Belt will be significantly enhanced with hedgerow and tree planting, which will have benefits in terms of landscape as well as a mature ecological habitat and connectivity between existing habitats, including the woodland and countryside beyond.

5.10.12 Officers consider that overall, there would not be harm to biodiversity and ecology. In addition, in order to seek to ensure the delivery and longer-term viability of the on-site mitigation (landscaping, natural grasslands etc), a suitable planning condition would also require the management and maintenance of these features. The proposals are therefore in accordance with the NPPF and NHLP Policy NE4.

5.11 Environmental Health Considerations

Land contamination

5.11.1 The application is accompanied by a 'Ground Investigation Report' prepared by Geo-Environmental Services Ltd dated 27/11/2020. Having considered the submitted report, the NHDC Environmental Health Officer stated: *'I have no objection to this application, with response to contamination on land. However, given the recommendations made in the above-mentioned desk study report, and because of the sensitivity (residential land use) of the proposed development to the presence of land contamination, I recommend that the following condition be included'*...should the application be approved. The proposed condition relates to a Phase II environmental risk assessment being undertaken and appropriate remediation if required undertaken, all pre-commencement of development.

Air Quality

5.11.2 NPPF para. 105 states that *'The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health'*. NPPF para. 186 (under section 'Ground conditions and pollution') states that *'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement'*.

- 5.11.3 The application has been submitted together with an Air Quality Assessment. The Council's approach and guidance to matters on air quality is outlined in the 'North Herts Air Quality Planning Guidance (October 2018)' document. The Council's Environmental Health Officer advises that in accordance with NHDC guidance and notes the position adjacent to an Air Quality Management Area (AQMA). The conclusion of the assessment is that the impact on air quality will result from construction work and traffic generated by the development rather than the operational phase. Overall, in previous consultation responses, the EHO had no objection subject to conditions relating to construction traffic, EV charging points and a s106 contribution towards pollution damage and the required level of mitigation compensation which comes to £44,693.42 over a 5 year period using a standardised approach as recommended by DEFRA.
- 5.11.4 The EHO reviewed the Assessment in light of comments received by the public and the EHO agreed that the data from 2016/2018 was considered to be out of date, however, the air quality in this location is now significantly improved compared to the 2018 when the data was collected. The EHO has highlighted that given the positive results of monitoring both AQMAs in the district there is now evidence that air quality has improved so much that both AQMAs are now eligible for revocation.
- 5.11.5 The EHO has requested that as the Air Quality Assessment is linked to the financial contribution previously requested and agreed to, the Assessment should be updated in order to re-calculate any mitigation costs that might be required, if any. The update should take place prior to finalising the s106 and issuing the decision notice. It is important to note that the updated air quality assessment will not impact the principal of compliance with planning policy D4 and the NPPF taken as a whole and will only alter levels of mitigation required. No other changes were recommended to conditions as a result of comments from the public.
- 5.11.6 A condition requiring a Travel Plan was also requested to be in accordance with the County Councils advice, however this development site is below their threshold and the Highway Authority did not require this or a monitoring fee towards their work. This is therefore not included in the recommendation.

Noise

- 5.11.7 The Council's Environmental Health Officer has not raised any objections and has advised the use of two conditions relating to the construction phase of development due to the scale of development, relating to hours of work, and the requirement for a 'construction phasing and environmental management programme' to be submitted prior to commencement. This would be closely linked to the construction traffic management plan in relation to highways, so the two conditions have been merged.

Conclusion on environmental health considerations

- 5.11.8 As outlined above, there is no objection from Environmental Health Officers for the proposed development in relation to the impact on air quality, noise or land contamination. All Officers recommend conditions to control the development principally from a construction perspective. Conditions are also required to secure improved standards for

EV charging points compared to Part S of the Building Regulations, as well as financial contributions towards air quality objectives.

5.12 Policy HT6 requirements

5.12.1 With particular reference to site allocation reference HT6, and now that all material considerations have been reviewed, these points can all be addressed in the round. The policy text requires:

- *'Improvements to Grays Lane to provide access to sites HT5 and HT6 whilst maintaining appropriate access to, and integrity and character of, Bridleway Hitchin 004 and Byway Open to All Traffic Hitchin 007;*
- *'Consider and mitigate against any adverse impacts upon adjoining priority habitat (deciduous woodland);*
- *'Consider and mitigate against potential adverse cumulative impacts of sites in this area on Oughtonhead Lane SSSI;*
- *'Retain and reinforce planting along western and southern boundaries to ensure integrity of revised Green Belt boundary;*
- *'Sensitive design to minimise impacts upon landscapes to the west, including longer views from the Chilterns AONB; and*
- *'Archaeological survey to take place prior to development.'*

5.12.2 As per section 5.8 above, the applicant has consulted with the Highway Authority and proposes an access that can provide for both HT5 and HT6 sites. Both sites correlate and a resolution to grant has been given for an application for HT5 already. It is considered that the integrity and character of paths 004 and 007 are maintained through the design of the access and retention of the majority of the hedgerows along path 004. The site is unlikely to have a significant impact on path 007 either during construction or operational phases.

5.12.3 The Ecological Assessment considered the impact of the proposal on the adjoining priority habitat to the south of the site. This woodland was formerly included in the application site boundary as an area that could be enhanced using Biodiversity Net Gain but has now been excluded. The full 12m buffer required by Policy NE4 has been included along the southern boundary and exceeded if including rear gardens as 'complimentary habitat'. This buffer will primarily comprise conservation grasslands and sustainable drainage features. This reflects the current environment which also provides a buffer between the woodland area and the development site. There will also be no access from the development into the woodland area.

5.12.4 The Ecological Assessment also considered impact of the proposals on sites in the area. It identifies the closest SSSI at Oughtonhead to be a protected for its geological value, rather than ecological, but also that it is located 900m away. It is recognised that the proposals may increase the number of visitors to the site, which is in walking and cycling distance and easily located from the application site, however the increase in population as a result of this development, or in the context of HT3, HT5 and HT6 together is relatively small compared to the existing population of the town. Officers also understand that when this policy was written there were water table issues associated with the site, which HMWT state are no longer a concern. Neither Natural England, HCC Rights of Way, Herts Ecology, or HMWT raised objection in this regard.

- 5.12.5 The Landscaping Strategy includes the 12m buffer around the perimeter of the site, identifying trees and buffers to be priority habitat, and proposed to retain as much existing landscaping as possible. The Strategy also reinforces the western boundary with additional trees and planting, and grassland and SUDS along the woodland boundary to the south. Both are considered to be appropriate in the circumstances, with open countryside to the west and woodland to the south, forming a defensible Green Belt boundary.
- 5.12.6 In terms of a sensitive design to protect the landscapes and views from the Chilterns AONB, again a good 12m buffer has been provided along the western boundary that is exposed at the top of the hill. The buffer will include new planting including new trees to bolster that boundary. It is inevitable that the development of this site will in part be visible in longer views due to the dramatic topography to the west, however only three buildings will be located along this boundary, with separation in between, utilising an existing mature tree together with new planting. Officers consider the impact has been minimised as far as possible, without having significantly impact on the housing delivery of the site.
- 5.12.7 Lastly, an archaeological survey has been undertaken prior to the application being submitted. As per section 5.4, the County Archaeologist was content with the information submitted and requested a condition to require a Written Scheme of Investigation of the site before development commences, should the application be approved.
- 5.12.8 Overall, all points of Policy HT6 and these particular site requirements have been satisfied.

5.13 Planning Obligations

- 5.13.1 In considering planning obligations in relation to this development NPPF para. 57 advises that: *'Planning obligations should only be sought where they meet all of the following tests:*
- *necessary to make the development acceptable in planning terms;*
 - *directly related to the development; and*
 - *fairly and reasonably related in scale and kind to the development.'*
- 5.13.2 NHLP Policy SP7 sets out infrastructure requirements and developer contributions that are *'necessary in order to accommodate additional demands resulting from the development'*. This policy reflects the NPPF principles set out above. It also cites the recently adopted Development Contributions SPD adopted by the Council and the update to Development Contributions adopted by the County Council.
- 5.13.3 Officers have held detailed negotiations with the applicant and agreement has been reached on a range of matters which are included in the draft s106. These include the provision of policy compliant 40% affordable dwellings of which 12 will be for affordable rent and 7 will be intermediate tenure; air quality compensation scheme, on site provision of a play area (LAP) and contribution to the management and maintenance of green space on site, and the District Council's monitoring fees. Also included are index-linked financial contributions towards sustainable transport measures and other HCC services (primary and secondary education, SEND school places, library service, youth service, waste services and waste service transfer station, and monitoring fees).

5.13.4 All of the s106 obligations are listed in the following table:

Element	Detail	Justification														
Affordable Housing (NHDC) with private and self-build tenure	<p>Based on 47 units, on site provision of 19 units (40%) based on 65% rented tenure (12 units) and 35% intermediate tenure (7 units)</p> <p>Affordable Rented (of 12 units):</p> <table><tr><td>1bed flat</td><td>4 units</td></tr><tr><td>2bed house</td><td>5 units</td></tr><tr><td>3bed house</td><td>2 units</td></tr><tr><td>4bed house</td><td>1 unit</td></tr></table> <p>Affordable Intermediate (of 7 units):</p> <table><tr><td>1bed flat</td><td>2 units</td></tr><tr><td>2bed house</td><td>2 units</td></tr><tr><td>3bed house</td><td>3 units</td></tr></table>	1bed flat	4 units	2bed house	5 units	3bed house	2 units	4bed house	1 unit	1bed flat	2 units	2bed house	2 units	3bed house	3 units	<p>NHDC Developer Contributions Supplementary Planning Document (SPD) Feb 2023</p> <p>NHLP Policy HS2 Affordable Housing</p>
1bed flat	4 units															
2bed house	5 units															
3bed house	2 units															
4bed house	1 unit															
1bed flat	2 units															
2bed house	2 units															
3bed house	3 units															
Primary Education (HCC)	Indicative contribution of £508,040 (to be index linked) towards the cost of delivering a new primary school to serve Hitchin	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC ‘Guide to Developer Infrastructure Contributions’ 2022														
Secondary Education contributions (HCC)	Indicative contribution of £472,237 (to be index linked) towards the secondary education provision serving the development	Policy SP7 Developer Contributions SPD HCC ‘Guide to Developer Infrastructure Contributions’ 2022														
Special Educational Needs and Disabilities (SEND) (HCC)	Indicative contribution of £59,198 (to be index linked) towards provision serving the development	Policy SP7 Developer Contributions SPD HCC ‘Guide to Developer Infrastructure Contributions’ 2022														
Library Services (HCC)	Indicative contribution of £10,165 (to be index linked) towards provision serving the development	Policy SP7 Developer Contributions SPD HCC ‘Guide to Developer Infrastructure Contributions’ 2022														

Youth Services (HCC)	Indicative contribution of £12,556 (to be index linked) towards increasing the capacity of facilities for young people in Hitchin and/or provision serving the development	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Waste Service Recycling Centre (HCC)	Indicative contributions of £8,097 (to be index linked) towards increasing capacity at Letchworth Recycling Centre or provision to serve the development and/or provision serving the development	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Waste Services Transfer Station	Indicative contributions of £8,070 (to be index linked) towards provision serving the development	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Sustainable Transport contributions (HCC)	Strand 2 Contributions of £320,822 (to be indexed linked) -	Policy SP7 Policy SP17 Policy D1 Developer Contributions SPD HCC LTP4 HCC 'Guide to Developer Infrastructure Contributions' 2022
Monitoring Fees (HCC)	<p>Towards the County Council's reasonable and proper administrative costs of monitoring compliance with the provision in the legal agreement.</p> <p>The fees will be calculated based on the number of triggers within the legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021)</p>	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Open space provision and management/ maintenance arrangements (NHDC)	On-site provision of open space including 1x Equipped LAP to be adopted by NHDC as shown on the Site Plan and to be provided in accordance with the standards of <i>NHDC Open Space Review and Standards 2016</i> and <i>Guidance for Outdoor Sport and Play: Beyond the six acre standard (England)</i>	Policy SP7 Developer Contributions SPD

	<p>Currently requested financial contributions of approx. £938,000 (to be agreed) (to be index linked) towards the long-term maintenance of green and open spaces within the site by North Herts Council to cover a period of 30 years, which is the preferred option with alternative backup to use a management company to maintain green spaces.</p> <p>Scheme of provision, adoption and management for all play areas and open space required to be submitted prior to commencement.</p>	
Air Quality Compensation Scheme (NHDC)	Contribution of £44,693.42 (to be index linked) towards 5 years of mitigation subject to reassessment prior to determination.	Policy SP7 Developer Contributions SPD DEFRA Calculator
Monitoring Fee (NHDC)	One off monitoring fee of £24,575.34 (based on the above figures; 2.5% of contributions to NHDC with a minimum of £750 and maximum of £25,000) (to be index linked) to cover the monitoring of all obligations (not including those relating to HCC)	Policy SP7 Developer Contributions SPD

5.13.5 At this stage the planning contribution figures have been agreed by all parties. Discussions are ongoing regarding the wording of the s106 Agreement, such as trigger points. However, it is considered that the heads of terms are advanced enough to refer this matter to Planning Control Committee and that the outstanding issues are minor in nature and can be resolved prior to determination.

5.13.6 All the elements of these Obligations are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. In the light of the detailed evidence, all the elements of the Obligation meet the policy in paragraph 256 of the NPPF and the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

5.14 Summary and Conclusion

5.14.1 The application site at the end of Grays Lane, to the east of Foxholes and Gainsford House, Hitchin, under Site Allocation and Policy HT6 was removed from the Green Belt on adoption of the North Hertfordshire Local Plan in November 2022 to enable to development of the site for approximately 53 homes. The site will make a positive contribution to the delivery of homes in the district for the rest of the Plan period which also benefits from a strong defensible boundary to the Green Belt around Hitchin.

- 5.14.2 Through this planning application for full planning permission, this site has been through a collaborative consultation exercise with extensive negotiations and improvements to the final set of plans that are recommended for approval. The design represents a high standard of urban design, green infrastructure and would be in keeping with the context of the site. The proposals are in accordance with Policies SP9 and HT6 of the NHLP 2022.
- 5.14.3 Regarding landscape, the proposals are considered to be in accordance with the NPPF and NHLP Policy NE2 on Landscape, where the site will sit as an urban extension to Hitchin in context with the existing urban development. The proposed green infrastructure and significant new landscaping will mitigate any localised adverse impact.
- 5.14.4 On heritage assets, Officers note no harm resulting from the proposals on designated heritage assets and the requirement for further archaeological work to be secured via condition, all in accordance with the NPPF and NHLP Policies HE1 and HE4.
- 5.14.5 Hertfordshire Highways raise no objection to the proposed development, stating that '*the development will not have a severe impact on the local highway network*' read alongside the contribution towards sustainable transport measures for off-site improvements, it is concluded that the proposals are in accordance with the NPPF, NHLP Policy T1 and LTP4.
- 5.14.6 The construction phase from a residential amenity, air pollution and highway perspective is particularly important given the proximity of existing residents and character of Grays Lane. These elements will be controlled through conditions relating to construction management (environmentally and in relation to highways), and hours of operation.
- 5.14.7 Other material considerations have been assessed relating to design, impact on residential amenity, drainage and flooding, ecology, land contamination, air quality and noise. Further detail on some of these areas will be secured through conditions for further information.
- 5.14.8 The application is accompanied with a set of planning obligations which are necessary to make the development acceptable, directly related to the development, and fairly and reasonably related in scale and kind. These are set out in para. 5.12.4 above and include policy compliant levels of affordable housing, education, sustainable transport, waste services and open space.
- 5.14.9 Overall, the proposed development is in accordance with the NPPF 2021 and the NHLP 2022 as a whole.

6.0 Alternative Options

- 6.1 None applicable (see 'Key issues' section of this report above)

7.0 Climate Change mitigation measures

- 7.1 This application is accompanied by a 'Sustainability Statement' dated February 2022. There are several aspects of this proposal which are of note, with regard to seeking to

mitigate climate change and whilst some of these have already been discussed in this report, these are summarised below:

- Electric Vehicle charging points will be incorporated throughout
- Substantial contributions towards sustainable transport
- The implementation of the submitted Travel Plan, seeking incentives to reduce use of the private car and push towards more sustainable modes of travel
- Inclusion of 2 secure cycle parking spaces for each unit
- Materials on site will be selected for their green rating and sustainability credentials
- Hedgerow would be reinforced within the site
- New structural planting within the site
- Biodiversity net-gain on site
- The submission of a Biodiversity Net Gain Management Plan in order to implement and maintain the on-site landscaping and ecology benefits.
- Provision made for waste to be collected and recycled in line with Council policy
- A recommended condition will require that a Site Waste Management Plan be submitted prior to commencement, in order to reduce waste both during and after construction
- Including low water consumption appliances
- Minimise heat loss and maximise solar gain for individual buildings
- Maximise energy efficiency including use of insulation, draught proofing and localised temperature controls
- Inclusion of renewable energy such as solar panels and air source heat pumps for each building across the whole site

- 7.3 Notwithstanding the above, a further condition will require that this be updated and resubmitted to the Council for when the development is closer to commencement, whereby the use of sustainable technologies can be reconsidered in accordance with up-to-date planning policy and building regulations.

8.0 Pre-Commencement Conditions

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

9.0 Legal Implications

- 9.1 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.

10.0 Recommendation

10.1 That outline planning permission is resolved to be **GRANTED** subject the following:

- A) The update of the Air Quality Assessment and recalculation of the financial contribution towards mitigation, the completion of a satisfactory legal agreement; and the applicant agreeing to extend the statutory period if required; and
- B) Providing delegated powers to the Development and Conservation Manager to update conditions and informatives as set out in the report above; and
- C) Providing delegated powers to the Development and Conservation Manager to finalise the financial contribution towards the maintenance of greenspace within the site and associated monitoring costs; and
- D) Conditions as set out below:

1. Time Limit (C001)

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. Development in Accordance with the Approved Plans (C002)

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. Removal of PD rights

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

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

4. Standard Landscape completion condition C017

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.

5. Landscape Scheme

Prior to commencement full details of soft and hard landscaping will be submitted to and approved in writing by the Local Planning Authority. Details will include:

Soft Landscape

- a) Details of trees, hedgerows, habitats, ponds and other natural features it is proposed to retain or remove and details of how they will be protected during the construction phase. Such details to include the tree protection measures in accordance with BS5837:2012.
- b) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;
- c) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of each development phase;
- d) The landscape treatment of roads;
- e) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;
- f) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate;
- g) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;

Hard Landscape

- h) Full details, including cross-sections, of all bridges and culverts;
- i) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;
- j) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways;
- k) Details of all hard surfacing materials (size, type and colour).

No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development Phase shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the

setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings

6. Land Contamination Condition

(a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(ii) The results from the application of an appropriate risk assessment methodology

(b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.

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

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

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

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

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

7. BNG Management Plan

Development shall not commence until a biodiversity net gain management plan (BNGMP) has been submitted to, and approved in writing by, the local planning authority. The content of the BNGMP shall ensure the delivery of the agreed number of habitat and hedgerow units as a minimum (+0.47 habitat units, +0.64 hedgerow units) to achieve a net gain in biodiversity and include the following.

a) Description and evaluation of habitat parcels to be managed, cross referenced to individual lines in the metric.

b) Maps of all habitat parcels, cross referenced to corresponding lines in the metric.

c) Appropriate management options for achieving target condition for habitats as described in the approved metric.

d) Preparation of an annual work schedule for each habitat parcel (including a 30 year work plan capable of being rolled forward in perpetuity).

e) Details of the body or organisation responsible for implementation of the plan.

f) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.

g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.

h) Reporting plan and schedule for informing LPA of condition of habitat parcels for 30 years.

The BNGMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BNGMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: To enhance biodiversity in accordance with the NPPF and the North Hertfordshire Local Plan Policy NE4

8. Bird and bat boxes

No development shall commence until details of 20 integrated swift boxes and 20 integrated bat boxes have been submitted and approved by the LPA. These devices shall be fully installed prior to occupation and retained as such thereafter.

Reason: To enhance biodiversity in accordance with the NPPF and the North Hertfordshire Local Plan Policy NE4.

9. Fire Hydrants

No development apart from enabling and associated works shall take place until details of a scheme for the provision of fire hydrants to serve the relevant phases of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.

Reason: To ensure all proposed dwellings have adequate water supplies for in the event of an emergency.

10. FRA

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment prepared by MAC, reference 188- FRA-02-E, Revision E, 20 April 2023. The strategy shall; 1. Carry out further detailed infiltration testing (in accordance with BRE Digest 365) in the northwest section of the site (around plots 7 & 30). If infiltration is found to be unviable in this location, there should be further provision of attenuation storage in order to prevent any possible ponding. 2. Limit surface water run-off in the southwest of the site generated by the critical storm events so that it will not exceed the surface water run-off rate of 1.8 l/s during all events up to and including the 1% AEP plus 40% climate change event. The remainder of the site should utilise the infiltration techniques (permeable paving and infiltration basin) as detailed in the approved Flood Risk Assessment. 3. Include a finalised drainage layout alongside full engineering drawings of all SuDS and drainage elements to be implemented.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants

11. Drainage Method Statement

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

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

12. Drainage Management and Maintenance Scheme

Prior to the occupation of the first unit, details shall be provided in respect to the management, inspection and maintenance of any non-adopted drainage features. The details shall identify the responsible parties and set out how these will be funded and managed and provide a schedule of the proposed inspections and annual maintenance for the lifetime of the development. The plan shall be submitted to and approved in writing with the Local Planning Authority prior to first occupation and the development shall thereafter be maintained at all times in accordance with the approved details.

Reason: To ensure the drainage system is adequately maintained in order to function effectively for its lifetime.

13. Construction phasing and environmental management plan

No development shall commence until a Construction phasing and 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: For the purposes of both the Highway Authority and Environmental Health, the Plan will include:

- i) hours of construction operations including times of deliveries and removal of waste and to avoid school pick up/drop off times;
- ii) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- iii) the location of construction traffic routes to and from the site, details of their signing, number and type of construction vehicles, monitoring and enforcement measures;
- iv) 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;
- v) siting and details of wheel washing facilities for construction vehicles leaving the site;
- vi) end of day tidying procedures to ensure protection of the site outside the hours of construction, including cleaning of site entrances, site tracks and the adjacent public

highway. The construction activities shall be designed and undertaken in accordance with the code of best practice set out in British Standard 5228 1997 and with the agreed details unless otherwise agreed in writing by the Local Planning Authority;

vii) Details of the construction site liaison contact for the use of local residents if required

The Plan for purposes of Environmental Health shall include the following elements:

- a. measures to minimise dust, noise, machinery and traffic noise impacts during construction;
- b. screening and hoarding details, to protect neighbouring residents;
- c. storage and removal of building waste for disposal or recycling;

The Plan for the purposes of Highway Authority shall also include details of:

- d. Access arrangements to the site;
- e. Traffic management requirements
- f. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- g. Impacts to the public rights of way and diversions if required.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, and in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts and amenity in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

14. Highway Improvements

A) Design Approval Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing number 188-TA50 Rev D have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

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

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

15. Access Design

Prior to use the gradient of the main vehicular access road shall be constructed not be steeper than 1 in 20.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy 5, of Hertfordshire's Local Transport Plan 4

16. Electric Vehicle (EV) Charging Point

Prior to occupation, each of the proposed new dwellings shall incorporate an Electric Vehicle (EV) ready charging point. Proposals should also be made for the provision of EV charging within other public parking areas of the proposed development.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality in accordance with Building Regulations Part S and Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

17. Hours of working

During the change of use phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

Reason: To protect the residential amenity of existing residents

18. Site Waste Management Plan

No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved SWMP.

Reason: This is a pre-commencement condition to promote sustainable development and to ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

19. Archaeology

A 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 for post investigation assessment 3. Provision to be made for analysis of the site investigation and recording 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation 5. Provision to be made for archive deposition of the analysis and records of the site investigation 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation. B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation www.hertfordshire.gov.uk approved under condition (A) C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

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

20. Tree protection C020

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.

21. Open Space Management and Maintenance

Prior to or concurrent with the first reserved matters submitted in each phase identified in Condition 6 a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with an agreed timetable and phasing strategy approved under condition 6. Details to be submitted shall include:

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

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

Reason: To ensure adequate open space and amenity provision as per NHLP Policy NE6

22. Standard materials condition C012

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.

23. Standard parking provision (Residential)

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.

24. Standard Tree Retention C018

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.

25. Energy Statement

Prior to commencement a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation.

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 in the local plan.

26. Scheme of cycle parking

Before the occupation of any of the dwellings hereby permitted, facilities for two cycle parking spaces shall be shown on a plan. Details shall be approved in writing by the Local Planning Authority prior to commencement and the approved details shall be implemented on site and shall thereafter be kept available for the parking of bicycles.

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

27. Details and surfacing of new footpath links

Details shall be submitted for the route and surfacing of two footpath links from the site to Bridleway 004 and Crow Furlong as shown on the approved plans. Details shall be approved in writing by the Local Planning Authority prior to commencement 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.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and 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**Environmental Health Noise**

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

HCC Minerals and Waste

The county council, as the Minerals Planning Authority, would like to encourage the opportunistic use of these deposits within the developments, should they be found when creating the foundations/footings. Opportunistic use of minerals will reduce the need to transport sand and gravel to the site and make sustainable use of these valuable resources.

Highways:

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) 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.

AN4) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

AN5) 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.

LLFA:

In December 2022 it was announced FEH rainfall data has been updated to account for additional long term rainfall statistics and new data. As a consequence, the rainfall statistics used for surface water modelling and drainage design has changed. In some www.hertfordshire.gov.uk areas there is a reduction in comparison to FEH2013 and some places an increase (see FEH22 - User Guide (hydrosolutions.co.uk)). Any new planning applications that have not already commissioned an FRA or drainage strategy to be completed, should use the most up to date FEH22 data. Other planning applications using FEH2013 rainfall, will be accepted in the transition period up to 1 April 2023. This includes those applications that are currently at and advanced stage or have already been submitted to the Local Planning Authority. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded by FEH 2013 and 2022 and therefore, use in rainfall simulations are not accepted.

EV Charging Point Specification:

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

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

A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.

The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).

If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

UK Government is intending to issue legislation in 2021 to require domestic EV charge points to be smart, thus we recommend that all charge points will be capable of smart charging, as detailed in UK Gov consultation response.

Crime Prevention Design Advisor

The applicant may seek to achieve accreditation to the preferred minimum security standard that is Secured By Design (SBD) by way of contact the Hertfordshire Constabulary CPDS. It appears that doors and windows are to be certified to PAS 24:2016 or a suitable equivalent. This will assist with demonstrate the discharge of obligations under Approved Document 'Q' – Security of Building Regulations.



Ordnance Survey, (c) Crown Copyright 2016. All rights reserved. Licence number 100022432

NOTES:

AT ARCHITECTURE LIMITED
WWW.ATARCHITECTURELTD.COM
OXFORD HOUSE, CLIFTONVILLE, NN1 5BE
ASHLEY.THOMPSON@AT-ARCHITECTURE.UK

NO DIMENSIONS TO BE SCALED FROM DRAWING
ALL DIMENSIONS ARE APPROXIMATE AND TO BE
CHECKED ON SITE

THIS DRAWING IS FOR PLANNING PURPOSES ONLY
SUBJECT TO BUILDING CONTROL STANDARDS
AND COMMENTS
COPYRIGHT RESERVED

PROJECT:		REV:		BY:	DATE:	DETAILS:
Land Off Crow Furlong HITCHIN						
DRAWING TITLE:						
Location Plan						
SCALE:	STAGE:	DATE:				
1:1250 (A3)	Planning	Mar 2022				
DRAWING NO:		REVISION:				
A_1622 EX100						



AT ARCHITECTURE
www.atarchitectureltd.com

This page is intentionally left blank

ITEM NO:

Location: **55 Harkness Court
Franklin Gardens
Hitchin
Hertfordshire
SG4 0BS**

Applicant: **Mr Nafees Parker**

Proposal: **Excavation of front grassed area and formation
hardstanding and associated works to facilitate two
parking spaces**

Ref. No: **23/01198/FP**

Officer: **Ben Glover**

Date of expiry of statutory period: 4th August 2023

Extension of statutory period: 13th October 2023

Reason for Delay: Awaiting committee date.

Reason for Referral to Committee: Objections received to an application made by North Herts Council.

1.0 **Site History**

- 1.1 18/01402/FP - Replacement front dormer window and insertion of rear dormer window to facilitate the conversion of existing warden's office space to four one-bedroom flats. Single storey front extension to form bin store. Alterations to fenestration – Granted Conditional Permission on 08/08/2018.
- 1.2 19/02115/NMA - Erection of electrical mains enclosure (as Non-Material Amendment to Planning Permission 18/01402/FP granted 06/08/2019) – Agreed on 15/10/2019.
- 1.3 20/01397/NMA - Replacement front dormer window and insertion of rear dormer window to facilitate the conversion of existing warden's office space to four one-bedroom flats. Single storey front extension to form bin store. Alterations to fenestration (as non-material amendment to planning permission reference 18/01402/FP granted on 08.08.2018) – Agreed on 19/08/2020.

2.0 **Policies**

2.1 **National Planning Policy Framework (2021)**

Section 8 – Promoting healthy and safe communities
Section 12 – Achieving well-designed places

2.2 **North Hertfordshire Local Plan (2011-2031)**

SP1 – Sustainable development in North Herts
SP2 – Sustainable design

- D1 – Sustainable design
- D3 – Protecting living conditions
- T1 – Assessment of transport matters
- T2 – Parking

2.3 **Supplementary Planning Documents**

Vehicle Parking at New Developments SPD

3.0 **Representations**

3.1 **Site Notice, Advertisement, and Neighbour Consultation**

Representations have been received from six neighbouring properties all objecting to the proposed application. The objections are summarised below and can be viewed in full on the NHC website.

- Lack of details provided.
- Would remove a large part of the communal area.
- Loss of safe walkway to bin store.
- Fire engine access is already available.
- Development would replace three spaces with two.
- Would not benefit all residents.
- Alternative locations available.
- Would not want antisocial behaviour to start.
- Do not want vehicles parking close to flat due to health concerns.

3.2 **Parish Council / Statutory Consultees**

N/A

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site consists of an area of car parking and a communal garden to the rears of properties that form Harkness Court, Hitchin. The application site is accessed via Franklin Gardens to the west. The site is not situated within a Conservation Area.

4.2 **Proposal**

- 4.2.1 Planning permission is sought for the excavation of a grassed area to allow for the creation of two car parking spaces and the formation of an area of hardstanding.
- 4.2.2 The area of hardstanding is intended to allow for the positioning of a firefighting appliance within 45m from the furthest point within the flat block development. The works are required in order to comply with Building Regulations.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration include the principle of the proposed development; the design and appearance of the development and its impact upon the character and appearance of the locality; the impact of the development upon the amenity of nearby neighbouring occupiers; and the impact of the development upon highways and car parking.

Principle of the Proposed Development:

- 4.3.2 The application site is situated within Hitchin where development of this nature is considered acceptable in principle. Furthermore, the site is not situated within a Conservation Area and is not in proximity to any Listed Buildings.
- 4.3.3 The development would be used in association with the existing use of the site and would not result in any change of use.
- 4.3.4 No objection is raised to the principle of the proposed development for the above reasons. The acceptability of the development is subject to the considerations set out in the report below.

Design and Appearance:

- 4.3.5 Policy D1 of the North Herts Local Plan sets out policies for achieving sustainable design and requires development to respond positively to the site's local context. The policy also seeks to enhance public realm and retain existing vegetation and minimise the visual impact of parking provision. This policy is in accordance with the objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Section 12 – Achieving well-designed places). Paragraph 126 of the NPPF states that “Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable communities”.
- 4.3.6 The application site is situated within a private off-street car parking area and is not clearly visible from any nearby public highways. Furthermore, the development would consist of ground level works that would not result in any unacceptable harm to the public street scene.
- 4.3.7 The development would consist of the creation of two car parking spaces to replace the two to be removed, and the creation of an area of hardstanding to accommodate a firefighting appliance, which would result in the loss of part of the grassed communal area that serves the groups of flats.
- 4.3.8 Whilst this would result in the loss of a grassed area and a tree, materials would include permeable block paving with wooden bollards bordering the two car parking spaces.
- 4.3.9 Given the modest scale of the proposal and the location of development within the existing car park serving the blocks of flats, it is considered that the proposed development would not result in any unacceptable harm to the character or appearance of the locality.

Impact of Neighbouring Amenity:

- 4.3.10 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the Local Plan.
- 4.3.11 Several objections to the proposed development have been received and have been summarised in the report above.

- 4.3.12 The development would result in the creation of two new car parking spaces (to replace two existing car parking spaces) on a grassed area that currently serves as a communal garden used for the hanging of washing.
- 4.3.13 Furthermore, it is noted that the development would result in the creation of two car parking spaces that would be in closer proximity to the occupiers of primarily No. 50 to 53 Harkness Court.
- 4.3.14 The applicant's agent has confirmed that rotary washing lines will be provided within the remaining communal garden area along with the provision of a new bench and landscaping. These works would be subject to agreement with Settle who own the land.
- 4.3.15 The proposed use and number of vehicles making use of the site would remain the same as existing. It is therefore considered that there would be limited material impact upon noise and amenity.
- 4.3.16 Given the above and the proposed improvements to the communal garden area, it is considered that the proposed development would not result in unacceptable harm to the amenity of neighbouring occupiers. The proposal would comply with local and national planning policies.

Highways and Parking:

- 4.3.17 The proposed development would not impact the use of nearby public highways with the works being situated within a private car park away from the entrance to the site. It is considered that the development would not result in harm to the safe operation of nearby public highways.
- 4.3.18 The development would result in the relocation of two car parking spaces however, the number of parking spaces would remain the same as existing. It is therefore considered that the development would not result in unacceptable harm to the existing car parking situation.

Environmental Implications:

- 4.3.19 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the North Herts Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle. In addition, Local Plan Policy NE4 indicates that all development should deliver measurable net gains, which could be achieved by a suitable landscaping scheme.
- 4.3.20 Whilst the proposed development would result in the loss of a tree, a condition is recommended that requires a landscaping scheme to be submitted to and approved in writing which would mitigate the impacts of the proposed development. The proposal is in a sustainable urban location and would not have any significant implications for the local environment in terms of carbon emissions. Therefore, subject to landscaping to mitigate the impact of the proposal it is considered that there would be no conflict with Local Plan Policy NE4 and that the proposal would be generally in compliance with Section 14 of the NPPF and Policy D1.

Other Issues:

- 4.3.21 The objections and concerns raised to the proposed development have been carefully considered. The proposal would result in the loss of a communal area. However, a functional communal area would remain. Access to bins should not be impeded by the proposal. The parking area should not have a material impact upon the health and wellbeing of occupiers of the flats. The proposal is in an area of existing parking and there would be landscaping between the parking spaces and existing flats. Other relevant material planning considerations are addressed in the report above.

Planning balance

- 4.3.22 The proposal would result in the loss of part of an existing communal area and a small tree. There would be a very small loss in biodiversity arising from the loss of the existing tree. However, this could be mitigated by additional landscaping. The scheme is modest and would not result in significant harm to the character and appearance of the area and the living conditions of occupiers of nearby flats. The proposal is required by Building Regulations in order that a fire appliance may be positioned within 45m of the existing flats. This is important for the safety of occupants of the flats. In addition, Local Plan Policy D1 seeks to maximise accessibility. Therefore, it is considered that the modest impacts of the development that have been identified in this report are outweighed by the need to ensure compliance with Building Regulations and protect occupiers in the event of a fire.

4.4 Conclusion

- 4.4.1 The proposed development is considered acceptable and would comply with the necessary provisions sets out within the North Herts Local Plan 2011-2031 and the National Planning Policy Framework (2021). Recommend granting conditional permission.

4.5 Alternative Options

- 4.5.1 None applicable

4.6 Pre-Commencement Conditions

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

5.0 Legal Implications

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

6.0 **Recommendation**

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

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. Prior to commencement, landscape details shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the following:
 - a) which, if any, of the existing vegetation is to be removed and which is to be retained;
 - b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting;
 - c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed;
 - d) details of any earthworks proposed.
 - e) the location of any new or repositioned outdoor paraphernalia including benches and washing lines

Reason: To ensure a satisfactory appearance to the completed development in accordance with Policy NE2 of the North Hertfordshire Local Plan and achieve biodiversity net gains in accordance with Policy NE4.

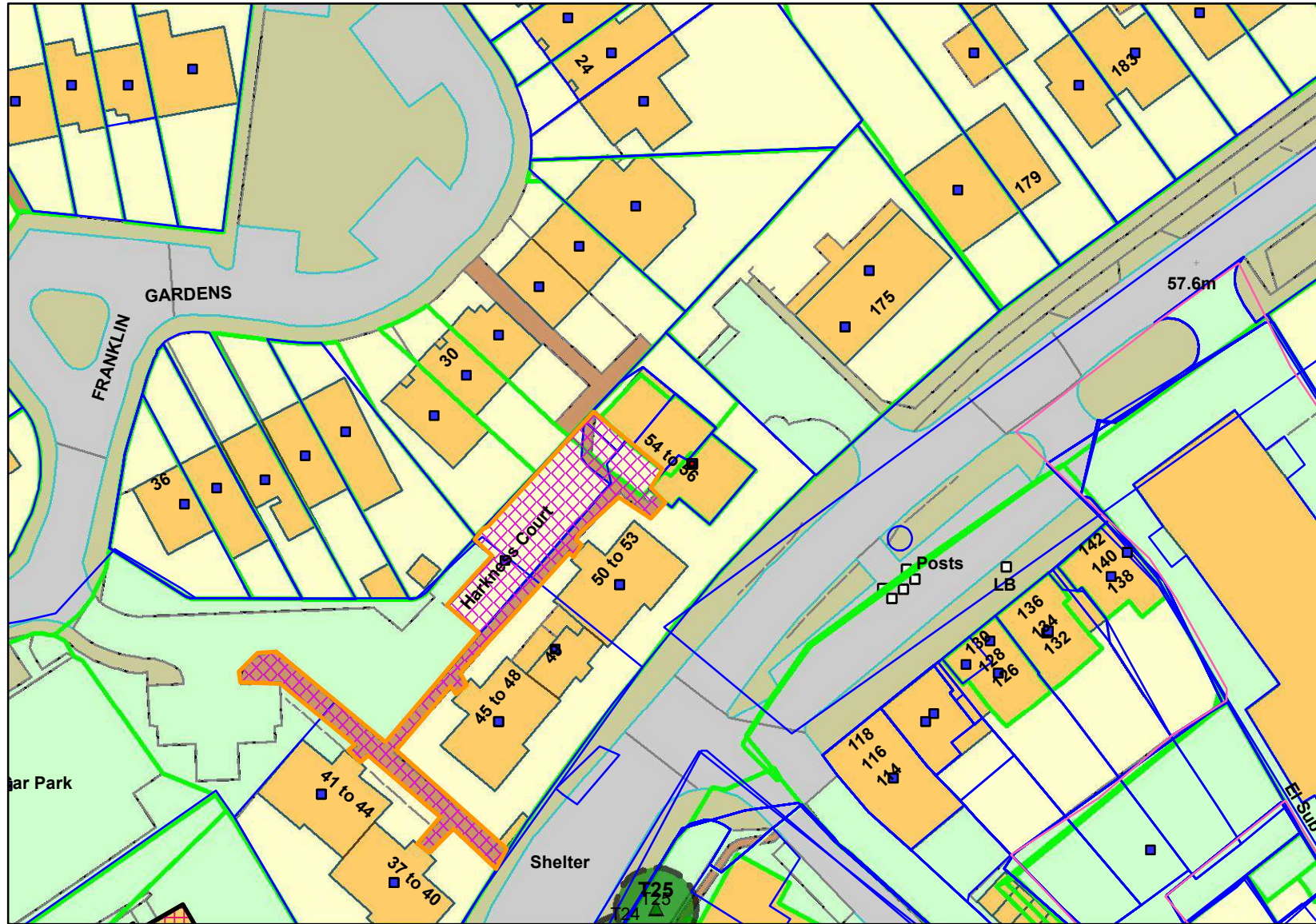
Proactive Statement

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

NORTH HERTFORDSHIRE DISTRICT COUNCIL

23/01198/FP 55 Harkness Court, Franklin Gardens, Hitchin, Hertfordshire, SG4 0BS

-  Acolaid Land Parcel
Property.shp
-  Acolaid Address Point
ap.shp
-  Planning Application (1999)
Prapps99.shp
-  Area of Outstanding Natural Beauty
Pranob.shp
-  Listed Buildings
Pratbld.shp
-  Tree Preservation Order (Single)
ORACLE
-  Tree Preservation Order (Group)
ORACLE
-  Parish Boundary
Prparish.shp
-  Conservation Area
Prconrea.shp
-  District Local Plan Boundary
Prdlp2.shp
-  Green Belt
Prgrnblt.shp
-  Health & Safety Consultation Zone
Prjhzone.shp
-  Landscape Conservation
Prlandsc.shp
-  Ward Boundary
Prwardcd.shp
-  Noise Nuisance Indicators
Prnnis.shp
-  Indicative Flood Plain
Prifpn.shp



Scale 1:750

Date: 26/09/2023

© Crown copyright and database rights 2017 Ordnance Survey 100018622

This page is intentionally left blank

<u>Location:</u>	4 Coach Drive, Hitchin, Herts
<u>Applicant:</u>	-
<u>Proposal:</u>	1x Common Beech (<i>Fagus sylvatica</i>)
<u>Ref. No:</u>	TPO/00208 (2023)
<u>Officer:</u>	Thomas Howe

1.0 **Proposal**

- 1.1 Confirmation of Tree Preservation Order TPO/00208 (2023) – 1x Common Beech (*Fagus sylvatica*), 4 Coach Drive, Hitchin, Herts.

2.0 **Site History**

- 2.1 In accordance with The Town and Country Planning Act 1900 (as amended) and The Town and Country Planning (Tree Preservation) (England) Regulations 2012 North Hertfordshire Council served a provisional Tree Preservation Order dated 21 June 2023 in respect of the above which provides for a period of 6 months for the Local Planning Authority to confirm the Order.

3.0 **Representations**

- 3.1 A period of 28 days from the date of service of a provisional Tree Preservation Order provides for comments to be made. In this case, 4 letters of objection have been received raising the following concerns:
- Queries information on TPO notice relating to tree location, size and layout of boundary lines.
 - The tree does not contribute significantly to local amenity.
 - Disproportionate size of tree crown in relation to nearby dwellings.
 - Shade created by tree affects neighbour amenity.
 - Falling branches and limbs potentially cause safety issues and damage.
 - Pigeon roosting contributes to droppings within gardens.
 - Root system potentially causes subsidence and structural issues.
 - Requests site inspection and report be produced.
 - Audible creaks in the wind together with movement within the crown causes concern to neighbours of the safety of the tree.
 - Tree Preservation Order may impact upon ability to maintain the tree.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 No. 4 Coach Drive comprises a chalet bungalow off Coach Drive, a private road within a predominantly residential area of Hitchin. The Common Beech, the subject of this Preservation Order, is to the rear garden of No. 4 and is adjacent to the boundary

shared to with No. 2 Coach Drive and No. 2 London Road. The boundary line between No. 2 and 2a London Road is in relative proximity to the tree.

4.2 Key Issues

- 4.2.1 When considering whether to confirm the TPO, it is essential that the following points be considered:
- any impact on the local environment in terms of loss of amenity if the tree were to be removed;
 - any benefit in its retention for the present and the future and other relevant factors such as wildlife.

4.3 Consideration

- 4.3.1 Trees represent an important environmental, economic and amenity resource within the built and natural environment. They are recognised within the England Trees Action Plan 2021-2024; Tree Preservation Orders and Trees in Conservation Areas 2014 and the North Hertfordshire Council Tree Strategy 2017 and Climate Change Strategy 2020-2025. In addition to these, Section 14 (Meeting the challenge of climate change, flooding and coastal damage) of the NPPF and Policies SP12 – Green Infrastructure, biodiversity and landscape and NE1 – Landscape, all seek to support the contribution trees make to the natural environment.

A Tree Preservation Order is made by a local planning authority to protect specific trees, groups of trees or woodlands in the interests of amenity. An order prohibits the cutting down, topping, lopping, uprooting, wilful damage, or destruction of trees without the local planning authority's written consent. If consent is given, it can be subject to conditions which have to be followed.

- 4.3.2 Prior to the making of the provisional TPO, a visual assessment of the tree was undertaken by a Planning Officer and a Tree Officer from North Herts Council in May 2023. The ground-based assessment looked at the condition of the tree at that time (May 2023) and supported the retention of the tree. A further visit was undertaken by Maydencroft arboriculture consultants due to a query from neighbouring residents relating to the safety of the tree. This inspection included observations from the ground and from within the crown. The following findings were recorded:

Roots, buttresses and trunk – The base of the tree shows no sign of fungal fruiting bodies or root plate movement. The buttresses and lower stem did not reveal evidence of fungal fruiting, bacterial staining or visible wounds or cavities. No internal hollowing was found.

The trunk is found to split into three main leaders, creating a compression fork. Evidence of an internal crack was found due to the presence of 'ears'. A cavity was noted on the eastern stem at approximately 3m above ground level, measuring approximately 70mm in width, 110mm in height and 190mm in depth horizontally and 400mm in depth vertically. No internal decay was found within the crack. The cavity was not found to contribute negatively to the structural significance of the tree given the dimensions of this cavity, the lack of decay and the lack of fungal fruiting bodies together with the diameter of the stem.

Crown – The crown form is typical for Common Beech trees. There is a hole on the western side of the canopy due to the removal of a limb following the fusion of two large branches.

- 4.3.3 The conclusion of the assessment recommended the retention of the tree and recommended a scheme of management of the tree with a phased crown reduction within 6 months to reduce the height and spread by 2m. Following the completion of 2 growing seasons, a further 2m reduction is recommended.
- 4.3.4 Turning to the objections received from neighbouring occupiers, it is accepted there may be some impact upon the ability for residents to maintain the tree. The Local Planning Authority can and will consider cases on their merits and would consider material evidence as part of a decision, such as a structural report or a tree report prepared by an arboriculturist. This is unlikely to impede the residents' ability to maintain the trees as an application for works to a protected tree is free and incorporates a time limit. It is acknowledged that this would result in the introduction of further requirements for maintaining the tree, however, the process is not significantly time consuming or requiring significant effort from landowners and officers.
- 4.3.5 The report provided by Maydencroft does not support the representations that advise of the poor condition or safety of the tree. The contributions made by the tree to absorbing carbon together with the ability for the tree to host animals and other organisms is welcomed given its biodiversity contributions.

5.0 Environmental Implications

- 5.1 Trees contribute a key role in helping to tackle the climate emergency and creating a greener district. They not only directly remove carbon dioxide from the atmosphere and provide us with oxygen but also deliver many other benefits including: providing visual public amenity; softening or complementing the effect of the built environment; displaying seasonal changes and providing opportunities for biodiversity; making places more comfortable in noticeable ways by contributing to screening and shade; reducing wind speed and turbulence; reduce flooding by intercepting snow and rainfall and reducing sun glare.
- 5.2 Trees are also a key element of the green infrastructure network, contributing to urban cooling and providing microclimate effects which help reduce energy demands on buildings. They therefore represent a key resource that can significantly contribute to climate change adaptation.

6.0 Legal Implications

- 6.1 There are no financial implications for the council at this stage. Compensation is potentially payable only where sufficient evidence has been provided by an applicant to support an application to carry out works to a protected tree and where that application is refused.

7.0 Human Rights Act Implications

- 7.1 The making or confirmation of a Tree Preservation Order could interfere with the right of the property owner peacefully to enjoy his possessions, but it is capable of justification under Article 1 of the First Protocol as being in the public interest (the amenity value of the trees) and subject to the conditions provided for by The Town and Country Planning Act 1990 (as amended) and The Town and Country Planning (Tree Preservation) (England) Regulations 2012 and by the general principles of international law.

8.0 **Alternative Options**

8.1 N/A.

9.0 **Conclusion**

9.1 Mature trees such as this Common Beech play a key role in helping to tackle climate change and to create a greener district. This tree would contribute by absorbing carbon dioxide and by providing habitats for a variety of species. Therefore, if the TPO is confirmed, the protection of this tree will not just retain its environmental contributions but also the public amenity values given its visibility within the locality, both on the nearby roundabout and surrounding together with its pleasing shape and scale, but also assist in achieving the council's objectives of achieving net zero carbon emissions by 2040 and maintaining biodiversity.

9.2 Should the TPO be confirmed, it does not result in the inability to maintain the tree and instead requires the submission of a TPO application, with the Local Planning Authority considering the impacts to the trees and any material evidence submitted accordingly.

10.0 **Recommendation**

10.1 That the provisional Tree Preservation Order (TPO/00208) be **CONFIRMED**.



This page is intentionally left blank