

NORTH HERTFORDSHIRE DISTRICT COUNCIL



11 July 2025

Our Ref Planning Control Committee 24 July 2025
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To: Members of the Committee: Councillors Nigel Mason (Chair), Emma Fernandes (Vice-Chair), Martin Prescott, Clare Billing, Dave Winstanley, Ian Mantle, Val Bryant, Caroline McDonnell, Ruth Brown, Bryony May, Louise Peace and Tom Tyson

Substitutes: Councillors Joe Graziano, Claire Strong, Sadie Billing, Jon Clayden, Mick Debenham, Steve Jarvis, Tina Bhartwas and Daniel Allen

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, SG6 3JF**

On

THURSDAY, 24TH JULY, 2025 AT 7.00 PM

Yours sincerely,

Jeanette Thompson
Director – Governance

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

Agenda

Part I

Item		Page
1.	APOLOGIES FOR ABSENCE Members are required to notify any substitutions by midday on the day of the meeting. Late substitutions will not be accepted and Members attending as a substitute without having given the due notice will not be able to take part in the meeting.	
2.	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.	
3.	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.	
4.	PUBLIC PARTICIPATION To receive petitions, comments and questions from the public.	
5.	24/02889/FP LAND AT ROUNDWOOD, BACK LANE, GRAVELEY, HERTFORDSHIRE REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER Residential development of 281 dwellings and associated roads, parking, realignment of Back Lane, drainage, landscaping, open space, servicing facilities and associated works (as amended).	(Pages 5 - 110)

6. **24/02455/FP LAND OPPOSITE WYMONDLEY GRID STATION AND TO THE SOUTH OF SPERBERRY HILL, ST IPPOLYTS, HERTFORDSHIRE** (Pages 111 - 152)
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER

Proposed solar farm measuring 35.5 hectares with associated battery storage and ancillary infrastructure.

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<u>Location:</u>	Land At Roundwood Back Lane Graveley Hertfordshire
<u>Applicant:</u>	Mr Richard Kelly
<u>Proposal:</u>	Residential development of 281 dwellings and associated roads, parking, realignment of Back Lane, drainage, landscaping, open space, servicing facilities and associated works (as amended).
<u>Ref. No:</u>	24/02889/FP
<u>Officer:</u>	Naomi Reynard

Location: **Land At Roundwood, Back Lane, Graveley, Hertfordshire**

Applicant: **Croudace Homes Ltd**

Proposal: **Residential development of 281 dwellings and associated roads, parking, realignment of Back Lane, drainage, landscaping, open space, servicing facilities and associated works (as amended)**

Ref. No: **24/02889/FP**

Officer: **Naomi Reynard**

Date of expiry of statutory period

20th March 2025

Extension of statutory period

31st July 2025

Reason for delay

Discussions and negotiations on various technical aspects, further information received and additional consultation exercises that were undertaken as a result.

Reason for referral to Committee

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

1.0 Relevant History

10/00583/1 – Outline application for residential development of up to 360 dwellings including 35% affordable housing). Provision of open space and landscaping, transport and pedestrian infrastructure and ancillary facilities (Outline application: All matters reserved apart from means of access [except Phase 1 - see below]). Provision of vehicular access off Haybluff Drive and Church Lane. Phase 1 development of 67 dwellings as follows: 15 no. two bedroom dwellings (of which 11 as affordable housing); 34 no. three bedroom dwellings (of which 8 as affordable); 16 no. four bedroom dwellings (of which 2 as affordable) (Matters of landscaping reserved for Phase 1 only). Withdrawn 18/05/21.

16/00183/1PRE – Pre-application enquiry for residential development for up to 360 dwellings with associated open space and ancillary infrastructure. Response provided.

16/00185/1SO - Screening Opinion: Proposed residential development of up to 360 dwellings with associated ancillary open space and infrastructure. Decision made on 08/02/2023 that EIA not required.

16/01713/1 - Hybrid (part outline, part full) application for residential development of up to 360 dwellings (including 40% affordable housing). Provision of open space and landscaping, transport and pedestrian infrastructure and ancillary facilities. Phase 1: full application for 108 dwellings. Subsequent phases: outline application - all matters reserved except for access. (As amended by plans and supporting documents received 28th and 31st July 2017). Withdrawn 21/11/23.

22/03016/SO - Screening Opinion: Proposed Housing Development (330 dwellings). Decision made on 14/04/23 that EIA not required.

23/01649/PRE - Pre-application enquiry for erection of 292 dwellings including associated landscaping, open space and infrastructure. Response provided.

23/02492/FP - Residential development of 292 dwellings and associated roads, parking, drainage, landscaping, open space, servicing facilities and associated works. Withdrawn 15/01/25.

Pre-application workshops and discussions May to November 2024 (including applicant team, NHC Officers and Highways Authority Officers).

2.0 **Policies**

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

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy and Spatial Distribution

Policy SP4: Town Centres, Local Centres and Community Shops Policy

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, landscape and biodiversity

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 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 NE12: Renewable and low carbon energy development

Policy HE1: Designated heritage assets

Policy HE4: Archaeology

Policy GA1 sets out the site-specific policy criteria for the site and give a dwelling estimate of 330 homes. The site-specific criteria are as follows:

- ***“Detailed drainage strategy identifying water infrastructure required and mechanism(s) for delivery;***
- ***Sensitive integration into existing settlement in terms of development layout and building orientation;***
- ***Principal vehicular access taken from existing residential streets within Great***

Ashby;

- ***Provision for sustainable modes of transport having regard to the Stevenage Mobility Strategy;***
- ***Transport Assessment to identify and secure measures to manage traffic flows arising from the development along Back Lane;***
- ***Contribution towards appropriate GP provision across the north of Stevenage sites;***
- ***Maintain general integrity of Weston Road, including as a through route for pedestrians and cyclists;***
- ***Retention and sensitive treatment of priority woodland habitats surrounding site to north and west;***
- ***Consider and mitigate against any adverse impacts upon adjacent local wildlife site at Parsonsgreen Wood;***
- ***Integration of Footpath Graveley 010 as a perimeter feature around the north of the site; and***
- ***Sensitive design and landscaping around northern and western peripheries to minimise impacts upon wider landscape and heritage assets, including the setting of the Scheduled Ancient Monument at Chesfield Church.”***

2.2 Supplementary Planning Documents

Sustainability SPD

Design SPD

Vehicle Parking Provision at New Development SPD

Developer Contributions SPD

2.3 National Planning Policy Framework

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 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)

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**

3.1 **Highway Authority, Hertfordshire County Council**

Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to a £318,517.96 (Strand 1) contribution, £1,918,106 (Strand 2) contribution, a £400,000 Monitor & Manage Contribution and conditions and informatives.

3.2 **Active Travel England**

Following re-consultation on amended plans ATE recommends approval of the application, subject to the agreement and implementation of a planning condition in relation to a cycle parking plan. Officer note – this condition has been recommended.

3.3 **Rights of Way**

Provided recommendations and advice for proposed works. Requested s106 funding should be made available for surface improvements to Graveley Footpath 010. Officer note – the latter is covered by a condition and Strand 1 Highways works secured by the s106 Agreement.

3.4 **Natural England**

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Provided generic advice on other natural environmental issues.

3.5 **Senior Ecologist, North Herts Council**

No ecological objections subject to conditions relating to Construction Environmental Management Plan, Ecological Enhancement Plan, Lighting Strategy, Biodiversity Net Gain, Habitat Management and Monitoring Plan, and updated Planting Plan.

3.6 **Housing Supply Officer, North Herts Council**

No objections subject to securing affordable housing mix and M4(2) and M4(3) homes in s106 Agreement.

3.7 **Growth and Infrastructure Team, Herts County Council**

Requested contributions towards primary education including nursery education, secondary education, childcare contributions (0-2 and 5-11), Special Educational Needs and Disabilities (SEND) contribution, library service contribution, youth service contribution, waste service recycling centre contribution, waste service transfer station contribution and monitoring fees.

3.8 Minerals and Waste Policy Team, Herts County Council

Recommended a pre-commencement condition requiring a Site Waste Management Plan.

3.9 Environmental Health, North Herts Council

No objection to the proposal in terms of noise, other nuisances, local air quality or land contamination. Recommended conditions in relation to contaminated land (further limited Phase 2 investigation report), noise (requiring the development to be constructed in accordance with the submitted plans including the noise mitigation scheme as set out in the submitted MEC Ltd noise assessment) and air quality (EV Recharging Infrastructure Condition and informative).

3.10 Shared Waste Service, North Herts Council

Raised concern that there is no turning point for refuse vehicle behind plots 218 and 219, where a communal bin store is situated, that the road in some places seems to be too narrow, and that some pulling distances are unacceptable. Officer note – Amended plans submitted to address these issues and are considered acceptable by Planning Officer.

3.11 Sport England

An objection is made to the proposals for community sports facility provision to meet the needs of the proposed development in its current form due to the lack of confirmed proposals. This position would be reviewed if it was proposed that appropriate financial contributions would be made towards off-site indoor and outdoor sports facility provision, secured through a planning obligation, as set out in their response. Officer Note – Financial contributions towards off-site indoor and outdoor sports facility provision sought by Stevenage Borough Council in line with the figures provided by Sport England using their calculators will be secured by the s106 Agreement.

3.12 Service Manager Greenspace, North Herts Council

Requested s106 contributions for improvement and enhancement of LEAP (Local Area for Play) at Foyle Close to a NEAP (Neighbourhood Area for Play), improvement of existing LEAP at Snowdonia Way and monitoring and maintenance of open space.

3.13 Historic Environment Advisor, Hertfordshire LEADS (Archaeology), Hertfordshire County Council

Advised that the proposed development is likely to have an impact on heritage assets with archaeological interest, and that appropriately worded conditions to mitigate the impact of the development should be placed on consent, should consent be granted.

3.14 Senior Conservation Officer, North Hertfordshire Council

Finds the proposal unobjectionable in heritage terms.

3.15 Crime Prevention Design Advisor, Herts Constabulary

Strongly recommend that the applicant engages with the Police to seek to achieve the Police preferred minimum security standard that is Secured by Design. The Police support this application. Officer note- covered by informative.

3.16 Hertfordshire Public Health

Specific comments on the proposal regarding air quality, indoor air quality, creating access for all, adoption of active travel behaviours from the new occupants recommended condition relating to appropriate signage for pedestrian/cycle routes towards key local destinations and rights of way, active design, recommend LPA seek planning contributions towards modal shift and active recreation, provision of electric charging points for all new residential and non-residential buildings with associated parking, recommended developer making a contribution to setting up a car club and safe crossing points beyond site perimeter. Officer note – these matters have been addressed during the design process and by conditions and s106 obligations.

3.17 Landscape

Notwithstanding their concerns that the visual assessment of the Hertfordshire Way has been underassessed within the LVA, they judge that mitigation measures have been proposed to help reduce the impacts of the proposals (12m offset, tree and hedgerow planting) and therefore the proposed development could be successfully accommodated within this landscape. Made detailed recommendations. Overall, welcome the submitted proposals. Recommend a condition requiring submission and approval of a Landscape Management Plan.

In comments on amended plans, welcomed the design amendments based on their previous comments. Provided comments in relation to fencing, hard surfaces, tree pits and planting plans. Officer note – conditions have been recommended to address these comments.

3.18 Lead Local Flood Authority

Object to this planning application in the absence of an acceptable Flood Risk Assessment or drainage strategy: The development is not in accordance with NPPF, PPG or North Herts local policies including Policy NE8: Sustainable drainage system (Reducing Flood Risk) and Policy NE9: Water quality and environment.

Following technical re-consultation on amended plans and documents, the LLFA maintained their objection.

Awaiting response following re-consultation on further amended plans and documents.

3.19 Affinity Water (Water supply)

Provided guidance in relation to water quality, water efficiency and infrastructure connections and diversions, which has been covered by recommended informatives.

3.20 Thames Water (Waste water and ground water)

Initial comments advised may require a build over agreement, as they believe the proposed development could be within 3 metres of a public sewer. Strongly recommend applicant employs a professional to conduct a survey within their property to ascertain if any shared pipework is present.

Following consultation on the drainage consultant's response to the LLFA comments, Thames Water advised that following initial investigations, Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. As such Thames Water request a pre-occupation condition. Note that there are public sewers crossing or close to the development and provided link to guide working near or diverting their pipes.

Thames Water would advise that with regard to surface water network infrastructure capacity, they would not have any objection to the planning application, based on the information provided. Recommended an informative regarding a Groundwater Risk Management Permit.

3.21 Anglian Water

The proposed development site area is outside of Anglian Water statutory area.

3.22 The Water Officer

Request a condition for the provision and installation of fire hydrants, at no cost to the County Council, or Fire and Rescue Service.

3.23 Herts Fire and Rescue

Confirmed that amended plans have adequately addressed their initial concerns.

3.24 London Luton Airport Operations Ltd Safeguarding

The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria. Accordingly, London Luton Airport Operations Ltd. has no safeguarding objection to the proposal.

3.25 Stevenage Borough Council

Requested s106 contributions towards indoor and outdoor sports.

3.26 Great Ashby Community Council

Raised objection. GACC's Primary concerns relate to the following:

- Highways and transport issues including access, safety and congestion;
- Layout and design;
- Infrastructure provision and contributions;
- Housing need.

The proposed development fails to address a number of fundamental issues and as a result, does not comply with the requirements particularly of Policies GA1 and SP9 of the adopted Local Plan and Policies LTP4 and LTP5 of the HCC Local Transport Plan. On this basis they formally raise an objection to the application in its current form and request that planning permission be refused.

Initially requested s106 contributions towards a range of projects. During the course of the application requested s106 contributions towards Great Ashby Community Centre Improvement and Merrick Close Play Area Improvement projects (and provided detailed justification).

Great Ashby Community Council submitted a detailed response (which can be viewed on the Council's website) in relation to the re-consultation on amended and additional plans and documents.

They made comments with regards to monitor and manage, Calder Way and Back Lane, parking displacement, surveys, parking court surveys, on-street parking surveys, methodology and s106 estimate and provided the following summary:

“In considering the Monitor and Manage approach as described in the Technical Note, it is our view that there is insufficient parking available to safely accommodate the proposed displacement of vehicles, and the Applicant has provided no evidence to the contrary. Further, should this proposed approach be accepted, GACC believe that there is insufficient roadside locations to safely mitigate the problems created from the displaced vehicles. The Applicant has provided no factual reassurance that this can be achieved. It is our view that the survey results severely underestimate the traffic expected from the proposed development and the mitigating solutions presented for Calder Way are not feasible and unsafe, not conforming to NHC Policy T1. For these reasons, GACC cannot currently support the ‘monitor and manage’ strategy proposed.

Bearing in mind the large number of representations and public comments submitted to NHC highlighting problems with construction traffic and access to this proposed development, we respectfully request that NHC insist on inspection of both a robust Monitor and Manage Plan and the initial Construction Management Plan to gain assurance that the plans suggested by the Applicant are feasible, prior to making a decision on this application.”

They also made comments on the proposed new development:

- *Extended Haybluff Drive Emergency Access* - the proposed extended Haybluff Drive is terminated at the point of the emergency service access to the proposed re-routed Back Lane, there is no turning circle to enable prohibited traffic to turn around.
- *Vehicle Parking at Proposed Development* - There appears to be no allocated parking space for some plots - plots 130, 71, and 93 for example. It is not possible to determine if all properties have covered secure space for cycles. Officer Note – corrected parking locations plans has been received and cycle parking secured by condition.
- *Visitor Parking at the proposed Development* - Visitor space allocation is insufficient on the Haybluff Drive side of the proposed development could lead to

unnecessary journeys via the already struggling Calder Way to access visitor spaces on the Back Lane side of the proposed development.

- *EV Charging* – Some plots have not been allocated parking and indicators showing EV Charging points have been missed from several dwellings. Officer note – EV charging points required for all properties under Building Regulations.
- *Solar Panels* – Solar panels should be installed as standard on all buildings (in line with the Future Homes Standard) together with battery storage. Officer note – Future Homes Standards relates to Building Regulations and there is no Local Plan Policy requiring that solar panels should be installed on all homes.

3.27 **Weston Parish Council**

Weston Parish Council is opposed to the planning application unless and until the following points are addressed:

1. Traffic implications for Back Lane and Weston

Analysis of the data provided in the Transport Assessment suggest that the applicants have under-estimated the incremental vehicle movements along Back Lane by at least 50%.

2. Emergency access

A mechanism needs to be found to make it impossible for the emergency access route between Back Lane and Haybluff Drive to ever be used for vehicular access in anything other than emergency circumstances.

3. Road users and pedestrian safety

Some work will be necessary in Weston to mitigate the additional dangers to residents that this development will cause.

4. Construction traffic

The Construction Traffic Management Plan (CTMP) needs to stipulate that no construction traffic should access the site from either the West or the North, and that suitable signage should be installed for the duration of the build to ensure compliance.

Requested s106 contributions (with estimated costs) for pedestrian safety measures. The priorities set are as follows:

- 1 Village Gateway at Damask Green Road entrance to village
- 2 Speed tables in Hitchin Road
- 3 Speed Table in Damask Green Road
- 4 Speed Tables in Fore Street
- 5 Junction safety around Red Lion and Post Office Row
- 6 Village Gateway at Hatch Lane entrance to village

3.28 **Graveley Parish Council**

Objection on the following grounds:

- The proposed development still has completely inadequate road access both via Great Ashby and via Back Lane to Graveley and Weston.
- Non-vehicular road users and their safety have not been considered. Back Lane is already dangerous for non-vehicular users.
- Accidents and near-misses are frequently occurring along Back Lane coming into Graveley, including between horse riders and vehicles.
- Traffic frequently is log-jammed as the road is too narrow for 2 cars to pass.

- Back Lane is already dangerous and the road cannot cope with more traffic.
- The Planning Statement submitted with this application makes no mention of the clear and significant problem of rat-running to Graveley.
- This proposal will impact on Graveley in respect of further increasing traffic along Back Lane between Great Ashby and Graveley. This is a single-track road along most of its length with high banks, no footpath or space at the edge of the road for walkers, cyclists or horse riders, and several sharp bends. There are very narrow stretches of road. Elderly residents from the nursing home come onto a narrow stretch of Back Lane with walkers or wheelchairs. There are six stable complexes along Back Lane, and along its length it is regularly used by horse riders, cyclists and walkers.
- Back Lane has seen a significant increase in traffic over the last few years and is regularly used as a rat-run from Great Ashby to access the A1, Hitchin and Letchworth via Graveley. There are regular problems where large vehicles and even HGVs get stuck around Crow End. Back Lane is unlit and in winter during icy conditions Back Lane is untreated. All these factors increase the danger to road users (non-vehicular and car drivers) if the traffic volume along Back Lane increases further.
- Suggest that widening Calder Way to make it easier for traffic to use this route in and out of Great Ashby from the proposed new development would reduce the amount of traffic from the new development going onto Back Lane to either Graveley or Weston.
- Made s106 suggestions
 - Gateway entrance to Graveley village on Back Lane
 - Continue street lighting out of Graveley village to new gateway entrance
 - Chicane on Back Lane between Graveley and Great Ashby
 - Four passing places to be created
 - Better signage that road is narrow and has many bends
 - Can a parallel bridleway for non-vehicular uses be created?
- Provided further comments with regard to s106 requests (including estimated costs) for mitigation should the new development exacerbate traffic levels on Back Lane between the development and Graveley, two refuge / passing places to be created on Back Lane with a tarmac surface and a gated, visible entrance structure to Graveley village. Also request monitoring of traffic levels on this narrow lane needs to be carried out before the development starts.

Officer note – Weston Parish Council and Graveley Parish Council requests are covered by the Monitor and Manage approach, so will be implemented if (and only if) the Highway Authority conclude that the monitoring demonstrates they are necessary and appropriate mitigations.

Amenity Groups

3.29 North East Herts Swift Group

Recommended condition for the inclusion of integrated swift boxes at a rate of one per dwelling as recommended in the ecology assessment.

Officer note – Covered by condition securing Ecological Enhancement Plan (EEP).

3.30 British Horse Society Herts Access Group British Driving Society Beds, Bucks & Herts Rights of Way Officer

Made the following comments:

- Upgrade footpath Graveley 10 to bridleway as in the ROWIP along the greenway

- Continue 20mph on Back Lane to the west users.
- Create/dedicate cycleway as a bridleway as in the ROWIP and para 6.22 along the greenway to provide off road route for all vulnerable road users connecting Graveley 10 to Botany Bay Lane.
- Create/dedicate cycle route to bridleway as in the ROWIP to connect into Botany Bay Lane and DMMOs STV37 and NH276 into the wider bridleway network east and Gt Ashby 19.
- Pegasus Crossing of Mendip Way as stated in Transport Assessment para 5.7 for safe crossing for all vulnerable road users.
- Pelican Crossing of Back Lane as stated in Transport Assessment para 5.7 for safe crossing for cyclists and pedestrians.
- Continue 20mph on Back Lane to the west users.

Made the following comments on the amended plans:

- Welcome the support for horse riders from the public right of way (prow) from the northern boundary Graveley 10 to be able to ride south along the eastern boundary and connect with Haybury Drive and then Botany Bay Lane.
- Requested two clarifications:
 - Query how the bridleway in the Eastern Greenway will connect off road with Graveley 010. Requested that this bridleway through the Eastern Greenway should be a dedicated/created PROW. Signage for this bridleway should make it clear that horse riders are permitted on this stretch.
 - Requested that the closed section of Back Lane should be shown as a Restricted Byway.

3.31 **British Horse Society**

Made the following comments:

- Concur with the comments made by BHS Herts Access Group, BDS Beds, Bucks & Herts Rights of Way Officer.
- In addition to his comments, would like to see a new Restricted Byway to be created between the east termination of the new line of Back Lane with the old Back Lane to the Northeast of the development and for it to run parallel with Back Lane to the junction of Weston 017 Bridleway with Back Lane just south of the village of Weston.
- S106 funding should be requested from the developers for improvements to the Rights of Way Improvement Plan.

Officer note – Highways Strand 1 improvements include surface improvements to Graveley Footpath 010. Condition recommended requiring a Rights of Way Improvement Plan for the off-site and on-site Rights of Way improvement works.

3.32 **Local Councillors**

Representation from Cllr Laura Williams (Ward Councillor for Great Ashby) setting out the concerns raised to her which have focussed on access to the site, both during and after construction.

During construction:

- Need a join construction traffic management plan with GA2.

During and following construction:

- Mendip Way is heavily used for parking. Question whether current modelling is better than that used for previous Croudace development. Understand and support the movement towards active transport wherever possible, however this is a development with no additional facilities.
- Need to see detailed plans and robust modelling of how the increased traffic will be managed and accommodated, without removal of the existing urban greenery.
- It is unfortunate that the necessary access wasn't planned for and mitigated properly when Croudace designed and built Phase 1. It is wholly unfair for existing residents not only to bear the brunt of disruption during this new construction phase, but also to be permanently negatively impacted, unless suitable mitigation be put in place as part of the GA1 plan.

Further representation received from Cllr Laura Williams following the re-consultation on amended and additional plans making the following comments:

- No objection to the actual houses, but object to this application on the grounds of lack of transport and parking mitigation.
- The 600 existing houses along Mendip Way area will be severely impacted during the building phase and after building is complete, due to the inadequate size of what will become the access road.
- Parking is already a huge problem, and it will be severely exacerbated this development.
- The planning laws at the time the existing Mendip Way development was approved did not allow for realistic car usage.
- Residents need cars, especially in the absence of a reliable bus service to access employment, doctors, secondary education, supermarkets.
- Requested clarification on traffic management during building phase, which must cover both GA1 and GA2, and a parking mitigation plan. Neither of these have been presented.

Objection from Cllr Vijaiya Poopalasingham (Ward Councillor for Great Ashby) on the following grounds:

- Whilst does not oppose the principle of building new homes, the lack of effective engagement and constructive recognition of the very real practical concerns of the Great Ashby community collectively leaves little room but to object.
- Set out three primary grounds of objection:
 - 1) Access Road and Transport
 - a. Mendip Way
 - Made the same points as Cllr Williams regarding clarification on traffic management during building phase, impact on Mendip Way during and after building, and that the development would severely exacerbate existing parking problems.
 - Critical of the proposed 'monitor and manage' approach – Great Ashby already provides clear demonstration of the impact of development lacking in effective parking space and access provision.
 - Residents of the Croudace built development of 20 years ago will be penalised for previous planners' failure to future proof the existing and potential future development.
 - Query the planned traffic evaluations and parking surveys to evaluate impact, which take no account of the impact of the proposals for GA2.
 - b. Calder Way

- Question the proposal to use Calder Way as the primary access.
 - Access issues will mean that Mendip Way / Haybluff Drive will become the default routes of access for the new development.
 - Query the data in the submitted surveys.
 - Future residents reliant on the car.
 - Proposed bus route is welcome but takes no account of the impact of exiting residents along Mendip Way.
- 2) Lack of infrastructure
- No new school, medical or dentist capacity confirmed.
 - Given GA2 will feed into the evaluation of the ICB, question the recommendation of on-site provision away from Great Ashby given the benefits of a medical practice for Great Ashby residents overall.
- 3) Impact on existing local community
- There were failures during the construction of Great Ashby originally and without consideration of these issues now ahead of new developments, it will be a repeat of those same issues, but when they do manifest, they will compound and exacerbate the present concerns.

3.33 Local Residents

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, over 240 representations from members of the public have been received following the initial consultation and the re-consultation on amended and additional plans and documents (a running total can be viewed on the Council's website). Only two are supporting. The representations made, are available to view in full on the Council's website

The objections and issues raised are summarised as follows:

Principle of development

- Loss of countryside, farmland, greenspace/Green Belt.
- Should build on brownfield sites first.

Transport/Highways related matters

Transport Assessment

- Question the Transport Assessment particularly the accuracy of CrashMap data, the parking surveys, the traffic surveys and proposed traffic generation, the use of 2011 Census data and that not considered cumulative impacts in conjunction with other developments in the area and that Calder Way is a one way road in the forecast trips.

Traffic congestion and highway safety

- Access routes (Back Lane, Calder Way, Mendip Way and Haybluff Drive) inadequate and unsuitable for increased traffic, buses or construction traffic.
- Exacerbate existing highways safety issues at key junctions.
- Increased damage to private property and verges used as passing places.
- Exacerbate highway safety issues on the rural lanes and residential estate roads for vulnerable road users: pedestrians including children (walking to school), elderly people, residents and care workers from the residential home on Back

Lane, cyclists, horse-riders, horse drawn vehicles and animals. There are already frequent accidents and near-misses on Back Lane.

- Popular riding route from Back Lane to Great Ashby Bridleway 19 must remain open and accessible and there is no link between the end of the pedestrianised part of Back Lane and Graveley Footpath Graveley 010, which should be upgraded to a bridleway. Any changes made to tracks for cycling must not negatively impact horse riders.
- Exacerbate existing traffic congestion issues and travel times, particularly at peak times or if there are issues on the A1(M) (which is often), as Calder Way and Back Lane to Weston and Church Lane/Back Lane to Graveley are used as rat runs (latter not referred to in Planning Statement). Residents cited recent examples where Back Lane, Calder Way and Orwell Avenue and Great Ashby Way have been gridlocked due to accidents on these roads or closure of the A1M.
- Exacerbate existing issues for emergency access.
- The access point through Calder Way is already unsuitable for existing traffic, as it is a single-track road with limited passing places, and quickly results in congestion during peak hours.
- The streets accessed from Orwell Avenue have no other route so when blocked they are unable to access their homes.
- Exacerbate congestion and highway safety issues on side roads, which will become 'rat runs'.
- Increase in Weston and Graveley being used as a rat runs.
- Weston has narrow roads, some without pavements.
- Many families in Great Ashby rely on access to Weston for school – the increased traffic will create additional risks and delays.
- Cumulative impact of traffic in the area due to other housing development north of Stevenage.
- Increased noise, vibration and air pollution from increased traffic, including buses.
- Adverse impact of increased traffic during construction – increased safety risks for pedestrians, cyclists and other road users; unreasonable loss of amenity for existing residents and considerable environmental impact; and there needs to be a planning condition which prevents construction traffic through Weston.
- Developers, planners and decision makers should visit at peak times for parking and traffic.

Design

- Realignment of Back Lane through a residential development and parts of site with separate accesses is poor design.
- The closure of Back Lane will redirect farm traffic through residential streets, increasing congestion and safety risks.

Reliance on cars

- Future and existing residents will rely on cars, as poor public transport links, existing bus service is limited, unreliable and time-consuming, there is not a good connection to the existing cycling network, lack of room to store bikes, street lights are turned off at night, lack of infrastructure within walking distance (including work, schools with spaces, medical practices, supermarkets etc.)

Impact on existing residents of the creation of a bus route along Mendip Way

- Exacerbate existing parking problems, as existing parking in Great Ashby is inadequate, as acknowledged in the Council's own Vehicle Parking at New Development Supplementary Planning Document (2011). There are already high levels of on street parking in Great Ashby.
- Garages and parking spaces/driveways across Great Ashby are of an insufficient width for residents to use them, many of the houses have only one allocated parking space and garage conversions have reduced the parking spaces further.
- The problems with parking have intensified for several reasons:-
 - Young families that moved into the area now have adult children who drive and work with many having work vehicles as well;
 - Adult children are staying at parental homes longer;
 - HMOs and houses with supported living service in the area; and
 - Increased number of commercial/work vehicles being parked recently.
- Exacerbate existing problems with inconsiderate parking for school.
- Exacerbate issues with existing poor road surfaces in Great Ashby.
- Unreasonable burden on existing residents, impacting on their safety, health and quality of life.
- Exacerbate existing access issues for emergency vehicles and waste collection vehicles.
- Exacerbate existing highway safety issues due to poor visibility and high levels of on street car parking and high car speeds.
- Mendip Way has high levels of on-street parking, and the proposed parking restrictions would displace parked cars to other surrounding streets, which already have high levels of on-street parking.
- It is not a suitable solution to propose that some displaced vehicles can use parking courts as these are private.
- Parking issues will lead to disputes and animosity between neighbours and conflict between residents/road users, damage to vehicles and pavements.
- Reduction in parking would force residents to park some distance from their home which would be even more difficult and unsafe for those with disabilities, the elderly, parents with young children, those with heavy loads to carry, and young people and women walking home especially after dark.
- Loss of parking spaces near homes would make it challenging for residents to have visitors (including carers) and people will be isolated and lonely.
- Reduction in parking will make deliveries more difficult.
- With the widespread uptake of electric vehicles at-home-charging will be more prevalent requiring spaces near homes.
- Proposed widening of the road mean that the people who live on Mendip Way will have no space from the front of their house to the road which would be dangerous for children and pets.
- Reduction of width of pavements will have adverse safety impact on those with disabilities, limited mobility, those using wheelchairs and mobility scooters), the elderly, people with buggies, young children and pets.
- Loss of street trees and green verges will adversely impact on residents' health and wellbeing, remove natural drainage and result in adverse visual impact, when we are encouraged to plant more trees to help re-green the environment and slow down climate change.

- Extended bus route is not needed as the bus stops on Great Ashby Way are close enough and there appears to be no demand from existing residents.
- Bray Drive/Mendip Way should have been constructed as a bus route when the existing development was built not retrofitted now.
- Concern regarding cost of additional bus route and how that would be maintained.
- Potential adverse impacts if the bus service extends to the proposed GA2 development in future
- Impact of bus stops on privacy of occupiers of adjacent dwellings.
- Will result in financial costs to existing residents

Alternative suggestions included:

Traffic calming measures should be introduced on Back Lane towards Weston and Church Lane towards Graveley; separate access road should be built with bus access; Calder Way should be improved/widened; restrict access on Back Lane; reduction in speed limit on surrounding roads/villages to 20mph; Bray Drive and Orwell Ave need a crossing point at either end of the path that intersects these roads; increase the number of buses running on the existing SB7 route; safeguarding of existing parking spaces and financial contributions or alternative solutions to offset the strain on parking for current residents.

Infrastructure and services

- Existing infrastructure and local services are already overstretched and oversubscribed, including primary, nursery and secondary schools, children's daycare, GP's, Lister hospital, dentists, vets, pharmacists, police, local retail and community facilities, poor public transport links, poor road maintenance, lack of local shops, leisure centres, pubs, parks, libraries, cinemas, and things to do.
- Great Ashby does not have its own GP surgery. Local GP surgeries are therefore overstretched and residents must travel across Stevenage.
- The current primary and nursery school in the area is already oversubscribed with a small catchment area, and there is no secondary school in Great Ashby.
- Cumulative impact on infrastructure from the recent large housing developments around Stevenage.

Impact on ecology and wildlife

- Adverse impact on and loss of wildlife, including bats (including Barbastelle bats), birds (including Red Kites, woodpeckers, bull finches, gold finches, and green finches), hedgehogs, foxes, muntjacs and deer (herd of deer).
- Adverse impact on surrounding ancient woodland and hedgerows.

Flooding

- Exacerbate existing issues with flooding. Increased surface water would exacerbate issues with flooding in the area. Flooding is already a major issue on Back Lane from the Roundwood field.

Other matters

- Significant impact on the rural character of the surrounding area.
- The development did not go through the NHC master planning stage with local consultation.

- Loss of property value.
- Adverse impact on historic buildings.
- Potential impact on archaeology
- Emergency services access concerns have been raised regarding the ability of fire appliances to access all dwellings within 45m, creating a serious safety risk.
- There is no clear commitment to electric vehicle (EV) charging infrastructure.
- An Environmental Impact Assessment should have been completed.
- Exacerbate existing issues with low water pressure.
- Mix of affordable and social housing and level of affordability not clear.
- Question standards of sustainability of new homes
- The viability and long-term sustainability of the new bus services questionable.
- The proposed homes do not meet housing need.
- The development fails to meet "Secured by Design" principles.
- Increased risk of crime.
- Criticism regarding extent of consultation.

The representations received in relation to the amended and additional plans reiterated the issues raised above and made the following comments on the amendments:

- The amendments have not addressed any concerns that have been raised.
- Objections to the Technical Note – Monitor and Manage – summarised below:
 - Critical of the proposed 'monitor and manage' approach.
 - Should address the concerns and ensure the plans are robust and cover all the concerns before planning is approved.
 - All potential parking issues need to be addressed prior to permission being granted.
 - NHC must insist on inspection of both a robust Monitor and Manage Plan and the initial Construction Management Plan prior to making a decision on this application.
 - Recommend that the 'Monitor and Manage' should be done by an independent contractor on behalf of Great Ashby Community Council. This 'Monitor and Manage' should happen before any construction starts.
 - Unacceptable that existing Great Ashby residents would be expected to accept the increased traffic, the parking issues and displaced parking until a decision has been made once the new homes are in situ.
 - There is no information on what scenarios the 'Monitor and Manage' intends to monitor. What are the intended triggers and how would these triggers be managed and mitigated.
 - The document fails to resolve the severe parking and safety concerns raised by residents and offers no solution or proposed measures to the already overcrowded roads. In fact, the proposals will only exacerbate the situation by increased congestion from displaced parking, creating a dangerous environment for all residents.
 - Question the peak hour traffic flow data on Calder Way and Back Lane used in the Technical Note – Monitor and Manage.
 - Critical regarding the accuracy of evidence provided regarding projected traffic and accident data.
 - Data in this report is from May 2022 which is considerably out of date. The survey also used data for car ownership from areas other than Great

- Ashby, but people have more cars in Great Ashby than other areas of Stevenage.
 - Proposals to widen the start of Calder Way and traffic lights will not help as will exacerbate existing issues with queuing back into Orwell Avenue and Great Ashby Way.
 - Objection to loss of parking spaces and parking restrictions shown in Technical Note – Monitor and Manage.
- Critical of NHS response - state that should have new GP Surgery on site given cumulative impact of new developments.
- Criticism of the requested s106 contributions.
- Plans do not show any secure cycle storage and some homes have no parking plots allocated, visitor parking areas or allocated EV charging points.
- Some properties do not have solar panels so do not conform with the Future Homes Standard.
- Residents now have an extra-large bin to store in their garages making it less likely to take a car and cars are increasing in size.
- The change to the SB7 route causes causing tailbacks as its bus stands for ten minutes before in turns back around with no safe passing for cars or bicycles.
- Criticism regarding length of consultation period, given time taken to receive letter in the post.

Two representations received in support – one on the basis that the building of houses is necessary for the public (due to lack of housing), economy and construction workers who build them and one was the second comment from British Horse Society Herts Access Group referred to under amenity groups above. Some residents who objected or gave neutral comments did note the importance of addressing housing shortages.

4.0 **Planning Considerations**

Site and Surroundings

- 4.1 The site is currently a rectangular arable field (approximately 10.7 Ha) situated to the northwest of the existing Great Ashby residential development. The site is bounded to the south and east by Back Lane and beyond Back Lane to the south and east are residential properties within the existing Great Ashby development.
- 4.2 The site falls within the parish of Graveley in North Hertfordshire, but is adjacent to the parish of Great Ashby in North Hertfordshire to the east. The boundary with Stevenage Borough runs along Back Lane just outside the southern boundary of the site.
- 4.3 A Public Right of Way (Graveley Footpath 010) runs immediately parallel with the northern boundary of the site within a developing area of woodland plantation. Beyond this to the north is farmland. An area of woodland called Round Wood abuts the site's western boundary. Beyond Round Wood is an area of mixed farmland, paddock and parkland with the hamlet of Chesfield beyond.

- 4.4 Along the eastern boundary of the site is Back Lane which is also known as Weston Road and this leads to Weston. From the southern boundary Back Lane leads to Chesfield where it becomes Church Lane and continues to Graveley village. Back Lane is connected to the existing Great Ashby residential development via Calder Way to the south of the site.
- 4.5 There are hedgerows and trees along most of the boundary of the site.
- 4.6 The site was within the Green Belt, however with the publication of the Local Plan in November 2022 it was removed from the Green Belt and is a local housing allocation site.

Proposal

- 4.7 The application is a full application for residential development of 281 dwellings (including 40% affordable housing) and associated roads, parking, realignment of Back Lane, drainage, landscaping, open space, servicing facilities and associated works.
- 4.8 The proposal would involve the realignment of Back Lane through the site. 185 dwellings would be accessed off the extended Haybluff Drive and 96 dwellings would be accessed off the rerouted Back Lane, which would connect to Great Ashby via Calder Way. There would be no vehicular connection between the two parts of the site other than for emergency access. The existing Back Lane to the south of the new junction with Haybluff Drive and to the east of the junction with Calder Way will be closed to vehicular traffic. The pedestrian and cycle links to Botany Bay Lane and Orwell Avenue would be strengthened.
- 4.9 The proposal would include the provision of Sustainable Drainage Systems (SuDS) and other associated infrastructure including swales and mitigation basins. The proposals include open space, the key feature being a linear park that is proposed running north to south in the centre of the site. This would link to the open space containing the drainage basins in the southern area of the site.
- 4.10 In addition to the plans, the application is supported by the following documents:
- Acoustics Assessment
 - Air Quality Assessment
 - Archaeological Trial Trenching
 - Biodiversity Metric Calculation Tool
 - Biodiversity Metric Condition Assessments
 - Botanical Survey of Round Wood
 - Design and Access Statement
 - Desk Study, Preliminary Site Investigation and Risk Assessment report
 - Ecological Impact Assessment
 - Energy and Sustainability Statement
 - Flood Risk Assessment
 - Heritage Statement
 - Planning Statement

- Transport Assessment
- Travel Plan
- Tree Survey and Arboricultural Impact Assessment including existing site plan and proposed site plan
- Transport Technical Note – Monitor and Manage
- Open Space Maintenance Contract Outline Provisions
- Drainage consultants' responses to LLFA consultation comments

Environmental Impact Assessment

- 4.11 In 2022 a scoping opinion request was made to the Local Planning Authority for proposed housing development (330 dwellings) on this site. The Council's response provided in April 2023 confirmed that in considering the relevant matters, it is the Council's opinion that the proposed development is not 'EIA development' within the meaning of the Town and Country Planning Environmental Impact Assessment) Regulations 2017 (as amended).

Key Issues

- 4.12 The key issues for consideration of this full planning application are as follows:
- Policy background and the principle of development
 - The delivery of market and affordable housing
 - Design and layout of the scheme
 - Open space
 - Landscape impacts
 - Impact on heritage assets
 - Highways and transport impacts
 - Environmental considerations
 - Agricultural land classification and Best and Most Versatile (BMV) agricultural land
 - Flood risk and drainage
 - Ecology
 - Air quality
 - Noise
 - Land contamination
 - Fire safety
 - Waste and recycling management
 - Health impact
 - Sports and play facility impact
 - Whether the development would represent a sustainable form of development.
 - Planning obligations
 - Climate change mitigations
- 4.13 This application follows a previous application for residential development on the site ref. 23/02492/FP, which has been withdrawn. There were fundamental concerns with the previous proposal, in particular the layout, and it was agreed to have a series of pre-application workshops and meetings with the applicant team, NHC Team and Highways Authority Officers to discuss and progress a new layout for the site. The details of these workshops are set out in section 3.2.2 of the

applicant's Planning Statement. The applicant has responded positively and this application is the result of this proactive process. Paragraph 40 of the NPPF states:

“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.”

- 4.14 During the application, amended plans and documents have been submitted to address technical matters. The relevant consultees were re-consulted.
- 4.15 In March 2025 a package of amended plans and documents was received. The changes were minor, but required many of the plans to be amended. The key amendments were set out in the covering letter (dated 31 March 2025), which is available to view on the Council's website. The relevant technical consultees were re-consulted.
- 4.16 Further amended and additional plans and documents were submitted in June 2025 following the receipt of further responses from statutory consultees, notably the LLFA. The applicant submitted a covering letter (dated 30 May 2025) which sets out the changes and is available to view on the Council's website. The amendments were minor changes to the layout and planting to address concerns raised by the LLFA and Shared Waste Service. The applicant also submitted a Technical Transport Note – Monitor and Manage to provide further clarity on how a 'monitor and manage' approach to mitigation would work. This responds to the proposed planning conditions from HCC Highways. The covering letter also provided some comments on potential conditions. All those consultees and neighbours who were initially notified of the application and anyone who has submitted comments on the application were re-consulted in June 2025.

Principle of development

- 4.17 There is no objection in principle to the proposed development, as it is within an allocated site in the Council's Local Plan (North Hertfordshire District Local Plan 2011 – 2031) which was adopted on 8th November 2022.
- 4.18 The NPPF advises that decision makers should approve development proposals that accord with an up-to-date development plan without delay. The planning acts say that proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan constitutes the adopted Local Plan, any 'made' neighbourhood plans and the Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012. Graveley, Weston and Great Ashby Parishes do not have neighbourhood planning areas designated or neighbourhood plans in preparation.

- 4.19 As set out in the Council's most recent Housing Land Supply Update (May 2024), the total requirement for housing delivery in the District from 1 April 2024 – 31 March 2029 is 5,990 dwellings. Currently there is a deficit of 1,359 dwellings over the five-year period of 2024/25 – 2028/29. The Council therefore can only demonstrate a five-year land position of 3.9 years against our adopted housing requirement. This figure falls below the five-year figure as required in the NPPF. Where a five-year supply of deliverable housing sites cannot be demonstrated, Paragraph 11 (d) of the NPPF confirms that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (including the housing land supply) and (i) unless there are protected areas or assets of particular importance which provide a strong reason for refusing the development proposed or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination, permission should be granted.
- 4.20 In summary as the Council is currently unable to demonstrate a 5-year housing land supply, the tilted balance of paragraph 11(d) of the NPPF is engaged. Any adverse impacts of granting planning permission would need to significantly and demonstrably outweigh the benefits for planning permission to be withheld.

The delivery of market and affordable housing

Five-year supply

- 4.21 As set out above the Council cannot demonstrate a five-year land supply. Making timely decisions helps mitigate risk that Council's five-year land position worsens. This proposed development will assist the Council in achieving our target of housing delivery within the Local Plan period. The application is for full planning permission, resulting in a quicker delivery trajectory than an outline planning permission.

Housing numbers

- 4.22 The Planning Statement sets out that in order to provide appropriate levels of open space and land to allow for a full 10% Biodiversity Net Gain on site the proposed development would provide a total of 281 residential units. This represents a decrease of the allocation figure of 330 homes of approximately 15%. The Plan states there will be a design-led approach to development. No prescriptive density targets are set. If this scheme is considered acceptable in all other respects, it is not considered appropriate to object on this point.

Housing mix

- 4.23 Overall, the dwelling mix would include 43% smaller units (121 dwellings) and 57% larger units (160 dwellings) which adequately complies with the requirements of *Policy HS3: Housing mix* of the Local Plan, which suggests a split of 40% smaller units and 60% larger units on edge-of-settlement sites.
- 4.24 The table below shows the market mix proposed within the application (these tables have been copied from the applicant's Planning Statement):

Market Housing			
Bedrooms	Number	Roundwood %age	SHMA 2016 Target
1B	8	5%	2%
2B	21	12%	12%
3B	95	56%	53%
4B	39	23%	25%
5B	6	4%	8%
Total	169		

Affordable housing

- 4.25 There is a pressing need for affordable housing and *Policy HS2: Affordable Housing* of the Local Plan requires 40% affordable housing on sites over 25 units to address that need. The proposal would deliver 281 dwellings, 40% of which would be affordable (112 dwellings). 65% of the affordable housing would be rented tenure and 35% would be intermediate tenure.
- 4.26 The proposed affordable housing schedule is set out below:

Beds	Affordable Rent		Affordable Shared Ownership		Total
	Flat	House	Flat	House	
1	24		8	8	40
2	30	8	10	7	55
3		6		6	12
4+		5			5
Total	73		39		112

- 4.27 The table below summarises how the affordable housing numbers relates to the Strategic Housing Market Assessment (SHMA) 2016:

Affordable Housing			
Bedrooms	Number	Roundwood %age	SHMA 2016 Target
1B	40	33%	17%
2B	55	45%	34%
3B	12	10%	41%
4B	5	4%	7.5%
Total	112		

- 4.28 The proposed tenure mix is not in accordance with the tenure mix which would best meet housing needs as identified in the 2016 SHMA. However, the Housing Supply Officer has no objections to the proposed mix and provided the following comments:

“A 2023 North Herts and Stevenage SHMA update has been adopted and identifies a different tenure mix for both rented and affordable home ownership tenures to that of the 2016 SHMA. The affordable housing requirements are in accordance with previous advice based on the 2016 SHMA and local information of housing need in the district particularly in respect of the rented homes.

Evidence from the housing register suggests the number of three bed houses recommended in both the 2016 and 2023 SHMAs is greater than required and there is high housing need for smaller homes for rent including two bedroom family homes and a need for larger (4+ bedroom) family homes for rent. The provision of an increased number of two bedroom homes and fewer three bedroom houses is therefore considered favourably.

In addition, there is a growing need for larger (3 and 4 bed) M4(3) wheelchair adapted homes, for families, which we will seek to deliver through the requirements of Policy HS5: Accessible and adaptable housing.

For intermediate affordable/ shared ownership tenure there is a greater demand for one and two bedroom homes and some demand for three bedroom homes. Recently registered providers have struggled to sell four bedroom shared ownership homes to local families due to a lack of demand and affordability.

There have been extensive discussions with the applicant, during the pre-application workshops on the affordable housing provision and mix including size, type, tenure and layout. The applicants affordable housing proposals as set out in the table at 6.5.2 of their planning statement is accepted as agreed in the workshops. This includes eleven homes to M4(3) wheelchair user standards; two of which are houses.”

- 4.29 This affordable housing (including mix and M4 (2) and M4(3) homes) will be secured as part of the s106 legal agreement.
- 4.30 A tenure locations plan has been submitted with the application. The affordable housing has been distributed across the development. The scheme has been designed in such a way that it would be difficult to determine the tenure of properties through architectural, landscape or other differences.

First Homes

- 4.31 The Government announce a few years ago a new affordable housing product called 'First Homes'. These are discounted market sale housing. Under transitional arrangements, once the Council has an up to date adopted Local Plan, there is not an automatic need to reflect the requirement for First Homes when considering planning applications. The Council do not have an evidence base to demonstrate that we need First Homes.

Accessible and adaptable housing

- 4.32 *Policy HS5: Accessible and adaptable housing* states that:

“Planning permission for major residential development will be granted provided that:

- a) applicants demonstrate that at least 50% of homes can be built to the M4(2) Accessible and Adaptable standard; and***
b) on schemes where 10 or more affordable units will be delivered, 10% of these can additionally be built to the M4(3) wheelchair user Standard.”

- 4.33 The Planning Statement confirms that all dwellings would meet the M4(2) accessible and adaptable standards. It sets out that 10% of the affordable dwellings would meet M4(3) wheelchair user standards, being 11 homes. The minimum standards will be secured by condition. Therefore the proposed development exceeds the requirements set out in Policy HS5.

Conclusion on Market and Affordable Housing

- 4.34 The site on which the housing is proposed is a housing allocation in the Local Plan. The scheme would provide 40% affordable housing in line with Local Plan Policy HS2. The housing numbers and housing mix in terms of smaller and larger units would be acceptable and broadly in accordance with Local Plan Policies HS1, HS3 and GA1. Overall, it is considered that the identified benefit of delivery of residential development (281 dwellings) including 40% affordable housing should be attributed substantial weight in the planning balance.

Design and layout of the scheme

Policy SP9 Assessment

- 4.35 *Local Plan Policy SP9: Design and Sustainability* reads as follows:

“Policy SP9: Design and Sustainability

The Council considers good design to be a key aspect of sustainable development. We will:

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

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 dwellings 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.

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

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;

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;

vi. create an 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

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□ a high-quality integrated network to support ecological connectivity, biodiversity net gain, climate adaptation and mitigation linking into the wider Ecological Network

vii. ensure the effective use of sustainable urban drainage and sustainable water management;

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

ix. design to last with a clear stewardship, management and maintenance strategy

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

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

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:

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

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)

vi. Sustainability & Energy Framework identifying site-wide and building scale opportunities for low and zero carbon

vii. Illustrative Masterplan Layout

viii. Infrastructure Delivery, Phasing & Management Strategy

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.

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

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

4.36 It is considered that the proposal meets criteria a) in that it is well designed and located and responds positively to its local context. This is covered in more detail under the section on 'design and layout' below.

4.37 Criteria b) of this policy requires Strategic Masterplans to be produced for significant development, which generally comprises residential development of 100 dwellings or more. A Strategic Masterplan has not been produced for this site. However, it is considered that this is acceptable in this instance given that this is a full, not outline, application (therefore all detail is provided for consideration) and given the rigorous design process that the applicant team have gone through with the Local Planning Authority at the pre-application stage to produce the proposed scheme (which is discussed below). The policy also states that 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. Paragraph 6.3.11 of the Planning Statement reads as follows and officers agree with this position.

"Whilst Roundwood is in close proximity to allocations GA2 and NS1, no design impacts from Roundwood would impact upon those sites. This is due to its location and the existing boundary planting and built form that ensure it would not be read in context with the identified forthcoming sites. In terms of infrastructure requirements, the proposal is cognisant of these adjacent sites (Croudace Homes will develop site NS1). Infrastructure cumulative impacts will be considered through the agreed Heads of Terms to be included within the Section 106 Agreement. The Local Plan process has already

assessed the need for major infrastructure such as schools, health provision etc. Roundwood is expecting to contribute financially to these infrastructure requirements. Those sites are considered as committed sites within technical documents and therefore help to inform strategies at Roundwood.”

A Strategic Masterplan is not required in this context.

- 4.38 Section 6.3 of the Planning Statement provides an SP9 Assessment of the site and demonstrates how the masterplanning requirements set out in criteria c) of Policy SP9 have been met. It is the officer view that the application complies with the design criteria set out in criteria c) of Local Plan Policy SP9.
- 4.39 Criteria d) of Local Plan Policy SP9 sets out the plans and documents required with Strategic Masterplans. The table in paragraph 6.3.9 of the applicant's Planning Statement sets out how these criteria have influenced the planning application.
- 4.40 Criteria e) of Local Plan Policy SP9 encourages the submission of Strategic Masterplans for the Council's consideration and agreement before the submission of a planning application. It states that planning applications must be accompanied by a Strategic Masterplan, but acknowledges that 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. In this case a planning application had already been submitted on the site prior to the adoption of the Local Plan and rather than requiring a Strategic Masterplan to be submitted the LPA agreed to enter a series of workshops so that the applicant could try and address the issues raised in the consultee objections. As such whilst a Strategic Masterplan has not been submitted with this application the workshop pre-application process that has been gone through is in the spirit of the collaborative masterplanning process.
- 4.41 Criteria f) of Policy SP9 requires the LPA to assess proposals against detailed policy requirements set out in this Plan and have regard to the Design SPD; and criteria g) requires the LPA to adopt the Government's additional technical standards for the size of new homes, water efficiency and, in specified circumstances, accessibility. It is the officer view that the proposed development meets these requirements.
- 4.42 It is concluded that whilst the proposed development does not technically comply with SP9, as a Strategic Masterplan has not been produced. It is considered that there is sufficient justification for this in that this is a full planning application and has gone through a rigorous pre-application design process

Proposed design and layout of the scheme

- 4.43 A previous application (ref. 23/024982/FP) was submitted for this site in November 2023 ("2023 application"). Following receipt of consultation comments and assessment of the application the LPA raised fundamental concerns with regards to the proposed layout of the site. The applicant team agreed to undertake a series of pre-application workshops with the North Herts Council Team with a view to submitting a new application. The multi-disciplinary team included the following:

Planning Officers from the Major Projects Team, Urban Design Team, Senior Transport Policy Officer, Senior Ecologist, Housing Supply Officer, and Service Manager, Greenspace. This was covered by a Planning Performance Agreement (PPA) to ensure it could be resourced. HCC Highways Officers also attended the workshops. The details of the topics covered in the workshops are set out in table 2 in the applicant's Planning Statement. These workshops required the applicant team to fundamentally redesign the scheme. The applicant team responded positively to the discussions and the proposals submitted as part of the current application are the result of the workshop process. Following these workshops, the applicant team submitted this current application and withdrew the previous 2023 application.

- 4.44 The Council's Urban Designer has provided written comments on the application, which can be viewed on the Council's website. He provided the following general comment on layout and collaborative process:

"The proposal is extremely well-thought out and is an example of how development can create accessible, legible development through a commitment to open collaborative design, together with the local planning authority and other stakeholders. Croudace and their design team have worked closely alongside NHDC Urban Designers and Planning Officers on GA1 to create place that meets the needs of future residents. Collaborators willingness to engage and be open minded throughout this process has been invaluable and should set a precedent for future collaborative placemaking in the district."

- 4.45 It is considered that Design Review is not necessary, given the applicant has responded positively to pre-application discussions and that the submitted scheme represents a significant improvement on the 2023 application. It is considered that the amended proposed layout represents good quality design.

Access

- 4.46 Fundamental objections were raised by the Highway Authority and others in relation to the 2023 application. A key concern was that the proposed layout of the development would exacerbate the existing issue of rat-running along Back Lane to Weston and Graveley. In response to this matter, the revised scheme includes two separate access points which are unconnected, except via an emergency access only. Approximately two thirds of the site would be accessed off Haybluff Drive and one third of the site would be accessed off the re-routed Back Lane.
- 4.47 There is an active pedestrian desire line from the south east corner of the site which links to Botany Bay Lane to the north west corner which connects to the Public Right of Way. The proposed layout has responded to this desire line by creating a pedestrian route through the site via the proposed linear park and to the north east corner of the site. This would improve pedestrian access from the existing residential development in Great Ashby to the public footpath (PROW 10). The proposed development would also provide active travel connection with the existing footpath into Orwell Avenue. This connects to routes to the old town, secondary schools and the hospital. The proposal would also have another key

active travel connection to Haybluff Drive which would be the closest route to the proposed extended bus route on Mendip Way.

- 4.48 There is a pedestrian route around the perimeter of the site. The section of Back Lane running along most of the eastern boundary would be pedestrianised, which would be a benefit for future residents, existing residents in Great Ashby and pedestrians, cyclists and horse riders who use this route. The scheme has been designed to be a 20mph neighbourhood. The proposed scheme would generally have active frontages onto the vehicular roads and active travel routes.

Landscaping

- 4.49 A fundamental concern with the 2023 application was inadequate landscape buffers. The 2023 application included a 12m buffer from the north and west boundaries. However, it was established that parts of the woodland at Round Wood meet the definition of Ancient Woodland. For ancient woodlands, the Natural England requirement is that the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area).

- 4.50 Local Plan Policy NE4: Biodiversity and geological sites states that:

“Applicants should, having regard to the status of any affected site(s) or feature(s)...

d. Integrate appropriate buffers of complimentary habitat for designated sites and other connective features, wildlife habitats, priority habitats and species into 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 (locally designated sites and above), trees and hedgerows. It may be necessary to exceed this distance for fragile habitats such as ancient woodland or to provide appropriate root protection for mature trees;”

- 4.51 The submitted plans show a 15m buffer along the western boundary where it is adjacent to the ancient woodland at Round Wood and for a small section of the eastern boundary where it is adjacent to woodland. A 12m buffer is proposed along the rest of the western, northern and southern boundaries. During the pre-application process it was agreed that the buffer could be reduced along the eastern boundary to 7m, as this was considered sufficient. Whilst Local Plan Policy NE4 states that the provision of 12m buffers should be provided it is not an absolute requirement of policy. It is necessary to implement the 12m buffers pragmatically otherwise some of the smaller proposed housing allocation sites in the Local Plan could well be undeliverable. As such, it is considered that the proposed buffers would be sufficient in this instance.
- 4.52 The proposed development has been designed so that it is not parking dominated. The parking spaces are generally to the side and rear of properties. Cycle storage has been provided. Landscaping is proposed to help settle parked cars into the street. In the rear parking courts for the apartments and mews houses landscaping has been included to break up the hard surfacing. In response to the objections

raised by the Lead Local Flood Authority the scheme has been amended which has had some implications for street trees as set out in the applicant's covering letter:

“The positioning of street trees within the areas where additional surface water storage tanks have been introduced has been revisited. This is particularly the case for the area in the south-eastern corner of the site, with the main surface water storage tanks being under the parking courts for the blocks of flats in that part of the site. The inclusion of these tanks has reduced the capacity to accommodate trees distributed across those parking courts, and so we have sought to move them to the ends of the parking courts instead.”

- 4.53 It is considered that the amendments to the positioning of street trees is acceptable, as the urban design and drainage requirements need to be balanced. However, we would wish to see landscape strips between spaces to ensure the cars are broken up with greenery. This is covered by the condition requiring updated planting plans and an informative has also been added.

Appearance

- 4.54 The design of the scheme has taken its design cues from the existing residential development and nearby villages. The proposed simple palette of a mix of three types of red brick and two roof materials for the main buildings and some weatherboarding on ancillary buildings is welcomed. The amended roof materials plan has changed the distribution of the roof materials in response to comments from the Urban Designer. However, this matter of detailed design will be addressed by condition requiring material samples and updated roof and facing materials plans to be submitted
- 4.55 The proposed development would generally have appropriate boundary treatments. The Council's Urban Designer advised that we wish the end fences to the parking courts (north and south) to be brick walls with planting against them not 'hit and miss' fencing. This is covered by a condition requiring that an updated enclosures plan with full details of the boundary treatments, shall be submitted to and be approved in writing by the local planning authority and an informative setting out what is required. The ground floor apartments fronting the pedestrianised Back Lane would have access onto semi-private amenity spaces and there would be balconies to first floor flats which, both of which would enable natural surveillance of the pedestrianised Back Lane and linear park as well as providing residents with access to the open air.

Layout

- 4.56 Through the pre-application process the LPA have encouraged the creation of a central linear park with 'play on the way', rather than traditional Local Equipped Areas for Play (LEAPs) and Local Areas for Play (LAPs). This has been incorporated into the design and is considered to be a positive place-making feature of the layout. The Sustainable Drainage Systems (SuDS) have been incorporated into the design of the scheme with the drainage basins on the southern part of the site providing a landscape feature and connecting to the

central greenspace. Swales have been incorporated into the design across the site.

- 4.57 The Urban Designer made comments regarding the parking and garaging. He acknowledged that parking provision on the site is delivered through various means, and these have been worked through rigorously within the PPA workshops. However, he raised some concerns. In response to his comments the scheme has been amended so that all the visitor spaces are off-plot. The previous visitor spaces annotation has been removed from driveways and allocated as on-plot parking space for the individual home. Whilst this represents an over provision of parking and generally garages are not counted as parking spaces, even if they meet the standards in terms of size, it is the officer's view that it is acceptable in this location given the existing parking issues in Great Ashby.
- 4.58 The Vehicle Parking at New Development SPD states that the requirements for visitor/unallocated spaces is:

“between 0.25 and 0.75 spaces per dwelling (rounded up to nearest whole number), with the lower standard being applied where there are no garages in the proposed scheme and the higher standard applied where every dwelling in the scheme is to be provided with a garage.”

The scheme would now have 27 visitor spaces in parking courtyards and 46 visitor spaces on-street, which is a total of 63 visitor off plot visitor parking spaces, which represents 0.22 visitor spaces per dwelling. This is just below the minimum visitor parking requirement of 0.25 spaces per dwelling, but it is considered that the proposed visitor parking would be acceptable in this location given that only 12% of properties would have a garage and given there would be an over provision of on-plot parking on the 15 properties with detached garages as the garage is large enough for a car. The comments made by Great Ashby Community Council regarding under-allocation of visitor space on the Haybluff Drive section are noted. However, as set out above the visitor parking provision across the site would be acceptable and visitors could access the site via the Calder Way/Back Lane access and walk to their destination when they have parked. The Highways Authority have not raised any objections on these grounds.

- 4.59 A condition has been recommended removing 'permitted development' rights for development as set out in Classes A (the enlargement, improvement or other alteration of a dwellinghouse), B (the enlargement of a dwellinghouse consisting of an addition or alteration to its roof) and E (building/enclosure/swimming or other pool/container used for domestic oil or gas heating) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 as amended. 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 ensure sufficient parking and amenity space retained for the properties.

- 4.60 The Crime Prevention Design Advisor, Herts Constabulary was consulted on the application and strongly recommend that the applicant engages with the Police to seek to achieve the Police preferred minimum security standard that is Secured by Design. This has been covered by an informative (as it is not a planning policy requirement).

Scale

- 4.61 The proposed scheme would provide a range of housing typologies. The application is accompanied by a building heights plan. The development would be 2-3 storeys adjacent to the existing residential development decreasing to 2-storeys in height towards the countryside edge. It is considered that the edges of the site adjacent to the existing residential development can accommodate higher density development. It is important that sites such as these that were released from the Green Belt following the adoption of the Local Plan are developed efficiently. The proposed development along the countryside edge would be low density.

Amenity

- 4.62 The Urban Designer commented that the lighting plan as submitted does not show sufficient lighting for a residential area of this density/scale. This will be dealt with by a condition requiring a lighting scheme to be submitted for reasons of both urban design and ecology as there needs to be a balance between both requirements. The Urban Designer raised a concern that Plot 13's view, from the front upstairs rooms, is directly down into a pumping station and suggested a tree is planted to block the view, which is proposed on amended plans.
- 4.63 The layout is such that no individual building within the development would be unreasonably impacted by surrounding buildings in terms of outlook, lack of light or loss of privacy. Private garden space would be acceptable. The flats benefit from communal amenity space to the rear of the buildings as well as access to the linear park at the front of the building. Flats would benefit from dual or triple aspects providing good daylight amenity. The plans demonstrate that the property sizes meet the technical housing standards – nationally described space standards. The number of proposed trees in rear gardens is welcomed.
- 4.64 The proposed development would not have any adverse impact on the adjacent residential development in terms of material loss or privacy or light or be unduly dominant in the outlook they currently enjoy. It is acknowledged that along the eastern boundary there would be some overlooking from the proposed development, particularly the three storey flats, of existing properties. However, it is considered that the proposed development would not result in a material loss of privacy to existing properties given the distance between the properties and given that there is an existing road between the properties, which would become pedestrianised along much of the eastern boundary of the site. A condition is recommended requiring a finished floor levels plans to be submitted and approved by the LPA to ensure that the proposed development would have an acceptable relationship with the existing properties.

Summary on design and layout of the scheme

- 4.65 The amended layout is considered acceptable. The proposed design is appropriate in its context on the edge of the settlement and would relate to the existing residential development. It is considered that the proposed layout would not have an adverse impact on the character and appearance of the area and as such complies with site specific policy criteria GA1 which requires: ***Sensitive integration into existing settlement in terms of development layout and building orientation;***” and *Local Plan Policies D1: Sustainable design, D3: Protecting living conditions and T2: Parking.*

Open space

- 4.66 This scheme will be assessed against the current standards in our Developer Contributions Supplementary Planning Document adopted November 2023 (the Fields in Trust Guidance for Outdoor Sport and Play Beyond the Six Acre Standard November 2020). These standards set out requirements for this scale of development to provide the following categories of play space: Local Areas for Play (LAP) within 100m walking distance of each house, Local Equipped Areas for Play (LEAPS) within 400m walking distance of each dwelling and a Multi-Use Games Area (MUGA) and a contribution towards a Neighbourhood Equipped Area of Play (NEAP).
- 4.67 These open space standards also require certain areas of playing pitches, other outdoor sports, equipped/designated play, parks and gardens, amenity green space, natural and semi-natural and allotments. As part of the Design and Access Statement the applicant has included an Open Space Strategy, which sets out the open space to be provided compared with the open space required
- 4.68 It is acknowledged that the site is not of a size to accommodate sports pitches or other outdoor sports, as such a planning contribution towards pitch sports is sought in lieu of on-site provision.
- 4.69 There is technically an over provision of play space on-site. As explained in the DAS:

“The agreed ‘Play on the Way’ approach is not compatible with the standard definitions and therefore no direct comparison can be made for each of the proposed spaces. However, it is acknowledged that the ‘Play on the Way’ approach cannot provide facilities equivalent to a NEAP or MUGA. The developer therefore intends to enter dialogue with the local planning authority regarding the requirements for off-site contributions.”

- 4.70 Most of the equipped/designated play space would be provided in the linear park in the form of ‘play on the way’. It is proposed that the linear park would be designed for children of all ages and would be subtly zoned to provide separate spaces for children of different ages and abilities. There would be two small doorstep play spaces proposed one in the north west corner and one in the south east corner. These are located on the pedestrian design line from Botany Bay Lane

to the Public Right of Way into the countryside. The details of the proposed play equipment will be secured by condition.

- 4.71 From a planning policy point of view, officers are comfortable and indeed encourage the provision of the linear park rather than traditional LEAP and LAPs. The linear park ensures play is central to the design. However, it is considered that the 'play of the way' is equivalent to LEAPs and LAPs, but does not provide the equivalent for a NEAP or MUGA. As such a s106 contribution for enhancement of an off-site LEAP to a NEAP has been secured. It is acknowledged that the site might not be the most suitable location for MUGA and an off-site MUGA project within reasonable walking distance has not been found. In lieu of this, s106 contributions have been secured for improvements to two LEAPs within walking distance of the site. There is a plan within the DAS which demonstrates that all properties within the site would be within a reasonable walking distance of a play space. There is also an existing LEAP immediately to the south of the site accessible via the footpath to Orwell Avenue.
- 4.72 The provision of parks and gardens would be below the required standard. However, this shortfall would be acceptable given that the site is on the edge of the existing settlement and residents would have easy access to the countryside and given the significant over provision of amenity green space and natural and semi-natural greenspace.
- 4.73 The site would have an on-site community orchard with an area of approx. 385.1 square metres, but this would be below the required space on-site for allotments (2,022 square metres). It is acknowledged that the site is not of a size to accommodate allotments at a scale that would be feasible to manage and that there is a lack of allotment provision in the Great Ashby area. The provision of a community orchard/garden area where the community can grow produce would help offset lack of provision of on-site allotments. We have explored options for a s106 contribution towards an off-site allotment project. However, a request for a scheme for allotment provision or enhancement that meets the CIL tests set out in Paragraph 58 of the NPPF has not been received.

Landscape Impact

- 4.74 Across England, there are 159 National Character Areas (NCA). The Site is located within National Character Area 86 – South Suffolk and North Essex Clayland (Natural England, 2014). This covers a large area and provides a very broad context.
- 4.75 The site is within District Landscape Character Areas 220 – Weston Plateau Parklands. Its landscape character is described as follows:

“Gently sloping chalk plateau overlain by clay soils. Predominantly arable land use but with pockets of grazing adjacent to Weston Park to southeast of village. Character Area is well wooded –predominantly ancient deciduous woodlands. Density of woodland cover creates a sense of enclosure and is key to the character of the landscape. There is a network of winding lanes, sometimes open and affording views over the plateau.”

4.76 The key characteristics are identified as follows:

- ***Plateau landform***
- ***Arable land use***
- ***Extensive mature woodland cover***
- ***Interlocking pattern of fields, lanes and curvilinear boundaries***
- ***Scattered farmsteads***
- ***Winding lanes***
- ***Mature field and hedgerow trees”***

4.77 The application is accompanied by a Landscape and Visual Appraisal. The Planning Statement summarises its findings as follows:

“This planning application is supported by a Landscape and Visual Appraisal. The landscape consultant has been involved through all workshop phases to ensure the development maximises the opportunities whilst being cognisant of the constraints of the site. The site is moderately enclosed by woodland, trees and hedgerows along all boundaries. This differs from the broader pattern of fields, lands and boundaries within the Green Belt designation to the north and west.

The landscape study at the site highlights that the site is visible in local views as part of the rural agricultural setting of the site. It is visually contained and enclosed. There is identified visual influence from adjacent areas of the settlement which reflects the local character.

A key landscape feature, also serving ecological requirements, is the 12m buffer around the site to comply with Policy NE4 (d) of the Local Plan. The proposal keeps a 12m boundary to the north and west boundaries, which widens to 15m adjacent to the Round Wood. This ensures development is set back from the adjacent Green Belt. The boundary towards Back Lane has been reduced to approximately 7m in length. Care will be taken to ensure the protection of the hedgerow during the construction phase

The proposed tree-lined primary streets will create a distinct character within the site, and promotes greenery within the site. The location of the open space seeks to meet on-site requirements for the benefit of future occupiers, whilst also reinforcing local character.

Overall, the landscape assessment recognises a slight to moderate adverse impact on the landscape given its current use as an agricultural field and the introduction of residential development within. This change in character would have been understood by the Council when allocating the site.

With regard to visual impacts, the landscape assessment recognises a moderate adverse impact from the proposed development. This acknowledges its visibility from Back Lane and the Hertfordshire Way. The upper floors of buildings will be visible from further vantage points around the site.

The proposal does seek to maximise those opportunities within the site to create a comprehensive green infrastructure and ensure a good landscape setting to the development.

This includes the play-on-the-way feature and direct sightlines and green links to the edges of the scheme. The high quality design also minimises adverse landscape and visual effects.

As such, the proposal meets the aims and objectives of Policy NE2 (Landscape) of the adopted Local Plan.”

- 4.78 In the absence of an in-house landscape specialist, Place Services, were consulted on the application and provided landscape comments. They reached the following conclusion with regards to landscape character:

“Notwithstanding this, combined with a moderate value (LVA, Para 4.1.12), we judge that the site has a medium susceptibility, resulting in a medium sensitivity. This accords with the level of sensitivity identified within LR1-LR4 (LVA, Page 28/29). We judge that the proposed development would cause a medium-low magnitude of change on completion, resulting in an overall moderate-slight adverse effect.

Therefore, this accords with the conclusion within Para 7.1.3 of the LVA and we agree that the proposals can be accommodated within this location.”

- 4.79 They reached the following conclusion with regards to visual amenity:

“Notwithstanding our concerns that the visual assessment of the Hertfordshire Way has been underassessed within the LVA, we judge that mitigation measures have been proposed to help reduce the impacts of the proposals (12m offset, tree and hedgerow planting) and therefore the proposed development could be successfully accommodated within this landscape.”

- 4.80 As such it is considered that the proposed development would not have an adverse impact on the landscape character or visual amenity of the area and that it would comply with the Landscape policies in the Local Plan – Policy ENV3, ENV5, NE1, NE2, NE6, NE7, NE8, SP9 and SP12 and the Policy GA1 site specific criteria, in particular:

“Sensitive integration into existing settlement in terms of development layout and building orientation;

Sensitive design and landscaping around northern and western peripheries to minimise impacts upon wider landscape and heritage assets, including the setting of the Scheduled Ancient Monument at Chesfield Church.”

- 4.81 With regards to landscaping within the site. The application is accompanied by a tree survey which identifies trees to be retained and those to be removed. A small number of trees would need to be removed to accommodate the proposed development and the officer's view is that none of the trees to be removed are worthy of protection by a Tree Preservation Order. There is a mature oak tree in the north western corner of the site and another on the northern boundary. Both are to be retained. A condition is recommended to ensure existing trees are protected during construction. The DAS includes a tree planting strategy which is welcomed. The number of proposed street trees and trees within rear private gardens is encouraged. The DAS includes a planting strategy overview which offers an acceptable approach.
- 4.82 Place Services made some detailed recommendations with regards to landscaping. In their consultation response, Place Services conclude overall, that they welcome the submitted proposals and judge that most of the required information is included within the Planting Plans and Surface Materials Plan, negating the need for conditions. However, they advise that a planning condition requiring a landscape management plan be submitted, approved by the LPA and carried out, and this is recommended below.
- 4.83 In response to the amended plans, Place Services welcomed the design amendments based on their previous comments and reiterated the other issues they raised in their initial comments with regards to measures included in the subtle zoning of the play areas in the linear park, the specifications for all hard surfaces, details of proposed tree pits and expectation that the submitted Planting Plans should be accompanied by a Planting Schedule and Specifications. They also said confirmation is needed on specification for fencing on the western boundary. These matters will all be addressed and secured by conditions.

Summary on landscape impact

- 4.84 It is considered that the proposal would inevitably have some adverse landscape and visual impacts. However, through a combination of existing screening, and the provision of landscaping, it is considered that the adverse effect would be largely localised. The proposed mitigation planting measures can be secured by conditions, and such measures would be beneficial to the landscape and biodiversity. Therefore, there would be some conflict with *Local Plan Policy NE2 - Landscape*. Overall, therefore it is considered that the identified visual and landscape harm should be attributed moderate weight in the planning balance.

Impact on heritage assets

Built Heritage

- 4.85 One of the site specific criteria in Policy GA1 reads as follows:

“Sensitive design and landscaping around northern and western peripheries to minimise impacts upon wider landscape and heritage assets, including the setting of the Scheduled Ancient Monument at Chesfield Church.”

- 4.86 The Planning Statement explains that the planning application is supported by the same Heritage Statement that supported the previous application on this site ref. 23/02492/FP. The applicant is of the view that the changes to the layout are not considered to materially impact the findings of the report in fact the revised layout reduces any harm identified.
- 4.87 The Council's Conservation Officer was consulted on the application and their detailed comments are available to view on the website. They provided the following recommendation:

“The proposed residential development will have some impact upon the wider setting of individual heritage assets (the Grade II listed Manor Farmhouse and boundary walls, and the Grade II listed Church of Etheldrada and Scheduled Monument; and the non-designated heritage asset of Chesfield Park). However, the proposed Chesfield Conservation Area has not been confirmed and so the impact I suggest, is more to do with the wider agrarian landscape to the north of Stevenage. It is considered that the development will not occasion harm to the significance of identified heritage assets (designated or non-designated) or to quote the words of Stantec ‘their significance would be sustained’. The proposed development would therefore satisfy the provisions of Section 66(1) of the Planning (LB & CA) Act 1990 and will accord with Section 16 of the Framework or Policy HE1 of the North Hertfordshire Local Plan 2011 – 2031. Consequently, I find the proposal UNOBJECTIONABLE in heritage terms.”

- 4.88 As such it is the officer's view that the proposals comply with this site-specific policy criteria, and Local Plan Policies HE1 and HE3.

Archaeology

- 4.89 An Archaeological Trial Trenching report was submitted with the application.

The Senior Historic Environment Advisor, Hertfordshire LEADS, made the following comments:

“This site was subject to a similar proposal for planning application 23/02492/FP. Our advice remains the same as for that application and is quoted below:

The site was subject to an archaeological geophysical survey and trial trench evaluation in 2010 via prior application 10/00583/1. This office also commented on a subsequent application ref 16/01713/1 and pre application ref 23/1649/1 and the relevant archaeological reports were submitted with the former application (Haddrell, Simon, & Biggs, Melanie, Geophysical survey report: Round Wood, Church Lane, Great Ashby (Stratascan 2010) and Keir, Wesley, Land adjacent to Round Wood, Church Lane, Graveley (NES phase III), Herts: archaeological trial trenching (Albion Archaeology 2010).

The 2010 investigations revealed several archaeological features located in the southern part of the proposed development site that relate to settlement dating from the late Bronze Age through to the middle Iron Age. A quantity

of pottery of apparently earlier (middle) Iron Age date was recovered and several sherds were sooted, indicating domestic use [Historic Environment Record Nos 16655, 16656]. Remains of this date are rare regionally, and could contribute to the understanding of settlement patterns within the area in the late prehistoric period.

We therefore advised with regard to 16/01713/1 and 23/1649/1 that the proposed development was likely to have an impact on heritage assets with archaeological interest, and that appropriately worded conditions to mitigate the impact of the development should be placed on consent, should consent be granted. This advice remains valid with regard to the currently proposed development.”

- 4.90 They consider that the position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest as such recommended the three conditions.
- 4.91 Subject to these conditions it is considered that the proposed development would comply with Local Plan Policy HE4 (Archaeology).

Highways and transport impacts

- 4.92 Section 9. *Promoting sustainable transport* of the NPPF sets out the overarching objectives and considerations to ensure development provide sustainable options for travel i.e. travel by foot, bicycle and public transport. Paragraph 109 refers. Paragraphs 110, 115 and 116 confirm –

110. 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. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, 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, including the National Design Guide and the National Model Design Code⁴⁸; 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 through a vision-led approach.***

116. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual

cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.”

- 4.93 *Local Plan Policy SP6: Sustainable transport* confirms that the Council will seek to secure accessibility improvements and promote the use of sustainable transport modes insofar as reasonable and practicable. *Local Plan Policies T1: Assessment of transport matters* and *T2 Parking* are also relevant considerations.
- 4.94 In relation to highways and transport, Policy GA1 sets out the following site-specific policy criteria for the site:
- “• Principal vehicular access taken from existing residential streets within Great Ashby;
• Provision for sustainable modes of transport having regard to the Stevenage Mobility Strategy;
• Transport Assessment to identify and secure measures to manage traffic flows arising from the development along Back Lane;
• Maintain general integrity of Weston Road, including as a through route for pedestrians and cyclists;
• Integration of Footpath Graveley 010 as a perimeter feature around the north of the site;”***
- 4.95 A Transport Assessment, Travel Plan were submitted with the planning application. A Transport Technical Note – Monitor and Manage was submitted during the course of the application.
- 4.96 Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to a £318,517.96 (Strand 1) contribution (per annum for 5 years) (index linked), £1,918,106 (Strand 2) contribution (index linked), a £400,000 Monitor & Manage contribution (index linked) and the conditions recommended below.
- 4.97 The Highway Authority's comments have been updated to further consider the emerging Monitor & Managing Strategy. The applicant's transport consultant has subsequently produced a Transport Technical Note (2105-037/TN/03 Rev A | May 2025) detailing the process and committing the applicant to a £400,000 contribution to cover any improvements deemed necessary as a result of monitoring.
- 4.98 It is acknowledged that issues around access, traffic generation, highway safety, parking and off-site mitigation are some of the key concerns raised by members of the public and the Parish/Community Councils in relation to this application. Highways matters were a key point of discussion within the pre-application workshops that informed this application.

Walking, cycling and wheeling access (Active Travel)

- 4.99 When redesigning the proposed scheme, a key element was encouraging active travel from and through the site, in part by providing good connections with existing active travel routes. The proposed development would have an active travel connection in the south east corner with the existing active travel link known as

Botany Bay Lane, which connects onto Mendip Way and provides the quickest active travel route to Round Diamond primary school and neighbourhood centre. There would also be a connection in the south-west corner to Orwell Avenue, which provides access to the Stevenage network along and to the south of Great Ashby Way.

- 4.100 Within the site there are active travel connections provided between the spine road and the Haybluff Drive extension. The intention of this is to filter cyclists onto the quieter areas of the scheme and towards the play-on-the-way area. Direct links to the old Back Lane and Botany Bay Lane again seek to take cyclists and pedestrian away from the main spine road and onto routes where road traffic is expected to be lower, or in the case of part of Back Lane, which would become an active travel route with no vehicular traffic. Cyclists travelling from Weston to Graveley would have the option to use these quieter routes or the re-routed Back Lane.
- 4.101 The Local Highway Authority made the following comments regarding walking and cycling access:

“In line with the Policies of LTP4, particularly Policies 1 (the Transport User Hierarchy) and 5 (Development Management) it is essential given the declared climate emergency that this is considered first to unlock a site sustainably.

Walking & Cycling Access

The site is located reasonably well in terms of walkable and cyclable destinations (for example the Round Diamond Primary School is circa 0.8-1km (3-5mins cycle or a 10-12minutes walk), the Lister Hospital is a 3.5-4.5km cycle (15-20mins cycle) and Stevenage train station is 5-6km (20-25mins cycle)). Furthermore, Letchworth Garden City and its numerous facilities and opportunities are approximately a 6-12km (25-50min) cycle via NCN Route 12, and Hitchin is potentially circa a 7-10km (30-40mins) cycle via Little Wymondley.

However, whilst the development connects to the immediate cycle network, it is noted that walking and cycling routes to these destinations involve indirect shared use facilities of inconsistent quality or hostile road sections. Therefore, contribution to the adopted Stevenage Borough Council Local Walking and Cycling Infrastructure Plan (SBC LWCIP, 2019), upgrade of NCN 12 (PRoW Wymondley 001) and the interurban route between Stevenage and Hitchin identified in the NHDC LCWIP (September 2023) are considered appropriate to fully unlock this site with regards to walking and cycling.

PROW Graveley 010 passes along the northern border of the proposal site and has been identified in Hertfordshire County Council's Right of Way Improvement Plan (RoWIP), a statutory document for upgrade to a redistricted byway that will support walking, cycling and horse riding. In line with policy both national and local (policy 7e of HCC's LTP4) the opportunity must be taken for this upgrade. The short section of Graveley 010 west of the development to Manor Farm (circa 275m) also needs to be upgraded. Part 3 Chapter 8 of HCC's Highway Place & Movement Planning and Design Guide

(P&M PDG) has more information on P2/M1 Active Travel Links (<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#designguide>)

The old section of Back Lane which borders the eastern boundary of the site will be closed to motorised vehicles should also be designated a restricted byway and built according to the above guidelines.”

4.102 Active Travel England were consulted on the application and initially recommended deferral as said ATE is not currently in a position to support this application and requested further assessment, evidence, revisions and/or dialogue as set out in their response.

4.103 The applicant provided a response to ATE's comments (dated 07.04.25), which can be viewed online. Following re-consultation on amended plans and documents, ATE have undertaken a review of the revised proposals and recommends approval of the application, subject to the agreement and implementation of a planning condition, which has been recommended. On balance, ATE have accepted the justification provided by the applicant in relation to the areas of concern they raised in their initial comments: the two, rather than three connections to the PRoW, the continuous shared-use route with pinch points, the 2.0m surfaced path on Back Lane (rather than 3.0m, as recommended in LTN1/20), and the proposed cycle parking storage subject to a suggested condition.

4.104 Paragraph 105 of the NPPF states:

“Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.”

4.105 The Rights of Way Team, HCC, were consulted on the application and made the following comments.

4.106 They advised that for the duration of the works on and around the site, Public Right of Way (ROW) Graveley 010 must be unobstructed and safe for use by members of the public. In addition to the above, any damage to the ROW, whether from vehicle tracks, spilled materials or other cause, must be repaired so that the path is in a condition equivalent or better than it is before works begin. They made recommendations for improving the mixed surface route along the east and south of the site and suggested that to protect future use, the route between Botany Bay Lane to the north of the development should be dedicated to Restricted Byway or Bridleway status in line with Hertfordshire's Rights of Way Improvement Plan (ROWIP). They stated that there is a desire to upgrade Graveley Footpath 010 to Restricted Byway Status and the provision of a link through the development would enhance the ROW network further. They commented that the plans show a grass surface for horse use, with a sealed tarmac surface for cyclists/pedestrians. Along with dedication as mentioned previously, the designs for the route should be based on Hertfordshire County Council's Non-Motorised Route design guidance. Mixed

surface routes should be 4m in width at a minimum, with 2m available for cyclists/pedestrians and 2m for equestrians. Alternatively, a single un-sealed surfaced route of 4m width is suitable. In addition to dedication of the route along the eastern edge of the development to Restricted Byway Status, appropriate road signage and safe crossing points should be created. They said that in addition to the above proposed works, S106 funding should be made available for surface improvements to Graveley Footpath 010. The Public Footpath, which runs just along the outer northern boundary of the route, could be improved with a more hard-wearing surface.

- 4.107 These comments have been addressed as the Highway Authority has recommended a condition requiring a Rights of Way Improvement Plan for the off-site and on-site Rights of Way improvement works and it is my understanding that the improvements to Graveley Footpath 010 will be delivered as part of the Strand 1 / s278 works. The Highway Authority have also recommended an informative regarding keeping Public Rights of Way unobstructed. It was considered that it would not be reasonable to request that provision of a link through the development from the pedestrianised section Back Lane to Graveley Footpath 010. The length of Back Lane that horse riders need to share with vehicles would be much reduced as a result of the proposed scheme.
- 4.108 Policy GA1 site-specific criteria states:
• ***Integration of Footpath Graveley 010 as a perimeter feature around the north of the site;***
- 4.109 This footpath is outside of the ownership of the applicant and outside the red line of the application site. However, the development would have two connections to this footpath (in the northwest and northeast corners of the site) and s106 contributions would be secured for improvements to this Public Right of Way, therefore it is the officer view that it would be sufficiently integrated as a perimeter feature around the north of the site.
- 4.110 The comments from the British Horse Society, British Driving Society and members of the public in relation to horse riders and carriage drivers are noted, but it is considered that the proposed development would be acceptable subject to the conditions referred to above.
- 4.111 Overall is considered that the proposed development would encourage active travel through the site and provide good connections with existing active travel routes, subject to s106 contributions as set out above.

Bus Access

- 4.112 The Highway Authority made the following comments with regards to bus access:

“Bus Access

Whilst the SE corner of the development is just over an acceptable walk distance to existing bus stops on Great Ashby Way (450m 5.5-6mins walk) large parts of the proposal site is significantly beyond this (up to 1km beyond). Therefore, in order to unlock the allocated site in terms of bus

services HCC Highways worked with the applicant's transport consultant through extensive pre application discussions. Initially in relation to the previous 2016 application this considered diversion of the existing SB7 bus service along Mendip Way. However, more recently a new SB12 bus service operating between the allocated GA1 site (Mendip Way), Lister Hospital and Stevenage train station was more viable and potentially could be extended along Mendip Way to residents of the allocated GA2 site when it comes forward. Not only would this service unlock the site with regards to bus provision, but it would also benefit existing Great Ashby residents who are in excess of the recommended walk distance to bus services. Initially, this service would travel from the west on Mendip Way as far as the Haybluff Drive roundabout and U-turn, before returning back along Mendip Way. The service will restore previously lost connections to Trumper Road and Wisden Road, then proceed directly to Stevenage Old Town, Lister Hospital, John Henry Newman School, and Stevenage Interchange, offering passengers a new route option and better connectivity.

However, it is recognised that car parking along this section of Mendip Way could prove an obstacle to this new bus service despite the road being demonstrated wide enough for an efficient bus service. As shown in the TA for the site, parking surveys have found though there is capacity in the numerous off road parking courts available for some cars to be parked in which would allow the bus service to operate. In order to facilitate the construction of the site the applicant proposes to impose temporary parking restrictions through a Temporary Traffic Regulation Order (TTRO). It is anticipated that the restrictions on car parking imposed by the TTRO would also allow the bus service to commence at an agreed trigger point within the construction period.

The applicant, however, is conditioned to monitor the situation and if necessary, manage it to allow the smooth operation of the bus service once the TTRO expires.”

- 4.113 The Highway Authority have recommended Temporary Traffic Regulation Order and Monitor and Manage approach in relation to Mendip Way (discussed in more detail below).
- 4.114 It is noted that some representations from members of the public question why the bus route needs to be extended as residents of the new development could walk to the existing bus stops on Great Ashby Way, particularly as some existing residents of Great Ashby are not within 400m of a bus stop. However, for the development to be considered sustainable there needs to be a bus stop within a reasonable walking distance of all residents of the site. This is explained in the Hertfordshire Place & Movement Planning and Design Guide in Part 3, Chapter 5, paragraph 1.9: ***“The master planning exercise should have identified a general layout which ensures that all occupied parts of development will be within 400m walking distance of a bus stop or transport hub by public walking route.”***

Proposed vehicle accesses

- 4.115 In relation to the previous application on this site ref. 23/02492/FP, the Highway Authority considered that the proposed detailed street layout would not promote active travel over car use, as required by Policy 1 of the Local Transport Plan. Furthermore, it believed that it would facilitate inappropriate 'rat running' which would further reduce the safety of people walking and cycling in the Great Ashby area and the villages of Weston and Graveley. The Highway Authority also considered that the central tree lined boulevards made the road unnecessarily wide which would encourage speeding, increasing danger for pedestrians, and therefore not compliant with the Hertfordshire Place & Movement Planning and Design Guide for a 20mph Residential Distributor Road.
- 4.116 The key change from the previous application is the removal of a connection for general motor traffic between Back Lane and Haybluff Drive. Vehicles moving between Great Ashby and Weston or Graveley via Back Lane would continue to use the signed route via Calder Way.
- 4.117 The Planning Statement describes the current proposal as follows:

“6.10.2 Haybluff Drive would extend into the site from the east. It would serve 185 dwellings, but the only connection from the extended Haybluff Drive to the diverted Back Lane running through the site would be for emergency vehicles only. The form of the emergency connection is an area of narrowed shared surface where a bollard will prevent vehicles passing. Pedestrians and cyclists will still be able to pass through, allowing sustainable connection through the site.

6.10.3 A portion of Back Lane will be closed to cars. The proposal seeks it to be diverted through the site in the form of a new spine road. This proposed road would enter the site in the northeast corner and rejoin the original Back Lane to the south, in a location west of the Calder Way junction. Cars would not be able to go beyond the Calder Way junction eastwards. 96 dwellings within the site would be accessed from the diverted Back Lane through the site.

6.10.4 The old Back Lane would then become a pedestrian/cycle route. The cross-section of the proposed realigned route is set out within the Landscape Sections Plan (Sheet 1). It shows the tarmac area will be reduced in width to 2m, with a 1m minimum grass verge provided to allow for usage by horse riders.”

- 4.118 The Transport Assessment states:

“2.12 An increase in traffic on Back Lane is an inevitable consequence of additional development in the Great Ashby area as allocated in the Local Plan. Providing direct access onto Back Lane, will allow some residents onto Back Lane, without having to pass along Calder Way, but the proportion of traffic looking to travel to the north and west would be relatively small. It was

considered that proposed access arrangement would limit the increase of traffic on Back Lane as far as reasonably practicable, which was the primary concern of the highway authority."

- 4.119 With regards to the proposed vehicle accesses the Highway Authority provided the following comments:

"Vehicle access to the proposal site is by two separate accesses that will hopefully reduce impact on existing settlements whilst not inducing through traffic by making the through route between Stevenage and the North more convenient via the proposed Haybluff Drive access. The 281 home development has been split so that only 1/3 of the development can directly access onto the re-routed Back Lane, which is to be realigned through the site on a less direct route, the remaining 2/3 of the development will access via Haybluff Drive. There will be no direct road connection within the development between the realigned Back Lane and Haybluff Drive accessed development area.

HCC Highways are aware that Calder Way currently, despite its constraints, facilitates 'rat run' traffic it is hoped that the introduction of limited traffic opposing the existing flow will make the 'rat run' less attractive. None-the-less the applicant is conditioned to monitor the Calder Way situation and introduce mitigation if necessary."

- 4.120 As such it is considered that the proposed vehicular accesses would be acceptable subject to the relevant Monitor and Manage condition.

Monitor and Manage

- 4.121 In their response to the application submitted, the Highway Authority recommended the following conditions in relation to Mendip Way and Back Lane/Calder Way.

"8) Temporary Traffic Regulation Order

Prior to the commencement of the development hereby permitted any Temporary Traffic Regulation Orders (TTROs) that are required for the temporary parking restrictions as indicated on drawing 2105-037 PL110 Rev - must be secured in place, unless rendered unnecessary by the details approved as part of the Construction Management Plan details.

Reason: In the interests of highway safety, amenity and capacity to ensure free and safe flow of traffic and to be in accordance with Policies 4, 5, 12, 15 and 17 of Hertfordshire's Local Transport Plan (adopted 2018).

9) Monitor & Manage - Mendip Way

No development shall commence until a monitoring programme to ensure the smooth operation of buses along Mendip Way shall be submitted to and approved in writing by the Local Planning Authority and the applicant commits to a management plan to implement appropriate mitigation measures as and when they are identified as necessary by the monitoring programme.

Reason: To ensure that agreed traffic levels are not breached and thus highway network is adequate to cater for the development proposed to be in accordance with Policies 5 and 12 of Hertfordshire's Local Transport Plan (adopted 2018).

10) Monitor & Manage - Calder Way/ Back Lane

No development shall commence until a monitoring programme to assess the level of traffic utilising Calder Way and Back Lane shall be submitted to and approved in writing by the Local Planning Authority and the applicant commits to a management plan to implement appropriate mitigation measures as and when they are identified as necessary by the monitoring programme.

Reason: To ensure that agreed traffic levels are not breached and thus highway network is adequate to cater for the development proposed to be in accordance with Policies 5 and 12 of Hertfordshire's Local Transport Plan (adopted 2018)."

- 4.122 In response to these proposed conditions, the applicant has submitted a Transport Technical Note – Monitor and Manage to provide further clarity on how a 'monitor and manage' approach to mitigation would work.
- 4.123 The current evidence indicates that mitigation measures on Mendip Way and Calder Way/Back Lane are unlikely to be required. The Highway Authority raised no objections to the scheme based on the evidence submitted and do not anticipate that there will be harm that needs to be mitigated. Nevertheless, because of the limitations of modelling of traffic on width-restricted roads, the Highway Authority believes it to be prudent to require the applicant to monitor traffic on them and to implement further mitigations should unwanted impacts be observed.
- 4.124 It is acknowledged that most objections from members of the public refer to the impact of the development on the surrounding roads. Considering the concerns raised by the Parish and Community Councils and residents, the Highway Authority have recommended a Monitor and Manage condition as a 'belt and braces' approach. Monitor and Manage is a mechanism to use surveys and data to assess any harm caused and to identify where further mitigation of the impacts of development is required. The aim is to ensure that mitigations implemented are appropriate, proportionate and do not have unintended detrimental impacts.
- 4.125 The Transport Technical Note sets out how the traffic and parking will be monitored and puts forward potential mitigation projects should there be any harm as a result of the development. It gives reassurance that there are viable and funded measures available that could mitigate possible harm (including in worst case scenarios). The decision as to what mitigation measures would be carried out would lie with the Highway Authority and they would consult with the community in the normal way. The applicant would not be responsible for delivering the measures. The Technical Note has been submitted in response to the HCC Highways comments and recommended conditions and to justify the figure of £400,000 (index linked) proposed by the applicant as the pot of funding for this

purpose. As set out in paragraph 1.9 of the applicant's Technical Note – Monitor and Manage: ***“If based on the results of the surveys, no works or mitigation is deemed to be necessary, or if a proportion of the deposited amount remains unspent at the end of the monitoring period (usually 5 years following the development being completed), then the remaining amount of the obligation would be returned to the developer.”*** The Monitor and Manage approach will be secured both as a planning condition and as an obligation in the s106 Agreement, because the conditions have a s106 contribution linked to them.

- 4.126 It is noted Weston and Graveley Parish Council have both recommended traffic calming / pedestrian priority measures. These are covered by the Monitor and Manage approach, so will be implemented if (and only if) the Highway Authority conclude that the monitoring demonstrates they are necessary and appropriate mitigations.
- 4.127 It is noted that Great Ashby Community Council and residents are highly critical of the proposed Monitor and Manage approach and the information included within the Technical Note – Monitor and Manage. However, the Highway Authority have encouraged the Monitor and Manage approach (through their recommended conditions) and have not raised any objections to the application either initially or following re-consultation following receipt of amended and additional plans and documents, including the Technical Note – Monitor and Manage.
- 4.128 As such, it is concluded that the proposed development would be acceptable subject to the recommended conditions. The Monitor and Manage approach and the funding of any mitigation measures would be secured by the s106 Agreement. The provision of the bus route along Mendip Way would also benefit existing Great Ashby residents who are currently more than the recommended walking distance to bus services.

Car and cycle parking

- 4.129 The Highway Authority provided the following comments on parking:
- “The Transport Assessment indicates that cycle and car parking will be provided as per the NHDC parking standards and generally the Highway Authority is in acceptance of this, however NHDC and the applicant should take note of the 2021 approved version of the 2010 Building Regulations, part S1.”***
- 4.130 It is acknowledged that on-street parking is an issue in the existing Great Ashby development. Indeed paragraph 2.13 of the Vehicle Parking at New Development Supplementary Document states:
- “Great Ashby is an important case study when reviewing parking standards for new development in North Hertfordshire. The significant under-provision of parking on the estate as well as design and layout of garage provision (for example insufficient space in front of a garage leading to blocked pavements) had led to significant problems in the area.”***

- 4.131 National planning policy standards at the time that earlier phases of Great Ashby were granted planning permission encouraged Local Planning Authorities to set maximum parking standards. Also, many of the garages and driveways counted as parking spaces but are not large enough to accommodate modern cars or are not used for parking cars. A significant number of the residents' representations state that many families who moved into Great Ashby with young children now have adult children living at home who own cars. We do not wish to see this pattern of development repeated, but at the same time do not wish the proposed development to encourage the use of the private car or be parking dominated.
- 4.132 Cycle and car parking would be provided as per the NHC parking standards as set out in the Supplementary Planning Document: Vehicle Parking at New Developments, which sets minimum standards. This is discussed in more in paragraphs 4.58 - 4.60 above. A condition is recommended requiring details of cycle parking to be submitted and approved by the LPA. All the residential units would have access to an EV charging point. It is not necessary to secure this by condition as this is a requirement of Building Regulations. However, a condition is recommended that an EV recharging point plan is submitted to ensure it is acceptable in urban design terms and to avoid charging cables obstructing cycle and bin access.
- 4.133 With regards to the comments from Great Ashby Community Council regarding three properties not having parking spaces. One of them is shown on the plan as a mews style property with a parking space at ground floor level and a corrected plan has been submitted correcting typing errors which confirms that the other two properties have parking spaces.

Road Traffic Collisions (RTCs)

- 4.134 It is noted that some of the representations from residents question the information submitted and state that the number of road traffic collisions is higher than reported in the submitted information and the CrashMap data used is two years old. The Highway Authority made the following comments:

“Whilst the Highway Authority does not normally accept CrashMap preferring more detailed causation analysis using data obtained from HCC Highways, we do not consider that RTC data, checked against our data, constitutes a pattern that indicates a problem that would be negatively influenced by the development proposals.”

Travel Plans

- 4.135 A Framework Travel Plan has been submitted with the application. This sets out the process for implementing an effective Travel Plan. The purpose of the Travel Plan is to reduce the level of vehicular traffic generated by the development and to improve accessibility for active and sustainable modes of transport. The Highway Authority made the following comments with regards to the Travel Plan:

“Whilst HCC Highways Travel Plan team consider the presented Residential Travel Plan (RTP) is acceptable at this stage in the planning process, they

indicate post planning it will need further work before the associated planning condition can be discharged.

- ☐ **A Travel Plan Coordinator's (TPCs) details should be provided 3-6 month prior to the first occupation when a full TP is submitted.**
- ☐ **A RTP steering group should be introduced.**
- ☐ **Healthy Street objectives must be considered.**
- ☐ **A travel pack contribution of £100 per house and £50 per flat is required to be secured.**
- ☐ **Measures like High Speed Broadband to enable Home Working should be considered**

The finalised Travel Plan document will need to be reviewed every year for 5 years post full occupation, and an Evaluation and support fee of 1200 per annum for 5 years post full occupation must be secured via S106 legal agreement for this FTP.”

- 4.136 As such it is considered that the proposal, would be acceptable subject to the recommended condition requiring a Travel Plan and the necessary evaluation and support fee secured by the s106 Agreement.
- 4.137 The proposed development also includes space for a station where bikes for hire can be stored for use. This is shown at the northern end of the linear park where Sheffield stands are shown on the landscape plan. It is hoped that the Beryl Bike scheme currently operational in Stevenage could be extended to cover the site. This will be secured by the s106 Agreement, which would also secure provision of a car club and car club spaces (or financial contributions so be spent on any measures that support sustainable travel by residents, if this is not possible).

Road traffic analysis

- 4.138 The Highway Authority state:

“In order to estimate the number of vehicle trips generated by the proposed 281 home development both the national standard TRICs database and local traffic surveys have been consulted. The observed local traffic survey data was in line with the TRICs database but marginally more so has been utilised. This is likely a robust overestimate as the proposed homes would be subject to the aforementioned Residential Travel Plan and should be equipped with the latest technology to enable homeworking.

Subsequently, data from the 2011 Census and the existing areas (E02004944 Stevenage 001 and ‘E02004945 Stevenage 002) has been used to estimate person trips by modes. This again is likely to be a robust overestimate of car trips as the proposed development will be introducing a new bus service and providing immediate sustainable transport solutions and contributing to wider strategic schemes aimed at facilitating modal shift.

A comparison with the more generic (non area specific specific) but more recent National Transport Survey (NTS 2015-2019) for journey purpose also showed that there is scope to improve the predicted modal split and reduce motorised vehicle trips.

In order to distribute the predicted motorised vehicle trips across the wider network the 2011 census was again consulted. Whilst the 2011 Census is dated this is recognised by HCC Highways as the most appropriate data to use.

Motorised vehicle trips have then been assigned to the network as per the observed percentages using Back Lane/ and the A1M etc.

HCC Highways consider the estimation of Trip Generation, Mode Split, Distribution and Assignment whilst likely an overestimate is robust for use in the further analysis presented.”

4.139 It is noted that some members of the public query the use of the 2011 Census data, however the Highway Authority state in their comments above: ***“Whilst the 2011 Census is dated this is recognised by HCC Highways as the most appropriate data to use.”*** The 2021 Census was undertaken in the middle of the Covid Lockdown or just after it, so whilst 2011 isn't ideal, it's seen as more representative

4.140 It is also noted that some members of the public have said that the cumulative impact of traffic from housing sites GA1 and GA2 should be considered. The Transport Assessment states:

“As the development of the GA2 scheme would be somewhat later than the current GA1 development timetable. The highway impact analysis presented in this assessment will consider the impact of the GA1 development in isolation, with an additional test to consider the cumulative impact of both developments.”

4.141 The applicant has tested the cumulative impact of this site and GA2, once fully built out, on the road network down to Martins Way. The Highway Authority has not raised any objections based on this. However, it is accepted that there is some uncertainty in the number and patterns of vehicle trips that both sites will generate, which is why the applicant has agreed to the Monitor and Manage approach set out above.

4.142 There is not a current planning application for GA2, and the applicant for GA1 would only be required to mitigate the impacts of their proposed development. Should an application for GA2 be submitted the cumulative impacts of traffic from GA1 and GA2 would need to be considered and reflected in the traffic modelling submitted with the application.

Junction Impact

4.143 The Highway Authority provided the following comments on this matter:

“As the basis of the analysis presented in TA accompanying the GA1 planning application traffic surveys were carried out in the AM and PM peak periods on Wednesday 25th May 2022. Whilst the planning process has

resulted in the data becoming slightly older than 3 years, HCC Highways still considers them appropriate for use.

To assess the vehicular impact of the proposals traffic based models were subsequently created using the industry standard Junction 11 for:

- ☐ **A1072 Martins Way / Grace Way / Canterbury Way 4-Arm Roundabout;**
- ☐ **Great Ashby Way (West) / Orwell Avenue / Greater Ashby Way (East) Priority Junction;**
- ☐ **Great Ashby Way / Bray Drive / Wansbeck Close 4-Arm Roundabout;**
- ☐ **Great Ashby Way / Mendip Way / Whitehorse Lane 4-Arm Roundabout;**
- ☐ **Gresley Way / Martins Way 3-Arm Roundabout;**
- ☐ **Orwell Avenue / Calder Way Priority Junction;**
- ☐ **Mendip Way / Haybluff Drive / Cotswold Drive 4-Arm Roundabout; and**
- ☐ **B197 High Street / Church Lane Priority Junction (Located In Graveley).**

HCC Highways has reviewed the inputs to these models and are satisfied they are reasonable valid against observed queues and suitable for use in further analysis.

The base traffic data was growth to 2026 and 2031 using the area specific traffic growth predictions from the DfT database Tempro and added the predicted traffic from the expected GA2 development for sensitivity testing. HCC Highways is satisfied that this is an appropriate base for future analysis and sensitivity testing.”

- 4.144 It is noted that some of the residents have queried the traffic surveys in their representations, however, as set out above, the Highway Authority considers that the surveys are suitable.

Modelling Summary

- 4.145 The Highway Authority provided the following conclusion on modelling:

“The modelling that supports the application predicts that on the whole the impact of the GA1 development is minimal and cannot be considered severe however, with the introduction of the GA2 development some of the modelled junctions encounter congestion during the AM peak, stressing the importance of HCC’s policies to encourage modal shift across the county.”

- 4.146 It is noted that many members of the public have questioned the applicant’s traffic and parking surveys. However, the Highway Authority have not raised any objections to the traffic and parking surveys submitted.

Highways contributions

- 4.147 The Highway Authority provided the following comments with regards to highways contributions:

“HCC Highways operate two levels of mitigation agreements (Strand 1 and Strand 2). Strand 1 mitigation works being works that are directly required to unlock the development and solely the responsibility of the development.

Strand 2 mitigation works being works that address the wider cumulative impact of the development for which the development isn't solely responsible for but does derive benefit from.

In the first instance (Strand 1) HCC would envisage that, once approved, the site access junctions and necessary sustainable transport improvements (both on and off site) are delivered through a S278 agreement, and a £318,517.96 contribution to the new SB12 bus service (or any other alternative service that is agreed with PTU) and travel plan contributions are contained in a S106 agreement. The applicant has also agreed to a £400,000 contribution to cover potential works which could be required subject to their monitoring process described previously (Monitor and Manage).

In the second instance (Strand 2) HCC Highways calculate an appropriate headline figure based on the findings of HCC's adopted Developers Planning Obligation Toolkit (2021). Strand 2 contributions should address the cumulative impacts of all development, large and small, facilitating delivery and enhancement of the necessary active and sustainable transport networks. These local sustainable networks must be provided in their entirety to provide the sustainable connections to the key trip generators, as such contributions will be pooled to fund these networks within the local area subject to any legislative restrictions), as supported by National Planning Policy Framework (NPPF).

This second strand contribution is intended to help implement broader transport measures in the catchments of new development from which contributions are secured. The need for second strand contributions will be balanced against the level of first strand contributions and any other relevant planning matters.

If the proposed 281 homes development were to proceed HCC Highways would expect a Strand 2 contribution of £1,918,106. This Strand 2 contribution would be allocated to packages identified in the North Central Growth and Transport Plan (May 2022), route 2 of the adopted Stevenage Borough Council (SBC) Local Cycling and Walking Infrastructure Plan 2019 identified in the TA and upgrade of NCN 12 (PRoW Wymondley 001) and the interurban route between Stevenage and Hitchin identified in the NHDC LCWIP."

- 4.148 This second strand contribution is intended to help implement broader transport measures in the catchments of new development from which contributions are secured. The need for second strand contributions will be balanced against the level of first strand contributions and any other relevant planning matters.
- 4.149 Strand 2 is an evidenced and CIL-compliant ask towards wider sustainable transport infrastructure, it is not subject to Monitor and Manage. If the Highway Authority have a compliant use for the money, they can implement works without needing to subject them to any other tests.

- 4.150 As set out there is an additional £400,000 planning contribution pot for the Monitor and Manage for Mendip Way and Calder Way/Back Lane to be used if and only if harms are observed there.

Summary of highways and transport impacts

- 4.151 The Local Highway Authority has responded to the application together with Active Travel England. Whilst the strength of objection from residents on highways and transport grounds is noted, the Local Highway Authority has not raised objections. Subject to the proposed conditions the proposed development is considered to be acceptable from a highways perspective and this weighs neutrally in the planning balance. It is concluded that the proposals comply with the GA1 site specific criteria in the Local Plan, policies SP6 (Sustainable transport), T1 (Assessment of transport matters) and T2 (Parking) in the Local Plan, HCC Local Transport Plan and Section 9 (Promoting Sustainable Transport) of the NPPF.

Environmental considerations

Agricultural land classification and Best and Most Versatile (BMV) agricultural land

- 4.152 *Chapter 15 of the NPPF: Conserving and enhancing the natural environment*, confirms that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing...soils (in a manner commensurate with their statutory status or identified quality in the development plan) and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land (defined as land in Grades 1, 2 and 3a). Paragraph 188 confirms that when allocating land in development plans, there should be a preference to identify land with the least environmental or amenity value, where consistent with other policies in this Framework and in a footnote that ***‘Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.’***
- 4.153 The site is below the threshold for EIA and does not qualify for notification to Natural England regarding loss of best and most versatile land under schedule 4(y) of the Development Management Procedure Order (as it’s an allocated site in a development plan, and it’s also below 20 hectares). The original nationwide survey rated this area as being in Grade 3 (green) (but at this time did not differentiate between grades 3a and 3b).
- 4.154 The Housing and Green Belt Background paper submitted as part of the Local Plan reads as follows:

“4.72 High quality agricultural land is not a restraint specifically identified by footnote 9 of the NPPF. However, paragraph 112 of the NPPF does require that this issue be taken “into account” and that sites on lower grade land be identified in preference to higher grade land.

4.71 Maps produced by Natural England show that the majority of agricultural land within North Hertfordshire is, in common with the remainder of Hertfordshire classified as Grade 3 – good to moderate. There is, however,

an intermittent ‘seam’ of Grade 2 land across much of the north of the District. This connects to much wider tracts of Grade 2 land in neighbouring East Hertfordshire, Essex and Cambridgeshire.

Table 6: Potential housing sites by agricultural land quality

	Total homes	Of which	Of Which
		Ex-Green Belt	Within Green Belt
Urban	839	839	0
Site containing at least some Grade 3 land	7,797	1,123	6,674
Site containing at least some Grade 2 land	5,784	589	5,195
	14,420	2,551	11,869

4.72 Table 6 above shows that, as with the other constraints, restricting site selection on the grounds of agricultural quality would significantly impact on the District’s ability to meet its housing needs.

4.73 Natural England has a statutory role in advising local planning authorities about land quality issues. No substantive concerns have been raised in their previous representations on this issue.”

Whilst not specifically referring to agricultural land, the end of paragraph 484 of the Inspector’s Report reads as follows:

“Indeed, as I have previously indicated, the existence of suitable, available and achievable sites has in and of itself had a notable influence on the distribution of housing. There is, overall, no plentiful pool of surplus sites that could have been selected in preference to those proposed – quite the opposite, this factor is a significant constraint.”

- 4.155 In essence if sites had not been selected in the Local Plan, because they were of higher agricultural quality then North Herts would not be able to meet its housing need. As such the proposal is likely to result in some loss of higher value agricultural land. This is considered to result in limited harm which attracts weight in the planning balance. However, for the reasons set out above this is not a sustainable reason to withhold planning permission. Overall, therefore it is considered that the identified harm (loss of some higher value agricultural land) should be attributed moderate weight in the planning balance.

Drainage and Flooding

- 4.156 Policy NE7 of the Local Plan, ‘Reducing Flood Risk’ states that: ***“Planning permission for development proposals will be granted provided that: b. a FRA has been prepared in accordance national guidance that considers the lifetime of the development, climate change impacts and safe access and egress”.***

Policy NE8 of the Local Plan, states “Planning permission for development will be granted provided that:

a) The most appropriate sustainable drainage solution is used taking into account technical, viability and design issues to reduce the risk of surface water flooding, enhance biodiversity, water quality and provide amenity benefits;

b) It aims to mimic the natural drainage patterns and processes as far as possible; and

c) Drainage solutions follow the SuDS hierarchy.”

4.157 The following site specific criteria in Policy GA1 relates to drainage:

“Detailed drainage strategy identifying water infrastructure required and mechanism(s) for delivery;”

4.158 The application was accompanied by a Flood Risk Assessment (FRA), which identifies that the site lies within flood zone 1, the area least at risk of flooding and adds that no significant sources of flood risk have been identified in the proximity of the site. The FRA also includes drainage plans for the proposed scheme. The drainage plan includes a network of swales, tree pits, rain gardens and some tanks with mitigation basins located to the southern part of the site.

4.159 With regards to foul water drainage, the proposal seeks to connect to the existing foul sewer network at Orwell Avenue to the south of the site. Whilst part of the site would be drained by gravity, a pumping station is included within the development and located towards the western part of the site. Thames Water initially raised no objections to the scheme. However, following consultation on the drainage consultant's response to the LLFA comments, Thames Water advised that following initial investigations, they have identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. As such Thames Water request the pre-occupation condition recommended below. Informatives have been recommended to cover the other matters they raised.

4.160 The LLFA raised no objections to the previous application on this site (ref 23/02392/FP). However, initially they raised objections to this application. The applicant's drainage consultant submitted a response to the LLFA comments. The LLFA continued to raise an objection and requested further information. Amended plans were provided with the main change to accommodate the LLFA's concerns relating to the extent of surface water storage to be provided under parking areas, which has had some minor knock-on effects on the layout.

4.161 We are awaiting comments from the LLFA following consultation on the amended plans which were submitted to address the LLFA's concerns. As such the resolution is that planning permission be granted subject to the resolution of the surface water flood risk matter to the satisfaction of the Local Planning Authority with the imposition of additional planning conditions as necessary.

- 4.162 It is acknowledged that a significant number of objections and concerns have been raised by residents regarding the proposal exacerbating existing surface water drainage issues. However, given that the water companies were consulted and have not raised any objections and in the event that the LLFA concerns can be addressed, it is the view of officers that there would not be sustainable reasons to withhold planning permission on the grounds of water-related issues. It is considered that the proposed development would comply with Policies NE7, NE8 and the site specific criteria in Policy GA1 of the Local Plan and paragraphs 181 and 182 of the NPPF, which relate to planning and flood risk.

Ecology

- 4.163 The biodiversity impacts arising from the development of the site have also been considered. The site-specific criteria in Policy GA1 reads as follows:

- “• **Retention and sensitive treatment of priority woodland habitats surrounding site to north and west;**
- **Consider and mitigate against any adverse impacts upon adjacent local wildlife site at Parsonsgreen Wood;”**

Policy NE4: Biodiversity and geological sites states that: **“Planning permission will only be granted for development proposals that appropriately protect, enhance and manage biodiversity in accordance with the hierarchy and status of designations and features listed in Policy SP12.**

“All development should deliver measurable net gains for biodiversity and geodiversity, contribute to ecological networks and the water environment, and/or restore degraded or isolated habitats where possible. In line with the emerging Environment Bill we would be looking for 10% Biodiversity Net Gain on site and if this cannot be achieved then a s106 contribution would be required for offsite BNG works.”

- 4.164 An Ecological Impact Assessment was submitted as part of the planning application. Natural England were consulted on the application and raise no objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 4.165 The Council's Senior Ecologist was consulted on the application and raise no ecological objection to the proposal subject to conditions recommended below. She made specific comments under the headings below.

Biodiversity Net Gain and Ecology

- 4.166 The December 2024 Ecological Impact Assessment (EclA) contains a number of recommendations to impacts and the suggestion of integrated ecological enhancements are welcomed. 1 bird nest box per plot equivalent is a good ratio with the addition of at least 25 bat boxes on south and western edges beneficial. They are not shown on a submitted plan therefore a condition requiring an

ecological enhancement plan as informed by the EclA is recommended (both bat and bird features should be integrated into the built fabric of buildings). This will also address the recommendation of the North East Herts Swift Group set out above.

- 4.167 The provision of a Statutory Metric is welcomed and it is noted that the site has the ability to deliver 17.8% increase in habitat units and 14.3% increase in hedgerow units thereby exceeding the statutory requirement of a 10% Biodiversity Net Gain (BNG). This will be secured by condition requiring a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan.
- 4.168 Tree works detailed in the December 2024 Tree Survey and Arboricultural Impact Assessment should be included in the Construction Environment Management Plan. An informative has been added to this effect. As set out above, the proposed buffers are considered acceptable.
- 4.169 Overall, it is considered that the identified biodiversity benefits should be attributed moderate weight in the planning balance.

Planting strategy

- 4.170 The proposal to use local provenance Hertfordshire varieties in the orchard planting is welcomed. Also, the choice of nectar / berry rich planting palette. The planting plans are well laid out with ecological benefits considered and a good species mix to support climate resilience. The placement of an oak by the existing one in the North West corner is positive, with its statement setting allowing space for such a large tree.

Boundary treatment

- 4.171 Roundwood itself is an ancient woodland containing ground flora and fauna sensitive to disturbance. As a result it was expected that a 1.8m (minimum) steel mesh fence would be installed around the periphery of the woodland to prevent access from people or pets. Initially only a 1.2m post and rail fence was shown, but the Senior Ecologist was concerned that this will not prevent pets entering the woodland which must be avoided. The amended enclosures plan show this fencing to be green V mesh fencing (or similar) but does not specify a height. However, this matter can be secured by condition, as such a condition is recommended to require details of the fencing along the western boundary with the woodland is submitted and approved in writing by the Local Planning Authority. This will need to be considered along with the proposed planting as planting along this boundary would help the fence blend into the woodland.
- 4.172 Clarification over hedgerow treatment along Back Lane is needed. The cross section showing back lane indicates the existing field boundary hedge to be re-laid which is welcomed. Detail needed for this should be in the Habitat Management and Monitoring Plan which will be secured by a condition recommended below.

Lighting

- 4.173 A Lighting Strategy will be required, bat activity on western boundary will require sensitive lighting and the use of low level bollard lighting on sensitive edges as shown on Services and Lighting Plan is welcomed. Concern was previously raised about the potential for light spill into back lane from the new 3 storey blocks. Section C shows the proximity of the buildings to the lane and it would be helpful for the lighting strategy to address how, if any, light spill will be mitigated beyond the 7m sensitive lighting zone.
- 4.174 In response to the re-consultation the Senior Ecologist noticed an error which is a reference to hedge laying along Back lane on the 'western' boundary, this should read 'eastern' boundary. She also flagged up that continuity across plans – the open space maintenance contract provisions 12/6 does not quite accord with the outline planting plan. This will be covered by the Habitat Management and Monitoring Plan which is required by condition.
- 4.175 As such, it is considered that the proposal would be acceptable in terms of impact on ecology and biodiversity and would comply with Local Plan Policy NE4, the relevant site specific criteria in Policy GA1 and national requirements set out within the NPPF and the Environment Bill, subject to the recommended conditions and provisions in the s106 Agreement, which covers the BNG monitoring costs. Overall, it is considered that the identified biodiversity (BNG) benefit should be attributed moderate weight in the planning balance.

Land contamination

- 4.176 The Council's Senior Environmental Protection and Housing Officer was consulted on the application. They commented as follows:
- “The application is supported by a phase 1 and 2 land contamination assessment which concludes that whilst there are no significant sources of contamination, it does highlight elevated levels of the Pendmethalin (herbicide). The report goes on to recommend that, as a precautionary measure, some additional screening of Pendmethalin to confirm the low concentrations reported to date. I agree with this recommendation and, therefore recommend the following conditions in pursuit of this.”***
- 4.177 The conditions have been accepted, and thereby the development is considered acceptable when assessed against applicable policies in the Local Plan.

Air Quality

- 4.178 Paragraph 105 of the NPPF 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. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”

- 4.179 Paragraph 199 of the NPPF (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...”

- 4.180 Local Plan Policy D4: Air Quality states:

“Planning permission will be granted provided that development proposals:
a) Give consideration to the potential or actual impact on local air quality, both during the demolition/ construction phase and as a result of its final occupation and use;
b) Propose appropriate levels of mitigation to minimise emissions to the atmosphere and their potential effects upon health and the local environment; and
c) Carry out air pollution impact assessments, where required, to determine the impact on local air quality of the development.”

- 4.181 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 Senior Environmental Protection and Housing Officer has said that application of this guidance to a development of this scale and location defines the site as being a MEDIUM scale development and they recommended an EV Recharging Infrastructure Condition and informative. This is not required as EV charging points for all dwellings are now required under Building Regulations.
- 4.182 As such it is considered that the proposal complies with Local Plan Policy D4 (Air Quality) and the relevant advice in the NPPF.

Noise and light

- 4.183 The Council’s Senior Environmental Protection and Housing Officer made the following comments:

“The application is also supported by a noise assessment which concludes that noise mitigation measures are required for some plots based on the proposed lay outs presented. This is only for limited plots on the site.

A condition is therefore required the development to be constructed in accordance with the submitted plans including the noise mitigation scheme

as set out in the submitted MEC Ltd noise assessment report dated October 2023 (Report Ref: 25521-ENV-0402)."

- 4.184 This condition is recommended below. The mitigation measures are glazing and ventilation requirements, no fencing is proposed.

Summary on environmental considerations

- 4.185 As set out above there are no sustainable reasons to withhold planning permission on environmental grounds.

Fire Safety

- 4.186 The Senior Fire Safety Inspector, Business Fire Safety Team , Regulatory Services, Hertfordshire County Council requested confirmation that firefighter access to every dwelling can be achieved within 45m of a parked appliance. Provided guidance with regards to access road, gates or barriers, turning and sweep circles of appliances, dead end access sweep and turn circles – appliances, access for buildings not fitted with fire mains, water supplies. Following receipt of the amended plans they commented as follows:

"We note there are the attached amended firefighter access plans on the portal for this application. The plans appear to indicate adequate firefighter access to each of the dwellings, as they should be able to reach all parts of the dwellings within 45m of a parked fire appliance. There is one block of flats where the travel distance is in excess of 45m, but I can see this is indicated on the plan as having sprinklers, therefore having a travel distance of approx. 56m is acceptable. We also note the plans highlight which blocks of flats have dry riser inlets, and these appear to be within 18m of a parked fire appliance."

- 4.187 The Water Officer requested a condition for the provision and installation of fire hydrants, at no cost to the County Council, or Fire and Rescue Service. This is to ensure there are adequate water supplies available for use in the event of an emergency.
- 4.188 As such there are no sustainable reasons to withhold planning permission on fire safety grounds.

Waste and Recycling Management

- 4.189 The Shared Waste Service were consulted on the application and advised that the swept path analysis show that roads in the development are too narrow, making vehicle body to touch kerb lines, bushes etc and getting onto paths. They commented that there are no bin storage and bin collection point and pulling distances marked in drawings. Therefore they are not able to conclude that the application meets requirements in terms of waste collection proposal.
- 4.190 The applicant team have addressed these concerns in the revised layout plans submitted (as set out in the applicant's covering letter). The Shared Waste Service were reconsulted and raised some further concerns. The applicant team have

submitted further amended plans and the Shared Waste Service were reconsulted. No response has been received and the view has been taken that their concerns have been satisfactorily addressed and would not be a sustainable reasons to withhold planning permission.

Health Impact

- 4.191 The Healthy Places Officer – Planning, Hertfordshire Public Health, raised specific comments on the proposal, which have all been addressed in the application.
- 4.192 Given its location, the proposed development is not considered to create air quality or indoor air quality problems and the Environmental Protection Officer has not raised any objections on those grounds. Accessibility for all to the development has been considered in the design, as there has been a focus on active travel within and beyond the development including access to the extended new bus route. The adoption of active travel behaviours for new occupants has been considered and creating strong pedestrian/cycle linkages towards key local destinations and rights of way has driven the design. The development maximises opportunities for encouraging physical activity by providing a linear park with ‘play on the way’ and contributions off-site contributions towards pitch sports and indoor sports facilities, and play provision. The Strand 2 Highways contributions will go towards schemes to encourage modal shift towards active and sustainable travel. A condition is recommended to secure charging points for electric vehicles for each dwelling. A car club will be secured through the s106 Agreement. The scheme proposes safe crossing points beyond the site perimeter to encourage residents to use active travel. A Health Impact Assessment is not a statutory requirement and Hertfordshire Public Health are not a statutory consultee. However, it is concluded that the principles of creating a healthy place have been incorporated into the design of the scheme particularly as it has gone through a collaborative pre-application design workshop process where these issues were discussed.

Sports and play facility impacts

- 4.193 Section 8. of the NPPF *Promoting healthy and safe communities* requires planning decisions should aim to achieve healthy, inclusive and safe places. Paragraph 103 clarifies that **“Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and support efforts to address climate change.”** Paragraph 104 specifically states that -

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or***
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or***
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.***

- 4.194 *Local Plan Policy SP10 - Healthy Communities* confirms that the Council will provide and maintain healthy, inclusive communities for our residents by (i) supporting the retention of existing community, cultural, leisure or recreation facilities and (ii) require appropriate levels of new community, cultural, leisure and built sport & recreation facilities to be provided in new development. The council's adopted Developer Contributions SPD sets out the broad framework for sports pitch provision in relation to new developments.

Outdoor Sports Provision

- 4.195 No on-site proposals are made for dedicated outdoor sports facility provision with the focus being on open space provision for informal recreation and children's play. Outdoor sport being secured through an off-site financial contribution.
- 4.196 The Sport England comments state that Sport England's Playing Pitch Calculator should be used for estimating the demands for outdoor sport that will be generated by new development. Sport England have used the calculator and it is apparent from the calculator outputs that the development would not generate sufficient demand to justify on-site playing pitch provision as there would be insufficient demand to justify on-site playing pitch provision as there would be insufficient demand for any of the pitch types to justify an entire pitch. Furthermore, in practice it would not be desirable from an operational perspective to provide a small single pitch sites that are difficult to maintain and less responsive to user needs.
- 4.197 Stevenage Borough Council were consulted in this regard as the demand generated from this site will be expected to be in Stevenage rather than the North Hertfordshire settlements given the functional relationship of the site with the existing urban area of Stevenage. Stevenage Borough Council (following discussion with Sport England) have requested funding for outdoor sports provision as set out in as set out in the table in paragraph 4.212 below. The figures are based on those generated by the Sport England Playing Pitch calculator.

Indoor Sports Provision

- 4.198 The comments from Sport England confirm that as indoor sports facilities are strategic facilities that serve large populations and as the population generated by the proposed development in isolation would not be sufficient to justify the provision of a conventional facility on-site and it is considered that off-site provision in the form of a financial contribution towards the provision or improvement of off-site facilities would be the most suitable form of provision on this occasion.
- 4.199 Contributions towards sports hall and swimming pool facilities in Stevenage were explored in the first instance given the functional relationship of the site with Stevenage. Stevenage Borough Council have requested funding for indoor sports provision (following discussion with Sport England) as set out in the table in paragraph 4.212 below. The figures from the Sports Facility Calculator have informed the level of the financial contribution.

Active Design

- 4.200 Sport England considered the proposed site layout document in the context of the Active Design guidance and made some specific comments (which can be viewed on the Council's website) regarding lack of a central open space, design of the footpath around the periphery of the development, visual and pedestrian access relationship with Orwell Avenue, pedestrian crossing from the development across Back Lane to Haybluff Drive and connection to the footpath network beyond the site to the north.
- 4.201 This application follows a series of pre-application workshops discussing the design and layout of the proposed development. The 'play on the way' approach has been encouraged by the Local Planning Authority. It is acknowledged that there is not a central open space, however the provision of this and the necessary buffers would have had an impact on the design and the efficient use of the land. To offset the lack of this provision a s106 contribution has been secured towards the enhancement of a LEAP to a NEAP on Great Ashby Way adjacent to Foyle Close and a contribution towards the improvement of LEAPs in Snowdonia Way and Merrick Close requested by the Service Manager Greenspace, NHC, and Great Ashby Community Council respectively. The design of the pedestrian links around and off the site, have been carefully considered as part of the application and the design has had to be a balance between requirements to provide active travel links, manage flood risk, provide BNG on site and good urban design. The Highway Authority have been involved in the pre-application workshops and have assessed the planning application; therefore the safety of pedestrian crossings have been considered. The pedestrian links to the north connect to the existing Public Right of Way. As such in the case officer's view considered that the application satisfactorily addressed the Active Design principles.

Summary on sports and play facilities

- 4.202 As a statutory consultee, Sport England reached the following conclusion:

“While the planning application proposes that sports facility provision be made off-site and this is welcomed in principle as set out above, as there are no confirmed proposals at this stage for meeting the development’s formal outdoor or indoor sports facility needs, an objection is made to the planning application in its current form. However, I would be willing to withdraw this objection in due course if it is confirmed that financial contributions, secured through a planning obligation as set out above, will be made towards the provision of indoor and outdoor sports facilities and the expected level of the contributions is confirmed together with the projects that the contributions will be used towards. The advice set out above should be used to inform the scale of the contributions and the projects that the contributions are used towards.”

- 4.203 The planning contributions requested by Stevenage Borough Council for outdoor and indoor sports provision, based on the Sports England calculators, will be secured in the s106 Agreement.

Whether the development would represent a sustainable form of development.

- 4.204 A matter to consider in all applications for planning permission is whether the proposed development would represent a sustainable form of development. Paragraph 8 of the NPPF sets out the economic, social and environmental objectives that should be met in order to achieve sustainable development.

Economic Benefits

- 4.205 Paragraph 81 of the NPPF stipulates that significant weight should be placed on the need to support economic growth and productivity. This is particularly relevant following the COVID-19 pandemic and other pressures on the economy. There will be considerable economic benefits derived from the construction of the site. There will be employment for construction workers and resulting direct and indirect benefits to the local economy. There would also be economic benefits arising from the fitting out and furnishing of the new homes. There would also be ongoing benefits from the spending of future occupiers.

Social Benefits

- 4.206 The main social benefits of the proposed development would be the provision of 281 dwellings including 112 affordable homes and associated public open space.

Environmental Benefits

- 4.207 The environmental benefits of the proposed development would be that the site has the ability to deliver 17.8% increase in habitat units and 14.3% increase in hedgerow units thereby exceeding the statutory requirement of a 10% Biodiversity Net Gain

Summary on sustainability

- 4.208 As set out below, the proposed development is expected to exceed existing minimum standards across a couple of themes as set out in the recently adopted SPD. It is considered that the proposals represent a sustainable form of development that complies with national and local planning policy and guidance taken as a whole. It is anticipated that the proposal will deliver a variety of economic, social and environmental benefits which cumulatively should deliver a sustainable development, and it is considered that significant weight should be attributed to this. Overall, it is considered that the identified sustainability benefits should be attributed moderate weight in the planning balance.

Planning Obligations

4.209 In considering Planning Obligations relating to this proposed development. The Community Infrastructure Regulations and Paragraph 58 of the Framework set out statutory and policy tests. Paragraph 58 reads as follows:

“Planning obligations must only be sought where they meet all of the following tests [Footnote 25: Set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.]:

a) necessary to make the development acceptable in planning terms;

b) directly related to the development; and

c) fairly and reasonably related in scale and kind to the development.”

4.210 These are referred to in the text below as the CIL tests.

4.211 *Local Plan Policy SP7: Infrastructure requirements and developer contributions* states that: ***“The Council will require development proposals to make provision for infrastructure that is necessary in order to accommodate additional demands resulting from the development.”*** The Developer Contributions Supplementary Planning Document is a material consideration. Negotiations have taken place with the applicant and a draft s106 Agreement has been produced.

4.212 All the S106 obligations are listed in the table below.

Affordable Housing	<p>On site provision of 40% affordable housing (65/35% rented/intermediate housing split)</p> <p>Within the 65% rented affordable housing element (73 in total):</p> <p>24 x 1 bed flats</p> <p>30x 2 bed flats (incl. 6 Building Regulations Approved Document Part M4(3) Wheelchair User Dwellings)</p> <p>8 x 2 bed houses</p> <p>6 x 3 bed houses</p> <p>5 x 4+ bed houses (incl. 2 Building Regulations Approved Document Part M4(3) Wheelchair User Dwellings)</p>	Proposed by Housing Supply Officer, NHC
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	<p>Within the 35% intermediate affordable housing element (39 in total):</p> <p>8 x 1 bed flats</p> <p>8 x 1 bed flats above garages</p> <p>10 x 2 bed flats (incl. 2 Building Regulations Approved Document Part M4(3) Wheelchair User Dwellings)</p> <p>7 x 2 bed houses</p> <p>6 x 3 bed houses</p>	
Primary Education	<p>Primary Education Contribution towards the delivery of a new primary school in the area and/or provision serving the development (£3,038,304 (which includes land costs of £42,188) index linked to BCIS 1Q2024)</p>	Proposed by Growth and Infrastructure Unit, HCC
Secondary Education	<p>Secondary Education Contribution towards new secondary education provision at the former Barnwell East site/ land at Redwing Close and/or provision serving the development (£2,363,644) index linked to BCIS 1Q2024)</p>	Proposed by Growth and Infrastructure Unit, HCC
Childcare Contribution	<p>Childcare Contribution towards new build and resource of 0-2 year old childcare facilities at a provision serving the development (£197,447 index linked to BCIS 1Q2024)</p>	Proposed by Growth and Infrastructure Unit, HCC
Childcare Contribution	<p>Childcare Contribution towards increasing the capacity of 5-11 year old childcare facilities at a provision serving the development (£3,324 index linked to BCIS 1Q2024)</p>	Proposed by Growth and Infrastructure Unit, HCC

Special Educational Needs and Disabilities (SEND)	Special Educational Needs and Disabilities (SEND) Contribution towards new Severe Learning Difficulty (SLD) special school places (EAST) and/or provision serving the development (£426,026 index linked to BCIS 1Q2024)	Proposed by Growth and Infrastructure Unit, HCC
Nursery Education	Nursery Education Contribution included within the Primary Education Contribution	Proposed by Growth and Infrastructure Unit, HCC
Youth Service Contribution	Youth Service Contribution towards increasing capacity by sourcing a new exclusive or shared use young people's centre serving Stevenage and the surrounding area and/or provision serving the development (£74,500 index linked to BCIS 1Q2024)	Proposed by Growth and Infrastructure Unit, HCC
Library Service Contribution	Library Service Contribution towards the delivery of a new centre in Stevenage and/or provision serving the development (£95,120 index linked to BCIS 1Q2024)	Proposed by Growth and Infrastructure Unit, HCC
Waste Service Recycling Centre Contribution	Waste Service Recycling Centre Contribution towards increasing capacity at Stevenage Recycling Centre and/or provision serving the development (£1,567 index linked to BCIS 1Q2024)	Proposed by Growth and Infrastructure Unit, HCC
Waste Service Transfer Station Contribution	Waste Service Transfer Station Contribution towards the new Northern Transfer Station and/or provision serving the development (£73,070 index linked to BCIS 1Q2024)	Proposed by Growth and Infrastructure Unit, HCC

Monitoring Fees – HCC will charge monitoring fees.	These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024).	Proposed by Growth and Infrastructure Unit, HCC
Highways - Strand 1	Strand 1 – Once approved, the site access junctions and necessary sustainable transport improvements (both on and off site) are delivered through a S278 agreement (including Surface improvements to Graveley Footpath 010), and a £318,517.96 contribution (per annum for five years) (index linked) to the new SB12 bus service and travel plan contributions (see below).	Proposed by HCC Highways
Highways - Strand 1 - Travel Plan	Travel pack contribution of £100 per house and £50 per flat. An evaluation and support fee £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014)	Proposed by HCC Highways
Highways - Strand 2	Strand 1 – Once approved, the site access junctions and necessary sustainable transport improvements (both on and off site) are delivered through a S278 agreement (including Surface improvements to Graveley Footpath 010), and a £318,517.96 contribution (per annum for five years) (index linked) to the new SB12 bus service (or any other alternative service that is agreed with PTU) and travel plan contributions (see below).	Proposed by HCC Highways

Highways – Monitor and manage – Mendip Way and Calder Way/Back Lane	£400,000 (index linked) to cover potential works which could be required subject to the monitoring process (Monitor and Manage). This monitor and manage contribution (Calder Way/Back Lane and Mendip Way) would be allocated if required, in line with the conditions.	Proposed by HCC Highways
Beryl Bikes and car club	<p>Requirement for the owner to arrange directly with Beryl Bikes, as an expansion of its Stevenage scheme, to provide a stock of bikes and install a virtual docking station at a location within the development site that is no more than 400m on foot from all dwellings within the development. The docking station to be sited on land that will not be offered for adoption by HCC or NHDC. If this arrangement has not been agreed before occupation of the 100th dwelling, NHDC may demand from the owner a monetary contribution in lieu of £50,000, index-linked, to be spent within five years of receipt on any measures that support sustainable travel by residents.</p> <p>Requirement for the owner to designate for the exclusive use of a club car one parking bay within the development site that is no more than 400m on foot from all dwellings within the development. The owner shall be responsible for preparing and covering the costs of the associated TRO.</p>	Proposed by North Herts Council

	Requirement for the owner to arrange directly with a car club operator to provide a club car in the designated club car bay for a minimum period of three years. If an arrangement has not been agreed before occupation of the 100th dwelling, NHDC may demand from the owner a monetary contribution in lieu of £50,000, index-linked, to be spent within five years of receipt on any measures that support sustainable travel by residents.	
NHS contribution	£469,832.00 (indexed from the date of the planning permission) towards either a new on-site medical facility at land to the east of the High Street and North Road, Graveley, (NS1) or in the event that the HWE ICB cannot support the delivery of a new medical centre on "NS1", towards projects at Canterbury Way Surgery and St Nicholas Health Centre such digitization or removal to secure off site storage of patient records (to allow the vacated space to be reconfigured and refurbished to create additional patient facing clinical rooms for GPs and ARRs staff) and to cover this build works transformation and to cover the associated on site GPIT costs that would arise	Proposed by NHS Herts and West Essex Integrated Care Board
Contribution towards outdoor sport facilities	£199,077(index linked) towards playing pitches in Stevenage £291,323 (index linked) towards changing rooms in Stevenage	Proposed by Stevenage Borough Council

Contribution towards indoor sport facilities	£291,957 (index linked) towards the new Leisure Hub (wet and dry facility) in Stevenage	Proposed by Stevenage Borough Council
Community contribution	£55,888 (index linked) towards Great Ashby Community Centre Improvement	Proposed by Great Ashby Community Council
Off-site play space contributions	£202,000 (index linked) towards improvement and enhancement of LEAP at Foyle Close to a NEAP.	Proposed by Service Manager, Greenspace
	£75,000 (index linked) towards improvement of existing LEAP at Snowdonia Way.	Proposed by Service Manager, Greenspace
	£15,000 towards Merrick Close Play Area Improvement	Proposed by Great Ashby Community Council
NHC Waste collection and recycling	Contribution towards the provision of waste and recycling bins - £71 per house - £54 per flat with its own self-contained garden - £26 per flat with shared or no amenity space (all index linked)	Proposed by North Herts Council
Open Space Management and Maintenance Scheme for open space including play space and SuDS and non-adopted roads	Open Space Management and Maintenance Scheme to include – a) Details of landscape management and maintenance plans; b) Details of planting, grass cutting, weeding and pruning; c) Management of sustainable urban drainage features; d) Management of biodiversity enhancements; e) Inspection, repair and maintenance of all hard landscaping and structures; f) Management,	Proposed by North Herts Council

	monitoring and operational restrictions; and g) Maintenance and planting replacement program for the establishment period of landscaping	
Management and maintenance of open space including play space and SuDS and non-adopted roads	Either the Council will adopt the open space or suitable management arrangements are to be put in place (which are to be agreed between the Council and the Developer). If the open space is adopted by the Council, management and maintenance of the open space contribution figure is to be agreed between the Council and developer taking account of the Greenspace calculator in the Developer Contributions SPD.	Proposed by North Herts Council
BNG monitoring contributions	BNG monitoring contributions to cover LPA officer time to consider monitoring reports sent to the LPA over the 30 yrs of secured ongoing management but also to make site visits in yrs 1,2,3,5,7,10,15,20,25 and 30 comes to £16,000 (index linked) Half a day to visit and half a day to write up report.	Proposed by North Herts Council
NHC Monitoring Fees	One off monitoring fee of 2.5% with a cap of £25,000 to cover the monitoring of all obligations (except for those relating to HCC).	Proposed by North Herts Council

4.213 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 58 of the NPPF and the tests in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

- 4.214 Some of the provisions of the S106 agreement are designed to mitigate the impact of the development and these elements. Further agreed contributions towards sustainable transport, outdoor and indoor sports facilities, off site play area provision 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.
- 4.215 At this stage all the s106 obligations in the table above have been discussed with the applicant and agreed, except for the management and maintenance of open space as discussed below. 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. As such the recommendation is that planning permission should be granted subject to the completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement if required.
- 4.216 With regards to the management and maintenance of open space, either the Council will adopt the open space or suitable management arrangements are to be put in place (which are to be agreed between the Council and the developer). If the open space is adopted by the Council, management and maintenance of the open space contribution figure is to be agreed between the Council and developer taking account of the Greenspace calculator in the Developer Contributions SPD. The Council's preference would be to adopt the open space. However, this has not been agreed. The applicant's preference would be to have a management company. Discussions are ongoing in relation to this matter. However, the Council and the applicant will agree a suitable strategy for management and maintenance of the open space.
- 4.217 The Hertfordshire County Council contributions request was supported by justification, which can be viewed on the Council's website.
- 4.218 Policy GA1 sets out the following site-specific policy criteria for the site a:
- “Contribution towards appropriate GP provision across the north of Stevenage sites.”***
- 4.219 It is acknowledged from representations from residents that the lack of a GP facility in Great Ashby is a key concern for residents with regards to this proposed development putting increased pressure on already over-stretched GP services nearby. The NHS has considered this application in light of other housing sites allocated in the Local Plan. On allocated site NS1 - Land To The East Of High Street And North Road, Graveley, there is a current outline planning application with all matters reserved other than means of access, for the erection of up to 900 dwellings (including affordable housing and self/custom build units), provision of a primary school, provision of a neighbourhood centre including community building, and provision of open space areas across the site, together with associated drainage, land works and utilities works (ref. 23/02935/OP). There was a resolution to grant planning permission at Planning Committee on 20 March 2025 subject to the completion of a satisfactory legal agreement.

- 4.220 In reviewing all options in the Graveley area, the Herts and West Essex Integrated Care Board (HWE ICB) has concluded that new health infrastructure in the form of on-site provision for a new medical facility c 630m2 NIA on the North Herts District Council “NS1” development will be needed to accommodate additional patient numbers arising from this development. The justification for this approach is set out in the detailed comments from the NHS-ICB, which are available to view online.
- 4.221 The financial contribution for health infrastructure that the HWE ICB is seeking, to mitigate the health impacts from this development has been calculated using a formula based on the number of units proposed and does not take into account any existing deficiencies or shortfalls in Graveley and its vicinity, or other development proposals in the area. If planning permission is granted, and in the event the HWE ICB cannot support the delivery of a new medical centre on “NS1” due to viability, affordability and deliverability reasons, the HWE ICB propose to focus Section 106 monies on Canterbury Way Surgery and St Nicholas Health Centre which as 1 option is to have the existing c49,770 patient records that are there digitised or removed to secure off site storage, the cost of which to be met by a S106 contribution. (It may be that as time passes the number of records will have grown and any additional records above the number stated would need to be included.) This would allow the vacated space to be reconfigured and refurbished to create additional patient facing clinical rooms for GPs and ARR staff, increase capacity to accommodate additional patient numbers arising from this development and future housing growth in and around Graveley. S106 would also be needed to undertake this build works transformation and to cover the associated on site GPIT costs that would arise.
- 4.222 Patients are at liberty to choose which GP practice to register with, providing they live within the practice boundary. However, most patients choose to register with the surgery closest and/or most easily accessible to their home. Despite premises constraints GP Practices are not allowed to close their lists to new registrations without consultation with, and permission from the HWE ICB. Even when surgeries are significantly constrained, the NHS will seek to avoid a situation where a patient is denied access to their nearest GP surgery, with patient lists only closed in exceptional circumstances. As such, it is my understanding that residents of the proposed development could choose to register with a local GP surgery or they could choose to register with a new medical centre on the NS1 site when available should they wish.
- 4.223 The contributions towards outdoor and indoor sport facilities requested by Stevenage Borough Council for specific projects tie in with the amounts suggested by Sport England using their calculators. The £199,077 towards playing pitches and £291,323 towards changing rooms in Stevenage would go to specific projects as set out in Stevenage Borough Council’s consultation response. The £291,957 towards the new Leisure Hub (wet and dry facility) corresponds with the Sport England requirements for £132,152 towards sports halls and £159,805 towards swimming pools. SBC note the calculated cost of Outdoor Tennis Courts at £10,266 based on Sport England’s response but said that there are no planned works for tennis facilities in Stevenage at this time to attach this to so they have not sought a tennis contribution. Similarly in respect of the Leisure Hub, SBC confirmed that it is not proposed to re-locate the Bowls Club into the Leisure Centre

and so the calculated £5,411 stated in Sport England's response is not currently a sum that can be allocated to a current scheme in Stevenage. It is considered existing tennis and bowls provision in North Herts are too far away for projects there to meet the CIL tests.

- 4.224 As set out above for a development of this scale the open spaces standards in the SPD: Developer Contributions require a NEAP contribution and a MUGA on-site. It is acknowledged that the site might not be the most suitable location for MUGA. In the first instance we approached Stevenage Borough Council to see if they had a project for which they could seek a NEAP contribution and a MUGA contribution (within walking distance of the site). However, they confirmed that there isn't anything flagged at present that would allow them to get figures together in a timely manner for this development. As such a contribution of £202,000 (index linked) towards improvement and enhancement of LEAP at Foyle Close to a NEAP has been sought by the Service Manager, Greenspace, North Herts Council. NHC do not have a suitable site for a MUGA nearby and it is considered that the nearest MUGA's within North Herts (i.e. Hitchin or Letchworth) are too far away from the site for contributions to be sought towards an enhancement of an existing MUGA. In lieu of this £75,000 (index linked) towards improvement of existing LEAP at Snowdonia Way has been sought by the Service Manager, Greenspace, North Herts Council and £15,000 towards Merrick Close Play Area Improvement has been sought by Great Ashby Community Council. It was considered reasonable to request these contributions, particularly given that a MUGA is not to be provided on site and a MUGA contribution is not being sought due to lack of an appropriate project.
- 4.225 As explained above Highways have requested Strand 1 mitigation works and Strand 2 contributions to mitigate the impact of the development. The Strand 1 mitigation works include the site access junctions and necessary sustainable transport improvements (both on and off site) and a £318,517.96 contribution (per annum for five years) to the new SB12 bus service (or any other alternative service that is agreed with Passenger Transport Unit) and travel plan contributions (see below). It is my understanding that the Strand 1 mitigation works will also include surface improvements to Graveley Footpath 010. The monitor and manage approach on Calder Way/Back Lane and Mendip Way discussed above will be secured by the s106 Agreement as well as conditions. This is because there will be a separate pot of funding of £400,000 (index linked) for mitigation if required as a result of monitoring, which has been calculated and agreed by the applicant and Highways Authority. This will be spent on various mitigation measures if required.
- 4.226 Weston Parish Council requested suitable mitigating measures are agreed to ensure the safety of pedestrians and other road users within the parish and Graveley Parish Council requested mitigation measures (should traffic levels be increased). Both Council's set out detailed requests and costings. These are covered by the Monitor and Manage approach, so will be implemented if (and only if) the Highway Authority conclude that the monitoring demonstrates they are necessary and appropriate mitigations.

- 4.227 Great Ashby Community Council (GACC) requested contributions towards improvement of Great Ashby Community Centre. There is not any community centre provision proposed on the development site. GACC provided details of a project a Great Ashby Community Centre improvement project. They provided detailed justification and reasoning for the project. This was accompanied by a detailed report from a planning consultant which demonstrates how the project meets the CIL tests and quotes for the work. There is an identified need to improve the bathroom facilities which are currently 21 years old. This work will help support the continued use of the centre and allow for increased use on a weekly basis. The centre is currently very busy and the increased number of residents from the new development will lead in a more intensified use as the new development does not feature any type of community centre.
- 4.228 As set out above GACC provided details of a project a Merrick Close Play Area Improvement project. They provided detailed justification and reasoning for the project. This was accompanied by a detailed report from a planning consultant which demonstrates how the project meets the CIL tests and quotes for the work.
- 4.229 Initially GACC requested a contribution towards Great Ashby Neighbourhood Centre Car Park Purchase & Maintenance, provision of allotments / community orchard, support for Green Spaces, improvement to the Right of Way Network and the safe crossing of Great Ashby Way, connection to the sustainable travel network, and recycling initiatives. However these projects would fail to meet the CIL tests or are not within the control of GACC.
- 4.230 The s106 Agreement will also set out requirements for the expansion of the Stevenage Beryl Bikes scheme and provision of a car club on site or a monetary contribution if these arrangements are not agreed before occupation of the 100th dwelling.
- 4.231 The standard contribution towards the provision of waste and recycling bins is sought.

Summary on Planning Obligations

- 4.232 In conclusion it is considered the contributions set out in the table above meet the CIL tests, referred to in Paragraph 58 of the NPPF, and mitigate the impacts of the development.

Climate change mitigations

- 4.233 Chapter 2 of the NPPF *Achieving sustainable development* requires the sustainability credentials of proposals to be considered. Paragraph 8 requires that all three objectives – *economic, social and environmental* - of the planning system would be met. Chapter 14 *Meeting the challenge of climate change, flooding and coastal change* confirms that the planning system should support the transition to a low carbon future in a changing climate.

- 4.234 The Council passed a Climate Emergency motion in 2019 which pledged to do everything within the Council's power to achieve zero carbon emissions in North Hertfordshire by 2030. The Council has adopted a Climate Change Strategy to promote carbon neutral policies. *LP Policy SP1: Sustainable development in North Hertfordshire* is an overarching policy whereas *LP Policy SP11 Natural resources and sustainability* gives broad support for proposals for renewable and low carbon energy development in appropriate locations.
- 4.235 *LP Policy DE1 Sustainable Design* requires developments to consider a number of criteria including the need to reduce energy consumption and waste. *LP Policy NE12 Renewable and low carbon energy development* supports the principle of renewable energy subject to a technical impacts being satisfied. *LP Policy SP9* relates to *Design and Sustainability* and seeks the inclusion of a broad range of sustainability measures in developments.
- 4.236 The application was accompanied by an Energy and Sustainability Statement. The Strategic Planning Officer (sustainability specialist) reviewed the Energy and Sustainability Statement in light of the recently adopted Sustainability SPD, which requires applicants to set out whether they achieve the bronze, silver or gold standards in different areas. He confirmed that they are achieving silver on Sustainability SPD theme 1 'Optimising Passive Design & Fabric Performance' and on theme 2 'Promoting Biodiversity'. All other themes are bronze. A condition is recommended requiring a detailed Energy and Sustainability Assessment to be submitted approved in writing by the Local Planning Authority. The Assessment shall explain how the development will address and deliver a specific target level under each sustainability theme as set out in the originally submitted Energy and Sustainability Statement.
- 4.237 Whilst the Sustainability SPD requires separate Energy and Sustainability Statements for schemes of over one hundred dwellings, it was considered that the submitted statement is sufficient as it covers all the areas needed.
- 4.238 Conditions have been recommended to secure that the development achieves an EPC rating of at least C for 85% of dwellings, as demonstrated by a valid EPC report, and that no individual dwelling shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling. It is my understanding that the applicants can meet all the building regulations requirements without including solar panels so they have not been included on the drawings to retain flexibility. Provision of solar panels is not a planning policy requirement. The applicant provided the following comments in their covering letter with the amended plans:

"For solar panels, we would be happy to accept a condition requiring the subsequent approval of a plan showing solar panel locations and quantities. In our discussions on this, you have indicated that you would want a minimum number of dwellings to have solar panels to be specified in that condition. Having reviewed orientations, we would be happy to accept a

minimum proportion of 25% of units having solar panels under such a condition”

- 4.239 As such, a condition has been recommended stating that a plan showing how many PV solar panels will be accommodated and in which locations will be submitted to the Local Planning Authority and agreed in writing prior to the commencement of development and that at least 25% of units shall have solar panels.
- 4.240 The proposal includes 18 exemplar sustainable homes in the south east part of the site, which are referred to as “the Green Collection Homes”. The Design and Access Statement sets out that these homes will utilise the following in meeting these low carbon, low running cost ambitions:
- Built from timber frame
 - Innovative external brick cladding solution
 - Triple glazed windows
 - Natural slate with PV tiles seamlessly integrated into the roof construction
 - Battery storage
 - Air Source Heat Pumps

These houses will not be different in appearance from the other houses.

- 4.241 The applicant provided the following clarification with regards to these “Green Collection Homes”:

“As we have discussed in our meetings, there are 18 units on the site (plots 1-18) where we are looking to trial a variety of more sustainable construction techniques, materials, and technologies, with the aim of minimising future energy demands for those dwellings. However, we do not believe it is necessary to condition the higher performance for these units to make the development acceptable in planning terms, and nor do we seek to rely on their enhanced performance as part of the planning balance in determining the development’s acceptability.”

- 4.242 As such the inclusion of these exemplar sustainable homes is welcomed but does not weigh in support of the application in the planning balance.
- 4.243 As such it is considered that the proposal complies with the recently adopted Sustainability SPD.

Planning Balances

- 4.244 As identified, there are matters that weigh in favour and against the proposed development.
- 4.245 The table below identifies the wider planning benefits and harms of the development, and the weight attributed to these. These are visual aids and should be considered along with the detailed assessment in the report.

Issue	Effect	Weight
Agricultural land / BMV land impacts	Harm	Moderate
Landscape and visual impact	Harm	Moderate
Heritage	Neutral	None
Delivery of residential development (281 dwellings) including 40% affordable housing, and open space	Benefit	Substantial
Biodiversity (BNG)	Benefit	Moderate
Sustainability credentials including economic benefits	Benefit	Moderate
Archaeology	Neutral*	None*
Tree Impacts	Neutral*	None*
Highway and transport	Neutral*	None*
Environmental impacts	Neutral*	None*
Flooding and drainage	Neutral*	None*
Sports and play facilities	Neutral*	None*

Table: Planning Balance summary *conditions recommended

Overall assessment

4.246 This is an allocated housing site in the adopted Local Plan. It will therefore make an important contribution to the housing land supply. As the Council is currently unable to demonstrate a 5-year housing land supply, the tilted balance of paragraph 11(d) of the NPPF is engaged. The collective benefits of the development as described would be significant. The adverse effects of the proposal have been identified and weight attached to these as set out in the table above. As such, any possible adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The scheme therefore benefits from the presumption in favour of sustainable development which is a further material consideration.

Final planning balance

4.247 The proposal would accord with the development plan as a whole and other material considerations do not indicate otherwise. Accordingly, it is recommended that planning permission be granted.

Alternative Options

None applicable

Pre-Commencement Conditions

- 4.248 The applicant's agreement to the pre-commencement conditions that are proposed will be sought. Agreement must be reached prior to determination of the application.

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:

- A) The resolution of the surface water flood risk matter to the satisfaction of the Local Planning Authority with the imposition of additional planning conditions as necessary; and
- B) The completion of a satisfactory legal agreement, providing delegated powers to the Development and Conservation Manager to resolve any outstanding matters (including management and maintenance of the open space) and the applicant agreeing to extend the statutory period in order to complete the agreement if required;
- C) Providing delegated powers to the Development and Conservation Manager to update conditions and informatives with minor amendments as required; and
- D) The following conditions and informatives:

Standard 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.

Highways

3. No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:
 - i) Roads, footways.
 - ii) Cycleways.
 - iii) Foul and surface water drainage.
 - iv) Visibility splays
 - v) Access arrangements
 - vi) Parking provision in accordance with adopted standard.
 - vii) Loading areas.
 - viii) Turning areas.

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

4. Prior to the first occupation of the development hereby permitted the vehicular and active travel accesses shall be completed and thereafter retained as shown on Transport Assessment drawing numbers (PL101 Rev - , PL102 Rev - & PL103 Rev - & PL108 Rev -) in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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

Surface Water

5. Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

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

Construction Management Plan

6. No development shall commence until a Construction Management Plan/ Construction Phasing and Environmental Management Programme 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 Local Planning Authority. The Construction Management Plan shall include details of:
 - a. Construction vehicle numbers, type, routing;
 - b. Access arrangements to the site;
 - c. Traffic management requirements
 - d. Construction and storage compounds (including areas designated for construction vehicle and car parking, loading / unloading and vehicle turning areas), site set up and

- general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities;
- e. Siting and details of wheel washing facilities for construction vehicles leaving the site;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
 - k. Phasing Plan.
 - l. Measures to minimise dust, noise, machinery and traffic noise impacts during construction;
 - m. The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - n. Screening and hoarding details, to protect neighbouring residents;
 - o. End of day tidying procedures to ensure protection of the site outside the hours of construction. 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;
 - p. Storage and removal of building waste for disposal or recycling;

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) and To ensure the correct phasing of development in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity in accordance with Policy D3 of the North Hertfordshire Local Plan.

Rights of Way

7. A) Design Approval

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence on site unless otherwise agreed in writing until a Rights of Way Improvement Plan for the off-site and on-site Rights of Way improvement works has/have been submitted to and approved in writing by the Local Planning Authority.

B) Implementation / Construction

Prior to the first occupation/use of the development hereby permitted the off-site and on-site Rights of Way improvement plan works (including any associated highway works) referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.

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).

Travel Plan

8. Requested Prior to Use At least 3 months prior to the first occupation / use of the approved development a detailed Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018) and to ensure that appropriate local air quality mitigation is provided in accordance with the NHDC Air Quality Planning Guidance Document and relevant sections of the NPPF."

Temporary Traffic Regulation Order

9. Prior to the commencement of the development hereby permitted any Temporary Traffic Regulation Orders (TTROs) that are required for the temporary parking restrictions as indicated on drawing 2105-037 PL110 Rev - must be secured in place, unless rendered unnecessary by the details approved as part of the Construction Management Plan details.

Reason: In the interests of highway safety, amenity and capacity to ensure free and safe flow of traffic and to be in accordance with Policies 4, 5, 12, 15 and 17 of Hertfordshire's Local Transport Plan (adopted 2018).

Monitor & Manage - Mendip Way

10. No development shall commence until a monitoring programme to ensure the smooth operation of buses along Mendip Way shall be submitted to and approved in writing by the Local Planning Authority and the applicant commits to a management plan to implement appropriate mitigation measures as and when they are identified as necessary by the monitoring programme.

Reason: To ensure that agreed traffic levels are not breached and thus highway network is adequate to cater for the development proposed to be in accordance with Policies 5 and 12 of Hertfordshire's Local Transport Plan (adopted 2018).

Monitor & Manage - Calder Way/ Back Lane

11. No development shall commence until a monitoring programme to assess the level of traffic utilising Calder Way and Back Lane shall be submitted to and approved in writing by the Local Planning Authority and the applicant commits to a management plan to implement appropriate mitigation measures as and when they are identified as necessary by the monitoring programme.

Reason: To ensure that agreed traffic levels are not breached and thus highway network is adequate to cater for the development proposed to be in accordance with Policies 5 and 12 of Hertfordshire's Local Transport Plan (adopted 2018).

Construction Environmental Management Plan

12. No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) should be informed by the December 2024 Ecological Impact Assessment and Tree Survey and Arboricultural Impact Assessment to include the following.
- a) Risk assessment of potentially damaging construction activities in particular in relation to trees.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures to avoid or reduce impacts during construction.
 - d) The location and timing of sensitive works to harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the environmental impacts of the development are controlled in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity and in accordance with Policies D3, T1 and NE12 contained in the North Hertfordshire District Local Plan 2011-2031.

Archaeology

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

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

14. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 13.

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

15. 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 13 and the provision made for analysis and publication where appropriate.

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

Ecology

Ecological Enhancements

16. No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as hibernacula, the inclusion of integrated bird/bat and bee bricks in buildings/structures and hedgehog holes in fences, as informed by the December 2024 Ecological Impact Assessment, has been submitted to and approved in writing by the local planning authority.

Reason: To conserve and enhance biodiversity in accordance with Policy NE4 of the North Hertfordshire District Local Plan 2011-2031.

Lighting

17. Prior to occupation, a lighting design strategy for biodiversity for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall be informed by part 5, impacts and mitigation, of the December 2024 Ecological Impact Assessment;
- a) identify those areas/features on site to which bats and other nocturnal species are particularly sensitive where lighting is likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to reach key areas of their territory, for example, for foraging, and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of ecology and urban design in accordance with Policies D1 and NE4 of the North Hertfordshire Local Plan.

- Fencing*
18. Notwithstanding the approved plans, details of the proposed fencing along the western boundary (adjacent to the woodland) shall be submitted to and approved in writing by the Local Planning Authority:

Reason: In the interests of ecology and visual impact in accordance with Policies D1 and NE4 of the North Hertfordshire Local Plan.

- Updated Planting Plans*
19. Notwithstanding the submitted plans, updated Planting Plans shall be submitted and agreed in writing by the Local Planning Authority prior to commencement of landscaping on site. These updated Planting Plans shall be accompanied by a Planting Schedule and Specifications. The approved details shall be implemented on site.

Reason: In the interests of ecology and to ensure that it accords with the open space maintenance plan agreed as part of the s106 Agreement, to safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with Policies D1 and NE4 of the North Hertfordshire District Local Plan 2011-2031.

- Habitat Management and Monitoring Plan*
20. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

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

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

The created and/or enhanced habitat specified in the approved [HMMP] shall be managed and maintained in accordance with the approved [HMMP].

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved [HMMP].

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy NE4 of the North Hertfordshire District Local Plan 2011-2031.

Site Waste Management

Site Waste Management Plan

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

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

Land contamination

22. No development approved by this permission shall take place until a further (limited) Phase 2 investigation report, as recommended by the previously submitted Southern Testing Laboratories Ltd report dated 11 January 2022 (Ref: JN1631), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

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

23. Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

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

24. In the event that contamination not identified in the ground investigations to date is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial

measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

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

Noise

25. The development shall be constructed in accordance with the submitted plans including the noise mitigation scheme as set out in the submitted MEC Ltd noise assessment report dated October 2023 (Report Ref: 25521-ENV-0402).

Reason: In the interests of protecting living conditions of future occupiers in accordance with Policy D3 of the North Hertfordshire District Local Plan 2011-2031.

26. During the construction phase no noisy activities shall 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

Landscape Management Plan

27. No development above ground level shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and periods for all soft landscape areas (other than small privately owned domestic gardens) together with a timetable for the implementation of the landscape management plan, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details and timetable.

Reason: To ensure the longevity of the landscaping scheme and protect the visual amenity and character of the area, in accordance with Policy SP12 and Policy GA1 of the North Hertfordshire District Local Plan 2011-2031.

Landscaping implementation

28. 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.

Play areas

29. Prior to the commencement of any above ground construction works details of the play areas (including the proposed play equipment) across the site and a phasing plan for the provision of the play areas shall be submitted and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained on site.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality and in accordance with Policy D1 of the North Hertfordshire Local Plan (2011-2031).

Trees

30. Before the commencement of any works on the site a detailed Arboricultural Method Statement, which expands on the Tree Survey and Arboricultural Impact Assessment ref. 11056, dated 05/12/24, shall be submitted and approved in writing by the Local Planning Authority. The Arboricultural Method Statement should address matters including: specification for tree protection barriers, including revisions to barrier locations; a schedule of tree works; works within RPAs; phasing of work; a scheme for auditing tree protecting and subsequent reporting to the LPA should feature explicitly throughout. Detailed Tree Protection Drawings should be prepared to 1: 500 scale to support the Arboricultural Method Statement, with detail given of proposed levels and service routes. The Arboricultural Method Statement shall include a detailed scheme the protection of existing trees and hedges to be retained and an accompanying programme for implementation of the scheme.

The scheme shall be implemented and maintained in accordance with the details as approved and in accordance with the agreed programme. Any tree or hedge removal shall be limited to that specifically approved. 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 Policies D1 and NE4 of the North Hertfordshire District Local Plan 2011-2031

31. 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 in accordance with Policies D1 and NE4 of the North Hertfordshire District Local Plan 2011-2031.

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

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with Policies D1 and NE4 of the North Hertfordshire District Local Plan 2011-2031.

33. Details of proposed tree pits should be submitted and approved for review by the Local Planning Authority. The approved details shall be implemented on site.

Reason: Considering trees are proposed in close proximity of hard surfaces and to safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with Policies D1 and NE4 of the North Hertfordshire District Local Plan 2011-2031.

Fire hydrants

34. No development 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. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The hydrant(s) shall be provided in accordance with the approved details prior to the first occupation of the development. The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.

Reason: To ensure adequate fire protection for the development by way of appropriately located hydrant facilities - to ensure all proposed dwellings have adequate water supplies for in the event of an emergency.

EV charging points plan

35. Prior to the first occupation of the development hereby approved details of siting, number and design of the Electric Vehicle Charging Points shall have been submitted to and

approved in writing by the Local Planning Authority. The approved details shall thereafter be installed prior to the occupation of each dwelling and permanently retained thereafter. Each of the proposed new dwellings shall incorporate an Electric Vehicle (EV) charging point. Proposals should also be made for the provision of EV charging within other public parking areas of the proposed development.

Reason: To avoid obstruction of the footpaths and in the interests of good urban design/visual impact in accordance with Policy D1 of the North Hertfordshire District Local Plan 2011-2031.

Cycle parking

36. No development shall commence until details of the cycle parking in accordance with DES-716-265-0 (Bins and Cycle Storage Plans and Elevations) and DES-716-110 Parking Location Plan have been submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shown shall accord with the guidance in LTN 1/20 on Cycle Infrastructure Design as a minimum unless local cycle parking standards are greater. The development or any phase of the development, whichever is the sooner, shall not be occupied until the cycle parking has been constructed and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the parking of cycles only.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of and visitors to the proposed development in compliance with the guidance in the Hertfordshire Place & Movement Planning and Design Guide and LTN1/20 on Cycle Infrastructure Design as a minimum, and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018) and in the interests of good urban design/visual impact in accordance with Policy D1 of the North Hertfordshire District Local Plan 2011-2031.

Refuse and recycling collection and storage

37. No dwelling shall be occupied until a scheme setting out details of all on-site household refuse and recycling storage and collection facilities (including details of siting, number and design of physically covered bin stores) to serve each dwelling have been submitted to and been approved in writing by the local planning authority. The scheme shall also include arrangements for management of any other waste generated by the development. All such facilities shall be provided in accordance with the approved details prior to the first occupation of the corresponding dwellings and shall be maintained and permanently retained thereafter.

Reason: To facilitate refuse and recycling collections, to protect the amenities of nearby residents/occupiers and to ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and in accordance with Policy D1 of the North Hertfordshire District Local Plan 2011-2031.

Materials

38. Notwithstanding the submitted plans, prior to commencement of any above ground construction works, full details (including material samples and sample brick panels) of the external materials to be used in the facings all buildings, and including their roofs, and updated roof materials and facing materials plans shall be submitted to and be approved in writing by the local planning authority.

The development shall be constructed in accordance with the approved details.

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

Boundary treatments

39. Notwithstanding the submitted enclosures plan, prior to commencement of any above ground construction works, an updated enclosures plan with full details of the boundary treatments, shall be submitted to and be approved in writing by the local planning authority.

The development shall be constructed in accordance with the approved details.

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

Surface materials

40. Notwithstanding the submitted surface materials plan, prior to commencement of any above ground construction works, an updated surface materials plan with full details of the hard landscaping, shall be submitted to and be approved in writing by the local planning authority.

The development shall be constructed in accordance with the approved details.

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

Finished floor levels plan

41. Prior to the commencement of development finished floor levels plans shall be submitted to and approved in writing by the Local Planning Authority. These need to show fixed points throughout the site to demonstrate the internal impact on each other and the external impact on neighbouring properties in terms of height.

The following two plans shall be required:

1. Existing topographical survey.
2. Proposed survey with fixed data points correlating to the existing topographical survey, ground levels between gardens and finished floor levels which back onto each other and neighbouring properties.

The approved details shall be implemented on site.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality and in accordance with and in accordance with Policy D3 of the North Hertfordshire Local Plan (2011-2031).

Removal of permitted development rights

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

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control, in the interests of the character and amenities of the area and to ensure sufficient parking and amenity space retained for the properties, in accordance with Policies D1 and T2 of the North Hertfordshire District Local Plan 2011-2031.

Energy and Sustainability

43. The development shall achieve an EPC rating of at least C for all dwellings, as demonstrated by a valid EPC report obtained after the completion of the development and before first occupation/use.

Reason: To limit the energy consumption of the development and to comply with Policy D1 of the North Hertfordshire District Local Plan 2011-2031 and the Supplementary Planning Document: Sustainability.

44. No individual dwelling shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

Reason: To limit the water consumption of the development and to comply with Policy D1(e) of the North Hertfordshire District Local Plan 2011-2031 and the Supplementary Planning Document: Sustainability.

45. Notwithstanding the submitted drawings and energy statement, a plan showing how many PV solar panels will be accommodated and in which locations will be submitted to the Local Planning Authority and agreed in writing prior to the commencement of development. At least 25% of units shall have solar panels. For each dwelling on which panels are thereby approved the panels shall be installed prior to first occupation of that dwelling.

Reason: To reduce carbon emissions in accordance with the Supplementary Planning Document: Sustainability.

46. Prior to commencement of development, a detailed Energy and Sustainability Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Assessment shall explain how the development will address and deliver a specific target level under each sustainability theme as set out in the originally submitted Energy and Sustainability Statement. Thereafter, the development shall be carried out in accordance with the relevant approved Energy and Sustainability Assessment.

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 and the adopted Sustainability SPD 2024.

Thames Water

47. The development shall not be occupied until confirmation has been provided that either:-
1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval.

Signage

48. Prior to first occupation details of signage for pedestrian/cycle/equestrian routes towards key local destinations and rights of way shall be submitted to and approved in writing by the Local Planning Authority. The approved signage shall be implemented on site.

Reason: To encourage active travel and safe use of shared routes to comply with North Hertfordshire Local Plan Policies SP6 and SP10.

Open Space Management and Maintenance

49. Prior to commencement of development a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, play areas, informal open space, semi-natural green space) shall be submitted to and agreed in writing by the Local Planning Authority. Details to be submitted shall include:
- a) Management organisation;

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

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

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

Accessible and adaptable homes

50. At least 50% of homes shall be built to the M4(2) Accessible and Adaptable standard and 10% of the affordable homes shall be built to the M4(3) wheelchair user standard unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate provision of accessible and adaptable housing to comply with Policy HS5: Accessible and adaptable housing states of the North Hertfordshire Local Plan.

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

Highways Informatives

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) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website:

www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

AN2) 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.

AN3) 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.

AN4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN5) 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.

AN6) 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.

AN7) Roads to remain private: The applicant is advised that all new roads associated with this development will remain unadopted, with the exception of the rerouted Back Lane (and shall not be maintained at public expense by the highway authority). At the entrance

of the new estate the road name plate should indicate that it is a private road and the developer should put in place permanent arrangements for long-term maintenance.

AN8) Estate road adoption (section 38): The applicant is advised that if it is the intention to request that Hertfordshire County Council as Highway Authority adopt any of the highways included as part of this application as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways, together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. The applicant is further advised that the County Council will only consider roads for adoption where a wider public benefit can be demonstrated. The extent of adoption as public highway must be clearly illustrated on a plan. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN9) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN10) 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 overspills 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/right-s-of-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

AN11) Stopping up of highway: Highway rights will need to be extinguished across the area of land affected in accordance with a Stopping Up order to be made by the Secretary of State for the Department of Transport under Section 247 of the Town and Country Planning Act 1990 before development can commence. Further information is

available on the Planning Portal at:

https://www.planningportal.co.uk/info/200187/your_responsibilities/40/other_permissions_you_may_require/14 and on the government website:

<https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>

AN12) Abnormal loads and importation of construction equipment (i.e. large loads with: a width greater than 2.9m; rigid length of more than 18.65m or weight of 44,000kg - commonly applicable to cranes, piling machines etc.): The applicant is directed to ensure that operators conform to the provisions of The Road Vehicles (Authorisation of Special Types) (General) Order 2003 in ensuring that the Highway Authority is provided with notice of such movements, and that appropriate indemnity is offered to the Highway Authority. Further information is available via the Government website www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms or by telephoning 0300 1234047.

AN13) Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing travelplans@hertfordshire.gov.uk

Secured By Design Informative

It is strongly recommended that the applicant engages with the Police to seek to achieve the Police preferred minimum security standard that is Secured by Design (SBD).

Planting Plan Informative

In relation to the planting plan condition we would wish to see landscape strips between spaces to ensure the cars are broken up with greenery in the southern parking court - they could be low shrubs or small plants rather than trees. We would expect the submitted Planting Plans to be accompanied by a Planting Schedule and Specifications.

Enclosures Informative

In relation to the enclosures condition the Local Planning Authority would wish the end fences to the parking courts (north and south) to be brick walls with planting against them not 'hit and miss' fencing. We also require specification for the proposed boundary fencing along the western boundary.

Surface materials informative

In relation to the surface materials condition, specifications for hoggin, patio and all hard surfaces should be included on the submitted Surface Materials Plan.

Play areas Informative

In relation to the play areas condition, the submitted details should include a description of what measures are included with the 'subtle zoning' (referred to in the Design Objectives for the Linear Park).

Construction Environment Management Plan Informative

In relation to the Construction Environment Management Plan condition, tree works detailed in the December 2024 Tree Survey and Arboricultural Impact Assessment should be included in the Construction Environment Management Plan.

Affinity water Informatives

Water quality

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. For any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system), 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 chalk 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. 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. We currently offer a discount to the infrastructure charge for each new development where evidence of a water efficiency design to a standard of 110litres (or less) per person per day is expected. The discount value for the charging period 2023/24 is £258. For more information visit [Water efficiency credits \(affinitywater.co.uk\)](https://affinitywater.co.uk). Infrastructure connections and diversions There are potentially water mains running through or near to part of 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 in the event that it is constructed. Should planning permission be granted, the applicant is also advised 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.

Thames Water Informatives

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Waste and Recycling Informatives

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.

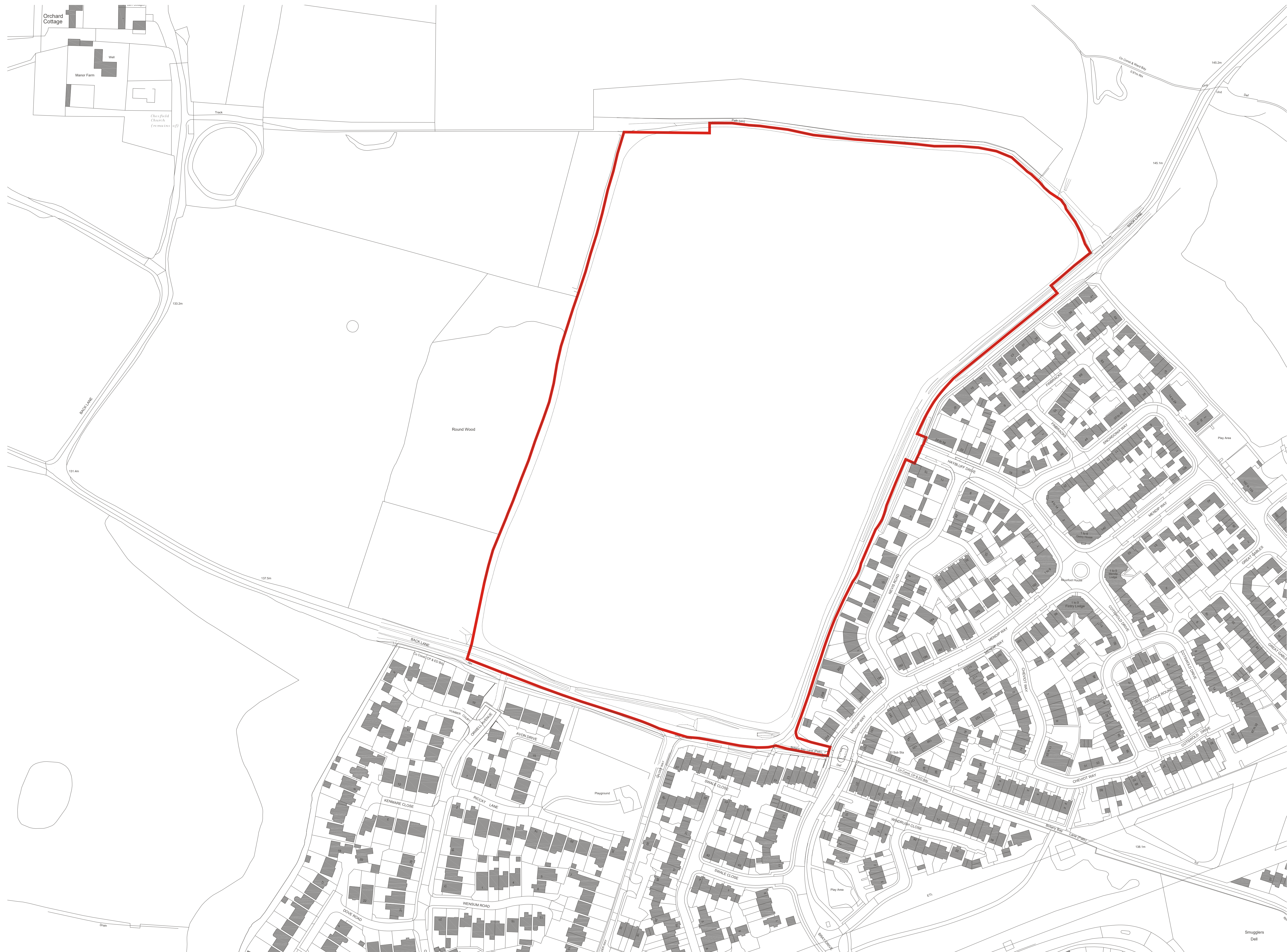
We do not advise the use of bin compactors, as they often cause excessive damage to bins or cause waste to get stuck inside bins. If bin compactors are used on site you should advise your waste collection contractor. Large scale waste compactors may be appropriate for industrial units.

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.



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<u>Location:</u>	Land Opposite Wymondley Grid Station And To The South Of Sperberry Hill St Ippolyts Hertfordshire
<u>Applicant:</u>	Mr Gary Bird
<u>Proposal:</u>	Proposed solar farm measuring 35.5 hectares with associated battery storage and ancillary infrastructure
<u>Ref. No:</u>	24/02455/FP
<u>Officer:</u>	Ben Glover

Date of expiry of statutory period: 29/01/2025

Extension of statutory period: 30/07/2025

Reason for Delay:

Discussions and negotiations on various technical aspects, further information received and additional consultation exercises that was undertaken as a result.

Reason for Referral to Committee:

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

Members should be aware that if they are minded to approve the application, the proposal would not need to be referred to the Secretary of State, as the site is not considered to be inappropriate development in the Green Belt and therefore does not meet the requirement to consult the Secretary of State.

1. **Relevant History**

- 1.1. 24/01666/SO - Proposed solar farm measuring 35.5 hectares with associated battery storage and ancillary infrastructure – EIA not Required issued on 07/10/2024.
- 1.2. 22/00709/FP - Proposed solar farm measuring 35.5 hectares with associated battery storage and ancillary infrastructure (as amended by revised and additional information November 2022) – Refused on 22/11/2023 for the following reasons:
 1. The application site is located within an area designated as Green Belt, within which there is a presumption against inappropriate development unless very special circumstances can be demonstrated. In the opinion of the Local Planning Authority this planning application proposes inappropriate development in the Green Belt which would harm the Green Belt by reason of inappropriateness and

cause harm to the purposes of the Green Belt as defined in paragraph 147 of the National Planning Policy Framework (NPPF). Taken together, the Green Belt and other harms in this case are not considered to be clearly outweighed by the benefits identified. In the circumstances, looking at the application as a whole, very special circumstances are not considered to exist to justify the development in the Green Belt as required by NPPF paragraphs 148 and 151, Wymondley NP Policy GB1 and Local Plan Policy GB5.

2. The proposal would result in unacceptable harm to the character and appearance of the surrounding area in which the site is located. Whilst measures are proposed to mitigate the impact of the proposed development, and the proposal would not be permanent, there would nevertheless be long term harm to rural character and appearance of the area, including the visual amenities of users of the local public footpaths. The proposal would therefore conflict with Local Plan Policies NE2 and NE12 which seek to avoid unacceptable harm to landscape character and appearance.
- 1.3. 21/02628/SO - Screening Opinion: Proposed 25MW solar farm and 12.5MW battery storage facility – EIA not required issued on 05/11/2021.
- 1.4. 15/01532/1 - Solar farm of approximately 5 Mega Watts of electricity generating capacity, comprising the installation of solar photovoltaic panels and associated infrastructure, including electrical inverter and transformer buildings, substations, communications and storage buildings, new access, access tracks, fencing and landscaping (as amended by drawing nos. 2218.AP.001.0 Rev I, 003.1 Rev C, 006.3 Rev B, 009.1 Rev A, 010.2 Rev A, G239_1, 2 & 3 received 4/11/15) – Refused on 24/02/2016.
- 1.5. 14/01576/1SO - Proposed Solar PV development – EIA not required issued on 30/06/2014.

2. **Policies**

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

Section 2: Achieving sustainable development
Section 6: Building a strong and competitive economy
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

2.2. **North Hertfordshire District Council Local Plan (2011-2031)**

Policy SP1: Sustainable development in North Hertfordshire
Policy SP5: Countryside and Green Belt
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 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 NE7: Reducing flood risk
 Policy NE8: Sustainable drainage systems
 Policy NE9: Water quality and environment
 Policy NE10: Water conservation and wastewater infrastructure
 Policy NE11: Contaminated Land
 Policy NE12: Renewable and low carbon energy development
 Policy HE1: Designated heritage assets
 Policy HE3: Non-designated heritage assets
 Policy HE4: Archaeology

2.3. **Wymondley Neighbourhood Plan**

Policy NHE2 Biodiversity
 Policy NHE3 Wildlife and Ecology
 Policy NHE4 Green Infrastructure
 Policy NHE7 Lighting
 Policy NHE8 Landscaping Schemes
 Policy NHE9 Historic Character and Heritage Assets
 Policy GB1
 Policy FR1 Flood Risk
 Policy FR2 Flood Risk Management
 Policy TM1 Roads

2.4. **Other Planning Guidance and Documents**

Planning Practice Guidance (PPG)
 Council Plan 2020 – 2025; and North Herts Climate Change Strategy
 North Hertfordshire Landscape Study 2011: Landscape Character Areas 214 (Langley Valley) and 215 (Wymondley and Titmore Green)

3. **Representations**

3.1. **Site Notice:**

Start Date: 18/11/2024

Expiry Date: 13/12/2024

3.2. **Press Notice:**

Start Date: 14/11/2024

Expiry Date: 07/12/2024

3.3. **Neighbouring Notifications:**

108 comments have been received following consultation with the public. 88 comments are objections, 18 comments are in support.

The key issues raised are summarised below. Comments can be found in full on the NHC website:

Objections:

- Development would be inappropriate development within the Green Belt and would harm openness.
- Development would be inappropriate on agricultural land and diminish food security.
- The development would result in the loss of grades 2 and 3a agricultural land.
- The development would cause substantial harm to the landscape, including Chilterns AONB.
- Damage resulting from the proposal would not be outweighed by the benefits of renewable energy.
- The development would not contribute to NHC's net zero target.
- The development is not an effective use of land.
- The cumulative impact resulting from other approved solar farms and housing schemes in the area on the Green Belt and landscape.
- Solar farms will not solve the energy crisis on their own.
- The local area is noted for its beauty and openness used by walkers and local communities.
- The development would be highly visible over a wide area, including from PRow.
- The area might be included within a boundary variation to the Chilterns AONB.
- Paragraph 182 of the NPPF states that development within the setting of AONBs should be sensitively located and designed to avoid or minimise impacts on designated areas.
- Other sites are available for solar farm development.
- There has been insufficient community involvement.
- The removal of solar panels compared to the previous scheme would be negligible and not materially mitigate the overall impact.
- The development would produce glare that could affect safety, especially for aircraft.
- There should be restrictions to control external lighting at night time.
- No evidence that the grazing of sheep would be of equal or better value compared to the existing arable productivity.
- The development would undermine adjacent fields production.
- Bird breeding survey has not been updated since the previous application.
- Harm to the bird population and no mitigation proposed for the loss of skylark territories.
- Significant transport impacts resulting from the development.
- The setting of Redcoats is of value to the businesses within the plot.
- The development would risk the viability of local businesses.
- Solar farms should be located on already industrialised areas or on roof tops.
- Tunnelling along footpaths and bridleways as a result of fencing and solar panels.
- Approval would set a precedent for other development in the Green Belt.
- Security fencing would be a barrier to the movement of wildlife.
- Development would cause permanent damage to soil and topography.
- Unrealistic to expect land to be restored at the end of use.
- The development would still be visible after 10 years.
- Risk of fire from the proposal.
- No architectural or aesthetic merit.

In Support:

- Revisions to the original application have been carefully considered.
- Need to start the transition to renewables sooner rather than later.
- Clean energy is required.

- Development is needed to get rid of oils and gas, and reduce carbon dioxide output.
- Environmentally a very important facility and is a productive way of using farmland, which can be used for grazing.
- Countryside has already been destroyed by sterile monoculture farmland.
- Perfect location with the substation next door.
- Has to be done to save the planet.
- Would prefer a solar farm than housing on the site.
- The site can be returned to agriculture at a later date.
- Hopefully wildlife will not be disturbed too much.
- Support it for our children and grandchildren.
- Need for more green energy provision locally.
- Would support biodiversity.
- Sunlight is free and natural.

3.4. **Consultees:**

Affinity Water – No comments received.

Chilterns Conservation Board – No objection.

CPRE Hertfordshire – Objection. Comments available on NHC website.

Environment Agency – No objection subject to conditions.

HCC Archaeology – No objection subject to conditions.

HCC Fire Service (Fire Protection) – No comments received.

HCC Growth & Infrastructure – No comments received.

HCC Highways – No objection subject to conditions.

HCC Public Rights of Way – No objection.

Herts & Middlesex Wildlife Trust – No comments received.

Herts Fire & Rescue (Fire Hydrants) – No objection.

Historic England – No objection.

Langley Parish Council – No comments received.

Lead Local Flood Authority – No objection subject to conditions.

National Grid – No comments received.

Natural England – Objection. Comments available on NHC website.

NHC Conservation Officer – Objection. Comments available in full on the NHC website.

NHC Ecology – No objection subject to conditions.

NHC Environmental Health – No objection subject to conditions.

NHC Planning Policy Officer – No objection.

NHC Strategic Planning Officer – No comments received.

Place Services Landscape – Objection. Comments available on NHC website.

Police Architectural Liaison Officer – Objection. Comments available on NHC website

St Ippolyts Parish Council – Objection. Comments available on NHC website.

Stevenage Borough Council – No objection.

Wymondley Parish Council – Objection. Comments available on NHC website.

4. Planning Considerations

4.1. Site and Surroundings

- 4.1.1. The application site primarily comprises of a series of agricultural (arable) fields to the south of Sperberry Hill and Stevenage Road, and adjacent to Little Almshoe Lane. To the northwest of the site is St Ippolyts, to the north is the Wymondley Substation, and to the east is the A1(M).
- 4.1.2. The site measures 35.5 hectares in area. The site is located within the Green Belt. The western section of the site is within the St Ippolyts Parish, and the eastern and southern sections are within the Wymondley Parish.
- 4.1.3. The site is divided by Little Almshoe Lane, with a 16.4 hectare parcel to the west of the lane, and an 18.7 hectare parcel to the east. Little Almshoe Lane would provide access to both parcels.
- 4.1.4. The northern boundaries of the site, adjacent to Sperberry Hill, are the most elevated parts of the site, with the land falling away in a southerly direction. While hedgerows and vegetation are present along the northern boundary, views south over the countryside are present. Views north from Little Almshoe Lane are also present, although there are areas of mature vegetation along the highway obscuring views of the two parcels. The most notable manmade feature within the landscape are electricity pylons.
- 4.1.5. The application site, and particularly the western parcel, is within the setting of Redcoats Farm, which contains a cluster of Grade II and Grade II* Listed Buildings. The Wyck (Grade II) is also present further to the south of the site. There are several Grade II Listed Buildings to the east of the site in both Titmore Green and Lower Titmore Green. There is a Grade I and Grade II Listed Building to the south at Almshoe Bury.
- 4.1.6. There are three Conservation Areas within 2km of the application site (Great Wymondley, Gosmore, and St Ippolyts). The St Ippolyts Conservation Area is the closest to the application site.
- 4.1.7. There is an area of archaeological interest within the western parcel of the site. To the north of Wymondley is the scheduled monument of Wymondley Priory and to the north of Langley End is the scheduled monument of Minsden Chapel.

- 4.1.8. Within the eastern parcel of the site is the Wymondley 014 footpath, which runs between Stevenage Road and Little Almshoe Lane. Wymondley 016 also runs through the eastern parcel. Several other public rights of way footpaths run through the area close to the application site.

4.2. The Proposal

- 4.2.1. Planning permission is sought for a photovoltaic (PV) solar array and ancillary development that would consist of:

- Photovoltaic Solar Panels and associated support frames;
- String Inverters;
- 4 No. Transformer Stations;
- 8 No. Battery Storage Containers and associated inverter/transformers;
- 1 No. DNO Substation;
- 1 No. Switchroom Building;
- 1 No. Control Room Building;
- Grid Connection Cable to National Grid's Wymondley Substation;
- c.1.3km of new/resurfaced internal access tracks (3.5m wide and constructed using Type 1 stone);
- 2 No. improved existing access points off Little Almshoe Lane, and an access point from Stevenage Road;
- Ditch culverts for track crossings;
- c.4.5km deer/stock fencing;
- c. 29 No. 3m high CCTV cameras;
- c. 5,600 m² woodland planting;
- c. 2,320m hedgerow planting (new and gapping up of existing); and
- New areas of species rich grassland.

- 4.2.2. The solar array would generate up to 25 MW of electricity during peak operation, with the battery energy storage (BESS) element providing a grid balancing functionality and having the capacity to store up to 12.5 MW of energy produced by the solar array.

- 4.2.3. The application is a resubmission of a previously refused application (reference number 22/00709/FP). The key difference between the two applications are as follows:

- A 9% reduction in panel area while maintaining the same power output.
- Removal of solar panels and infrastructure to the south of the Hertfordshire Way, with this area now replaced by species-rich grassland.
- The landscape bund by the southern boundary of Redcoats Farm has been removed and the solar panels and infrastructure moved away from this boundary and replaced with an intervening area of species rich grassland.
- Solar panels and fencing moved further west of Redcoats Farm and replaced with new woodland planting;
- Removal of an area of solar panels from the northwestern corner of the scheme, and additional woodland planting to soften views from residential properties at the edge of St Ippolyts;
- Removal of one transformer station due to the reduction in area covered by the solar panels; and
- Further new woodland planting and grassland to mitigate impacts on wider landscape and openness alongside additional increases to biodiversity net gain.

- The overall increase in woodland planting between the current proposal and the 2023 Scheme is 2,950 m².
- 4.2.4. The application would include the decommissioning of the site at the end of its 40-year operational life unless planning permission is secured for continued operation. The decommissioning of the site would include the returning of the land to its current arable use. All of the above and below ground infrastructure would be removed from the site and recycled, if possible. This matter can be controlled by condition in the event of planning permission being granted.
- 4.3. **Amendments**
 - 4.3.1. A revised General Arrangement plan and Landscaping Proposals plan have been submitted in response to comments from the HCC Public Rights of Way Officer which highlighted inaccuracies in relation to the siting of Footpath Wymondley 014. The amendments do not alter the number (or overall area) of solar panels proposed.
- 4.4. **Site Selection**
 - 4.4.1. The site search and selection process for commercial solar schemes requires the consideration of several essential factors if it is to be viable and deliverable. This application is accompanied by a 'Site Selection Exercise' document (SSE), which sets out the justification for the development of this site.
 - 4.4.2. In summary, the SSE sets out that for the applicant to provide the proposed 25 MW export capacity, a site of approximately 35 hectares would be required. The SSE sets out that there are no suitable brownfield or development sites within North Herts that would accommodate the proposed scale and hence the reason why large commercial scale ground-mounted solar energy schemes are located on open agricultural land.
 - 4.4.3. The SSE is informed by policy and industry documents, including the National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) and Solar Energy UK, which is a trade association representing the solar industry.
 - 4.4.4. Some of the essential factors for the site search and selection process for commercial solar schemes include:
 - Available capacity in the existing substation to import the required amount of power into the National Grid.
 - Located close to the identified substation (typically <4km) to remain viable both in terms of cable deployment for the grid connection, and to ensure that minimum transmission losses occur.
 - Minimal solar curtailment (solar curtailment is where National Grid deliberately reduce the output of solar renewable energy generation below what could have been produced to balance the energy supply across the Grid).
 - A willing landowner.
 - Offer of grid connection from National Grid.
 - 4.4.5. In this case, the SSE has identified the application site to be amongst one of the best sites that is deliverable and that meets the criteria listed above.
- 4.5. **Key Issues**
 - 4.5.1. The key issues for consideration are as follows:

- Climate Change and renewable energy.
- Impact upon heritage assets.
- Impact upon the green belt.
- Archaeological impacts.
- Landscape and visual impacts.
- Local highway network impacts.
- Best and Most Versatile (BMV) agricultural land impacts.
- Flood risk and drainage impacts.
- Noise impacts.
- Ecological and biodiversity impacts.
- Fire risk impacts.
- Other matters.
- Planning balance.

Climate Change and Renewable Energy:

- 4.5.2. The Climate Change Act 2008 (as amended) sets a legally binding target in the UK to reduce all greenhouse gas emissions to net zero by 2050. Renewable energy generation is an important part of reducing carbon emissions. A significant increase in renewable and low carbon energy generation, carbon capture and storage will be required to achieve the Government's net zero commitments by 2050.
- 4.5.3. Paragraph 2.5.6 of the Overarching National Policy Statement for Energy (NPS EN-1) states that *"the British Energy Security Strategy emphasises the importance of addressing our underlying vulnerability to international energy prices by reducing our dependence on imported oil and gas, improving energy efficiency, remaining open minded about our onshore reserves including shale gas, and accelerating deployment of renewables, nuclear, hydrogen, CCUS, and related network infrastructure, so as to ensure a domestic supply of clean, affordable, and secure power as we transition to net zero."*
- 4.5.4. Paragraph 3.3.20 of NPS EN-1 sets out that wind and solar are the lowest cost ways of generating electricity, helping reduce costs, and providing a clean and secure source of electricity supply as they are not reliant on fuel for generation.
- 4.5.5. Paragraph 2.10.14 of National Policy Statement for Renewable Energy (NPS EN-3) states that *"the planning system should support the transition to net zero by 2050... and support renewable and low carbon energy and associated infrastructure."*
- 4.5.6. Paragraph 165 of the NPPF states *"to help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts); b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers."*

- 4.5.7. Paragraph 168 of the NPPF sets out that when determining applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future.
- 4.5.8. The National Planning Practice Guidance (PPG) addresses renewable and low carbon energy and confirms that planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the environmental impact is acceptable. It recognises that large scale solar farms *"can have a negative impact on the rural environment, particularly undulating landscapes"* but *"the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively."* The PPG identifies factors to be considered when deciding a planning application and says that large scale solar farms should be focussed on previously developed and non-agricultural land, provided that it is not of high environmental value. The PPG also sets out that where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- 4.5.9. Policy NE12 of the North Hertfordshire Local Plan (NHLP) sets out that proposal for solar farms involving the best and most versatile agricultural land will be determined in accordance with national policy.
- 4.5.10. In addition, the Council passed a climate emergency motion on 21 May 2019. This declaration asserted the Council's commitment toward climate action beyond current government targets and international agreement. This is currently pursued through the Council's Climate Change Strategy 2022 to 2027. The key objectives of the Strategy are:
- Achieve Carbon Neutrality for the Council's own operations by 2030;
 - Ensure all operations and services are resilient to the impacts of climate change;
 - Achieve a Net Zero Carbon district by 2040; and
 - Become a district that is resilient to unavoidable impacts of climate change.
- 4.5.11. The applicant has provided a non-exhaustive list of material planning considerations relevant to the determination of the proposed development. They are as follows:
- NHDC Declaration of a Climate Emergency (2019);
 - NHDC Climate Change Strategy (2022);
 - HCC Declaration of a Climate Emergency (2019);
 - HCC Sustainable Hertfordshire Strategy 2022 (2022).
 - Overarching National Policy Statement for Energy (EN-1) (2024);
 - National Policy Statement for Renewable Energy (EN-3) (2024);
 - National Planning Policy Framework (2023);
 - Ed Miliband's speech to Parliament on renewable energy and food security;
 - National Planning Practice Guidance (2014);
 - Net Zero Strategy: Building Back Better (2021);
 - Sixth Carbon Budget (2021);
 - Clean Growth Strategy (Updated April 2018);

- National Grid's Future Energy Scenarios (2024);
- NHDC SPG – NHDC Landscape Study 2011;
- Southwell Appeal Decision Appeal (ref: APP/B3030/W/21/3279533); and
- Great Wymondley SOS Decision (ref: APP/X1925/V/23/3323321).

4.5.12. It is clear, from current policy, that there is unequivocal support and need for renewable energy schemes and associated infrastructure. Significant weight should be given to the benefits arising from the development proposed.

Existing Renewable Energy Developments in North Hertfordshire:

4.5.13. Solar Radiation maps of the UK show areas of the country receiving higher levels of solar radiation. North Hertfordshire is identified as falling in an area receiving high levels of solar radiation. Solar farms are therefore considered to be reliable sources of renewable energy generation within the district.

4.5.14. Currently in North Hertfordshire there are two small existing solar farms. One is located between the settlements of Reed and Barkway. The site lies beyond the Green Belt. It covers an area of 14.6 hectares and generates a maximum of 6MW. It was granted planning permission on 28 March 2013 (Application ref. 12/02365/1). Planning permission was also granted in June 2015 for the construction of a 5MW solar farm on about 13 hectares of land at Lawrence End Park to the east of Birch Spring in Kings Walden Parish. This site lies within the Green Belt. (Application ref 15/00845/1).

4.5.15. Another planning application for a solar farm generating 49.9 MW was approved in March 2024 at land northeast of Great Wymondley (21/03380/FP) by the Secretary of State having called in the application in 2023 following the referral of the application as a result of a resolution to grant at Planning Control Committee. The Planning Inspectorate conducted an inquiry into the application and concluded that the planning balance weighed against the application, in that greater weight was given to the impact on protecting heritage assets. The Secretary of State then reviewed the findings of the inquiry and concluded that greater weight should be given to the renewable energy benefits of the proposals, and less weight given to the impact on heritage assets, meaning that the planning balance weighed in favour of the application.

4.5.16. Members have also considered two other solar farm proposals recently. Details of these are set out below:

- In June 2024, Members resolved to approve an application for the construction of a 49 MW solar farm at Land West of Ashwell Road Bygrave (application ref 22/00741/FP).
- In July 2024, Members resolved to refuse an application for the construction of a 49.9 MW solar farm on Land North East of Wandon End. The application currently has an appeal in progress. A public inquiry was held between 17th and 20th June 2025, and the decision is awaited.

Impact upon Heritage Assets:

4.5.17. Section 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 stipulates that when considering whether to grant planning permission for development which affects a listed building, or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special

architectural interest which it possesses. Effect upon listed buildings therefore should be given considerable importance and weight. Relevant factors include the extent of assessed harm and the heritage value of the heritage asset in question.

- 4.5.18. Paragraph 207 sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.
- 4.5.19. Paragraph 208 requires local planning authorities to 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.
- 4.5.20. Paragraph 210 sets out that local planning authorities should take account of *'the desirability of new development making a positive contribution to local character and distinctiveness'*.
- 4.5.21. Paragraph 212 of the NPPF sets out that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'*
- 4.5.22. Paragraph 213 sets out that *'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'*.
- 4.5.23. Paragraph 215 of the NPPF states *'where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'*.
- 4.5.24. Local Plan Policy SP13 confirms that the Council will balance the need for growth with the proper protection and enhancement of the historic environment. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset's conservation and the management of its setting.
- 4.5.25. Local Plan Policy HE1 stipulates that planning permission for development proposals affecting designated heritage assets or their setting will be granted where they will, amongst other things, lead to less than substantial harm to the significance of the designated heritage asset and this harm will be outweighed by the public benefits of the development, including securing the asset's optimum viable use. This policy reflects paragraph 215 of the NPPF, which confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. WNP Policy NHE9 seeks to protect heritage assets from harm.
- 4.5.26. The application is accompanied by a Heritage Impact Assessment (HIA) produced by the AOC Archaeology Group. The assessment provided is an update HIA that formed part of the previous 22/00709/FP application.

- 4.5.27. There are no listed buildings or other designated heritage assets within the application site. There are, however, several designated heritage assets within the 2km study area that the Heritage Assessment has reviewed. These assets are as follows:
- Scheduled Monuments: Wymondley Priory and Minsden Chapel.
 - Conservation Areas: Gosmore, Great Wymondley, and St Ippolyts.
 - Listed Buildings: Approximately 28 Grade I, II*, and II.
 - Registered Park and Garden: Part of Temple Dinsley.
 - Variety of other non-designated heritage assets.
- 4.5.28. The proposed development is noted in the HIA as including the same components as the 2023 scheme but will have a 9% reduction in the area of panels compared to the previous scheme with the omission of numerous panel rows south of Redcoats Farm.
- 4.5.29. Both the North Herts Council Senior Conservation Officer and Historic England have been consulted on the resubmitted scheme.
- 4.5.30. Historic England previously noted, within their 22/00709/FP consultation response, how the development could affect Redcoats Farm (Grade II*), Almshoe Bury (Grade I), and at more distance from the site, the parish church of St Ippolyt. The Historic England advice considered that the establishment of a solar farm would fundamentally change the character and appearance of the wider historic setting of these heritage assets and detract from the way they are experienced and appreciated. Historic England concluded within their assessment that the development would likely result in less than substantial harm to the significance of the heritage assets. Historic England within their 22/00709/FP response that it might be possible to mitigate the visual effects of the solar farm to some extent by way of appropriate planting and augmentation of existing hedgerows to aid in screening from view.
- 4.5.31. The Historic England Response to this application has accepted that the additional landscape proposed along with a buffer area, created through the removal of panel rows south of Redcoats Farm, would reduce the harm previously identified within their 22/00709/FP response. However, the response notes that some harm would still arise from the development.
- 4.5.32. Historic England, within their response, have accepted the HIA conclusion that the harm to heritage assets would be less than substantial. The consultee response states *“such impacts would be less than substantial harm which the Assessment considered would be at the lower end of the scale. We would broadly accept these conclusions, although given the proximity of Redcoats Farm the harm might be slightly higher, though still ‘less than substantial’”*.
- 4.5.33. Historic England conclude their comments by confirming that there would be less than substantial harm to several designated heritage assets, which should be weighed against the public benefits of the proposal, and do not wish to raise an objection on heritage grounds to the proposed development.
- 4.5.34. The North Herts Council's Senior Conservation Officer has also provided a consultee response to the proposed development and updated HIA.

- 4.5.35. Within the Conservation Officers previous response, harm was found that would amount to a moderate/high level of harm on the less than substantial harm continuum.
- 4.5.36. The Conservation Officer comments on the current application and states *"it is considered that there is greater intervisibility between the site and the surrounding heritage assets than the report suggests"*, referring to the Heritage Assessment, *"but it is agreed that for most heritage assets identified within 2km of the application site, the impact of the Resubmission Scheme will have a neutral or no effect on the setting of most assets."*
- 4.5.37. The Conservation Officer goes on to state *"I am unconvinced that the buffer zone to the south of the grade II* Listed Building Redcoats Farmhouse Hotel, its two grade II Listed Buildings barns and granary would be sufficient to overcome my previous concerns"*. The Conservation Officer comments that despite the setting back of solar panels from the Redcoats complex, the proposed development would still significantly affect the significance of these heritage assets.
- 4.5.38. The Conservation Officer goes on to agree that the impact would be less than substantial, but contrary to the Heritage Impact Assessments conclusion that the harm would be towards the lower end of the scale, the Officer's view is that the harm would be low to moderate dependent upon distance and intervisibility together with the value of the heritage asset.
- 4.5.39. The Case Officer for the previous application (22/00709/FP) found that the proposed development would result in a moderate to high level of harm on the less than substantial harm continuum to the setting of the heritage assets.
- 4.5.40. Considering the revised scheme, which addresses some of the concerns previously raised through the removal of rows of solar panels and improved landscaping proposals, the level of harm is reduced. The harm to the setting of nearby heritage assets is now considered to be a low to moderate level of harm on the less than substantial harm continuum.
- 4.5.41. As set out in paragraph 212 of the NPPF, great weight should be given to an assets conservation irrespective of the harm identified. Paragraph 215, as set out in the report above, sets out that where a development will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.
- 4.5.42. The harm identified above is towards the lower end of less than substantial. The benefits of the scheme would include, but are not limited to, the generation of renewable clean and secure energy that contribute towards both local and national efforts to address climate change. The generation of renewable energy is a significant public benefit that would outweigh the less than substantial harm to the designated heritage asset.

Archaeological Impacts:

- 4.5.43. The application site is within an Area of Archaeological Significance (AAS) and is adjacent to another.
- 4.5.44. Local Plan Policy HE4 confirms that planning permission for development proposals effecting 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;
 - b) It is demonstrated how archaeological remains will be preserved and incorporated into the layout of that development, if in situ preservation of important archaeological remains is considered preferable; and
 - c) Where the loss of the whole or a material part of important archaeological remains is justified, appropriate conditions are applied to ensure that the archaeological recording, reporting, publication and archiving of the results of such archaeological work is undertaken before it is damaged or lost.
- 4.5.45. Paragraph 216 of the NPPF sets out that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.
- 4.5.46. The application is accompanied by a Heritage Impact Assessment (HIA), which has identified three known archaeological heritage assets within the site boundary, all within the western part of the site. The features identified include ring ditches, enclosures, a trackway, and a possible ploughed out round barrow. The HIA identified a high potential for prehistoric or Roman remains and a low potential for non-agricultural medieval, post-medieval and modern remains.
- 4.5.47. The HIA sets out that there are no known farms or settlements within the boundary of the site, and that the site is likely to have been located within undeveloped agricultural land throughout the medieval and post-medieval periods, and that the potential for substantial post-medieval remains to be encountered within the site are low to medium and would likely be agricultural in nature.
- 4.5.48. There have been no changes to the site since the previous application was submitted. Following confirmation from Herts CC Archaeology that trial trenching can be carried out post determination and secured by an appropriately worded condition, the proposal would be compliant with both local and national planning policies. It is also compliant with WNP Policy NHE9. Therefore, subject to the recommended condition, this matter is neutral in the planning balance.

Green Belt Assessment:

- 4.5.49. The application site is in the open countryside within the Green Belt. Since determination of the previous application, an updated National Planning Policy Framework has been introduced (December 2024).
- 4.5.50. The previous application (22/00709/FP) for a solar farm was refused for the following Green Belt reason:
- “The application site is located within an area designated as Green Belt, within which there is a presumption against inappropriate development unless very special circumstances can be demonstrated. In the opinion of the Local Planning Authority this planning application proposes inappropriate development in the Green Belt which would harm the Green Belt by reason of inappropriateness and cause harm to the purposes of the Green Belt as defined in paragraph 147 of the National Planning Policy Framework (NPPF). Taken together, the Green Belt and other harms in this case are not considered to be clearly outweighed by the benefits identified. In the circumstances, looking at the application as a whole, very special circumstances are not considered to exist to justify the development

in the Green Belt as required by NPPF paragraphs 148 and 151, Wymondley NP Policy GB1 and Local Plan Policy GB5.”

- 4.5.51. National Policy on Green Belt is set out in Section 13 of the National Planning Policy Framework (NPPF). Paragraph 142 of the NPPF confirms that the Government attaches great importance to Green Belts, where the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
- 4.5.52. Paragraph 143 of the NPPF sets out that the Green Belt serves five purposes, which are as follows:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 4.5.53. Paragraph 153 of the NPPF sets out that *“when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*
- 4.5.54. Paragraph 154 of the NPPF offers several exceptions to inappropriate development within the Green Belt. The proposed solar farm would not meet any of the exceptions offered under Paragraph 154.
- 4.5.55. Paragraph 155 of the NPPF sets out that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate development where all the following apply:
- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b) There is a demonstrable unmet need for the type of development proposed;
 - c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
 - d) Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.
- 4.5.56. Paragraphs 156 and 157 of the NPPF are not relevant in this case as they apply to applications for housing development.
- 4.5.57. The application has been accompanied by ‘Technical Note 01 – Updated Green Belt Assessment’, a document responding to the updated NPPF of December 2024. This technical note puts forward the argument that the proposal meets the criteria for the recently introduced ‘Grey Belt’ land classification. Should the application meet the criteria for being ‘Grey Belt’, the proposed development should not be considered inappropriate development and there would be no resulting harm arising from the proposal.

4.5.58. The NPPF Glossary defines Grey Belt land as follows:

- “Grey belt: For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

4.5.59. In determining whether the application site should be defined as Grey Belt, the contribution the site makes to purposes (a), (b), and (d) set out in paragraph 143 should be considered.

4.5.60. Grey Belt also excludes land where the policies relating to areas set out in footnote 7 of the NPPF would provide a strong reason for refusal. Footnote 7 refers to the policies that protect areas or assets of particular importance including habitat sites, Sites of Special Scientific Interest, Green Belt, Local Green Space, a National Landscape, a National Park, Heritage Coast, irreplaceable habitats, designated heritage assets, and areas at risk of flooding or coastal change.

4.5.61. The National Planning Policy Guidance (PPG) sets out guidance on how authorities should consider evidence in the absence of Grey Belt allocations within the Local Plan. This includes:

1. Whether the site strongly contributes to the Green Belt purposes a, b, or d (as above).
2. Whether the application of policies to areas and assets of particular importance identified in footnote 7 of the NPPF (other than Green Belt) provide a strong reason to restrict development.
3. Whether development of the site would fundamentally undermine the purposes of the remaining Green Belt across the Local Plan area (North Hertfordshire in this case), as set out in national policy and this guidance.

4.5.62. It should be noted that the North Hertfordshire District Council Green Belt Review (2016) identifies the application site falling within parcels 9b and 10a. The Green Belt Review is intended to assess the ‘performance’ of strategic land parcels, sub parcels, and sites being considered for development in the Local Plan.

4.5.63. The Green Belt Review has assessed sub-parcel 9b as having a ‘significant’ contribution to purpose (a) of paragraph 143, a ‘moderate’ contribution to purpose (b) of paragraph 143, and a ‘limited’ contribution to purpose (d) of paragraph 143.

4.5.64. Sub-parcel 10a is assessed as having a ‘moderate’ contribution to purpose (a), a ‘limited’ contribution to purpose (b), and a ‘limited’ contribution to purpose (d) of paragraph 143.

4.5.65. Whilst the Green Belt Review is noted, the PPG, as set out in paragraph 4.5.55 of this report, requires that an assessment should be made as to whether the “site” strongly contributes to the Green Belt purposes rather than the wider area as found within the North Herts Green Belt Review.

Contribution of the site to the Green Belt purposes (a), (b), and (d):

- 4.5.66. Purpose (a) of paragraph 143 intends to check the unrestricted sprawl of large built-up areas. The PPG states that villages should not be considered large built-up area.
- 4.5.67. The application site is approximately 1.1km to the west of Stevenage and 1.1km to the south of Hitchin, the two closest large built-up areas. Wymondley, Gosmore, and St Ippolyts are in closer proximity to the site, but are not considered to be built-up areas as set out within the PPG. Given that the site itself is not adjacent or near to a large built-up area but does occupy a space between two large built-up areas, the site has a 'moderate' contribution to purpose (a) of paragraph 143.
- 4.5.68. Purpose (b) of paragraph 143 is intended to prevent neighbouring towns merging into one another. The PPG states that *'this purpose relates to the merging of towns, not villages.'*
- 4.5.69. The application site sits between the towns of Hitchin and Stevenage. Based on the PPG, the site is not considered to form a substantial part of a gap between the towns of Hitchin and Stevenage and would not result in a loss of visual separation between the two towns. The gap between Hitchin and Stevenage is approximately 3.3km with Stevenage set to the south east of Hitchin. The site does form a small part of the gap between towns but makes a small contribution to visual separation between the two towns given the topography of the area. The site has a 'moderate' contribution to purpose (b) of paragraph 143.
- 4.5.70. Purpose (d) of paragraph 143 intends to preserve the setting and special character of historic towns. The site is not considered to form part of the setting of a historic town given its location, and has no visual, physical, or experiential connection to any historic aspects of a historic town. The site therefore has a 'limited' or no contribution to purpose (d) of paragraph 143 of the NPPF.
- 4.5.71. Given the above, the proposed development is not considered to strongly contribute to purposes (a), (b), or (d) of paragraph 143 of the NPPF.

Footnote 7 Considerations:

- 4.5.72. As set out in the PPG and NPPF, Green Belt excludes land where the application of the policies relating to the areas or assets in footnote 7 of the NPPF would provide a strong reason for refusing or restricting development.
- 4.5.73. Footnote 7 references designated heritage assets. As identified within the report above, harm has been identified to the setting of designated heritage assets within the locality of the application site. The harm was identified as less than substantial and towards to the lower end of the less than substantial continuum. As set out in paragraph 215 of the NPPF, this harm should be weighed against the public benefits of the proposal. The benefits of the scheme have been found to outweigh the harm to the heritage assets and therefore the harm to the designated heritage assets are not considered to provide a strong reason to restrict the development.

Impact on the remaining Green Belt in the plan area:

- 4.5.74. The PPG sets out that in reaching a judgement on whether the development of Green Belt land would fundamentally undermine the purposes of the remaining Green Belt across the plan area as a whole, authorities should consider whether, or the extent to which, the release or development of Green Belt Land would affect the ability of all

the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way.

- 4.5.75. Given the site area and its location relative to built up areas, the development of the land upon which the solar farm is proposed is not considered to fundamentally undermine the purposes of the remaining Green Belt across the area of the plan. The release of the site for use as a temporary solar farm would not affect the ability of all the remaining Green Belt in the area of the plan from serving all five of the Green Belt purposes in a meaningful way.

Demonstrable unmet need for the type of development proposed:

- 4.5.76. Part (b) of paragraph 155 sets out that development should not be regarded as inappropriate if there is a demonstrable unmet need for the type of development proposed. As set out in the 'Climate Change and Renewable Energy' section of this report, there is unequivocal need and support for renewable energy development, including solar. The proposed development would contribute towards addressing the underlying vulnerability to international energy prices, as set out in NPS EN-1. Furthermore, solar is a low cost way of generating electricity and an essential element in the transition to net zero as set out in NPS EN-3. There is a demonstrable unmet need for solar energy generation and the development would meet the test set out in paragraph 155 (b).
- 4.5.77. Paragraph 155 (c) of the NPPF sets out that development in the Green Belt should not be regarded as inappropriate if the development would be in a sustainable location, with particular reference to paragraph 110 and 115 of the NPPF.
- 4.5.78. The proposed development would generate minimal levels of traffic during the operation of the solar farm. The development would have a minimal impact upon local transport networks. Furthermore, the site would be located in close proximity to the Wymondley Substation, to which the development would connect. The site is in a sustainable location for the purposes of part (c) of paragraph 155 of the NPPF.
- 4.5.79. Part (d) of paragraph 155 refers to the 'Golden Rules'. The Golden Rules relate to housing development and are therefore not applicable in this case.

Conclusion of Grey Belt consideration:

- 4.5.80. In conclusion of the above, the proposal would utilise Grey Belt land and would accord with the provisions set out in paragraph 155 of the NPPF. The proposed development would not be inappropriate development in the Green Belt.

Landscape and Visual Impacts:

- 4.5.81. The proposed development comprises a large scale solar farm. Given its nature and scale, there will inevitably be some adverse landscape impacts. Within this context, national and local plan policies adopt an approach whereby development should be approved where the harm would be outweighed by the benefits of the scheme.
- 4.5.82. Paragraph 187 indicates that the intrinsic character and beauty of the countryside should be recognised. Nevertheless, the NPPF does not seek to protect the countryside for its own sake from development; it concentrates upon seeking to protect valued landscapes. For the avoidance of doubt, the site is not nationally designated protected land such as Areas of Outstanding Natural Beauty (AONB).

- 4.5.83. The Case Officer for the previous 22/00709/FP application set out in their report that the landscape *“is not notably above the ordinary and local area. Therefore, officers do not consider the application site to be a ‘valued landscape’ in the context of the NPPF.”* Given that the site is not covered by any international, national, or local landscape designations, the site is not a ‘valued landscape’ for the purposes of the NPPF.
- 4.5.84. Policy NE2 of the Local Plan sets out that Planning Permission will be granted for development proposals that respect the sensitivities of the relevant landscape character area, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area, are designed and located to ensure the health and future retention of important landscape features, and have considered the long-term management and maintenance of any existing and proposed landscaping.
- 4.5.85. Policy NHE1 of the Wymondley Neighbourhood Plan sets out that planning applications should be accompanied by an assessment of the impact of the proposal on landscape character.
- 4.5.86. The site is identified as being located within National Character Area (NCA) 110: Chilterns. NCA 110 is summarised as comprising a patchwork of mixed agricultural with woodland, set within hedged boundaries.
- 4.5.87. The Council published the North Herts Landscape Study as part of the authorities Local Development Framework in 2011, which is based upon the Hertfordshire Landscape Character Assessment (LCA) and subsequent sensitivity and capacity work. The application site is within two LCAs, the majority of the Site is within LCA 215 Wymondley and Titmore Green and the remaining part to the south-east within LCA 214 Langley Valley.
- 4.5.88. The characteristics of LCA 215 include a rolling chalk landscape, irregular sized fields in arable with parcels of grazing adjacent to settlements, historic pattern of small winding lanes and historic place names, and mature tree cover.
- 4.5.89. The characteristics of LCA 214 include rolling chalk landform, dominant large scale arable farming, smaller areas of grazing on steeper chalk slopes to the south of Hitchin, and woodland plantations on most pronounced chalk landscape, and relatively little woodland cover elsewhere.
- 4.5.90. The Case Officer for the previously refused application concluded in their assessment that the development would result in some inevitable adverse landscape and visual impacts, mostly of a significant nature. The Officer identified conflict with Local Plan policies NE2 and NE12, which seek to avoid unacceptable harm to landscape character and appearance. The Officer considered that the visual and landscape harm would amount to significant weight in the planning balance with moderate benefits arising in the later stages of operation from planting and biodiversity improvements.
- 4.5.91. The application has been accompanied by a Landscape and Visual Impact Assessment (LVIA), which identifies the landscape and visual affects of the proposal. The LVIA sets out the key design changes from the previous 22/00709/FP scheme that intend to reduce visual impact at two key receptors around the site (Redcoats Farm, and the Hertfordshire Way Long Distance Recreational Trail). The design

changes are in response to the recommendations made in the Landscape Partnership response to the local authority as part of the previous application. The key changes include:

- Reduction in footprint of solar array and increased planting.
- Increased buffer between solar array and curtilage of Redcoats Farm.
- Increased planting to the western boundary of Redcoats Farm.
- Design changes to ensure the Hertfordshire Way benefits from an open side to the footpath.

- 4.5.92. The LVIA acknowledges that the development would have a degrading influence at a localised level, but with a limited widespread impact across the two LCAs due the site being on a transitional point between the two LCAs, which is considered less susceptible to change, and that the landscaping is already influenced by peri-urban land uses and energy infrastructure.
- 4.5.93. The overall effect on LCA 215 is judged within the LVIA to be 'moderate adverse' in the short term but reducing to 'moderate minor adverse' in the medium and long term.
- 4.5.94. The overall effect on LCA 214 is judged within the LVIA to be 'minor adverse' in the short and long term, principally due to the sites position that would leave expansive views across the valley unchanged.
- 4.5.95. The Council has consulted Place Services to assess the submitted LVIA. Within their response, they have set out that the development would cause adverse harm to the landscape character during the operation of the development and would be considered 'significant' moderate adverse. Place Services do however acknowledge that the resubmitted scheme would be an improvement over the scheme proposed previously.
- 4.5.96. The proposed solar farm would appear out of place within the landscape give the nature of the development with linear rows of solar panels. Grazing would take place within the site, retaining some of the agricultural character of the site. Whilst it is noted that arable farming would cease, grazing is a characteristic of LCA 214 and a change from arable farming to grazing would not require planning permission. Furthermore, the development would be operated for a temporary period of 40 years. Whilst it is acknowledged that 40 years is a significant period of time, the land will be returned to its current use while also retaining the proposed additional planting and the benefits that arise with it. Regardless, the introduction of solar panels on the site would harm the landscape character of both LCA 214 and LCA 215 throughout the operation of the site.
- 4.5.97. The proposal includes a landscaping scheme that would introduce new planting throughout the site and the reinforcement of existing vegetation around the site. The landscaping would go some way to mitigating the impact of the development, particularly in the medium to long term operation of the site. While it is acknowledged that new planting would be introduced in areas in which there currently is none, overall, the additional planting would not appear out of context of character with both the site and wider landscape character areas. Therefore, the planting and enhancement of existing vegetation is considered to be a net benefit over the lifetime of the development and post-operation of the site.
- 4.5.98. The development would have a moderate adverse effect on the landscape character and would conflict with Local Plan Policy NE2.

- 4.5.99. The LVIA sets out that there would be major through to moderate adverse visual impacts from intermittent locations around the site. The LVIA considers that these impacts would reduce over the medium and long term operation of the site. The LVIA identifies Mill Hill as suffering the greatest impacts from the development.
- 4.5.100. The comments from Place Services assess the impact upon visual amenity by assessing the viewpoints identified within the LVIA. There are several points of disagreement around the level of change to the identified viewpoints between the LVIA findings and the Place Services comments. Place Services generally identify a higher level of change to the viewpoints when compared to the LVIA assessment.
- 4.5.101. Sperberry Hill and Stevenage Road, given their proximity to the site, would see the greatest effects to visibility from the development. Views from Little Almshoe to the south of the site would also be affected by the development. Although these country lanes are predominantly used by vehicles rather than pedestrians due to a lack of footpaths.
- 4.5.102. The area around the site also contains several Public Rights of Way (PRoW), including two footpaths that run through the site (Wymondley 014 and Wymondley 016). Whilst the development would not result in the loss of these routes, the proposal would affect the enjoyment of the routes. For the routes that run through the site, hedgerows would be introduced to screen the development. These routes currently do not feature hedgerows within the sections that run through the site. Although it is acknowledged that hedgerows would be consistent with the character of the area and therefore the planting would not be out of character. There would be no harm arising from the introduction of the hedgerows along the PRoW. The magnitude of change to these routes would therefore be large in the short term decreasing to small in the medium to long term.
- 4.5.103. The development would result in significant visual impacts to several locations around the site due to the undulating landscape that affords countryside views from nearby. Whilst mitigation is proposed, some views to the site are unable to be mitigated effectively. The development would have a moderate adverse visual impact and would conflict with Local Plan policy NE2.
- 4.5.104. The Chilterns Area of Outstanding Natural Beauty is situated approximately 3.8km to the west of the application site. In May 2025, the Chilterns National Landscape Boundary Review was cancelled by Natural England, and therefore the impact of the development upon areas that were under review are no longer relevant in the determination of this application.
- 4.5.105. The Natural England consultee response comments on the Chilterns Boundary Review and identify that the site was within the Area of Seach and that the site would be highly visible from areas under consideration for designation as an AONB. However, as above, the Chilterns Boundary Review has been cancelled and the impact the development would have upon areas under review would no longer be a consideration in this case.
- 4.5.106. Natural England note the amendments to the scheme compared to the previously refused application but advise that the changes would not be sufficiently effective in mitigating landscape and visual impacts for the development to be policy compliant.

4.5.107. In conclusion of the above, it is acknowledged that the development would have an adverse impact upon the landscape character and a visual impact from a variety of viewpoints. There are however improvements to the scheme when compared to the previous proposal. The developments harm would largely arise during the short term operation of the development, dissipating to an extent in the medium to long term operation of the site. Furthermore, the site has no designation that affords greater protection to the landscape. The benefits of the landscaping proposed, particularly in the medium to long term, and post operation, are also acknowledged, to which moderate weight is applied. Moderate weight is given to the harm identified and the conflict with local plan policies.

Impact on Best and Most Versatile Agricultural Land:

4.5.108. Policy NE12 of the Local Plan sets out that proposals for solar farms involving the best and most versatile agricultural land (BMV) will be determined in accordance with national policy.

4.5.109. BMV is defined in the NPPF as land in grades 1 (excellent quality), 2 (very good quality), and 3a (good quality) of the Agricultural Land Classification.

4.5.110. Paragraph 187 (b) of the NPPF sets out that planning decisions should recognise the economic and other benefits of the best and most versatile agricultural land. Footnote 65, which relates to paragraph 188 of the NPPF states *“where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.”*

4.5.111. The application is supported by an Agricultural Land Classification Survey, which concluded that approximately 18 hectares (52.95%) of the site is grade 2 and 16 hectares (47.05%) is Grade 3a BMV. As such, the site is BMV for the purposes of the NPPF. It should be noted that a high proportion of the district is BMV.

4.5.112. NPS EN-1 indicates that applicants should seek to minimise impacts on BMV and preferably use land in areas of poorer quality and that development should be justified when sited on BMW. NPS EN-3 sets out that ground mounted solar arrays are not prohibited on agricultural land classified 1, 2, and 3a.

4.5.113. The proposed development would change the use of the application site for a temporary period of 40 years. The site would include the grazing of sheep alongside the solar array. It should be noted that there would be nothing in planning terms to prevent the landowner using the site for the grazing of sheep. Given this, the fact that the proposal would limit the ability to carry out any arable farming does not mean that it results in the loss of agricultural land when it can continue to be used albeit for other agricultural uses.

4.5.114. Soil is a finite resource, and which plays an essential role within sustainable ecosystems, performing a variety of functions supporting a range of ecosystem services, including storage of carbon, the infiltration and transport of water, nutrient cycling, and provision of food. A soil management plan condition can be included as part of any approval. The impact of the development upon soil quality would therefore be controlled and secured.

4.5.115. As noted above, much of the district is BMW. The site is within a 4km radius of the grid connection point at Wymondley substation. If other land exists that would be

more suitable for the development proposed, it would not form a reason for refusal of the application.

- 4.5.116. In conclusion of the above, the proposed development would not result in an unacceptable impact upon BMV. The site would continue to be used for agricultural purposes alongside the solar array. The development is for a temporary period of 40 years after which the land could be restored to arable farming. The proposed development would comply with Policy NE12 of the Local Plan and provisions set out in the NPPF.

Ecological and Biodiversity Impacts:

- 4.5.117. Paragraph 187 of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 4.5.118. Local Plan policies SP12 (Green infrastructure, biodiversity, and landscape), Policy NE4 (Biodiversity and geological sites), and NE6 (Designated biodiversity and geological sites) seek to protect, enhance, and manage the natural environment. Policy NHE2 (Biodiversity) in the Wymondley NP seeks net gains and is also therefore relevant.
- 4.5.119. The Biodiversity Net Gain (BNG) calculations provided alongside the application demonstrate that there would be a substantial net gain of habitat units (95.87%), hedgerow units (86.44%), and watercourse units (17.65%). This is due to the low value of existing habitats on site being replaced with higher value grassland.
- 4.5.120. The proposal would create new hedgerows and protect and enhance existing hedgerows within the site. The development would also protect existing trees, plant new trees, and provide species-rich grassland. All of which would result in substantial BNG.
- 4.5.121. Following consultation with the Councils Ecologist, the response confirms that there would be no ecological objection to the scheme (subject to conditions), and the development would be beneficial to wildlife, mitigating predicted impacts and delivering a net gain for biodiversity.
- 4.5.122. It is considered that there would be a significant gain in the overall biodiversity of the site given the retention and enhancing of landscaping within the application site, and the introduction of new planting. The proposal is considered to be in compliance with both local and national planning policies and significant weight is given to the BNG associated with the proposal.

Impact on Highways:

- 4.5.123. Paragraph 116 of the NPPF sets out that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe.
- 4.5.124. Policy T1 of the Local Plan sets out that planning permission will be granted for new development provided that they would not lead to highway safety issues or unacceptable impacts on the highway network.

- 4.5.125. During the construction phase, the site would be accessed via the proposed access points off Stevenage Road and Little Almshoe Lane.
- 4.5.126. The development would generate a low level of traffic throughout the operation of the site.
- 4.5.127. The Highways Authority have been consulted on the application and conclude they have no objection to the proposed development and its impact upon highways safety and network subject to the inclusion of appropriate conditions and informatives.
- 4.5.128. The proposed development would accord with both local and national planning policies. This matter is given neutral weight in the planning balance.

Fire Risk:

- 4.5.129. The proposed development would comprise of both solar photovoltaic (PV) and Battery Energy Storage (BESS).
- 4.5.130. The British Research Establishment National Solar Centre (BRE NSC) was commissioned by the Department for Business, Energy and Industrial Strategy to lead a three-year study on fires involving solar photovoltaic (PV) systems. The BRE NSC consider that there is no reason to believe that the fire risks associated with PV systems are any greater than those associated with other electrical equipment.
- 4.5.131. The applicant has set out within their PDAS that there are several ways in which BESS is managed. This includes hardware and software fail safes and fire suppression systems.
- 4.5.132. It is considered appropriate in this case to include a Fire Risk Management Plan condition that would require consultation with Hertfordshire Fire & Rescue prior to the first operation of the proposed development.
- 4.5.133. No objection is raised to the proposed development the risk of fire occurring and the fire risk consideration carried neutral weight in the planning balance.

Flood Risk and Drainage:

- 4.5.134. Local Plan policies SP11 and NE7 seek to ensure that development does not result in unacceptable flood risk. Policy NE8 encourages the use of Sustainable Drainage Systems. Policies FR1 and FR2 in the Wymondley Neighbourhood Plan seek to address flood risk and management thereof.
- 4.5.135. The applicant has provided a Flood Risk Assessment (FRA) alongside the application. The applicant has also provided a Drainage Strategy Addendum (DSA).
- 4.5.136. The application site is in Flood Zone 1, which represents the land with the lowest probability of flooding.
- 4.5.137. The submitted documents set out that managed grassland would result in reduced surface run-off compared to the existing arable fields, particularly during winter months when there are less crops.
- 4.5.138. The development would introduce formally drained areas in the form of new access roads and a compound containing the BESS units. Discharge of surface water from

these areas would be made to an unnamed watercourse which crosses through the site at a limited discharge rate of one litre per second.

- 4.5.139. The access roads would be made from a porous compacted stone surface with filter rains installed adjacent to the access roads.
- 4.5.140. The ground-mounted solar arrays will be laid on ram mounted posts ensuring the ground beneath each panel remains permeable. The rows of panels would be spaced with a 'rainwater gap' between each row of panels. Rainfall runoff from the solar array would infiltrate to the land beneath and between the panels.
- 4.5.141. To minimise overland flow and associated erosion risk, erosion control features such as filter drains regularly spaced between rows of panels would be installed.
- 4.5.142. Having consulted the Lead Local Flood Authority (LLFA), the consultee has confirmed that the submitted details are in accordance with the NPPF and local planning policy NE8 and NE9. The LLFA have raised no objection to the proposed development subject to the inclusion of conditions.
- 4.5.143. The development is considered to accord with Local Plan policies SP11, NE7 NE8 and Neighbourhood Plan Policies FR1 and FR2. The inclusion of two attenuation basins should provide some benefit and this matter is considered to carry limited benefit in the planning balance.

Noise Impact:

- 4.5.144. Policy D3 of the Local Plan seek to protect the living conditions of existing residential properties and sets out that planning permission will be granted for development that would not lead to unacceptable harm to living conditions.
- 4.5.145. The applicant has provided an updated Noise Assessment that sets out that the resubmission scheme would not result in any increase in noise effects compared to the previous submission.
- 4.5.146. The Case Officer for the previous application raised no objection to the proposal from a noise perspective subject to conditions and limitations on the days and hours of operations.
- 4.5.147. The construction phase can be managed through a Construction Environmental Management Plan (CEMP) condition.
- 4.5.148. The noise impact from the operation of the site is predicted to be low. Following consultation with Environmental Health Officers, no objection is raised to the impact of the proposed development. The proposal would comply with LP Policies D3 and NE12. The noise impacts of the proposed development are neutral in the planning balance.

Other Matters:

Alternative Renewable Energy Generation

- 4.5.149. As set out in the report above, solar farms are considered in several policy documents to be necessary in achieving the demand to significantly increase generation from renewable energy sources. Solar farms form part of the renewable energy mix in

meeting the targets set out by the Government and in meeting the Council's net zero ambitions. These targets set cannot be achieved solely by the use of brownfield land or rooftop solar installations.

Alternative Sites

- 4.5.150. The applicant has set out justification for the development of solar on this site. The fact that other land or sites may exist is not a justifiable reason for refusal of the development proposed in this location.

Impact on Neighbouring Amenity

- 4.5.151. St Ippolyts village lies immediately north of the application site. The nearest dwellings to the application site are located along Sperberry Hill, Tittendell Lane and Little Almshoe Lane. The distance between these various properties and the closest panels and associated infrastructure, together with the existing and proposed intervening landscaping, means that there would be limited visibility from residential curtilages. Whilst the development will alter the outlook from some properties, none would experience views which would make them unattractive places to live.
- 4.5.152. In relation to the pole mounted CCTV cameras, it is confirmed that these will generally have one pan-tilt-zoom camera focussed along the boundary of the Site. At certain locations two cameras would be deployed so that they can be targeted on specific locations. All cameras would operate using infra-red technology and as such no additional lighting would be required. It is unlikely that the CCTV cameras will result in any loss of privacy to dwellings. Nonetheless, in the event that planning permission were to be granted a condition to restrict camera views would safeguard nearby residential occupier's amenity.
- 4.5.153. Lighting from the site would be limited to the substation building, switchroom building, control centre, and transformer station. Low level lighting would be positioned above access doors and would only be activated by PIR sensors for security / emergency purposes or when switched on by an engineer. No areas of the scheme would be continuously lit during operation. There would be no harm to neighbouring amenity arising from lighting within the site.
- 4.5.154. Any noise or disruption during the construction period would be temporary and within normal working hours controlled by Environmental Health. The Construction Traffic Management Plan condition would control the hours of operation including deliveries.

Crime and Disorder

- 4.5.155. The site will contain several CCTV cameras that would be motion operated and permanently monitored from a central hub. The CCTV system would also be supported by alarms and will comply with the Information Commissioner's Officer guidance. This addressed the concern raised by Herts Police relating to how the CCTV would be monitored.
- 4.5.156. The proposal includes several other security measures to deter crime and disorder. There is no objection to the proposal given the security measures proposed.

Glint and Glare

- 4.5.157. The Glint and Glare assessment, provided alongside the application, concludes that due to existing screening and proposed screening in the landscape, there would be no significant glint and glare impacts that require mitigation or further consideration. There would be no unacceptable impact from glint or glare.

Economic Benefits

- 4.5.158. There is a strong case for the economic benefits of the proposed development. The NPPF sets out that planning decisions should help create the conditions in which businesses can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity.
- 4.5.159. The development would provide employment opportunities during both the construction and operational phases of the development. The PDAS also points out that the proposal would allow for the diversification of a rural business without permanently removing land out of arable production.
- 4.5.160. The proposal would deliver electricity to thousands of homes. The local economy will benefit as a result of the increased business rates and the employment opportunities which will arise from both the construction and operation of the site. Local businesses will benefit during the construction phase. Providing a stable income for a local farmer helping to mitigate costs and impacts. Significant weight is attached to the planning balance from the economic benefits of the proposal.

Very Special Circumstances (Green Belt)

- 4.5.161. Should members not agree with the assessment identifying the land as Grey Belt, the applicant, as part of their original submission, has set out very special circumstances (VSC) within their Planning, Design and Access Statement for consideration.
- 4.5.162. Paragraph 153 of the NPPF sets out that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 4.5.163. The applicant has identified the following considerations weighing in favour of the development:
- Its contribution towards meeting the national need for renewable energy in order to deliver the net zero commitment enshrined into law through the Climate Change Act. This is afforded substantial weight.
 - Based on the findings of the LNA and SSE, there is an overwhelming need to deploy new renewable energy within North Herts district if it has any prospect of getting close to NHDC's commitment to be a net zero district by 2040. Further, and of even greater importance, it has been demonstrated that there are, in the short to medium term, no new alternative grid connections for renewables projects within the district, beyond that which would serve the Resubmission Scheme. In addition, the BESS component of the scheme, would support the solar panels by storing excess power when demand from the grid is low, can additionally provide a standalone grid balancing function through managed storage and export of power from the panels to the grid during low and high demand respectively. Accordingly, having regard to all of the foregoing, the local benefits provided by the Resubmission Scheme are judged to be afforded very substantial weight.

- Whilst not a direct benefit of the scheme, the SSE report has demonstrated that there are no alternative sites that could accommodate the proposal, or further new solar schemes, which are located outside of the Green Belt. In short, a Green Belt location is deemed essential. This consideration should be given significant weight in the overall Green Belt balancing exercise.
- There is a huge biodiversity net gain directly associated with the Resubmission Scheme. This equates to: 95.87% in habitat units, 86.44% in hedgerow units and 17.65% in watercourse units. This far exceeds the mandatory 10%, and represents a very significant uplift in the biodiversity of this part of the district. As such, it is judged to be afforded substantial weight.
- There would be employment opportunities during the construction and operation phase of the development alongside diversification of rural businesses without permanently removing land out of arable production at a time when UK farmers are facing challenges to their livelihoods. These economic benefits have been afforded significant weight, consistent with the officer position in the Officer Report for the 2023 Scheme.
- The Resubmission Scheme would be decommissioned after 40 years with the Site returned to arable farmland. At this point, the new planting will have matured and will enhance wider landscape. This landscape and visual impact benefit following the decommissioning of the scheme has been afforded moderate weight, again consistent with the officer position in the committee report for the 2023 Scheme.
- The Resubmission Scheme will lead to a reduction in surface water run off compared with existing use of the land for arable uses, which is given limited weight.

Planning Balance:

- 4.5.164. The proposed development would utilise Grey Belt land given the proposals accordance with the provisions set out in paragraph 155 of the NPPF. Therefore, the solar farm is not inappropriate development within the Green Belt. No harm would arise from the proposed development with regards to Green Belt.
- 4.5.165. Great weight is given to the impact of the development identified upon designated heritage assets. Less than substantial harm was identified, with the harm being towards the lower end of the less than substantial continuum. However, the contribution of the solar scheme to the generation of clean and secure energy is a substantial public benefit, which has been identified within the report as outweighing the less than substantial harm to the designated heritage assets.
- 4.5.166. The proposed development would result in moderate adverse harm to landscape character including visual harm. The development would therefore be contrary to Local Plan policy NE2. Moderate weight is given to both landscape and visual impacts resulting from the development.
- 4.5.167. No harm has been identified to the impact of the development upon BMV land within the site and the proposed development would comply with policy NE12 of the Local Plan.

- 4.5.168. The report sets out the need for renewable energy development both locally and nationally, with solar farms forming an important part of the renewable energy generation mix towards achieving net zero and providing energy security. The proposed development would make a significant contribution to achieving the goals identified. Substantial weight is given to the contribution the proposal makes to renewable energy generation, addressing climate change and to improving energy resilience and security.
- 4.5.169. The development would deliver significant biodiversity enhancements to the site, to which significant weight is given.
- 4.5.170. Significant weight is given to the economic benefits of the scheme as identified within the report above.
- 4.5.171. There would be limited benefits arising to flood risk and drainage, with the scheme reducing the risk of flooding. The development would comply with Local Plan Policy NE8 and limited weight in favour of the development is given.
- 4.5.172. The proposed development is identified as having a neutral impact to the highways network and safety, fire risk, noise impact, and archaeology.
- 4.5.173. The proposed development would conflict with a number of policies contained within the Local Plan. However, the benefits of the proposed development are considered to be of sufficient weight to clearly outweigh the harms identified within the report above. The proposed development has overcome the previous reasons for refusal and the development is recommended for approval.

Overall Conclusion:

- 4.5.174. The purpose of the planning system is to contribute to the achievement of sustainable development. Proposals of this nature and scale will inevitably result in tension between policies meaning that it is difficult to reconcile all expectations and requirements. Upon consideration of the social, economic, and environmental objectives of the planning system, the harm caused by the proposed development to designated heritage assets and landscape is clearly outweighed by other considerations including the contribution to renewable energy, the significant biodiversity net gains, and benefits to the economy. There would also be some benefits to the landscape post decommissioning, and limited benefits to flood risk and drainage. Taken as a whole, the proposal is considered to be in accordance with national planning policy and the local development plan, meaning that planning permission should be granted.

5. Climate Change Mitigation Measures

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

6. **Legal Implications**

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

7. **Recommendation**

- 7.1. That planning permission is resolved to be **GRANTED** subject to the following conditions:

Biodiversity Gain Condition:

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

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

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

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

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

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

Planning Conditions:

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

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

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

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

3. The permission hereby granted shall be limited to a period of 40 years from the date when electricity is first exported from the solar panels to the electricity grid. Written notification of the first operation shall be given to the local planning authority within 30 days of the site becoming operational.

Reason: The proposal seeks permission for a temporary period only.

4. No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) should be informed by the 2024 Ecological Assessment and a pre-construction badger survey and include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the impact of the construction process on the biodiversity and ecology of the site, in line with Policy NE2 and NE4 of the Local Plan.

5. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- 1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
- 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
- 3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan, as necessary.
- 4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and 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 National Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

6. If, during development, contamination not previously identified is found to be present at the site then no further development (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 has 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 National Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

7. The development hereby permitted may not commence until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme 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 National Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

8. Piling or other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. 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 National Planning Policy Framework (NPPF), paragraphs 180, 189, 190 and relevant Environment Agency Groundwater Protection Position Statements.

9. 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 and in accordance with the programme of work as set out in the Archaeological Brief (P01/22/0709/3). The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording.
2. The programme and methodology of site investigation and recording as required by the evaluation.
3. The programme for post investigation assessment.
4. Provision to be made for analysis of the site investigation and recording.
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
6. Provision to be made for archive deposition of the analysis and records of the site investigation.
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (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 2024.

10. The construction of the development shall only be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: To minimise the impact of the construction process on the on local environment and local highway network in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

11. The development shall only be carried out in accordance with the approved 'Glint and Glare Report/Plan.

Reason: To ensure the development does not produce any glint and glare impact on the drivers viewing and ability to drive safely on the nearby highway, in the interests of highway safety and amenity in accordance with Policy 5, 7 and 8 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

12. Before commencement of the development, a Stage 1 Road Safety Audit (RSA) for the vehicle access proposals shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the recommendations, if any, shall only be carried out in accordance with the report.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

13. Evidence of detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature/s. Following this infiltration testing the drainage strategy for Plan A (to infiltrate) will be updated and submitted to the and approved in writing by the Local Planning Authority. If infiltration is not favourable, then Plan B (connection and discharge of runoff to a watercourse) will be implemented as per the Drainage Strategy (dated 22 October 2024, REF 14855).

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 173,175 and 180 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

14. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (December 2021) and Drainage Strategy (dated 22 October 2024, REF 14855), plus any updates as required by Condition 1 [LPA to link to condition above] unless otherwise first approved in writing by the Local Planning Authority.

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

15. Construction shall not begin until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

16. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 2. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of North Herts Council.

17. Full details of a construction and environmental management programme (CEMP) for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works or development (including any pre-construction, demolition or enabling works). The construction shall thereafter be carried out in complete accordance with the approved phasing programme unless otherwise agreed in writing by the Local Planning Authority. The CEMP shall include the following elements:

- a) hours of construction operations including times of deliveries and removal of waste;
- b) measures to minimise dust, noise, machinery and traffic noise impacts during construction;
- c) 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;
- d) the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- e) screening and hoarding details, to protect neighbouring residents;
- f) end of day tidying procedures to ensure protection of the site outside the hours of construction. The construction activities shall be designed and undertaken in accordance with the code of best practice set out in British Standard 5228-1.2009 and with the agreed details unless otherwise agreed in writing by the Local Planning Authority;
- g) wheel washing facilities for construction vehicles leaving the site;
- h) storage and removal of building waste for disposal or recycling;

Reason: To ensure the correct phasing of development in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity.

18. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the longterm 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 enhance biodiversity including any species and their habitats and in accordance with the NPPF and Policies NE4, NE12 and SP12 in the Local Plan.

19. No construction shall take place until an arboricultural method statement with tree and hedge protection plan following the recommendations contained within BS 5837:2012 identifying measures to protect trees and hedges to be retained, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include proposed tree protection measures during site preparation, during construction, and landscaping operations.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with the NPPF and Policies NE2 and NE12 in the Local Plan

20. Prior to any above ground works, an Emergency Response Plan shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Hertfordshire Fire and Rescue Service. The Emergency Response Plan shall set out measures to facilitate safety during the construction, operation and decommissioning phases of the development, including protocols to manage a fire during the operation and decommissioning of the site.

Reason: To minimise fire risks and ensure the proposed development has adequate access to water supplies for in the event of an emergency in accordance with Policies D3 and NE12 in the Local Plan.

21. Notwithstanding the details submitted, prior to the installation of the solar panels, a landscaping scheme shall be submitted to, and approved in writing by, the local planning authority. The submitted scheme shall include but is not limited to detailed planting proposals to include planting locations and dimensions, species, densities, sizes, mixes and protection and for new planting areas, and hard surfacing materials. The landscaping of the site shall take place in accordance with the approved details

and implementation programme. Any planting which within a period of five years of planting dies, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with the NPPF and Policies NE2, NE12, D1 and SP12 in the Local Plan.

22. Prior to the first use of the development, details of the cleaning procedure for the panels shall be submitted to, and approved in writing by, the local planning authority. The details shall include but not be limited to the frequency of cleaning, volumes of water required, details of any detergents to be used and any required mitigation. The cleaning of the panels shall thereafter take place in accordance with the approved details.

Reason: To protect soil quality and so enable the reinstatement of its agricultural land quality following the cessation of the solar farm use of the land in accordance with the NPPF and policy NE12 in the Local Plan.

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

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

24. No development shall take place until a Soil Management Plan has been submitted to, and approved in writing by, the local planning authority. The development shall thereafter be carried out in accordance with the approved details. The soil management plan shall include:

- a) Measures to protect soils during development with reference to the guidance found in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites;
- b) A works programme showing how all soil handling and trafficking operations will be undertaken and which makes allowance for poor weather/ ground conditions stoppages;
- c) Details of how construction activities will be managed across the site to minimise impact on soils; and
- d) Details of appropriate equipment and methods for stockpiling, respreading and ameliorating of soil compaction in accordance with good practice techniques to minimise the risk of soil compaction.

Reason: To protect soil quality and so enable the reinstatement of its agricultural land quality following the cessation of the solar farm use of the land in accordance with the NPPF, Defra Guidance and policy NE12 in the Local Plan.

25. Within the first planting season following the completion of construction works, the agreed landscaping and biodiversity proposals to be approved shall be implemented in full.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality in accordance with policies NE4, NE12 and SP12 in the Local Plan.

26. In the event that the development hereby permitted ceases to export electricity for a continuous period of 12 months at any time following the first operations (other than for operational reasons outside the operator's control), or within a period of 40 years following the first operation, a Scheme for the decommissioning of the solar farm and its ancillary equipment, and how the land is to be restored, shall be submitted to the local planning authority for its written approval. The scheme shall include, but not be limited to the following:

- A programme for the completion of the decommissioning and restoration works,
- Make provision for the removal of the solar panels and associated above ground works approved under this permission.
- The management and timing of any works and a traffic management plan to address likely traffic impact issues during the decommissioning period,
- An environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats, and
- Details of site restoration measures.

The solar farm, and its ancillary equipment shall be dismantled and removed from the site and the land restored to its extant use (agricultural) in accordance with the approved scheme and timescales set out therein.

Reason: The proposal seeks permission for a temporary period only and to ensure the site is appropriately decommissioned and the land is restored following its cessation as a solar farm. In the interests of highway safety and residential amenity and the aims and objectives of Policies T1 and D3 of the Local Plan.

27. Prior to the installation of any CCTV cameras, details of measures to restrict the camera movements around the boundary of the application site to prevent viewing towards residential properties located in Tea Green, The Heath and Darley Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the CCTV cameras shall be installed and retained in perpetuity in accordance with the approved details.

Reason: to protect the privacy of adjacent residential properties in accordance with Policy D3 of the Local Plan.

28. Prior to the First Export Date, a Grazing Management Plan (GMP) shall be submitted to the local planning authority for approval in writing. The GMP shall confirm which parts of the site cannot be used for the grazing of livestock. The GMP shall also define which parts of the site will be used for the grazing of livestock, during which months of the year, and what livestock are to be grazed there, and it shall set out details of how the grazing is to be managed. Within three years of the First Export Date, the grazing of livestock shall be implemented on the site in accordance with the GMP. Any changes to the GMP during the lifetime of the permission shall be first submitted to the Local Planning Authority for approval in writing prior to implementation on site and shall thereafter be carried out in accordance with the approved revised GMP.

Reason: To ensure that the agricultural use of Best and Most Versatile Agricultural land continues during operation to accord with policy NE12 of the Local Plan.c

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.

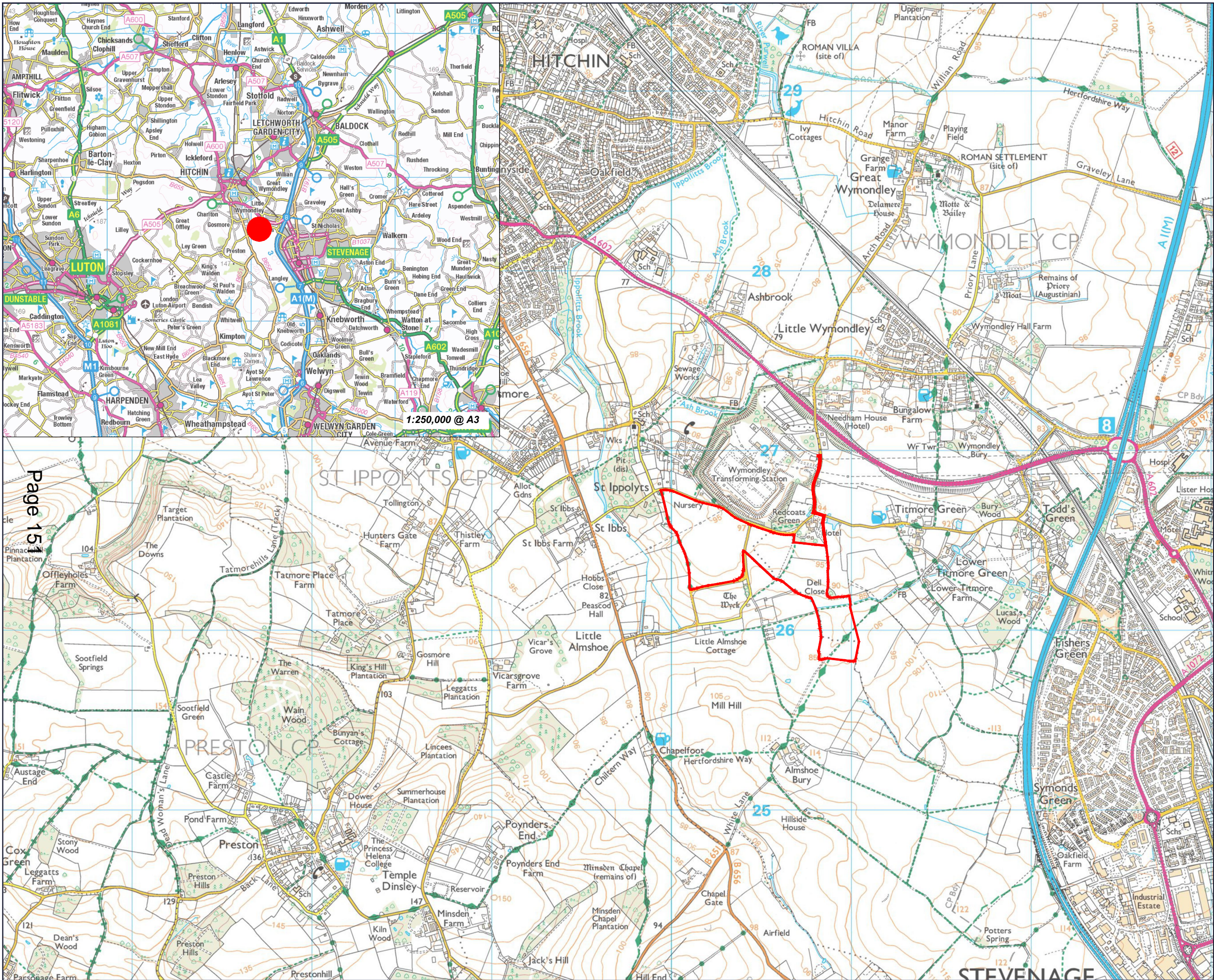
Informatives:

1. 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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
2. 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/highways-roads-and-pavements.aspx> telephoning 0300 1234047
3. 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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
4. Construction standards for works within the highway. 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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047
5. 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

overspills 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/rights-of-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

6. Highway to remain private: The applicant is advised that all new highway routes within the development site are likely to remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
7. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

The Biodiversity Gain Plan should be submitted as an 'application for approval of details reserved by condition following grant of planning permission' via the Planning Portal.



Application Site

0344 8700 007
axis.co.uk



Client

Brockwell Storage and Solar Ltd

Project

Sperberry Hill Solar Array and BESS

Drawing Title

Site Location Plan

Scale

1:20,000 @A3

Date

October 2024

Dwg no

3732-01-01

Status

Planning

Drawn Checked

TR ToK

Rev

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