

NORTH HERTFORDSHIRE DISTRICT COUNCIL



22 August 2025

Our Ref Planning Control Committee 4 September 2025
Contact. Committee Services
Direct Dial. (01462) 474655
Email. committee.services@north-herts.gov.uk

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

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

**NOTICE IS HEREBY GIVEN OF A
MEETING OF THE PLANNING CONTROL COMMITTEE**

to be held in the

**COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCHWORTH GARDEN CITY, SG6 3JF**

On

THURSDAY, 4TH SEPTEMBER, 2025 AT 7.00 PM

Yours sincerely,

Isabelle Alajooz
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.	MINUTES - 7 AUGUST To take as read and approve as a true record the minutes of the meeting of the Committee held on the 7 August 2025.	(Pages 5 - 16)
3.	NOTIFICATION OF OTHER BUSINESS Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chair will decide whether any item(s) raised will be considered.	
4.	CHAIR'S ANNOUNCEMENTS Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chair of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
5.	PUBLIC PARTICIPATION To receive petitions, comments and questions from the public.	

6. **21/00765/OP LAND OFF BARKWAY ROAD AND NORTH OF FLINT HALL, BARKWAY ROAD, ROYSTON, HERTFORDSHIRE** (Pages 17 - 122)
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER
- Outline Planning Application for Residential Development of up to 280 dwellings (including affordable housing) green infrastructure including public open space, landscape boundaries and SUDS with all matters reserved except for access which is to be taken from Barkway Road (as amended 22 April 2025).
7. **24/01042/FP LAND AT CHURCH WOOD, THREE HOUSES LANE, CODICOTE, HERTFORDSHIRE** (Pages 123 - 136)
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER
- Change of use of land to equestrian and erection of stables and covered menage.
8. **25/00949/FP LAND BETWEEN SHANGRI-LA AND TODDS CORNER, STEVENAGE ROAD, TODDS GREEN, HERTFORDSHIRE, SG1 2JE** (Pages 137 - 154)
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER
- Erection of two detached dwellings with private gardens including landscaping, parking and widening of existing vehicular access off Stevenage Road.
9. **24/01994/S73 LAND BETWEEN ROYSTON ROAD AND, CAMBRIDGE ROAD, BARKWAY, HERTFORDSHIRE** (Pages 155 - 172)
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER
- Variation of wording to Condition 3 and Condition 20 of planning permission 18/01502/OP granted on 25.07.2023
10. **APPEALS** (Pages 173 - 174)
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER
- To update Members on appeals lodged and any decisions made.

This page is intentionally left blank

NORTH HERTFORDSHIRE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY, SG6 3JF
ON THURSDAY, 7TH AUGUST, 2025 AT 7.00 PM

MINUTES

Present: *Councillors: Nigel Mason (Chair), Daniel Allen, Clare Billing, Val Bryant, Jon Clayden, Ian Mantle, Caroline McDonnell, Louise Peace, Martin Prescott and Dave Winstanley.*

In Attendance: *Amy Cantrill (Trainee Committee, Member and Scrutiny Officer), Robert Filby (Trainee Committee, Member and Scrutiny Officer), Shaun Greaves (Development and Conservation Manager), Andrew Hunter (Senior Planning Officer), Arhamna Jafri (Locum Planning Lawyer), James Lovegrove (Committee, Member and Scrutiny Manager) and Henry Thomas (Planning Officer).*

Also Present: *At the commencement of the meeting, approximately 4 members of the public, including registered speakers.*

Councillors Joe Graziano and Steven Patmore were also present as Member Advocates.

27 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 27 seconds

Apologies for absence were received from Councillors Ruth Brown, Emma Fernandes, Bryony May and Tom Tyson.

Having given due notice, Councillor Jon Clayden substituted for Councillor Brown and Councillor Daniel Allen substituted for Councillor Fernandes.

28 NOTIFICATION OF OTHER BUSINESS

Audio recording – 1 minute 49 seconds

There was no other business notified.

29 CHAIR'S ANNOUNCEMENTS

Audio recording – 1 minute 56 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be recorded.
- (2) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.
- (3) The Chair clarified matters for the registered speakers.
- (4) The Chair confirmed the procedure for moving to debate on an item.

(5) The Chair advised that Section 4.8.23(a) of the Constitution applied to the meeting.

(6) The Chair confirmed the cut off procedure should the meeting proceed at length.

30 PUBLIC PARTICIPATION

Audio recording – 4 minutes 49 seconds

The Chair confirmed that the registered speakers were in attendance and advised that Member Advocate, Councillor Joe Graziano, would arrive ahead of Agenda Item 6.

31 25/00872/FP 1 THE DRIVE, BLACKMORE END, ST ALBANS, HERTFORDSHIRE, AL4 8LE

Audio recording – 5 minutes 21 seconds

The Senior Planning Officer advised that there were no updated matters to report on since the publication of the agenda.

The Senior Planning Officer then presented the report in respect of application 25/00872/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Clare Billing
- Councillor Val Bryant
- Councillor Louise Peace
- Councillor Dave Winstanley

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

- Trees within the site boundary were not covered by the Tree Preservation Order (TPO) in the nearby area, however, the remaining trees in the south part of the site were proposed to be retained under a tree protection condition if permission was granted.
- The Highways Authority had raised no objection to the proposed access.
- Condition 7 within the report recommendations could be amended to include integrated bat, bird and bee bricks and hedgehog boxes as referenced by the Ecologist in their response to the application.
- Trees located in the north-east corner of the site would also be covered by the proposed tree condition if permission was granted.

The Chair invited the Public Objector, Kimpton Parish Councillor Simon Davies to speak against the application. Councillor Davies thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The self-build dwelling would be located on a busy and dangerous road.
- An appeal lodged against a decision to grant permission to a self-build dwelling on the adjoining site at number 51 Beech Way had been allowed and consequently, refused planning permission by the Secretary of State.
- Residents had contacted Kimpton Parish Council to express their concerns over the removal of trees on the site prior to development.
- The density of this application exceeded the density of the prevailing area in Kimpton Road, The Drive and Lime Avenue.
- This proposal appeared to be cramped given the size of the site, with limited amenity space compared to neighbouring properties.

- Creeping urbanisation resulting from infill development elsewhere in Blackmore End threatened to change the character of the rural community.
- Access was proposed to lead onto Kimpton Road where there were two adjacent bus stops and two busy road intersections.
- A mirror at the end of The Drive helped with access onto Kimpton Road but this provided limited visibility.
- Traffic analysis carried out by former Hertfordshire County Councillor Richard Thake in 2022 concluded that Kimpton Road suffered from excessive speeding.
- Kimpton Road suffered from frequent standing water problems due to ground water flooding.
- The proposed access situated between two junctions onto a busy and poorly maintained stretch of road had the potential to interfere with local infrastructure and presented a danger to bus and vehicle users, as well as pedestrians due to the absence of a footpath.
- They felt that this application and the application at 51 Beech Way had been treated unequally as the site sizes were similar before the removal of mature trees had taken place.
- There was intention from the occupiers of 51 Beech Way to resubmit an application for a smaller self-build dwelling on the adjoining site.
- If both applications were approved, there would be considerable cramping which would be out of character with the local environment.
- The Applicant for this site protested the application at 51 Beech Way.
- Since the mature trees had been removed from the site, owl activity in the area had reduced.
- Trees had a positive influence on the character of the area and their removal had undeniably impacted this.
- The trees that were felled were associated with the former Blackmore Manor.
- Their removal prior to submission may have been an attempt to prevent any tree protection requirements from being imposed on them.
- This proposed development failed to provide enhancements or be in keeping with an area that contained high quality buildings with amenable and sustainable spaces and did not reflect local policies.

In response to a point of clarification made by Councillor Daniel Allen, Parish Councillor Davies advised that they were unsure of the criteria used by former Councillor Richard Thake in their traffic analysis in 2022 which determined that traffic was busy during rush hour with an excessive number of vehicles speeding.

The Chair thanked Parish Councillor Davies for their presentation and invited the Member Advocate Objector, Councillor Steven Patmore to speak against the application. Councillor Patmore thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The development would be more cramped than neighbouring properties, lacked adequate amenable space and was unsympathetic to the prevailing character and setting of properties along Kimpton Road and The Drive.
- Despite the above, the development was well designed.
- Residents were concerned about vehicle access from the property as it was near two bus stops and an intersection with limited visibility, which would be hazardous to residents and bus users.
- Given the reasons described, the Committee should be advised to refuse the application.

In response to a point of clarification from Councillor Daniel Allen, Councillor Patmore advised that his definition of cramped would differ to the definition given by others and that he had already given his reasons for speaking against the application.

The Chair thanked Councillor Patmore for his presentation and invited the Agent to the Applicant, Mr Luke Kenton-Woods to speak in support of the application. Mr Kenton-Woods thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- They were both the Applicant Agent and the Architect for this application.
- Pre-application discussions with the Council confirmed that the application was likely to be approved subject to adjustments.
- Following advice received from the Council, enlargement of the site boundary took place as requested and all other comments on design, character, ecology, highways, living conditions, landscaping and more had been addressed.
- The proposed dwelling had been thoughtfully designed to complement its surroundings.
- The ridge height was lower than that of the existing dwelling on the site and the overall massing was modest.
- Inspired by the existing dwelling at 1 The Drive, the design featured brick detailing and projecting box bays and the rear elevation would adopt a contemporary style with large sliding doors which would give it the appearance of a historical property sympathetically extended over time.
- Sustainability had been central to the design with the inclusion of solar panels, air source heat pumps, mechanical ventilation with heat recovery, enhanced insulation and solar controlled glazing which would enable the application to exceed standards for low carbon living.
- Support for the application had been given by several third-party professionals, including ecologists, arboriculturists, highways consultants and energy assessors who had ensured a policy compliant scheme.
- No objections had been raised by many of the statutory consultees, including Ecology, Highways, Environmental Health and Waste and Recycling.
- Both national and local planning policy requirements were satisfied by the application, and a full set of planning conditions had already been agreed with the Senior Planning Officer.
- They were aware that Kimpton Parish Council had raised concerns regarding Highways. In response to those concerns, a Transport Statement had been submitted to demonstrate full compliance with local and national guidance.
- Visibility splays from the new entrance were policy compliant and would improve the visibility from the existing junction due to the proposed fence line adjustment.
- No concerns of over-development were raised during the pre-application discussions and the principle of development had been confirmed as acceptable.
- The proposed dwelling sat comfortably within the site and would have a rear garden of over 750 square metres which was well above the national required minimum.
- The proposed dwelling would respect the character of the area and would include high quality architecture from the vernacular buildings, although many were medium to large detached with no uniformity of design regardless.
- The trees removed on-site were legally felled by a qualified professional and not subject to a TPO or conservation area.
- An ecologist verified that no nesting birds or protected species were present in the trees when they were felled.
- New trees had already been planted by the Applicant despite no planning obligation to do this.
- The plans were deemed by the Area Development Highways Manager to be compliant with Highways policies.
- No issues had been raised on light, privacy or the overlooking of neighbouring properties.
- All relevant planning requirements had been met, and the application had been recommended for approval by the Senior Planning Officer.
- All statutory consultees either supported or raised no objection to the application.

- There were no material planning reasons to refuse the application and they urged the Committee to follow the officer recommendation and grant permission.

The following Members asked points of clarification:

- Councillor Jon Clayden
- Councillor Val Bryant
- Councillor Daniel Allen
- Councillor Ian Mantle

In response to points of clarification, the Agent to the Applicant advised that:

- They could not confirm the discrepancies between reports on bird species found in the area, however, the arboriculturist was a qualified ecologist, and they confirmed that no birds were nesting in the trees that were felled.
- Tree felling took place in February or March.
- There would be sufficient parking and turning space available on the driveway.
- Access to the property was considered in an alternative place but was deemed to be impaired as it would be serviced by a mirror and they did not want to intensify an already bad access point.
- Their proposal improved the visibility from The Drive onto Kimpton Road by adjusting the fence line.
- There would be no gate to restrict manoeuvrability of cars onto the site and the parking spaces would be larger than the minimum 2.5 metre width requirement.
- If the application was amended to include integrated bat, bird and bee bricks and hedgehog boxes within the conditions, this would be accepted by the Applicant.
- Self-binding gravel around the property would make manoeuvrability for mobility scooters easy.
- There was no specific storage for mobility scooters within the design, but the property would have a good-sized utility room, snug and cloak room that could accommodate a scooter or pram.
- External cycle storage was also included within the application.
- An EV charging point was not shown on the plan, but they could provision this if a condition was secured.

In response to verbal presentations, the Senior Planning Officer advised that:

- The Highways Authority had not objected to the proposal and that carried significant weight in their recommendation to grant permission.
- The application only comprised one dwelling, therefore, the volume of traffic entering and leaving the site would be very small.
- The site at 51 Beech Way was half the size of this one and constrained by the TPO covering half its site, whereas this application would have more space between the property and site boundaries, making it comfortable within the site.
- The dwelling would compare favourably to surrounding houses on smaller plots in terms of density, especially to properties further north in Blackmore End.
- The dwelling footprint would be small and would fit the character of the area.

In response to verbal presentations, the Development and Conservation Manager advised that:

- EV charging points were a requirement of Building Regulations, therefore, it was not necessary to require this through condition.
- An EV charging point would be free-standing next to the parking spaces or the Applicant would purchase long cables to link to a charging point situated on the dwelling itself. Both options should be easy to install.

In response to additional questions from Councillor Martin Prescott, the Development and Conservation Manager advised that:

- Including solar panels and battery storage was not yet a planning requirement or Building Regulations requirement.
- Building Regulations required applications to meet a certain level of carbon emissions, and the Council adopted Sustainability SPD set out an accreditation for those who exceeded levels of sustainability.
- The main method of achieving a more sustainable dwelling was through insulation.
- Solar panels were encouraged but not a requirement.

The Chair proposed to grant permission with the amendment to condition 7 on integrated bird, bat and bee bricks and hedgehog boxes and this was seconded by Councillor Martin Prescott.

The following Members took part in the debate:

- Councillor Martin Prescott
- Councillor Dave Winstanley
- Councillor Louise Peace

The following points were made as part of the debate:

- The application met all the relevant criteria to be granted permission.
- There was a creeping increase in density in the area, but this was a normal modern-day issue and was not a reason to refuse planning permission.
- Cramped density compared to nearby dwellings was the biggest concern raised on the application, but dwellings further north on Kimpton Road were in close proximity to each other, therefore this argument was not valid.
- The application should be supported with the amendment to Condition 7 to include the wording used by the Ecologist in their comments on the application.

In response to points raised in the Debate, the Development and Conservation Manager advised that Condition 7 could be amended to allow the provision of integrated bird, bat and bee bricks with hedgehog boxes.

The Agent to the Applicant advised that the amended wording proposed for Condition 7 would be acceptable.

In response to a question from Councillor Caroline McDonnell, the Development and Conservation Manager confirmed that a self-build application meant that the Applicant would live in the dwelling once it was built.

In response to a question from Councillor Val Bryant, the Agent to the Applicant confirmed that the occupiers of 1 The Drive were building this property with the intention of moving into it once constructed.

Having been proposed and seconded and, following a vote, it was:

RESOLVED: That 25/00872/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager, with an amendment to Condition 7, as follows:

Condition 7

All ecological measures and/or works shall be carried out in accordance with the details contained in the March 2025 Preliminary Ecological Appraisal as already submitted with the planning application, including integrated bird, bat and bee bricks and hedgehog boxes, and agreed with the local planning authority prior to commencement of the approved development, demonstrating that a biodiversity net gain can be achieved from those measures/works.

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

32 25/00309/FP IVY'S COTTAGE, SMITHS END LANE, BARLEY, ROYSTON, HERTFORDSHIRE, SG8 8LH

Audio recording – 53 minutes 25 seconds

The Planning Officer advised that there were no updated matters to report on since the publication of the agenda.

The Planning Officer then presented the report in respect of application 25/00309/FP accompanied by a visual presentation consisting of plans and photographs.

The following Members asked questions:

- Councillor Jon Clayden
- Councillor Louise Peace

In response to questions, the Development and Conservation Manager advised that:

- The main policy change since the previous scheme in 2022 was that the Council did not have a five-year housing land supply, therefore the tilted balance applied.
- The site conflicted with Policy CGB1 and Policy SP2 in the Local Plan as the application fell outside of the settlement boundary in Barley, but due to the absence of a five-year housing land supply, those policies were deemed to be out of date and the policies within the National Planning Policy Framework (NPPF) were given greater weight than those in the Local Plan.
- Policies in the NPPF emphasised that dwellings should be located close to existing facilities within settlements, but not in isolated locations, therefore, a dwelling in this location was acceptable in principle.
- Improvements had been made to the design of the scheme since the previous application.
- The Conservation Officer, who had objected to the previous scheme did not object to this one as the significance of the impact on the conservation area was low compared with the previous scheme.

In response to questions, the Planning Officer advised that the balcony would be set into the roof and walled either side, therefore all views from it would be the same as those from a window.

The Chair invited the first Public Objector, Barley Parish Councillor Yvonne Lee to speak against the application. Councillor Lee thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- Two objections with detailed comments had been made by Barley Parish Council on the application.
- The scheme conflicted with Policy SP2 in the Local Plan as it was not within the settlement boundary of Barley in addition to Policy CGB1 as it did not meet any of the criteria for development in rural areas beyond the Green Belt.
- As it did not comply with key policies, it should be refused planning permission.
- The appeal decisions referenced in the report of the Planning Officer were materially different to this application as one was in Kelshall which was a Category B Village that complied with Policy CGB1, and neither were in a conservation area, making them irrelevant.
- Adopting a tilted balance in the absence of a five-year housing land supply was questionable as it meant that the policies in the NPPF overrode the policies in the Local Plan.
- The application also failed to meet key policies in the NPPF as it provided no affordable housing and the vitality of the rural community would not be maintained.
- Barley Parish Council were convinced that there were no mitigating factors in the application to justify granting permission.

The Chair thanked Parish Councillor Lee for their presentation and invited the second Public Objector, Mr Andrew Huzzey to speak against the application. Mr Huzzey thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- The original application in 2022 was previously rejected by the Council.
- The application was contrary to approved planning policy in the Local Plan, particularly Policies SP2 and CBG1, and would cause harm to the conservation area and adjoining listed buildings.
- It was clear that the proposed dwelling would not enhance or preserve the surrounding area as it would impact its appearance and be extremely imposing.
- If the application was granted permission, there was concern over a precedent being set for homeowners with large gardens being able to build in their own boundaries despite living in a conservation area.
- The proposed development would be directly opposite their cottage and while the Applicant had reduced the rear height of the dwelling by half a metre, it would still be 8.8 metres higher than their property at the front which would reduce their main source of light from their front window and impact their right to light.
- The existing cluster of heritage assets made a positive contribution to the character and appearance of the conservation area, whereas the height, fenestration and position of the proposed dwelling would contribute negatively.
- Serious consideration should be given by Members to the points that had been raised in their verbal presentations.

There were no points of clarification from Members.

The Chair thanked Mr Huzzey for their presentation and invited the Member Advocate Objector, Councillor Joe Graziano to speak against the application. Councillor Graziano thanked the Chair for the opportunity and provided the Committee with a verbal presentation, and highlighted the following:

- There were four comments of objection to this application on the Council website and three referencing the need for provision of swift boxes.
- Barley Parish Council resolved to object the application at a meeting in April.

- Barley had seen substantial development in recent years, both from infilled development and windfall sites and there were three sites in development presently in the village.
- The key issue was that the application was outside the settlement boundary but within a conservation area.
- Policy SP2 within the Local Plan identified Barley as a Category A village where development was allowed within settlement boundaries, but the application was well outside of these.
- Because of this, it was classified as rural land beyond the Green Belt, but it did not satisfy any of the criteria listed in Policy CGB1 of the Local Plan to grant planning permission on this type of land either.
- The Applicant referenced sustainable policies and self-build considerations in their application but given the development did not comply with key fundamental policies in the Local Plan, these were not relevant.
- The site lay within the conservation area and development inside these areas must preserve or enhance the character and make a positive contribution to the appearance by considering sighting, design, scale and use of materials.
- In his opinion, the development would erode the significance of the conservation area as the properties that fronted Smiths End Lane such as Blythe and South cottages opposite to the site and Ravello Rose Cottage adjacent to it were listed and made a valuable contribution to the setting of the conservation area.
- The verdant gap between Ivy's Cottage and Ravello Rose Cottage also contributed significantly to the setting of the conservation area.
- Built form on the site would be changed by the proposal.
- The proposed ridge height of 6.8 metres combined with the two-metre site elevation above properties opposite would cause demonstrable harm to all properties in this part of the conservation area.
- He agreed with Barley Parish Council in that there were no mitigating factors that would justify this application to be exempt from the planning framework in the Local Plan and recommended that the application should be refused.

In response to a point of clarification from Councillor Nigel Mason, Councillor Graziano advised that there was a population of swifts in the area which would be supported through swift boxes.

In response to verbal presentations, the Planning Officer advised that:

- This was a unique site on Smiths End Lane as it had a large garden and development on all three of its boundaries, making it an infill plot.
- Significant weight had been given to the assessment carried out by the Conservation Officer who had raised no objection to the application.
- An amendment had been made since the previous application to set the proposed dwelling further back to ensure that site lines of Ravello Rose Cottage and Ivy's Cottage would be retained when driving on Smiths End Lane.

In response to verbal presentations, the Development and Conservation Manager advised that:

- The proposed dwelling would be to the north of Ravello Rose Cottage and would not cause overshadowing on this property.
- If Members considered that the development would cause harm to the setting of the listed buildings and to the character and appearance of the conservation area, this would constitute less than substantial harm to the conservation area and would have to be balanced against the public benefits arising from the development.
- The main public benefit would be the delivery of a dwelling to the Council housing stock in the absence of a five-year housing land supply.

The following Members asked additional questions:

- Councillor Martin Prescott
- Councillor Jon Clayden

In response to additional questions, the Development and Conservation Manager advised that:

- In a heritage context, substantial harm was a high threshold as it only took place when heritage interest was removed from a heritage asset, for example, through the demolition of a listed building.
- Less than substantial harm was defined as anything less than this which meant that there was a broad spectrum within this category.
- Where there was less than substantial harm, the degree of this would have to be balanced against any public benefits, however, the Conservation Officer had deemed that there would be no harm to the setting of the nearby listed buildings or the character and appearance of the conservation area, therefore, assessing the balance with public benefits arising from the scheme would not be necessary.
- If Members considered there to be harm from the application in a heritage context, this would be less than substantial, and they would have to balance this with the public benefits of the application as mentioned previously.
- It was acknowledged that the proposed dwelling would affect the character and appearance of the conservation area, however, it would not do this in a harmful way.
- In their opinion, the insertion of a dwelling in a conservation area could not result in substantial harm to the heritage significance of a conservation area or to the architectural or historic interest of neighbouring listed buildings.
- For there to be substantial harm to those listed buildings, the Courts have found that a proposal would have to vitiate their architectural or historic interest, which would not be the case in this instance.

In response to additional questions, the Planning Officer advised that the height of the proposed dwelling would be greater than Ivy's Cottage but lower than that of Ravello Rose Cottage.

Councillor Nigel Mason proposed to grant permission and this was seconded by Councillor Clare Billing.

The following Members took part in the debate:

- Councillor Martin Prescott
- Councillor Jon Clayden
- Councillor Daniel Allen
- Councillor Caroline McDonnell
- Councillor Val Bryant

The following points were made as part of the debate:

- There were listed buildings surrounding the application site and it was outside the settlement boundary but within the conservation area.
- There were reasons to refuse this proposal that had been highlighted by the public speakers and careful consideration should be given to these.
- This application would interfere with an area that had seen no development for a long time, and officer assessment on harm in a heritage context had not taken into consideration the harm that residents would feel from this application.
- Given the lack of objection from the Conservation Officer and the policies within the NPPF, there was no clear reason to reject this application.

- It was positive that residents wanted to stay in the area and build a dwelling that suited their needs, but the objections to the application were sympathised with.
- An archaeological condition should be placed on the application.
- Upon a standard internet search on the conservation area within Barley, there was little historic interest here, however, they could request for a desktop survey to be carried out which would be the lowest form archaeological intervention.

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

- The Hertfordshire County Council Archaeologist did not respond to the consultation which is why the application did not include an archaeological condition.
- If Members required a condition relating to archaeology, a standard condition would require a watching brief whereby an archaeologist would be appointed and paid to watch over the site while its foundations were excavated, however, there was no evidence to suggest that the site was of archaeological interest or that historical development had taken place in the nearby area, but this decision would be up to Members.

Councillor Martin Prescott proposed that delegated authority be granted to the Development and Conservation Manager to resolve whether the decision should be subject to a condition relating to archaeology in consultation with the Hertfordshire County Council Archaeologist.

Following a point raised by Councillor Martin Prescott, the Development and Conservation Manager advised that authority could be delegated to him to resolve any outstanding archaeological concerns, alongside the Hertfordshire County Council Archaeologist, and include any required conditions. This was accepted by Councillor Nigel Mason as the proposer.

Councillor Dave Winstanley proposed an amendment for an additional Condition 10 for the application to include integrated swift bricks and this was seconded by Councillor Jon Clayden.

Councillor Nigel Mason accepted the amendment into the substantive motion. This was also accepted by Councillor Clare Billing as seconder.

Having been proposed and seconded, and following a vote, it was:

RESOLVED: That 25/00309/FP be **GRANTED** planning permission subject to the reasons and conditions set out in the report of the Development and Conservation Manager and the delegation of authority and additional Condition 10 as follows:

- (a) That delegated authority be granted to the Development and Conservation Manager to resolve whether the decision should be subject to a condition relating to archaeology in consultation with the Hertfordshire County Council Archaeologist, and
- (b) 'Condition 10

The dwelling hereby permitted shall incorporate integrated swift bricks which shall be retained thereafter.

Reason: To enhance biodiversity in accordance with the aims of the NPPD and the North Hertfordshire Local Plan Policy NE4.'

The meeting closed at 8.45 pm

Chair

This page is intentionally left blank

<u>Location:</u>	Land Off Barkway Road And North Of Flint Hall Barkway Road Royston Hertfordshire
<u>Applicant:</u>	Woolsington One Ltd
<u>Proposal:</u>	Outline Planning Application for Residential Development of up to 280 dwellings (including affordable housing) with all matters reserved except for access which is to be taken from Barkway Road, green infrastructure including public open space, landscape boundaries and SUDS
<u>Ref. No:</u>	21/00765/OP
<u>Officer:</u>	Peter Bull

Date of expiry of statutory period:

9th June 2021

Extension of statutory period:

5th September 2025

Reason for Delay:

The initial officer report was delayed due to discussions and negotiations relating to the masterplan and on various technical aspects, further information received and additional consultation exercises that have been undertaken as a result.

Reason for referral to Committee

The site area for this application for development exceeds 0.5/ 1 ha and therefore under the Council's scheme of delegation, this application must be determined by the Council's Planning Control Committee.

1.0 Policies

1.1 National Planning Policy Framework (2024):

1.2 In general and with regard to:

Section 2 – Achieving sustainable development;
Section 4 – Decision-making;
Section 5 – Delivering a sufficient supply of homes;

Section 6 – Building a strong, competitive economy;
Section 11 – Making effective use of land;
Section 12 – Achieving well-designed places;
Section 15 – Conserving and enhancing the natural environment;
Section 16 – Conserving and enhancing the historic environment

1.3 **Supplementary Planning Document and Other**

SPD – Developer Contributions (2022)
SPD – Design Supplementary Planning Document (2011)
SPD – Vehicle Parking at New Developments (2011)
SPD – Sustainability (2024)
Other - Therfield Health SSSI Mitigation Strategy (2022)

1.4 **North Hertfordshire District Local Plan 2011-2031**

SP1 - Sustainable development in North Hertfordshire
SP2 - Settlement Hierarchy
SP8 - Housing
SP9 - Design and Sustainability
SP10 - Healthy Communities
SP11 - Natural resources and sustainability
SP12 - Green infrastructure, biodiversity and landscape
SP13 - Historic Environment
T2 – Parking
HS1 - Local Housing Allocations
HS2 - Affordable housing
HS3 - Housing mix
D1 - Sustainable design
D3 - Protecting living conditions
D4 - Air quality
NE1 – Strategic green infrastructure
NE2 – Landscape
NE4 – Biodiversity and geological sites
NE6 – New and improved open space
NE7 – Reducing flood risk
NE8 – Sustainable drainage systems
NE10 – Water conservation and wastewater infrastructure
HE4 - Archaeology

2.0 **Site History**

2.1 None.

3.0 **Representations**

3.1 **Royston Town Council** – original consultation response confirmed strong objection for the following reasons -

- The application site is not allocated for development in the Local Plan and lies within the countryside, beyond defined settlement boundaries
- The site was not included in the Local Plan for a good reason
- The pandemic has had a huge effect on our town centre, and it is probable that retail and office space will be increasingly used for housing
- There is no further need for additional dwellings on this site.
- Traffic - Traffic surveys were carried out during lockdown when many people were working from home or furloughed. The data in the application therefore cannot be valid.
- This development could potentially add five hundred extra cars. This is an unacceptable increase in traffic to the narrow and busy pinch-point on Barkway Road ' where permanently parked cars make the road into an already dangerous single carriageway.
- There would be further congestion on the town's one-way system, which regularly becomes gridlocked. Queuing will cause further pollution for nearby houses.
- The proposed development has no provision for sustainable travel measures in order to achieve a significant switch to walking, cycling and public transport. We must avoid a car-centric development on the edge of town.
- The proposed development has no provision for sustainable travel (walking or cycling) measures.
- Service and facilities such as the town centre, schools and medical centres would realistically be too far and hilly to walk to and will further impact on traffic levels.
- Cycling along Barkway Road would be dangerous, especially for school children.
- The proposed development would have a negative impact on the character of the area, the natural geography and the skyline.
- The proposed development would be a destruction of good arable land and local wildlife habitats; it would lead to the inevitable destruction of more trees.
- Busy internal roads would cut through the existing bridleway and footpath.
- The additional footfall would also increase the harm to the nearby and already fragile Therfield Heath, which is a Site of Special Scientific Interest.
- Existing residents will be subjected to a lengthy period of construction noise and inconvenience, especially those on the north boundary of the land.
- Drainage - the consequences of building on steeply sloping chalk land in Royston has caused flooding issues for neighbouring properties.
- Infrastructure - There is insufficient infrastructure in the town. Doctors, dentists and schools are already under pressure from numerous recent developments. In conclusion, the negative impacts of the development would significantly outweigh the benefits in the area.

2024 response maintained strong objection for the following reasons -

Local Plan

- The application site is not allocated for development in the local plan.
- Other land is available within the North Herts District local plan.

Traffic

- This development would cause an unacceptable increase in traffic to the narrow and busy pinch-point on Barkway Road where permanently parked cars make the road into an already dangerous single carriageway.
- There would be further congestion on the town's one-way gyratory system, which regularly becomes gridlocked and does not seem to have been adequately considered.
- There are no planned pedestrian controlled crossings for people who will need to cross the Barkway Road to access schools.

Transport

- The application states that the station is a 20-minute walk away but many people would require longer, especially to walk back up to the development.
- Only one of the bus stops is set back from the road, the other will cause even more congestion.

Sustainability

- The houses will be built to 'maximise solar gain' which is only the bare minimum that could be expected.

Infrastructure

- The Cambridgeshire and Peterborough Integrated Care Board have stated that existing care services don't have the capacity to cope with more people.
- The hospital now has very few services and cannot be considered a health facility.
- Schools are oversubscribed particularly at secondary level and there is no sixth form provision in Royston meaning more children have to travel to school.
- Leisure facilities are not adequate to cope with the additional number of people.

Without prejudice recommendations if planning permission were to be granted:

- Bus services must be improved before people move in to discourage car use.
- A turning circle for buses should be provided within the estate.
- A pedestrian controlled crossing should be installed on the Barkway Road to facilitate those crossing to go to schools.
- Houses should have solar panels, air source heat pumps and no gas.
- Bird boxes, hedgehog holes and bat boxes should be provided

3.2 **Barley Parish Council** - objects to this outline planning application for the development of up to 280 dwellings which we consider to be unsustainable, harmful and contrary to planning policy –

- The proposed application site falls outside the Royston town boundary and is not identified for development in the adopted Local Plan.
- The proposed access for the development is to be from the B1039 (Barkway Road). This is a road where there are already concerns regarding speeding and volume of traffic. Traffic from the proposed development would have the choice to turn left into Royston or right towards Barley and Barkway.
- It may be assumed that the preference for the majority of vehicles leaving such a proposed development would be to turn left into Royston to access the A10, A505, A1198 or indeed the station. However, the gyratory system at Barkway Street – Priory Lane- A10 struggles to cope with the existing levels of traffic and during peak hours can become grid locked. It is reasonable to assume that traffic wishing to access the A10 or A505, will, therefore, choose to turn right out of the proposed scheme towards Barkway (and Reed) to access the A10 and Barley to access the A505 at Flint Cross. This will put an unacceptable burden on the local road network beyond Royston out into the neighbouring villages, causing not only unacceptable levels of traffic but also consequential increased levels of noise and pollution. There are already existing issues in Barley (and Barkway) with speed and heavy vehicles using the B1368 as an alternative route, particularly when there are blockages on the A10, A505 or M11. The increased level of traffic will, without doubt, exacerbate the existing safety issues at the Flint Cross junction.
- The proposed site occupies a prominent elevated position that is clearly visible on the approaches into Royston. The development of this site would have a detrimental impact on the visual amenity of the area, representing an unacceptable extension and encroachment of Royston into the surrounding countryside.

2025 consultation response reaffirmed original objections

- The current Local Plan was only adopted in 2022, and this site is not identified for development.
- Two principal areas of concern remain traffic and health provision; the supplementary information on the assessment of traffic impact does not address any of our previously expressed concerns.
- The revised traffic assessment has been updated and should be more reflective of current post Covid traffic flows. However, as far as we can determine, the analysis still discounts planned and proposed development outside the envelope of Royston, for example the substantial development proposed in Barkway, and totally disregards the impact of traffic flows into Royston from the surrounding villages, particularly Barley, Barkway and Reed.
- The analysis is fundamentally flawed and thus completely overlooks the impact on surrounding villages and the A505 junction at Flint Cross.
- It has been recognised for many years that the A505/B1368 junction is under considerable stress, and this will only increase with the Granta Park development and further planned schemes at Sawston and Duxford. These may be “out of

county” but this doesn’t mean they should be ignored. The cumulative impact of all these schemes plus the proposed residential schemes in Royston and Barkway must be considered.

- No further information has been provided to address all the collective objections submitted to NDC with regard to health provision.
- Barley Parish Council is of the opinion that none of the very key points concerning traffic and health have been addressed by the applicant.

3.3 **Reed Parish Council** – objects to the application - they comment that the site is unsuitable for development proposed and proposed development would lead to traffic congestion and unsustainable burden on local highway network.

3.4 **Cllr Ruth Brown** – no response received

3.5 **Cllr Carol Stainer** – no response received

3.6 **Cllr Gerald Morris** – objection – outside the town boundary, there is a surplus of housing sites, no requirement for additional housing, there are parking and congestion problems along the road which the development will exacerbate, services and amenities are too far from site to travel by non-car modes increasing therefore traffic surrounding the site, unsustainable site, adverse wildlife and biodiversity impacts, adverse impact on local Stud business, cumulative impact of traffic associated with this and other nearby developments do not appear to have been considered.

3.7 **Cllr Matt Barnes** – objection - significant concerns about the off-site impacts in particular the traffic impact on Barkway Road and the validity of the 2020 traffic report. Unclear whether increase allotment area / use been incorporated into the traffic assessment or not. Inadequate and unsuitable active travel measures through the Green Walk Plantation.

3.8 **Cllrs Matt Barnes, Ruth Clifton and Tim Johnson** – joint objection relating to proposal generally with specific concerns raised about the Transport Assessment Addendum – (i) Supporting report is poor and not independent (ii) proposal fails to satisfactorily consider traffic matters and mitigation particularly in relation to Barkway Road (iii) failure of HCC to acknowledge and address identified highway issues (iv) inaccurate cycle times and failure to consider the topography which will discourage cycle use (v) poor accessibility to local services (vi) proposed cycle route will not be policy compliant (vi) bus services will impact and be impacted by traffic along Barkway Road

3.9 **Herts County Councillor Fiona Hill** – strongly objects to the proposal –

- not an allocated housing site and is outside of town boundary
- contrary to LP policies
- dangerous site access to the site along B1039 (Barkway Road)
- will result in a huge increase in traffic movements exacerbated at peak times.
- speeding traffic and car damage along Barkway Road will be exacerbated
- survey work carried out in pandemic and therefore not reflective of usual conditions

- significant increase in traffic congestion and air pollution on the one-way system (Barkway Street/Priory Lane - A10) before leaving the town via the A10, Baldock Road, Newmarket Road or Old North Road to access the A505 or A1198
 - Additional pressure on local amenities, services and infrastructure – shops, schools, doctors' surgeries – which would need to be accessed by car
 - unsustainable site
 - adverse impact on wildlife and loss of habitat
 - loss of open space and have a detrimental impact on the residential amenities and visual impact of the area
 - the car is the main, if not only, mode of travel
 - pressure on the villages south of Royston and cause congestion at the Flint Cross junction, where there are safety issues, or even at the junction of the A10 near Reed. An incident on the M11 leads to additional pressures on the roads in and around Royston and this development would increase the problem significantly.
 - There are two footpaths, on the land off Barkway Road, leading out of Royston into the countryside. The paths are frequently used by walkers and clearly this has a very positive impact on mental health. Public Health has been encouraging people to exercise and enjoy the countryside, so this development would be in direct conflict with Government policy.
 - The site off Barkway Road is in a prominent position, as it is one of the highest points in the town and I believe any development would result in a loss of open space and have a detrimental impact on the residential amenities and visual impact of the area.
 - Highway mitigation measures inadequate
 - Site remains car dependent due to location of local services on north side of the town
 - The primary care (NHS) mitigation measures are inadequate and is unsustainable.
- 3.10 **HCC Lead Local Flood Authority** – initial concerns about the possible use of shared soakaways, particular on a large scale across the site have been addressed by the applicant by the provision of additional technical information. Therefore, subject to conditions no objections are raised.
- 3.11 **Anglian Water** – no specific objections raised although the applicant should check for any Anglian Water assets which cross or are within close proximity to the site.
- 3.12 **HCC Ecology** – no objection subject to a condition requiring a detailed Landscape and Ecological Management Plan (LEMP) informed by updated surveys where necessary.
- 3.13 **NHC Ecologist** – no objection subject to conditions.
- 3.14 **HCC Rights of Way** – no objections subject to improvements being secured.
- 3.15 **HCC Archaeology** – no objections subject to a condition to secure a Written Scheme of Investigation.

- 3.16 **HCC Growth and Infrastructure Unit** – no objection subject to contributions being secured for First Education, Middle Education, Upper Education, Nursery Education, Childcare, SEND, Library Service, Youth Service, Fire & Rescue and Monitoring Fees.
- 3.17 **HCC Highways** – does not wish to restrict the grant of planning permission. Conditions and mitigation measures are recommended.
- 3.18 **NHC Housing Officer** – no objections subject to the securing of 40% affordable housing.
- 3.19 **NHDC Waste Services** – no objection, general comments provided. Conditions are recommended.
- 3.20 **NHC Environmental Health Ground Contamination** - no objection subject to conditions and an informative.
- 3.21 **NHC Environmental Health Air Quality** – no objections subject to the development providing Electric Vehicle charging for the development in accordance with the Council's adopted standards.
- 3.22 **NHC Environmental Health Noise** – no objections subject to conditions and informatives dealing with noise environments for proposed dwellings, hours of work and construction periods.
- 3.23 **NHS (Cambridge and Peterborough)** – no objection subject to financial contribution being secured to provide for primary care needs arising from the development.
- 3.24 **CPRE Hertfordshire** – objects to the proposal as inappropriate and speculative development in the rural area and is not comply with Policies SP5 Countryside and Greenbelt and SP9 Design and Sustainability
- 3.25 **Water Officer** – no response received
- 3.26 **Affinity Water** – no response received
- 3.27 **Green Space Officer** – no objections in principle. Reserved Matters submission should consider the inclusion of green corridors through built areas, appropriately sited and equipped play areas with natural surveillance, the introduction of chalk grassland into green spaces and details of SUDS ideally low maintenance solutions in the interest of adoption. Adoption of open spaces by NHC would be preferable.
- 3.28 **Historic England** – does not wish to offer any specific comments.
- 3.29 **British Horse Society** – objects to the proposal due to the adverse impact on Bridleway 10 which passes through the centre of the application site. It would also cause harm to flora and fauna.
- 3.30 **Natural England** – no response received.
- 3.31 **Environment Agency** – the site is not considered to present a high polluting potential. Given this, no detailed site-specific advice or comments are given.

- 3.32 **Community Development Officer** – no response received.
- 3.33 **NHC Leisure Contracts** – no response received.
- 3.34 **Herts CC Fire and Rescue** – no objection subject to a condition for fire hydrants to be installed at no cost to the F&RS service, due to the size of the site and the potentially large number of proposed dwellings.
- 3.35 **Herts CC Minerals** – no objection subject to a condition requiring a waste management plan to be submitted and approved.
- 3.36 **Police Architectural Liaison Officer** – no response received.
- 3.37 **Wildlife Trust** – objected to original application as no biodiversity net gain details had been provided. Details have since been provided. No objection now subject to condition requiring a landscape and ecological management plan.
- 3.38 **Sport England** – no objection subject to financial contributions being secured for a variety of indoor and outdoor sports facilities (new and upgrading of existing) to meet the needs of the proposed development.
- 3.39 **Landscape Consultant (The Landscape Partnership)** – the development will result in some adverse landscape and visual effects. However, in landscape and visual terms the proposed site has capacity for some sensitively located development.
- 3.40 **Rt Hon Sir Oliver Heald MP** – objects to the proposal on the grounds that the site is a speculative proposal outside the town's development envelope as defined in the Local Plan and will be located on the skyline. The proposal would be harmful to footpaths including the Hertfordshire Way and local setting.
- 3.41 **Neighbour Representations**
- 3.42 The application has been advertised with site notices, neighbour notification letters and in the local newspaper (The Comet). A number of consultation exercises have been carried out during the course of the application -
- 2021 - 72 letters of objection were received in relation to the original consultation exercise.
 - 2022 - an additional 71 letters of objection were received an initial consultation relating to the initial site masterplan.
 - 2024 – following Design Review the final version of the Masterplan and updated site location plan was provided and a further consultation exercise yielded 142 objections.
 - 2025 – an updated Travel Assessment Addendum was provided and a further 61 objections were received.
- 3.43 Neighbours objections and concerns raised are summarised as follows –

Original consultation 2021 and initial Masterplan 2022:

Principle and general issues

- Contrary to Local Plan policies
- New housing should be focused on brownfield land and existing towns where there are vacant buildings
- Speculative application not an allocated site
- Site should be promoted in the review of the Local Plan next year
- Contrary to rural area policy
- Royston not urban town but country town
- Absence of pre-application consultation with LPA
- Royston has been allocated its sufficient share of housing
- outside of the settlement boundary for Royston
- The Council has a 5-year land supply
- Not sustainable development
- Significant and unplanned development
- No need for additional housing
- Loss of high-quality agricultural land – need to protect land for food production

Highways and Access

- Additional traffic on surrounding roads (up to 600 cars) causing additional congestion on the Barkway Road and along the one way system - Majority of traffic from site is predicted to be towards the town
- The B1039 Barkway Road is effectively a single width road due to the official residents' NHDC parking bays on one side
- Single vehicular access only which is inadequate
- Inadequate cycle infrastructure and pavement widths too narrow for certain users
- Poor visibility at junction
- Site inaccessible by public transport
- railway station car park already at capacity
- limited bus services
- Local topography will create difficulties in accessing site via foot, cycles especially young families and the elderly
- Changes to local footpaths
- Alternative access options such as Grange Estate or A10 should be explored - better for access and egress
- Impact of emergency vehicle access
- Loss of zebra crossing in favour of pedestrian crossing will cause delays and is inappropriate
- Overall pedestrian access poor, use of bridleway for primary access inappropriate
- Invalid transport assessment & baseline modelling assumptions
- Inaccurate, biased and misleading data and traffic modelling in Transport Assessment undertaken during pandemic – should be carried out again
- Impacts on bridleways and footpaths
- Hazards and danger to pedestrians
- Other recent permissions have impacted on this road
- Application site is valuable local walking area
- Construction traffic hazards and additional harm
- Poor connectivity between site and existing urban area especially for cycles, buggies and mobility scooters and children

- The traffic problems on Barkway Road alone significantly and demonstrably outweigh any benefits

Environmental impacts

- Pollution, traffic noise and air quality adverse impacts
- Loss of privacy
- Noise and disturbance from increased pedestrian use of bridleways and footpaths running through the site and linked to adjacent residential development
- Adverse impact on tranquillity of the town
- Light pollution
- light pollution from the creation of the estate, particularly affecting existing properties bordering the new development.
- Will the PROWs be lit, but dimmed or switched off at night making them ineffective
- Traffic noise and pollution
- Safety of footpaths at night
- Additional carbon emissions from additional traffic
- Absence of play facilities will encourage anti-social behaviour
- Adverse impact on the mental health and physical wellbeing of existing residents from noise and pollution

Ecology and BNG impacts

- Loss of biodiversity, trees, wildlife and habitats and impact on Therfield Site of Special Scientific Interest (SSSI)
- Inadequate traffic and wildlife mitigation
- Inadequacy of Habitat Survey – surveys undertaken at inappropriate times
- Adverse impact on landscape character and appearance together with visual impact
- loss of countryside/green field
- loss of open space
- Considerable and detrimental effect on the visual landscape due to topography
- Misleading and biased landscape and visual assessments
- Invalid assessment of Ecological impacts particularly upon protected species/habitats
- Periods of heavy rainfall flooding from site due to extra hardstanding areas

Water, drainage and flooding

- Additional hard standing will lead to an increase in drainage issues.
- Inadequate Flood Risk Assessment – topography could cause runoff water and flooding
- Inadequate drainage
- Outstanding statutory objection from HCC Lead Local Flood Authority;
- Water quality affected

Heritage

- Adverse impact on archaeological remains
- Loss of bunker from World War II within the site
- Adverse impact on ancient monuments

Procedural

- Legal agreement no been entered into
- Inadequate preapplication engagement with local people and technical consultees
- Overhead line diversion unclear and in some points not possible
- Omission of Unilateral Undertaking /s.106 agreement contrary to policy

Other matters

- Potential high-density housing adjacent to the existing homes by Fordham Rd and Wortham Rd as these are all 4 bedroom detached properties,
- Misleading area description
- Number of dwellings is unclear
- the planned green space area adjacent to existing housing, thereby acting as a buffer zone.
- South Cambridgeshire plan to build 25,000 new homes between Bassingbourn and Meldreth placing additional impacts on local services
- Adverse impact on existing amenities and infrastructure- education, health care, community facilities – which are already very limited on this side of town and already stretched in the town
- Nearest shop over 0.5 miles away (10 mins walk)
- Poorly connected to existing infrastructure
- Other recently permitted developments nearby will add to this one proposed
- Inappropriate scale & proportion
- Inadequate play space for young people
- Insufficient design detail to consider application impacts
- inappropriate density of housing
- over development of this area of town
- No Environmental Impact Assessment provided
- No details of underground power lines
- Harm does not outweigh benefits
- Site topography will heighten visual impacts for existing adjacent residential properties
- Misleading comments and data within Planning Statement and Sustainability Appraisal

3.44 2024 consultation on Masterplan and amended location plan:

General:

- Not allocated site outside of settlement
- Disbenefits outweigh benefits
- Unneeded housing in Royston
- insufficient consultation with local people
- Should include mixture of house types
- Masterplan inaccurate with omissions
- This development is next to a wooded area - this will increase cost and risk to the council.
- With reference to the adjacent Newsells Park Stud. There will be considerable negative pressure on their business
- Alternative housing sites available

- Affordability concerns
- Overdevelopment
- Loss of vistas for existing residents
- Solar panels should be included
- Inaccuracies in supporting documents

Highways and access

- Traffic congestion (immediate and wider) mitigation road width highway maintenance dangerous inadequate road network
- Not sustainable – reliant on car
- Mitigation measures inadequate
- Unrealistic sustainable travel solutions
- Lack of on street parking
- Distances and steep hills incompatible with realistic cycle use
- Cycleway not policy compliant
- TAA It is out of date, conducted approx. 4 yrs ago
- Bus service inadequate to serve development
- Car reliant
- lack of any meaningful traffic mitigation
- access for emergency vehicles.
- Cycle connections inadequate
- Cycleway proposals through Green Walk Planation in contravention of the covenant.
- Timing of improvements unknown
- Barkway road is essentially a single-track road

Infrastructure

- Inadequate infrastructure / services – schools, health care, dentists, schools, youth support shopping, public transport

Ecology and BNG

- Woodland management loss of wildlife loss of BMV Impact on birds and bats wildlife generally
- Unclear whether Biodiversity Net Gain Improvements are mandatory or not

Environmental

- Air noise pollution
- Light pollution

Flooding and drainage

- Inadequate infrastructure
- Inadequate sewage treatment
- Foul sewage
- SUDS management unknown
- Will cause drainage and flooding problems

3.45 2025 consultation on TAA:

- The updated 2025 MODE Transport Assessment flawed, inadequate and unsound
- Traffic survey data is not included
- The majority of the cumulative developments are now built out and it is unclear whether these are considered / captured in the traffic surveys
- There are road marking conflicts on drawings
- The gyratory modelling is not considered appropriate.
- The B1039 where it effectively is a single carriageway should be modelled.
- The frequency of bus service 18 remains incorrect and provides a small number of bus services per day, not suitable for commuting.
- Inappropriate transport modelling meaning that assertions on capacity cannot be relied upon and appropriate mitigation measures are unsound.
- Exceeds capacity for significant amounts of time every weekday
- Signalisation of the zebra crossing across the A10 will only cause delays to EVERY user of that bit of road
- Pedestrians will be delayed having to wait for the new crossing to decide when to allow them to cross
- Northbound traffic on the A10 will be delayed by the regular red lights at the crossing,
- Southbound traffic will be increased by an even greater amount
- The frequency of this traffic backing up to north of the Barkway Road turning will increase, causing even longer delays to the traffic attempting to join the A10 from Barkway road.
- Upgrading the existing informal crossing along Barkway Road to a Zebra or Puffin crossing will cause the North-West traffic to gridlock.
- Active Travel route inappropriate
- Pressure on the villages south of Royston will cause congestion at the Flint Cross junction
- Public transport-cannot support the proposed population increase.
- Unrealistic expectation that residents will use footpaths and cycle ways
- Cycle routes, especially to local school inappropriate and unsafe / dangerous and unrealistic
- Stated cycle travel times inaccurate
- Barkway Road is in essence a single carriage way
- Contrary to NPPF – mitigation inadequate and site not well located nor well serviced

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises two agricultural fields (referred to as eastern and western parcels) located to the south of and adjoining the built-up area of Royston. The site boundaries abut Barkway Road (B1039) in the north-east and existing residential development in the north. To the south-west the site abuts an existing agricultural field separated from the application site by trees and hedges. The southern boundary runs adjacent a track which connects the A10 classified road in the west to Barkway Road

(B1039) in the east. It also sits adjacent to Flint Hall Farm which includes a range of farm cottages and traditional barns recently converted together with the construction of a number of new dwellings. The two fields which make up the application site are dissected by a tree belt which runs in the north south direction. The application site is 18.47 hectares in area. Of this approximately 8.31 is identified as residential developable area and 10.16 hectares will comprise open and green space.

- 4.1.2 The site is characterised by a sloping topography and is approximately 1.3 km from the town centre. The Hertfordshire Way, a long-distance bridleway 010, and public footpath 016 run through the central tree belt. Overall, the surroundings are mixed rural and edge of suburban in character. The site is located 4.6km north-west of the settlement of Barley.
- 4.1.3 Royston is the third largest of the four towns in North Hertfordshire when measured by population. The relative isolation of the town means that it plays an important service role for many of the surrounding villages in both Hertfordshire and Cambridgeshire.

4.2 Proposal

- 4.2.1 Outline permission is sought for Residential Development of up to 280 dwellings (including affordable housing) with all matters reserved except for access which is to be taken from Barkway Road, green infrastructure including public open space, landscape boundaries and SUDS.
- 4.2.2 Submitted in support of the application are the follow documents:
- Design and Access Statement;
 - Planning Statement;
 - Landscape and Visual Impact Assessment
 - Heritage Statement;
 - Statement of Community Involvement;
 - Transport Assessment;
 - Flood Risk Assessment;
 - Phase 1 Geophysical Report
 - Utilities Report
 - Parameters Plan
 - Air Quality Assessment
 - Ecological Appraisal
 - Arboricultural Impact Assessment
 - Noise Assessment
 - Socio Economic Statement
 - Residential Travel Plan
 - Sustainability Appraisal
 - Biodiversity Net Gain Technical Briefing and plan
 - Masterplan document (versions 1, 2 and 3)
 - Cycle and Pedestrian Access Strategy Statement

4.2.3 Additional documents received during the processing of the application:

- Transport Assessment Addendum (2021)
- Archaeological Evaluation (2021)
- Flood Risk Assessment Technical Notes 1 & 2 (2021)
- Landscape and Visual Assessment Addendum (2021)
- BNG Technical Briefing Note (2021)
- Planning Statement Addendum (2022)
- Design and Access Addendum (2022)
- Masterplan - Draft (2022)
- Masterplan - Final (2024)
- Revised location plan (2024)
- Planning Statement Addendum (2024)
- Proposed Access and Footway Connection Drawing (2024)
- Footway Lighting Technical Note - Bats (2024)
- Updated application form (2025)
- Revised site location plan (2025)
- Transport Assessment Addendum (2025)

4.2.4 All the above documents are viewable in full on the Council's website.

4.2.5 The supporting documents explain the benefits the proposal will deliver comprising -

- High quality new homes including affordable properties thereby increasing opportunities for home ownership
- Boosting the supply of housing within North Hertfordshire
- High quality, landscape led designed development
- Provision of a high standard of design and construction enabling an enhanced residential amenity
- The provision of new public open space, including new equipped play provision, retained trees and hedgerows, informal public open space, surface water drainage (SUDS) and footpath links
- The protection and enhancement of existing landscape features and biodiversity habitats
- The provision of CIL to fund local infrastructure projects
- Delivery of new employment opportunities from the proposed housing development including full time jobs and supply chain jobs during the construction period

Environmental Impact Assessment

4.2.6 For certain types of development proposals, a screening opinion is necessary to determine if it is likely to result in significant environmental effects and, consequently, require an Environmental Impact Assessment (EIA). This screening process is undertaken by the local planning authority.

4.2.7 As part of the outline application, a screening opinion request was made to the local planning authority for the proposed development. The council's response, provided in May 2021, confirmed that the development falls within *Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)* and it

exceeds the necessary thresholds being more than 150 dwellings and having a site area exceeding 5 hectares. In the Council's opinion, having considered the necessary criteria, the development was considered not likely to result in significant effects on the environment by virtue of factors such as its nature, size or location. On this basis, officers concluded that the proposed development is not 'EIA development' within the meaning of the *2017 Regulations (as amended)*. For the avoidance of doubt, this decision is relevant only for the purpose of a screening opinion pursuant to the *Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)*.

4.3 Key Issues

4.3.1 The key areas for consideration are:

- Policy SP9 - Design and Sustainability (Strategic Masterplans) and Design Review
- Principle of development
- Loss of agricultural land
- Landscape and visual impacts
- Impact on heritage assets
- Archaeological impacts
- Highway and access impacts
- Environmental impacts (land, noise and air)
- Flooding and drainage
- Ecology and Biodiversity Net Gain
- Open Space
- Sports Pitch
- Tree Impacts
- Primary Care Impacts
- Sustainability assessment
- S106 matters
- Planning Balance and conclusion

Policy SP9 - Design and Sustainability (Strategic Masterplans) and Design Review

4.3.2 A key policy consideration is *LP Policy SP9*, which addresses design and sustainability, and in accordance with the NPPF, requires a strategic masterplan for larger housing applications such as this.

4.3.3 *LP Policy SP9* supports new development where it is well designed and located and responds to its local context. Whilst a Strategic Masterplan (Masterplan) and supporting framework plans were not submitted originally with the application, the applicant has worked positively with officers to both prepare and agree a Masterplan that meets the policy and design requirements of *LP Policy SP9*.

4.3.4 The Masterplan document was the subject of extensive negotiations and discussions since 2021 when the application was submitted. The most recent iteration was submitted in December 2024 and was the subject to a re-consultation exercise following its submission.

4.3.5 The Masterplan document has been assessed by officers, and it is considered that it demonstrates general conformity with *LP Policy SP9*. A copy of the illustrative site layout as set out in the Masterplan can be found at Appendix 7.1 of this report.

4.3.6 The Masterplan document sets out the following elements -

- *A clear and site-specific distinctive vision with place-making objectives based around a landscape-led design*
- *Local character and contextual analysis – townscape, heritage, movement, services, green infrastructure and landscape*
- *Site analysis – constraints, designations and opportunities – which have informed the masterplan framework*
- *A robust set of framework plans which fix the structure of the masterplan in terms of land uses, access and movement, green and blue infrastructure, biodiversity and landscape and urban design parameters*
- *Design principles to inform the detailed design and any future reserved matters*
- *An illustrative Masterplan layout to provide an example of how the site could be developed within the parameters and principles set out in the Strategic Masterplan Framework to achieve design quality and SP9 compliance*

4.3.7 The following section explains how the Masterplan meets the design objectives of *LP Policy SP9* -

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

4.3.8 The Masterplan illustrates how the site accounts for the existing built-up character of Royston, the existing woodland edges and existing local public rights of way together with sensitive consideration of its juxtaposition to the rural area to create a contextually responsive development. A comprehensive appraisal of the landscape, townscape and historic character of the site and surroundings and character study have been undertaken to inform the Masterplan and ensure it responds to local character.

Key measures illustrated –

- *A singular vehicular access/egress junction from Barkway Road*
- *Retention and enhancement of existing site wide public rights of way – bridleway 010 and footpath 016*
- *Sustainable drainage network including swales and infiltration pond*
- *A primary street linking the east parcel to west parcel*
- *Buffer landscape corridors (12m min.)*
- *Retention of existing natural features including woodland*
- *New native woodland belt to the south and south-western boundaries*
- *Buffer landscape corridor to neighbouring homes along northern boundary*
- *New footway connections from the site into the adjacent urban area and within the site to connect to the existing on-site footpath and bridleway*
- *Proposed foot/cycle improvements from the site to the existing residential development at Shrubbery Grove*
- *Neighbourhood green in the western parcel*
- *Community space and allotments in eastern parcel*

- *Play spaces – LEAPs, LAPs and natural play areas - in both eastern and western parcels*
- *Public open space*
- *Key interfaces / edges*

4.3.9 The site is organised around five-character areas with varying characteristics. In general terms, the Masterplan demonstrates an acceptable approach. However, some further minor refinement and adjustment to the site wide block structure and the Greenway North character area will be necessary prior to the submission of any future applications.

(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; and (iii) Provide a clear structure and hierarchy of pedestrian friendly streets and well-connected footpaths and cycle ways integrated with the wider environment and communities;

4.3.10 The site is physically connected to the existing urban area to the north. Existing footpaths and pedestrian links within or immediately adjacent to the site comprise –

- *designated bridleway 010 which runs north to south between the two parcels*
- *footpath 016 which runs north to south in the eastern parcel*
- *informal links between the western parcel and existing housing adjacent to the northern boundary*
- *permissive routes around the site boundaries linking to bridleway 010 and footpath 016 and a footpath the Greenway Plantation to the northwest.*

4.3.11 The undulating site topography has created some challenges in identifying deliverable active travel solutions (footpaths and cycle routes). However, the Masterplan does now illustrate acceptable connections from the site with further design work necessary at future stages. The key connections comprise –

- *New cycle route from the north-western parcel through the Greenway Plantation to Shrubbery Grove*
- *A new footpath from the north-western parcel to Grange Bottom and;*
- *A new public footpath along Barkway Road.*

4.3.12 Key local services (shops, schools and health care facilities) are located north of the site within the main built-up area of the town. To ensure active travel solutions are available for residents to access these services by non-car modes, a range off-site highway improvements have been identified by the highway authority (Herts County Council) and these will be delivered partly by the developer and also the County Council funded by the developer (see *Highways and Access* section of this report for more details). Due to local topography and other off-site constraints, it is acknowledged that whilst local services would be accessible, journey times are likely to be above average when travelling southwards from the town centre to the site. This is not considered to be a significant obstacle to the development. On balance, the Masterplan is considered to illustrate acceptable and deliverable active travel connections to existing local services.

- 4.3.13 Buses into and out of Royston town centre (routes 18 and 27) run along Barkway Road. The existing nearest stops to the site are adjacent Shaftesbury Avenue. New bus stops would be provided as part of the proposal adjacent to the proposed vehicular access off Barkway Road.
- 4.3.14 Pedestrian connectivity between the site and the existing urban area has been considered. A new footpath is identified from the western parcel into Grange Bottom. Informal connections from the existing western field parcel into Mill Hill / Beldam Avenue / Kingston Vale exist presently although, due to a ransom strip, these cannot be delivered as formal routes as part of the development. This matter could be revisited in the event planning permission is granted. Existing site wide public rights of way – bridleway 010 and footpath 016 – together with new footpaths along streets will be provided to enable active travel options for residents. Existing public footpath 016 which runs in a north-south direction in the eastern parcel would be enhanced and new internal footpaths and within the public highway are illustrated and would be provided to ensure easy access and connectivity to bus stops for residents. The eastern parcel of the site is approximately 0.7 miles to Studland Rise First School and a range of highway improvements including either a Zebra or Puffin Crossing in two locations across Barkway Road, north of Shaftesbury Way and south of the A10 gyratory are proposed to improve connectivity for both the existing and future residents (currently there are no crossings on Barkway Road). Informal paths will run through the site connecting it to proposed new open space and play areas and allotments on site and areas of woodland and the rural area immediately adjacent the site.
- 4.3.15 A number of key views and gateways and focal spaces are identified in the Masterplan and these inform street patterns/routes and other links through the site. The site layout has been arranged into five-character areas each designed to be integrated with development blocks and green spaces to create legibility and permeability. Each character area includes preliminary details of street hierarchy and specifications, building density, building typologies and heights, setbacks and materials to guide future reserved matters applications.
- 4.3.16 The Primary Street comprises a principal tree lined avenue with plated verges and sustainable drainage where appropriate. This street would link the two parcels and likely terminate at an open space in the western parcel. The Masterplan recognises that care will be needed in ensuring the where the vehicular route crosses the existing bridleway 010, that the bridleway is prioritised.
- 4.3.17 Secondary streets or 'lanes' will be formed off the Primary Street. These 'lanes' provide access to the core of the development where the needs of pedestrian and cyclists are prioritised with shared surfaces.
- 4.3.18 Tertiary streets will comprise shared surfaced carriageways. Development along site boundaries will comprise edge lanes which will be landscaped to better integrate the development with the existing adjacent woodland areas and the rural area beyond. Front gardens will further reinforce this landscaped edge feature. Swales will be located adjacent to streets, where required.

4.3.19 A low-speed environment of 20 mph will support active travel. Street cross sections are provided in the Masterplan document to illustrate the street character and should be used to inform more detailed design.

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

4.3.20 The development includes an area for community allotments in excess of minimum standards for the size of the site. It is envisaged that the allotments would provide a focal community space which could be used for social events. No retail or employment uses are proposed as part of the development. However, the site is physically linked to the urban area where existing retail and employment facilities exist. As previously stated, active travel routes for residents to access local facilities would be provided as part of the development.

(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;

4.3.21 The Masterplan proposes a development that will provide a sensitive extension to Royston that reflects its form and character given its position at the interface between both urban and rural edges. It will strengthen and connect to the wider green infrastructure network immediately beyond the site.

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

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

4.3.22 The proposed development incorporates a hierarchy of linked green public spaces, and these are illustrated in the Masterplan. The green infrastructure has been designed to retain and enhance existing site features and to link these to existing and new green areas and spaces within the development providing a landscape setting that draws on the adjacent woodland character and good quality access to multi-functional green space for residents in accordance with local plan policies and the Therfield Heath Mitigation Strategy. The proposed development will exceed the Council standards for open space. The key green infrastructure elements comprise -

- Meadows Park (3.31ha approx.) will be an open space immediately south of the main vehicular access. This will be a 'gateway' semi natural parkland providing recreational space, equipped play areas, habitat creation and woodland planting. It will be designed to have a semi-naturalistic character – grassland, scrub and woodland - to provide transitional area between the site and the adjacent countryside.*
- The Avenue (primary street) will consist of formal tree lined road with planted verges.*
- The Glades (0.28ha approx) is an area within the existing mature central treeline along the central bridleway 010 between the two field parcels. This will include natural play within the woodland which is to be retained.*

- The 'Meadows' Park (3.32ha approx.) is located within the eastern field parcel adjacent to the southern boundary, this semi natural (grassland and scrub) parkland will provide the primary public open space designed to include recreational space, equipped play areas, habitat creation and woodland planting.
- The 'Greenways' will provide important pedestrian routes around the development. Formal paths will be set within a landscape setting, providing enhanced ecological buffers to retain and protect key landscape features. These will also link to existing residential areas and PRow.
- Existing and New Woodland Area will provide the most distinctive and key landscape features associated with the site. These features will be protected within extensive development offsets of a minimum of 12m to provide a mature landscape setting for the proposed development from day one. The eastern parcels southern treeline is particularly important, ensuring that the proposals will be visually integrated from the approaching PRow routes, within the surrounding rural landscape. As such, it is proposed that a new on site native woodland belt along the full extent of this boundary will be established providing long term visual integration with control and long-term management of the tree belt with the landowner.
- Allotments - the allotments will act as a communal activity point for the development, promoting healthy outdoor activity, mental wellbeing, contact with nature and the production of fresh, local and seasonal produce. The design for the allotments will seek to include facilities in accordance with guidance. The allotments are positioned within the Meadows Park, within easy access of the Greenways and the southern access road loop, enhancing access for both pedestrians and vehicular use. The allotments will be surrounded by areas of open space and both existing and proposed woodland to provide an immersive and pleasant natural setting.
- Approximately 0.82 ha of 'Other' open spaces are identified in the Open Space Framework and these include a village green, green corridor, green view corridors, neighbourhood green, SuDs and equipped play areas.

4.3.23 The application was submitted prior to the introduction of mandatory 10% biodiversity net gain. *LP Policy NE4* requires biodiversity improvements on all new developments although it does not set out a prescriptive amount. The Masterplan confirms that the development will result in a 26% biodiversity net gain in habitat units and 57% biodiversity net gain in hedgerow units (based on the DEFRA Biodiversity Metric 3.0 Calculation Tool). This matter is discussed further below in the *Ecology and Biodiversity Net Gain* section of the report below.

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

4.3.24 The primary SuDs features comprise two enhanced attenuation basins which are located within the lowest parts of each of the two parcels of the site. They will include permanent water bodies, marginal planting, wet grassland and native multi-stem shrubs, feathered trees and scrub suited to wetland conditions. Additional sustainable SuDs features that will be included at appropriate locations around the site comprise permeable paving, swales, filter strips and bio swales to reduce and manage surface water runoff and

pollution. The SuDs strategy seeks to link these features together to treat, store, re-use and move water as part of a sustainable 'treatment train'.

(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;

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

- *Building heights – these will range from one storey to two and a half storeys high. Heights will be determined at a future design stage and will depend on several factors including topography, proximity to existing urban area and the need to positively frame and enclose key junctions and spaces.*
- *Village green – a space located centrally in the western parcel to create an attractive neighbourhood green with equipped play equipment edged and overlooked by housing.*
- *Density - densities across the site vary from 25-40 dwellings per hectare.*
- *Frontage and street hierarchy – the street hierarchy comprises three levels - primary, secondary and tertiary. The frontage hierarchy also comprises three levels - key frontages, perimeter blocks and secondary frontages. Key frontages will be more formal in their layout and building design linking and enclosing key green spaces. Perimeter blocks to the outer edges with clearly identified routes through. Secondary frontages will be more informal in their layout and have a greater variety of dwelling types*
- *Focal spaces – the Masterplan identifies five key focal spaces – the area immediately as you enter the site from Barkway Road, the two SuDs basins, views from the southern boundary towards the Cambridgeshire Plains and the village green located to the middle of the western parcel. view corridor.*
- *Key views and vistas – two key vistas are identified in the Masterplan – immediately adjacent to the Greenway Plantation looking south-east and adjacent the existing field access off Barkway Road looking west.*
- *Key gateways – the Masterplan identifies five key gateways into the site – three from the Barkway Road, one from the Greenway Plantation and one where the road linking the two parcels meets bridleway 010.*

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

4.3.26 The management and maintenance of green spaces, play areas, SuDs and other components of public realm will need to be agreed to support the lifetime of the development and that green space is sustainably managed to a suitable level of quality and condition for all residents. The Council's Greenspace Manager has indicated a willingness to take responsibility for the open space and the applicant is agreeable to this in principle. Also, the allotment space would typically be offered to the Town Council in the first instance, but it could revert to management by the district council in the event the Town Council does not wish to take responsibility for it. This should be secured as a first choice. Further consideration of open space stewardship, management and maintenance is set out below in the *Open Space* (4.3.162) and *Section 106 matters* (4.3.200) of this report.

Design Review

- 4.3.27 The applicant engaged in a Design Review process with Design South-East (DSE) in July 2024. The design review team comprised professionals from a number of built environment disciplines comprising urban design, architecture, transport planning, civil engineering and landscape architecture. A report was provided by DSE and shared with the applicant in August 2024. The report provided a range of recommendations covering Sustainable Design, Access Streets and Connectivity, Topography and Drainage, Landscape and Management, Community Amenities and Engagement and Built Form. The recommendations were considered by both the council's officers and the applicant and have resulted to improvements and changes to the Masterplan. These improvements and changes primarily related to the written content of the Frameworks referred to above but also included some additional illustrative material relating to built form, topography and SuDs features. Many of the issues identified by DSE are 'signposted' in the Masterplan for further consideration at future stages of the detailed design processes – Reserved Matters and section 278 Highways design.

Conclusion on Policy SP9: Design and Sustainability (Strategic Masterplans)

- 4.3.28 The proposal is in general accordance with *LP Policy SP9* relating to design and sustainability and the requirement for sites over 100 units to include a Strategic Masterplans. This matter weighs neutral in the planning balance.

Principle of development

- 4.3.29 Part 5 of the NPPF *Delivering a sufficient supply of homes* confirms the Government's objective of significantly boosting the supply of homes and in doing so it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 4.3.30 Part 11 of the NPPF *Making effective use of land confirms that* decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (paragraph 124).
- 4.3.31 The site is located outside the settlement boundary of Royston Town. However, it would physically abut existing residential development off Beldam Avenue and Shaftesbury Way. Royston is the third largest of the four towns in North Hertfordshire when measured by population. It plays an important service role for many of the surrounding villages in both Hertfordshire and Cambridgeshire. *LP Policy HS3* also requires that residential proposals should provide a density, scale and character of development appropriate to its location and surroundings.
- 4.3.32 The NPPF paragraph 11c) advises that for decision taking, approving development proposal that accord with an up-to-date development plan without delay. Paragraph 12 confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.
- 4.3.33 *LP Policy SP1 Sustainable development in North Hertfordshire* supports the principles of sustainable development within the district. *LP Policy SP2 Settlement Hierarchy and Spatial Distribution* sets out where and the amount of new housing will be delivered across the district over the plan period and confirms that this will focus on towns including

Royston. This identifies the need to deliver at least 14,000 new homes for the district and these will be primarily delivered adjacent or within existing towns. *LP Policy SP8 Housing* of the plan sets out that 4,860 of these homes are to be provided through local housing allocations that will provide homes on:

- further sites within the adjusted settlement boundaries of the towns;
- land within the adjusted settlement boundaries of the five villages identified for growth and;
- sites identified within the defined settlement boundaries of the Category A villages.

4.3.34 In relation to Royston, the adopted Local Plan identifies four housing sites seeking to deliver 478 houses. Details of these sites and their status is set out below –

- *Policy RY4 - Land north of Lindsay Close - 100 homes – no application has been submitted for housing on this site to date.*
- *Policy RY7 - Anglian Business Park, Orchard Road - 60 homes – part outline part full permission granted for 67 units. This was not implemented within the necessary 3-year period and has now therefore elapsed (application reference 19/01172/HYA).*
- *Policy RY10 - Land south of Newmarket Road - 300 homes – permission granted (application reference 17/00110/1). Revised application pending consideration (application reference 24/01013/OP).*
- *Policy RY11 - Land at Barkway Road - 18 homes – permission granted for 10 dwellings (application reference 21/02957/FP). Permission not yet implemented.*

4.3.35 In addition, as part of the Retail allocations for the town, *LP Policy RY12 Town Hall Site, Melbourn Street* identifies 1.4ha for redevelopment purposes including some residential uses to the upper floors. As can be appreciated from the foregoing, none of the allocated housing identified for Royston has been delivered to date.

4.3.36 *LP Policy SP5 Countryside and Green Belt* confirms support for the principles of the Green Belt and recognises the intrinsic value of the countryside and identifies the Rural Areas Beyond the Green Belt on the Policies Map. *Policy CGB1 Rural Areas beyond the Green Belt* states that –

In the Rural Areas beyond the Green Belt, as shown on the Policies Map, planning permission will be granted provided that the development:

- a) Is infilling development which does not extend the built core of a Category B village;*
- b) Meets a proven local need for community facilities, services or affordable housing in an appropriate location;*
- c) Is strictly necessary for the needs of agriculture or forestry;*
- d) Relates to an existing rural building;*
- e) Is a modest proposal for rural economic development or diversification; or*
- f) Would provide land or facilities for outdoor sport, outdoor recreation and cemeteries that respect the generally open nature of the rural area.*

- 4.3.37 The proposal does not meet any of these exceptions. For the purposes of local plan policy, the development would therefore be contrary to *LP Policies SP5 and CGB1*.
- 4.3.38 By way of background information, attention is drawn to the fact that this application was submitted in March 2021 at a time when the Local Plan had yet to be adopted and during a period when the Council were unable to demonstrate a 5 year housing supply. The applicant has also confirmed that the applicant had not secured the site until the after the recently adopted Local Plan had reached the examination stage. There was therefore no opportunity to promote the site through the normal Local Plan ‘*call for sites*’ process.
- 4.3.39 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 (i.e. Green Belt and heritage assets) 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. This process is known as the ‘*tilted balance*’.
- 4.3.40 The applicant confirms that the site can be delivered in the short-term, bringing forward both open market and affordable housing that will help the district’s housing supply. In this regard, the NPPF at paragraph 61 states that to support the Government’s objective of *significantly* boosting the supply of homes, ensuring that a sufficient amount and variety of land can come forward where it is needed. Paragraph 62 goes on to state that housing need is usually expressed as a minimum number of homes needed for an area. This is reaffirmed in the Planning Practice Guidance at *Housing and economic needs assessment* (paragraph 002) in relation to the Standard Method for calculating housing need. Essentially, the figures from the Standard Method are minimum estimates of local housing need and are not binding housing requirements.

Affordable housing

- 4.3.41 Chapter 5. *Delivering a sufficient supply of homes* in the NPPF sets out broad policies for the housing including affordable housing. Paragraph 63 of the NPPF confirms -

Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing with care and care homes); students; people with disabilities; service

families; travellers; people who rent their homes and people wishing to commission or build their own homes

4.3.42 Paragraph 64 of the NPPF goes on to say –

Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required (including the minimum proportion of Social Rent homes required), and expect it to be met on-site unless:

a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and

b) the agreed approach contributes to the objective of creating mixed and balanced communities.

4.3.43 Paragraph 66 “Where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures.”

4.3.44 *LP Policy HS2* is the over-arching Local Plan policy relating to the provision of affordable housing. On a proposal of this size, 40% housing would be required. The policy sets out certain requirements including the size, type and tenure of housing and to safeguard occupation for first and subsequent occupiers. The councils Developer Contributions SPD includes further guidance on matters relating to affordable housing.

4.3.45 The definition for affordable housing includes housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers);

4.3.46 The supporting documentation confirms that the site will deliver 40% affordable housing. Within this requirement, a 65% rented (social and affordable) and 35% (discounted market sale housing and other affordable routes to home ownership including shared ownership, shared equity and rent to buy) intermediate affordable housing tenure split is required, in accordance with the Local Plan and the Council's Developer Contributions SPD, supported by the 2023 Stevenage and North Hertfordshire Strategic Housing Market Assessment (SHMA). Based on the provision of 280 dwellings the affordable housing requirement would be 112 dwellings: 73 rented and 39 intermediate affordable housing tenure overall.

4.3.47 Within the 65% rented affordable housing element the following tenure mix best meets housing needs, as identified in the 2023 SHMA -

Tenure %	No. of housing units
7% x 1 bed flats	5
9% x 2 bed flats	7
22% x 2 bed houses	16
50% x 3 bed houses	37*
10% x 4+ bed houses	7
2% x 5+ bed houses	1
Total	73

Table 1: Affordable Housing Tenure Mix

4.3.48 Within the 35% intermediate affordable housing element the following tenure mix best meets housing needs as identified in the 2023 SHMA -

Tenure %	No. of housing units
22% x 1 bed flats	9
15% x 2 bed flats	6
43% x 2 bed houses	16
20% x 3 bed houses	8
Total	39

Table 2: Affordable Housing Intermediate Tenure Mix

* Evidence from the housing register suggests the number of three bed houses recommended in the SHMA is greater than required and there is high housing need for two bedroom houses for families and a need for larger (4+ bedroom) family houses for rent. For both affordable tenures there is high demand for one and two bedroom homes. The provision of an increased number of one and two bedroom flats and two bedroom houses and fewer three bedroom houses would therefore be considered favourably.

4.3.49 LP policy HS5: *Accessible and adaptable housing* requires applicants to demonstrate that at least 50% of homes can be built to the M4(2) Accessible and Adaptable standard; and on schemes where 10 or more affordable units will be delivered, 10% of the units can additionally be built to the M4(3) wheelchair user standard. There is a growing need for larger (3 and 4 bed) M4(3) wheelchair adapted homes for rent, for families with a member with a disability and/ or limited mobility, which we will seek to deliver through the requirements of *Policy HS5: Accessible and adaptable housing*. This requirement is also applicable to market housing.

4.3.50 LP policy HS4 *Supported, sheltered and older persons housing*, states that planning permission for sheltered and supported housing in uses classes C2 and C3 will be granted where –

- a. *There is good access to local services and facilities;*
- b. *The site is well served by public transport;*
- c. *Appropriate levels of on-site landscaping, amenity space and car parking (for residents, visitors and staff) are provided; and*
- d. *It would accord with Policy HS3 (b).*

4.3.51 The Local Plan recognises that there will be a substantial increase in the number of and proportion of older residents in North Hertfordshire over the plan period. Older people are living longer, and government policy seeks to support people living at home for as long as possible. Other groups will also have support needs, including people of all ages with physical or learning disabilities.

4.3.52 LP policy HS3 *Housing mix* says that planning permission for new homes will be granted where -

- b. *The scheme would provide a density, scale and character of development appropriate to its location and surroundings.*

4.3.53 It is expected that a modest proportion of sheltered and/ or supported housing will be delivered/ provided on the largest housing sites to contribute towards the modelled demand for older persons housing. This should include affordable housing provision where appropriate.

- 4.3.54 The 2023 SHMA identifies a need for a further 398 specialist older person dwellings would be required in North Herts if current rates of dedicated older persons housing provision were to continue. Modelling also confirms likely demand for 761 additional specialist older person housing for North Herts between 2022-2031. Almost half of this need is for Leasehold Schemes for the Elderly (LSE), although the SHMA indicates there is a need for 182 units of conventional sheltered housing to rent, 61 units of sheltered plus or enhanced units and a need for 136 Extra Care units.
- 4.3.55 Where a need for affordable housing is identified the definition, in Annex 2 of the Framework should be applied to the type of affordable housing required.
- 4.3.56 The affordable homes should be owned and managed by a registered provider (RP). No RP has been identified for the affordable housing on the site to date. Details of this and other matters would be secured as part of the s106 agreement. The Council's Housing Supply Officer has confirmed that the Council would prefer Social Rented tenure as the 2023 SHMA Update shows that there is high need for social rents, and this is confirmed by the Council's experience of Affordable Rents being increasingly unaffordable even for smaller one and two bed units. Affordable Rents for 1 and 2 bed homes should be up to 80% of market rents (including service charges, where applicable) and 3 bed homes at up to 70% of market rents (including service charges, where applicable) to ensure affordability. For 4 and 5 bedroom homes the Council will only accept Social Rents as evidenced by the 2023 SHMA and all rents must be within LHA caps in accordance with the Council's Developer Contributions SPD and the Council's Tenancy Strategy.
- 4.4.57 All rents must be within Local Housing Allowance (LHA) rates, in accordance with the Council's Tenancy Strategy and Developer Contributions SPD.
- 4.4.58 Affordable housing should be spread across the site in small clusters rather than be situated on one or two parts of the site and should be physically indistinguishable from the market housing. Details of location and housing design can be secured as part of the site wide Design Code.

Conclusion

- 4.4.59 This is an unallocated housing site in the adopted local plan and is located outside the settlement boundary within the rural area beyond the Green Belt. It is therefore in conflict with *LP policies SP5 and CGB1*. However, the Council does not have a 5-year supply of deliverable housing land. Therefore, these policies are considered to be out of date under the provisions of NPPF paragraph 11. In addition, the site is physically adjoining the existing built-up area of Royston town which contains a range of services to support housing growth. None of the housing sites allocated within the Local Plan have come forward to date. This site will make a significant contribution to the housing land supply, delivering both market and affordable housing (40%) where there is shortfall across the district. Therefore, residential use of this site is considered to be appropriate in land use terms and these matters weigh substantially in favour of the proposal in the planning balance.

Loss of agricultural land

- 4.3.60 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). The footnote to paragraph 188 confirms 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.’

- 4.3.61 The application comprises a mixture of grade 2, 3a and 3b agricultural land and therefore is regarded as Best and Most Versatile (BMV) land for agriculture. Although the site area is lower than the 20-ha threshold that would require Natural England to be statutorily consulted, Natural England were consulted due to the proximity of the site to Therfield Heath (a designated SSSI). No response was received from Natural England to the consultation.
- 4.3.62 The majority of the site – approximately 80% - is Grade 3a or 3b. It should be noted that approximately 30% of the site area will be retained as open space and SuDs features and therefore would not be permanently lost. It is acknowledged that the loss of some BMV agricultural land will be necessary to achieve the District’s housing need, which could not to be met within existing urban areas. It is not possible to secure specific mitigation measures in relation to this matter.

Conclusion on Loss of Agricultural Land

- 4.3.63 The proposal would result in the permanent loss of some lower Grade – 3a and 3b BMV land for agricultural production. This would equate to a relatively small area of BMV within the District and therefore moderate weight is attributed to this harm in the planning balance.

Landscape and visual impacts

- 4.3.64 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 valued landscapes, recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services, minimising impacts on and providing net gains for biodiversity (paragraph 187). Chapter 12 *Achieving well-designed places* requires planning decisions to ensure that developments add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting (paragraph 135). Trees are also specifically acknowledged as making an important contribution to the character and quality of urban environments (paragraph 136).
- 4.3.65 *LP Policy SP9 Design and Sustainability* and *SP12 Green infrastructure, landscape and biodiversity* also require the protection of local character and enhancement of the natural environment with the provision of new green infrastructure.
- 4.3.66 *LP Policy NE1 Strategic Green Infrastructure* seeks to protect conserve and enhance green infrastructure. *LP Policy NE2 Landscape* confirms that planning permission will be granted for development proposals that respect the sensitivities of the relevant landscape character, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this, ensure the health

and future retention of important landscape features and have considered the long-term management and maintenance of any existing and proposed landscaping. *LP Policy NE6* aims to ensure that any on-site open space in new development is high quality, complements the landscape setting and is fully publicly accessible to support sustainable and inclusive communities.

The Landscape Character Areas

- 4.3.67 Across England, there are 159 National Character Areas (NCA). The site lies within the south-western part of the '*East Anglian Chalk*' character area NCA 87 which extends from Baldock in the south-west to Newmarket in the north-east. The North Herts Landscape Study identifies the site within Local Landscape Character Area (LCA) – 228 *Scarp Slopes South of Royston*.

The submitted Landscape and Visual Assessment (LVIA) and Addendum

- 4.3.68 The original application submission included a Landscape and Visual Impact Assessment dated March 2021 (LVIA) which was prepared by Chartered Landscape Architects, Aspect Landscape Planning (ALP) in accordance with nationally recognised guidelines. The LVIA comprises (i) a review of landscape related policy (ii) Baseline assessment (iii) Description of the proposals (iv) Assessment of effects and (v) Conclusions. It includes (as appendices) Landscape and visual impact methodology, a visual assessment (including viewpoints) and a copy of the original illustrative Masterplan. Officers instructed Chartered Landscape Architects, The Landscape Partnership (TLP), to review the LVIA. Following their response, an LVIA Addendum (Addendum) was provided by ALP in July 2021. This was reviewed again by the council's landscape consultant, TLP. This section of the report sets out all landscape and visual matters addressed through both the LVIA and Addendum.
- 4.3.69 The LVIA confirms the site is located within the rural area beyond the Greenbelt. It goes on to confirm that neither the site nor surrounding countryside are covered by any statutory, qualitative, landscape designations at either a national or local level. The site comprises two medium/large scale arable fields that physically abut existing residential development to the north. The site is described by ALP as compartmentalised within an undulating topography and established treescape, creating a green edge to the site and forming a defensible area between the existing settlement edge and the wider rural area to the south of Royston. ALP also consider the site to be located within a settlement fringe. A summary of the LVIA key findings is set out below –

- *Landscape Character*

ALP confirm that the proposals would not result in the loss of any key landscape features on site. The key woodland feature straddling Bridleway 016 would be retained and managed. Existing woodland to the south and west provides existing landscaping which contains and encloses the site. It suggests that the site's highly compartmentalised character ensures that the proposals there would be limited perception of it from within the localised and wider landscape settings and would not result in significant harm to the Scarp Slopes South of Royston LCA or East Anglian Chalk NCA.

ALP acknowledge that the loss of the arable fields would represent some initial harm to the site itself. However, it considers this part of the landscape, to be of low landscape value with little ecological interest. The development would, it is suggested, offer the opportunity to provide an improved and high-quality landscape

setting with new diverse planting. In addition to the retention of existing woodland and hedgerows (some of which are located immediately adjacent to but outside of the site) with significant new woodland within SANG standard open space adjacent to the southern and eastern site boundary will deliver both appropriate areas for landscape buffers and a range of biodiversity benefits. Whilst illustrative at this stage, ALP believes that the landscape-led proposals will result in a sensitively integrated development, which promote a sensitive transition with the wider countryside to the south and that the proposed development can be successfully integrated to the settlement edge. As such, it considers that the landscape has capacity to successfully accommodate a sensitive residential development of the type that is being proposed introducing a land use which is characteristic of the established settlement fringe setting.

Area or designation	Significance of effect - Year 10
Landscape character	Moderate Adverse
Localised and wider landscape	Minor Adverse
Scarp Slopes South of Royston LCA	Minor / Negligible Adverse
East Anglian Chalk' character area NCA 87	None
Northern Thames Basin NCA.	None

Table 3: Landscape Impacts Summary

- *Visual effects*

The LVIA includes 10 viewpoints within and adjacent to the site which seeks to identify those views that will, potentially, experience the greatest degree of change as a result of the development (see Table 4 below). The key visual impacts as identified by ALP are summarised below. A plan at Appendix 7.2 illustrates the locations –

Viewpoint number	Viewpoint location	Significance of effect
1 & 2	PRoW 016 eastern parcel	Major / Moderate Year 10
3a & 3b	Hertfordshire Way PRoW approaching site from south	Moderate / Minor reduced to Minor applying professional judgement.
4a & 4b	PRoW 016 approaching site from south	Moderate / Minor reduced to Minor applying professional judgement.

5	Hertfordshire Way PRoW central tree belt	Moderate year 10
6 & 7	Grange Bottom & Kingston Vale. Residential setting to north.	Moderate / Minor reduced to Minor applying professional judgement.
8	PRoW 014 beyond London Road to west	None
9	Hertfordshire Way PRoW long distance view from setting of Reed to south	None
10	Barkway Road adjacent to site's eastern boundary.	Moderate

Table 4: Viewpoint Summary

Eastern parcel

ALP confirms that the application site is highly visually contained, with the significant long term adverse visual effects likely to be limited to the site's eastern parcel. Such effects would be typical on a greenfield site such as this. Significant initial visual effects on the Hertfordshire Way PRoW will be limited to a very short section of its route within the site where the Masterplan illustrates a link road between the two field parcels. These visual impacts will be filtered and contained, with the established tree belt vegetation along the route. Long distance visual impacts on the Hertfordshire Way PRoW, will be contained by existing woodland and tree belts meaning that there is unlikely to be any significant long term visual effects. The existing settlement edge along the northern site boundary is particularly evident within the site's western parcel which means that the development should not be perceived by walkers/visitors as an unusual feature.

Views from Barkway Road,

Whilst the development would result in a discernible degree of visual change, views from along this section of Barkway Road, the built edge is illustrated as being set back from the highway, allowing for the retention and reinforcement of existing hedge and trees along the eastern site boundary. Significant areas of public open space are also illustrated within the eastern part of the site, which together with existing and proposed landscaping should provide an appropriate rural visual appearance when approaching Royston from the south east along Barkway Road. Overall, ALP considers that there is capacity to accommodate the nature of change proposed.

Views from the localised and wider countryside settings

The viewpoints provided as part of the LVIA, ALP contend, confirm that generally views are limited by the presence of existing intervening landscaping - mature tree belts, hedgerows and an undulating topography. In the circumstances, no change to the wider visual environment within these settings is anticipated. Some limited views through to the site on approach from within the fields to south and from the existing residential areas to the north, may be possible during the winter months, when there is a reduced leaf coverage. The illustrated new woodland planting adjacent to the southern boundary and the extensive open space buffer will mean that new development will be set down on the lower levels of the site ensuring buildings will not be unduly prominent. It is also noted that there are also no direct,

ground floor site lines towards the site from existing properties habitable locations, with the majority of the views from the residential properties being oblique and limited to less sensitive 1st floor views from properties that back onto the site's western parcel.

4.3.70 ALP conclude by saying –

“the site is highly visually contained and there will be no significant visual effects beyond the confines of the site itself. The visual appraisal provides clear evidence that this is the case and as such, it is considered that the site's immediate, localised and wider visual environment, has capacity to accommodate the nature of change proposed. In visual terms, it is re-affirmed that the site is afforded a high degree of containment and that the only significant long term adverse effects would be limited to the site's eastern parcel (refer viewpoints 1 & 2) where PRoW 016 crosses through the development itself and the change from a greenfield site to that of a high quality residential development would be perceived.”

Review of the LVIA and Addendum by independent landscape consultant (TLP)

4.3.71 The comments made by the council's landscape consultant, TLP, have been considered and are set out below with officer clarifications and views.

Area or designation	Significance of effect - Year 10 - ALP	Significance of effect – Year 10 - TLP
Landscape character	Moderate Adverse	Moderate Adverse
Localised and wider landscape	Minor Adverse	Major / Moderate Adverse
Scarp Slopes South of Royston LCA	Minor / Negligible Adverse	Minor Adverse
East Anglian Chalk' character area NCA 87	None	None
Northern Thames Basin NCA.	None	None

Table 5: Landscape impacts summary comparison

- **Landscape Effects**

(i) There are some differences in judgment of effects between the LVIA its Addendum and TLP. However, these are generally half to one step apart rather than being fundamentally different (i.e. 'half step apart' = LVIA say Moderate adverse and TLP say Moderate/Major adverse). A number of these differences in judgement would be addressed through the provision of appropriate landscaping and which are illustrated in the Masterplan. The LVIA and Addendum do not consider that the site itself constitutes a '*valued landscape*' in accordance with the NPPF definition. TLP would broadly agree with this assessment based on the site in isolation. However, TLP consider that from the majority of LCA 228 to the south of the application site there is no awareness of the town of Royston which lies out of sight on the steeper north facing slopes. This raises the value of the wider LCA 228 landscape south of the application site and its sensitivity to new development.

(ii) In terms of the Susceptibility to Change the LVIA considers the site to be medium due to the mature vegetation around the perimeter and existing developed to the north and that the overall the Sensitivity to change is also medium. TLP broadly agree with this overall assessment of sensitivity in character terms.

(iii) TLP agree with the LVIA that there would be a high magnitude of change at Year 1 within the site and immediate setting and that this is typical of development on a greenfield site. TLP agree this is likely to lead to at least a Major/Moderate and significant adverse effect at Year 1. TLP are not in agreement that the magnitude of change would reduce to Moderate by Year 10 but would remain at Major/Moderate as the extent of change would still be the same. However, with a suitable landscape scheme in place it is possible that the nature of change on the site's landscape character could vary from Adverse to Neutral by Year 10 based on the successful establishment of the open space areas and further additional planting as indicated in the Masterplan.

(iv) The LVIA considers the effect on the localised landscape to be Minor adverse and on the wider landscape Minor/Negligible adverse. In TLPs judgement and with the benefit of the additional visual material within the LVIA Addendum and subject to the provision of an onsite tree belt, these levels of predicted effect on the localised and wider landscape are reasonable.

(v) The LVIA and Addendum considers that the existing urban edge of Royston to the north and enclosure of the site by trees belts from the wider landscape to the south reduces the relative sensitivity compared with the LCA overall. TLP consider this is a valid approach.

(vi) The existing woodland along the southern boundary lies outside of the site and therefore outside the control of the applicant. To continue to protect and contain the landscape effects, the TLP consider this should be a 20-40m deep tree belt along the southern boundary. This should provide sufficient depth for a density of tree and shrub cover.

(vii) In terms of the Susceptibility to Change the LVIA considers the site to be medium due to the mature vegetation around the perimeter and existing development to the north. The LVIA considers that the overall Sensitivity to change of the landscape character is also medium. TLP broadly agree with this overall assessment of sensitivity in character terms subject to the retention of existing landscape tree belt features to the perimeter and centre and also that the provision of open space accords with the updated Parameter Plan Rev E (subject to detailed comments below).

(viii) TLP agree with the LVIA that there would be a high magnitude of change to landscape character at Year 1 within the site and immediate setting and that this is typical of development on a greenfield site. TLP agree this is likely to lead to at least a Major/Moderate and significant adverse effect at Year 1. TLP are not in agreement that the magnitude of change would reduce to Moderate by Year 10 but would remain at Major/Moderate as the extent of change would still be the same. However, it is possible that the nature of change on the site's landscape character could vary from Adverse to Neutral by Year 10 based on the successful

establishment of the open space areas and further additional significant tree and other planting.

Landscape character effects conclusions

- 4.3.72 Some significant effects on landscape character would, in TLPs opinion, occur. These would be mostly restricted to the site and could be mitigated with appropriate planting delivered as identified in the Masterplan. It is likely that significant effects would be become neutral by Year 10 providing planting is established successfully.

Visual effects

- 4.3.73 A summary of the Viewpoints provided in the LVIA and Addendum together with both the landscape consultant's judgement on effects is set out below. The Viewpoint locations are illustrated at Appendix 7.2 of this report -

Viewpoint number	Viewpoint location	Significance of effect (ALP)	Significance of effect (TLP)
1 & 2	PRoW 016 eastern parcel	Major / Moderate Year 10	Major
3a & 3b	Hertfordshire Way PRoW approaching site from south	Minor	Moderate
4a & 4b	PRoW 016 approaching site from south	Minor	Moderate
5	Hertfordshire Way PRoW central tree belt	Moderate year 10	Major / Moderate year 10
6 & 7	Grange Bottom & Kingston Vale. Residential setting to north.	Minor	Moderate / Minor
8	PRoW 014 beyond London Road to west	None	None
9	Hertfordshire Way PRoW long distance view from setting of Reed to south	None	Minor
10	Barkway Road adjacent to site's eastern boundary.	Moderate	Moderate

Table 6: Viewpoint summary

4.3.74 A number of significant visual effects (levels of *Major/Moderate* and above) have been identified within the LVIA and Addendum. These include -

- short and longer term effects on Footpath 016 (Viewpoints 1 and 2) within the site. Longer distance views of Cambridgeshire would also be lost from the informal footpath routes on the higher ground to the south of the western parcel of the site.
- a short to medium-term effect for users of the Hertfordshire Way where the proposed access road crosses the right-of-way (see Viewpoint 5). TLP consider a localised Major/Moderate effect could continue beyond Year 10 at the crossing point. However, the effect on the majority of the route would be no more than Moderate as it is well contained by existing vegetation even in the winter months.
- Major/Moderate adverse effects from Barkway Road adjacent to the site where new access is proposed and where there are currently open views should be mitigated by new semi mature hedgerow and planting. The establishment of landscape mitigation measures within the proposed open space areas could notably reduce these effects over time.
- views to the south of the site boundary looking back north from Footpath 016 and the Hertfordshire way are reliant on existing tree belt located outside of the site and with gaps and declining tree health. A new tree belt should be planted along the southern boundary of the site to ensure views of the site continue to be contained and restricted.

Suitability of the site for development

4.3.75 It is confirmed that the proposals are contrary to *LP Policy NE2* which aims to protect landscape character. The site is located within *LCA 228 Scarp Slopes South of Royston*. This landscape character area is overall assessed as being of High sensitivity, High value and Low capacity for built development of the scale proposed.

4.3.76 The site is located close to the edge of Royston. Development would occur on two parcels of land that are relatively visually contained from the wider LCA and located adjacent to existing housing on two sections of the northern boundary. A number of other sites within LCA 228 and with similar characteristics (including sloping scarp slopes and established perimeter tree belts) adjacent to Royston have been either allocated by the council or allowed on appeal. Development on this site would follow a similar pattern of recent growth around Royston albeit rising to a higher level at 115m.

4.3.77 The proposals would involve a southward extension of Royston. The majority of the site is physically well contained by trees to the site boundaries with a semi-open aspect to Barkway Road and more filtered views from the wider landscape to the south. The gradients across the site are variable but with some steeper slopes (greater than 1 in 10 in places) particular where SuDS basins are proposed close to the northern boundary. However, development has been accommodated on scarp slopes within Royston and the steeper areas could be omitted from built areas. The proposed development would rise up to the 115m contour with the houses extending up to 124m AOD to ridgeline. Although this would be taller than other developed areas within Royston, the houses would be set

back from the very highest part of the site by an area of open space and contained by existing tree belts to the south of the site that extend up to c.20 m in height.

4.3.78 Therefore, TLP consider that in landscape and visual terms the proposed site has capacity for some sensitively located development. In visual terms the site is relatively well contained. The western parcel is largely enclosed beyond from the localised area apart from the adjacent properties to the north. The eastern parcel would have views from Barkway Road adjacent to the site and open views from footpath 016 which passes through the site. There would be intermittent views from most of the Hertfordshire Way which follows an established and retained tree belt through the site.

4.3.79 Views from the open landscape south of the site are considered to be of high sensitivity and it is critical that effective mitigation of any built development is provided within the open space. The Masterplan provides adequate illustrative visual and written information relating to the proposed planting within the open space within the eastern parcel to verify that a sufficient depth of planting would safeguard the screening of the development from both the wider landscape and Barkway Road should the existing shelter belt beyond the site boundary become more fragmented and unmanaged. Landscape and visual matters to be included / considered at future stages –

- an on-site tree belt to the southern boundary of the eastern parcel should be provided between 20-40m.
- planting along Barkway Road where new access is proposed and to reinforce the existing contained character along other site boundaries should be provided.
- early strategic planting and appropriate species selection should be secured.
- With exception of southern boundary, site edges should aim to have minimum buffers of 12m
- Road narrowing where internal access road crosses the Hertfordshire Way should prioritise walkers
- Phasing plan for the provision of open space - to ensure mitigation occurs at the earliest opportunity.

Conclusions on landscape and visual impacts

4.3.80 The site occupies a sensitive edge of settlement location between urban and rural environments, with its proximity to Royston Town and valued PRoWs. Although the application is in outline form with landscaping reserved as a future consideration, the LVIA and Addendum identify and test key landscape and visual impacts. Landscape and visual harms are identified, and these would result in some conflict with Policy *NE2 Landscape*. However, given existing landscaping to site boundaries which would contain the development and subject to the identified strategic planting being secured particularly along southern and eastern site boundaries, these harms are not considered to be significant in the long term. Overall, the proposed site is considered to have capacity for some sensitively located development. Mitigation measures are outlined in the Masterplan and precise details of these can be reasonably secured through reserved matters, Landscape and Ecological Management Plan (LEMP) and other conditions. Therefore, there would be some conflict with *LP Policy NE2*. Overall, therefore it is considered that the identified visual and landscape harm should be attributed moderate weight in the planning balance.

Impact upon heritage assets

- 4.3.81 Section 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (The LBCA Act) 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. The LBCA Act requires special attention to be made to the desirability of preserving or enhancing the character or appearance of conservation areas. There is no reference to their setting.
- 4.3.82 Paragraph 194 of the NPPF stipulates that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution to their setting and where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Paragraph 195 of the NPPF confirms that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting their setting) taking account of the available evidence and any necessary expertise.
- 4.3.83 *LP 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. Regarding designated heritage assets, *LP 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 208 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.
- 4.3.84 The application is accompanied by a Heritage Statement (HS) prepared by Pegasus Group on behalf of the applicant. This considers the impact of the proposed development on a range of identified heritage assets. It is confirmed that there are no designated assets located within the Site or within immediate vicinity of it. Designated Heritage Assets located outside of the application site comprise -
- Royston Conservation Area is located centrally around the core of the town north-west of the site. The Conservation Area includes -
 - 1 Scheduled Monument
 - 112 no. Listed Buildings - 4 no. Grade I Listed, 7 no. Grade II* Listed and 101 no. Grade II Listed Buildings

- 4.3.85 The submitted HS confirms that the conservation area is located approximately 380 metres north-west of the Site. The Site and the conservation area are separated by more modern residential development. There is some limited intervisibility between the higher areas of the Site and the buildings located within Royston Conservation Area. The development will appear as an extension to the existing adjacent modern residential development. It is considered that due to the separation between the Site and the Conservation Area and the existing intervening modern residential development, the proposal will not adversely affect the heritage significance / setting of the Royston Conservation Area or other statutory listed heritage assets identified.
- 4.3.86 Historic England has confirmed that does not wish to offer any specific comments on the proposal.
- 4.3.87 Objections to the loss of a World War II bunker on the site are noted. Whilst this is of local interest, it has no statutory protection, and it would not therefore be a justifiable reason to refuse planning permission.

Conclusion on Heritage Asset impacts

- 4.3.88 The proposal is not considered to cause harm to the identified heritage assets. This matter weighs neutrally in the planning balance.

Archaeological Impacts

- 4.3.89 Policy 16 *Conserving and enhancing the historic Environment* of the NPPF sets out the importance of protecting heritage assets. LP Policy SP13 *Historic Environment* provides the overarching policy to ensure the protection and enhancement of heritage assets. LP Policy HE4 confirms that planning permission for development proposals effecting heritage assets with archaeological interest will be granted provided that a desk based assessment and where justified, an archaeological field evaluation is carried out; the preservation of archaeological remains will be preserved and where the loss of the whole or a material part of important archaeological remains is justified, archaeological recording, reporting, publication and archiving of the results of such archaeological work is undertaken before it is damaged or lost.
- 4.3.90 The application is supported by a Heritage Statement by Pegasus Group and an Archaeological Evaluation (AE) by Pre-Construct Archaeology Ltd. Herts CC Archaeological Unit has provided comments. The applicant's consultants have consulted extensively with HCC's archaeological advisors. In line with HCC advice, they have carried out a geophysical survey (Magnitude Surveys 2020) and subsequent limited trial trenching evaluation (Pre-Construct Archaeology 2021) to provide a preliminary assessment of the archaeological resource likely to be impacted by the development. The primary objective of these evaluations was to determine whether there were likely to be any remains present of national significance, as advised in the NPPF. The findings of the AE effectively supersede the conclusions reached in the HS.
- 4.3.91 The AE provides a considerable amount of archaeological information which has allowed broad characterisation of the archaeology of the proposed development site. Two areas/types of archaeology revealed by the evaluation are of particular interest to the determination of the planning application – the Early Neolithic occupation, and the Late Neolithic/Early Bronze Age barrow.

- 4.3.92 The latter is of considerable interest primarily due to the likely numerous cremation burials cut into the barrow ditch. Four cremations found in two 1m-wide slots is either very fortuitous, or there are in reality many cremation burials present. Historic England's Scheduling Selection Guide for Funerary remains states that barrows, while not uncommon, are worthy of scheduling (and therefore nationally significant) if they are upstanding or in groups/cemeteries. This feature is ploughed down and appears likely to be the sole survivor in this area, and notwithstanding the quantity of associated burials, therefore unlikely to be of schedulable significance.
- 4.3.93 The Early Neolithic occupation is more difficult to define and characterise. It may represent flint mining/working activity, although postholes present beneath the colluvium suggests the presence of potentially contemporary structures. The probable Mildenhall Ware retrieved from a feature in trench 4 is in good condition, diagnostic, and significant in itself. Scraps of similar pottery within the dark soil in many of the trenches suggest wider activity of this date. The author of the evaluation report (and specifically their environmental specialist) believes this dark soil is not an occupation horizon, due to the small number of finds and the fragmented nature of the charcoal and is instead the product of earth moving downslope and resting in the base of the dry valley.
- 4.3.94 If this dark soil was an occupation horizon dating to the Early Neolithic, this would be of very high significance indeed, most likely national importance. However, as the material contained within the layer is instead believed to have moved from elsewhere (presumably eroded features or dumps of rubbish upslope) the soil is unlikely to be of equivalent significance to a scheduled monument. It is, however, likely to contain information that will contribute greatly to regional research agendas for the Neolithic period.
- 4.3.95 The information provided is, on balance, considered to be the minimum amount of intrusive evaluation required on this site to allow the application to be determined. The geophysical survey was of a high quality (although all geophysical surveys have limitations), and the trial trenching, while limited in scope, was also carried out to a high standard. It is important that the entire proposed development site is now subject to blanket trial trenching evaluation in order to determine the extent of the archaeological remains, followed by mitigation in the form of either open area excavation or preservation in situ of remains. This can be carried out as a condition on outline consent. Further work will be required on the flint assemblage, the pottery and the metalwork from the initial trial trenching evaluation, and these should be retained for future analysis.

Conclusion on archaeology impacts

- 4.3.96 The proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest. Further investigative work is necessary and the scope and scale of this can be secured by condition. Subject to such conditions, there are no objections to the proposals on archaeological grounds. This matter weighs neutral in the planning balance.

Highways and access impacts

- 4.3.97 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 Code; 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.

4.3.98 *LP 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. *LP Policies T1 Assessment of transport matters* and *Policy T2 Parking* are also relevant considerations.

4.3.99 In the site allocations section of the adopted LP for Royston, it is confirmed that in relation to infrastructure and mitigation –

13.312 In its role as Highway Authority, Hertfordshire County Council has recently developed a new county-wide transport model, 'COMET'. This has identified that a number of improvement schemes will be required in Royston by 2031. Particular congestion points identified included:

- A505/ A10 Roundabout;*
- A505/ A1198 Roundabout; and*
- A10/ Newmarket Road/ Melbourn Street Roundabout*

13.313 In line with the Transport Strategy, development in Royston will be required to consider the implications of their schemes on these locations and make reasonable contributions towards improvements and / or other schemes improving walking and cycling in Royston which aim to influence mode share. These will be reflected in future iterations of the Infrastructure Development Plan.

- 4.3.100 A Transport Assessment (TA) was provided by the applicant's transport consultant's, MODE Transport Planning (MODE), as part of the original application. A TA Addendum was provided in May 2021 clarifying points raised in the TA as requested by HCC Highways (HCC). Although HCC initially indicated support for the proposal, this support was withdrawn as the proposed upgrade to PRoW 010 to establish the necessary active travel (cycling and walking) corridor through the centre of the site could not be made compliant with relevant guidance, including the Hertfordshire Place & Movement Planning and Design Guidance and Local Transport Note 1/20 (LTN1/20), without unacceptable harm to the woodland to widen the path and construct cycle access ramps. To address this, MODE prepared a preliminary design for an alternative route from the north-western corner of the proposal site through Green Walk Plantation to Shrubbery Grove, which links to the A10. These amended proposals were presented as part of the revised and current masterplan in November 2024 and were the subject of a public consultation. Where the original proposal was located centrally between the two development land parcels, the revised active travel route is considered to primarily serve the western part of the Site. Concerns about the active travel connectivity of the eastern parcel remained.
- 4.3.101 Objectors raised a number of additional transport issues, most notably the fact that the TA was prepared during the Covid pandemic and relied on adjusting traffic data collected during the pandemic. The applicant was asked to undertake updated survey work to assess traffic and transport issues post pandemic. A second Transport Assessment Addendum (TAA) by MODE was provided in April 2025. This was subject to a further public consultation process. The TAA includes updated traffic analysis and highway improvements including sustainable travel options from the eastern parcel of the Site.
- 4.3.102 The following part of the report sets out the position on all highways and transport issues, having regard to all the aforementioned documents.

Vehicular access

- 4.3.103 The application site is located immediately south of the existing residential area of Royston. The primary vehicular access is on the eastern side from Barkway Road via a priority 'T' junction. The preliminary design accommodates a 2.4m by 131.2m visibility splay and has 3.25m wide protected right-turn lane to prevent blockage of Barkway Road. Barkway Road at this location is subject to the national speed limit (60mph). HCC considered extending the 30mph east of the junction but concluded that this would not be self-enforcing because of the lack of built frontage. However, changes may still be considered in response to the findings of the required independent Stage 1 and Stage 2 Road Safety Audits (RSAs).
- 4.3.104 The existing field access to the south of the proposed primary access will provide a secondary access to serve emergency vehicles only and to provide an active travel route for pedestrian, cyclists and wheeling. It has not been demonstrated that this access can be safely used for general everyday motorised traffic. In the circumstances, a condition to restrict its use to the aforementioned purposes and to secure an appropriate controlled access arrangement (i.e. lockable barrier) is thought to be reasonable and necessary.

Sustainable Transport Route - Shrubbery Grove/ the A10 (Shrubbery Grove to The Warren)

- 4.3.105 The preliminary design illustrating a cycling connection to Shrubbery Grove is illustrated in drawing FHR-MI-GEN-XX-CD-CE-100 Rev P03. This will primarily take the form of a no-dig path that minimises impact on trees in the Green Walk Plantation. Whilst the preliminary design of this has significant shortcomings (including steps), the principle of delivering an acceptable route within the red line boundary of the application is considered to have been demonstrated. HCC is satisfied that, once precise details of the design are addressed, the western side of the development will be adequately accessible by non-car modes. A condition requiring an updated design that is more closely compliant with relevant design standards to be submitted and agreed to is recommended to deal with this matter.
- 4.3.106 From Shrubbery Grove, cyclists need safe access to Royston town centre. Currently, this requires cyclists to join the carriageway of London Road (A10), which is considered to be unsafe for many people cycling because of the volume and mix of motor traffic. In response, figure 2.2 of the TAA proposes upgrading the footway on the east side of London Road to a segregated cycle/footway between the Shrubbery Grove access and The Warren. A condition requiring the applicant to deliver or fund this is considered to be both necessary and reasonable. As the link is also identified in the adopted North Herts District Council Local Cycling and Walking Infrastructure Plan (LCWIP), HCC has agreed to discount the recommended Strand 2 contribution (see Mitigation and Contributions section below) by 50% of the costs of the scheme that the applicant is delivering.
- 4.3.107 There will still need to be a segregated cycle link between The Warren connects and the previously agreed signalisation of the Market Hill crossing of the western end of the A10 gyratory as shown by J32-5129-PS-005 Rev B, and this will be considered for funding from the Strand 2 Sustainable Transport contribution.
- 4.3.108 The TAA suggests that the cycle to town will take 7-9mins. However, there are hills on this route and restrictions due to the town's current 'one-way' road network therefore HCC calculate that the route to and from the town centre will actually take somewhere between 10-15 minutes. It should also be noted that the town's train station is a further 800m north of the location shown in the TAA. Therefore, a 15-20 minutes cycle is more realistic to this. These cycling times are still considered acceptable by HCC.

Sustainable Transport Route - Barkway Road Corridor

- 4.3.109 HCC Highways acknowledge the importance in securing a sustainable transport corridor to provide non-car transport options. The preliminary design work undertaken in November in 2024 by MODE also shows a pedestrian-only route to Grange Bottom. This is considered to be acceptable in principle and a condition will be necessary to secure the final design of this in the event of approval.
- 4.3.110 Cycling and wheeled access from the eastern parcel of the development to the town centre, Studlands Rise First School and Studlands Rise playground will be via the end of PRoW ROYSTON 016 and Barkway Road. To accommodate the increased number of walking and cycling movements along this part of Barkway Road, the TAA proposes a number of interventions.
- 4.3.111 The initial proposals include construction of a new footway on the western side of Barkway Road from the north-east corner of the development to the Shaftesbury Way junction as shown on the drawing J32-5129-PS-008 Rev A to connect with existing footway. The existing footway on the western side of Barkway Road terminates just north of Shaftesbury

Way and there is an uncontrolled crossing to the eastern side of Barkway Road where the footway continues north-west. HCC Highways are of the view that this crossing gives insufficient priority and protection to pedestrians in the context of increased use associated with the proposed development. The applicant has therefore agreed to signalise this crossing (see Appendix 7.4 of this report). This will be conditioned in the event of approval.

- 4.3.112 Similarly, it is considered that the uncontrolled crossing of Barkway Road just south of Prince Andrews Close would also give insufficient priority and protection to pedestrians in the context of the additional footfall. Therefore, as also shown in the TAA (Appendix 7.4) the applicant has also agreed to signalise the crossing to help to establish a safer route to town for pedestrians from the east of the proposal site. This route connects with the aforementioned signalised Market Hill crossing. Removal of the Armco crash barrier on the eastern side Barkway Road just south of its junction with Limekiln Close will remove a pinch point in the footway. These improvements will be secured by condition in the event of approval.
- 4.3.113 It is acknowledged that there is no feasible way to accommodate a segregated cycle track or shared-use path along Barkway Road. Therefore, the applicant has agreed to extend the 30mph zone to east of the active travel access point at the end of PRoW 016 (see Appendix 7.4). This will be secured by condition in the event of approval.
- 4.3.114 Whilst the TAA indicates that this route to the town centre will be a 9 mins cycle, due to the gradients of over 6% on the lower section of Barkway Road and 5% closer to the proposal site as well as the town's one-way system, a cycle time of 10-15 minutes is considered more realistic by HCC Highways. It should also be noted that the town's rail station is another 5 minutes away. Cycle times of 15-20mins are still considered reasonable by HCC.
- 4.3.115 The TAA also suggests that the Studlands Rise First School is a 5 minutes cycle via the Stile Plantation to Hunters Way. However, on review this is considered by HCC an unfeasible route as the majority of this route is footpath and the gradients make it unrealistic for first school children. However, the Government promoted cycle planner indicates that children are more likely to go by the relatively short footpath to The Brambles and Studlands Rise which would be approximately 7 minutes (allowing for dismounting on the footpath and the gradients). This is not considered to be unreasonable by HCC. HCC intends to allocate a proportion of the proposed Strand 2 contribution to upgrade the path to The Brambles area, where possible, to improve sustainable travel links to the Studlands Rise First School and playground. The barriers at the entry to the Stile Plantation at Limekiln Close and the Armco crash barrier immediately south are likely to be needed to be removed or altered appropriately. There is also a walking route via the Stile Plantation and a permissive path by the north of the Studlands Rise Playground, which is approximately 800m or 15 minutes, accounting for the Barkway Road hill. This is also considered reasonable by HCC. It may be appropriate to allocate a proportion of the Strand 2 contribution attached to the site for signage and improvements to the Stile Plantation where possible.

Personal Injury Collisions (PICs)

- 4.3.116 Whilst traffic collisions of any type are regrettable the updated analysis set out in the TAA reported no serious events in the immediate vicinity of the site that could constitute a significant safety issue, given that some of these events involved pedestrians. However, it does justify the mitigation package developed and the importance of allocating Strand 2

contributions where possible to improving the safety of the sustainable transport network. Further afield the TAA analysis has identified 'serious' events, however the impact of development in these specific locations is predicted to be negligible. The analysis in town does indicate however, a significant number of vulnerable transport users and stresses the need for the Strand 2 contribution associated with this site to improve wider safety across the town.

Traffic Analysis

- 4.3.117 Given that significant time has elapsed since the application was first submitted, the TAA includes updated analysis to more recently observed traffic flows (Wednesday 4th Dec 2024). HCC consider this a reasonably neutral date to allow traffic analysis to proceed. HCC Highways also consider the predicted traffic growth and analysis year (2027) to be reasonable. The following routes have been analysed and the impacts are considered acceptable -

- *A10 North / Newmarket Road / A10 South / Melbourn Street Roundabout*
- *Baldock Street / Kneesworth Street / Melbourn Street Signalised Junction*
- *Baldock Street / Princes Mews Mini-Roundabout*
- *A505 / Baldock Road Roundabout*
- *A1198 / A505 / Old North Road Roundabout*
- *A10 / A505 Roundabout*
- *A505 / Newmarket Road Priority Junction*
- *A10 Gyratory*

Servicing

- 4.3.118 The TA demonstrates that servicing vehicles (e.g. a NHC refuse vehicle) can safely navigate the Barkway Road access junction. Once the site layout is finalised, it must be demonstrated that the site can be effectively serviced and that vehicles can exit the development in forward gear. This matter would be considered further as part of the detailed site layout design process and secured at the reserved matters stage.

Public Transport

- 4.3.119 Barkway Road is currently served by the 18 and 27 bus services. The existing nearest stops are on Barkway Road, just south of the Shaftesbury Way junction. The application proposes new bus stops to be delivered on Barkway Road with the new vehicular access (as shown on drawing J32-5129-PS-008 Rev A). These would provide a direct connection from the site to Royston town centre, railway station and Tesco superstore, Buntingford and Bishops Stortford. The Strand 2 Sustainable Transport contribution may be used to fund an increase in frequency to these services.
- 4.3.120 In terms of rail connections, Royston Railway Station is part of the Thameslink service with travel connections to Cambridge (15 minutes) and London (50 minutes). As set out above, the site will deliver improvements to cycling and walking routes to Royston.

Car and cycle parking

- 4.3.121 As this is an outline application with all matters reserved except for the means of access, no car parking details are provided. General principles for site wide car parking will be secured via the Design Code condition. Each Reserved Matter application will need to demonstrate that adequate provision is made for car parking for the relevant uses having regard for the relevant guidance and policies at the time of submission. This will also

include electric vehicle charging facilities in line with Building Regulations Part S and the council's adopted policy.

Travel Plan

4.3.122 The HCC Travel Planning Unit has examined the supporting draft Travel Plan. This is broadly acceptable although an updated and detailed version should be secured by condition. This updated Travel Plan should address the following issues -

- *Details of a travel plan co-ordinator (TPC) need to be included, once appointed;*
- *Interim TPC details should be provided at this stage;*
- *The details of a secondary contact need to be provided to HCC, once a TPC has been appointed. Statement of senior commitment to implementation of TP required;*
- *The average time per month allocated to TPC role and their frequency on site is required;*
- *Details required for whether the developer or a management company will oversee the implementation of the TP;*
- *More walking measures required – for example, could include promotion of Hertfordshire Health Walks and other initiatives. Details of the hard walking and cycling measures, highlighted in the Transport Assessment (TA), should be added into the TP;*
- *More cycling measures required – for example, could include Dr Bike (or similar maintenance service);*
- *TP should state that high speed broadband will be provided to the development, facilitating home working and home delivery services, while also reducing the need to travel;*
- *Baseline mode split data to be updated, once initial survey carried out (within 3 months of 90% occupation, as stated);*
- *Modal shift targets should be updated following baseline results;*
- *For a development of this size, a TRICS SAM survey should be completed in years 1,3 and 5 – with questionnaires undertaken as part of annual monitoring;*
- *Monitoring should be undertaken annually for five years post full occupation; and*
- *The TP should be updated annually, with review reports of surveys to be submitted to HCC within three months of survey having been undertaken.*
- *An Evaluation and support fee of £1200 per annum for a minimum of 5 years post full occupation must be secured via s106 legal agreement.*

Car Club

4.3.123 The TA confirms that a Car Club could be introduced for the future residents of the development to provide an alternative for those who do not require regular use or ownership of a car. Early take up car clubs may allow for a more sustainable mode of travel before private car usage becomes entrenched behaviour. The district council believe that in this location a car club is an essential component of the sustainable transport options for future residents. The applicant has agreed to setting up a club and details of this would be secured via the s106.

Public Rights of Way (PRoW)

- 4.3.124 The site includes two PRoW – footpath 016 which runs north to south through the eastern parcel and bridleway 010 which runs north to south through a central tree belt separating the two field parcels. Both routes are retained as part of the proposals and are unaffected directly by the proposed development. Bridleway 010 had been identified as warranting upgrading to provide cycle use in the TA. However, alternative cycle routes from the east and west are now proposed as set out above and these upgrades are no longer being proposed. The Masterplan illustrates connection from the footpath 016 to the north-eastern corner of the site on Barkway Road and these should be secured as part of future design work in the event of approval.

Mitigation and Contributions

- 4.3.125 HCC Highways operate two levels of mitigation agreements: Strand 1 mitigation works are works that are directly required to make the development acceptable in planning terms and entirely the responsibility of the developer. The Strand 2 Sustainable Transport contribution is used to mitigate the wider and cumulative transport impacts of the development for which the development is not solely responsible.
- 4.3.126 HCC calculates the amount of the Strand 2 contribution using a headline figure derived from Appendix 1 of the Guide to Developer Infrastructure Contributions (adopted in 2021 and updated in 2024). It may then adjusted by giving consideration to any wider benefits of Strand 1 schemes and other relevant planning guidance. Strand 2 contributions may be pooled with money from other sources (including S106 contributions from other developments and government grants) to fund larger schemes within the local area, subject to any legislative restrictions and as supported by National Planning Policy Framework (NPPF).
- 4.3.127 Strand 1 works are typically delivered by the developer under S278 agreements. Strand 2 works are typically delivered by HCC or, by agreement, the developer under a S278 agreement.
- 4.3.128 Within Strand 1, HCC requires the agreed site accesses (vehicular and active travel) and identified on- and off-site improvements to be secured by conditions (see foregoing sections of this report) and also delivered through a S278 highways agreement.
- 4.3.129 In accordance with the HCC guidance, the headline Strand 2 figure for a development of 280 homes would be £1,911,280 (280 x £6,826). However, in its 20 January 2022 response, HCC Highways considered that the required Strand 1 mitigation at the A10 gyratory (signalisation of the Zebra crossing) would provide benefit to the wider population, and it was therefore considered appropriate to reduce the sum to £1,750,000.
- 4.3.130 Subsequently, Mode estimated the cost of the other Strand 1 works:
- A10 Segregated Footway (Shrubbery Grove to The Warren) - £184,000
 - Barkway Road Puffin Crossing at Shaftesbury Way - £100,000
 - Barkway Road Puffin Crossing at A10 Gyratory - £100,000
 - Traffic Regulation Order - £5,000

Additional costs identified –

- Design Fees - £15,450
- Traffic Management Fees £30,900
- Utilities £41,200
- S278 Application and Inspection £20,600
- Other costs to be confirmed £128,750

4.3.131 These costs were weighted according to their perceived benefit to the wider population: 50% for the A10 Segregated Footway (Shrubbery Grove to The Warren) (as previously agreed with MODE), 1% for the Barkway Road Puffin Crossing at Shaftesbury Way, and 50% for the Barkway Road Puffin Crossing at A10 Gyratory. The TRO fee was also reduced by 50%. Which gives a further Strand 2 discount of £189, 056.

4.3.132 This results in a residual Strand 2 Contribution of £1,561,000, which would be allocated to:

- The LCWIP Program within Royston (North Hertfordshire District Council Local Cycling),
- Walking Infrastructure Plan (Sep 2023) - Where possible prioritising Further A10 Gyratory Works (Including The Warren),
- Package 15 (Royston) of the emerging North Central Growth and Transport Plan (NC GTP),
- Upgrade of Barkway Road to the Studlands Rise First School Sustainable Transport Link in The Brambles area,
- Removal of Barkway Road Amco Barrier (near Limekiln Close), and
- Where possible Barkway Road Bus Service Improvements

Other highways and transport considerations

4.3.133 As can be appreciated from the above, the developer has provided a range of typical supporting documents for a development of this type and these have been scrutinised by both County and District council officers. The role of the County Council as Highway Authority is to assess the proposal and supporting documents and provide a response as a statutory consultee. The consultation responses provided by HCC are background papers which inform and guide the decision-making process. HCC Highways have been made aware of the wide range of objections and concerns raised by local residents, Ward Members and organisations.

4.3.134 A particular concern raised is that more people will drive on the footway along Barkway Road rather than wait before the line of parked cars for oncoming vehicles to pass. Whilst such behaviour is not condoned, it is an existing problem one that HCC does not believe will be made so much worse that it would become a safety concern. The only practical solution would be to remove some of the parking provision along Barkway Road. However, this would require support from local residents, many of whom do not have off-street parking spaces and are therefore not expected to support such an intervention. Additionally, for most of the day, the presence of on-street parking helps to keep traffic speeds lower than they would otherwise be.

- 4.3.135 HCC has considered third party comments in formulating its recent consultation response. It should be noted that only traffic impacts arising from a development can be mitigated, not pre-existing problems. In assessing any planning application the Highway Authority must form a view whether the impacts of application, when considered alongside the package of mitigation proposed, result in a residual impact on the highway network that it considers to be 'severe'. In this instance the concerns raised through the consultation to establish whether any reasonable alterations could be suggested to address residents' concerns were considered. Whilst it acknowledges that there are times of day when there will be localised congestion, HCC Highways concluded that the impact of the development in this instance was neither 'severe' nor does it require mitigation to that set out above.

Conclusion on Highway and access impacts

- 4.3.136 The application seeks to secure the access arrangements to the site. HCC has confirmed that in principle the proposed vehicular access is acceptable. Further details on the active travel route improvements and new bus stops will be required by conditions. Delivery of these will be secured via the phasing plan condition and the S106 agreement. A detailed Travel Plan will need to be agreed for the proposed residential use of the site and is to be secured by condition. Car and cycle parking details will be secured through conditions. Traffic impacts will be mitigated through off-site highway works delivered directly by the developer (secured by conditions) and by HCC funded by financial contributions made by the applicant and secured through the s106. The applicant has agreed in principle to make the requested financial contributions. In essence, the NPPF aims to balance development needs with the need for sustainable transport and highway safety. It encourages early consideration of transport issues, focusing on mitigating impacts and promoting sustainable travel choices. Paragraph 116 of the NPPF confirms that '*Development should only be prevented or refused on highway 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.*' The proposal will result in harm although in the context of NPPF, this is not considered to be 'severe'. This harm weighs moderate in the planning balance.

Environmental Impacts

- 4.3.137 Chapter 15 *Conserving and enhancing the natural environment* of the NPPF requires decisions to contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should also seek to improve local environmental conditions such as air and water quality (paragraph 187). LP *Policy D3 Protecting Living Conditions* confirms that new development should protect residential amenity for existing local residents. LP *Policy D4 Air Quality* requires developments to consider air quality impacts arising from development, carry out assessments and identify mitigation measures where necessary.
- 4.3.138 Land, air and noise impacts are set out in a number of supporting documents comprising the Transport Assessment (TA), Air Quality Assessment (AQA) Stage 1 Desk Study Report and draft Travel Plan. The impacts arising are considered below.

Air quality

- 4.3.139 The local air quality management (LAQM) regime requires every local authority to regularly review and assess air quality in their areas. The site is not located within a designated Air Quality Management Area. The AQA acknowledges that a major scale development of this type will include earthworks, construction and operational phases. The area close to the proposed development site is classed as high sensitivity based upon the presence of over 100 highly sensitive human receptors within 20m of the site boundary. Thus, there is high risk from the impacts of dust deposition during earthworks and construction phases, with vehicle trackout representing medium risk for dust impacts.
- 4.3.140 The AQA includes reference to mitigation measures relevant to earthworks and construction phases. The council's Environmental Health Officer has recommended that a range of mitigation measures are secured. These comprise provision of car club, electric vehicle charging infrastructure to encourage the uptake of low emission vehicles, public transport incentives and improvements to cycling and walking infrastructure. All of these measures would be delivered as part of the permission and are secured by way of conditions or via the s106 agreement.
- 4.3.141 The construction phase of the development has the potential to generate dust emissions although this will have a short-term impact on nearby residential properties adjacent to the site. A condition requiring a Construction Environmental Traffic Plan (CEMP) is recommended to deal with this.

Noise

- 4.3.142 The submitted noise assessment by Air and Acoustic Consultants has considered the likely noise impacts arising from the development. The council's Environmental Health Officer has confirmed that noise is not a limiting factor for the proposed development. However, there are a number of matters which need to be conditioned in the event of permission being granted –
- Detailed noise assessment for reserved matters applications - this will need to consider operational impact of the 280 dwellings where adjacent to existing built up area; the inclusion of suitable noise mitigation measures to new properties (i.e. appropriate windows and ventilation systems). This assessment should also consider weather conditions from Luton or Stanstead Airport rather than Heathrow Airport which was referred to in the submitted noise assessment.
 - Construction noise - the district council does not accept noisy construction works outside of the hours 0800 to 1800 Monday to Friday, 0800 to 1300 on Saturdays and no noisy works at all on Sundays or Bank Holidays except under exceptional circumstances and in agreement with Environmental Protection team. This and other noise mitigation measures for managing construction noise can be secured through the Construction Environmental Management Plan (CEMP).

Contaminated land

- 4.3.143 The application is supported by a Phase I Desk Study Report by JPP. The proposed residential use of the land is considered sensitive if contamination was present on the Site. The submitted Report recommends Phase II intrusive investigation. This is considered reasonable and can be secured by condition if planning permission is granted.

Conclusion on Environmental Impacts

- 4.3.144 The supporting documentation confirms that there are likely to be minimal impacts in relation to air quality and noise pollution. Any impacts can be reasonably mitigated through conditions. Further investigative work is required in relation to contaminated land and this can also be secured via condition. Given the foregoing, there is not considered to be any harmful environmental impacts arising. Therefore, subject to recommended conditions, this matter weighs neutrally in the planning balance.

Flood risk and drainage

- 4.3.145 National policy on issues relating to flooding is set out in the NPPF at paragraphs 170 – 182. This emphasises the importance of considering the potential for flooding for new developments, particularly in areas identified at high risk. It also requires the consideration of incorporating sustainable drainage solutions where necessary and appropriate.
- 4.3.146 *LP Policies SP11, D1, NE7 and NE8* collectively seek to ensure that development does not result in unacceptable flood risk, prioritises the development of land at low risk from flooding and the use of sustainable drainage systems (SuDS).
- 4.3.147 The application is supported by a Flood Risk Assessment (FRA) prepared by Link Engineering. This considers the risk to flooding from fluvial, surface water, groundwater, sewers and artificial sources. The site is located within Flood Zone 1 signifying the site has the lowest probability of fluvial flooding. The development is also at low risk of flooding from groundwater and infrastructure (i.e. sewer) failure. As the application is in outline form with all detailed matters reserved (except for the means of access), the supporting documentation sets out a broad strategy for water management and drainage across the Site.

Surface water

- 4.3.148 The general surface water philosophy is to infiltrate water to the ground at source, with individual soakaways being provided for individual and groups of dwellings. Given the site topography and existing ground gradient, a gravity drainage system will be used to convey flows from the highways towards the lower (northern) parts of the site, where two detention (SuDs) ponds will be located. The illustrative site layout plan provided as part of the FRA indicates the likely location of the two detention (SuDs) ponds, one in each of the two field parcels. These ponds are considered to be the most suitable way to treat and manage surface water. It is anticipated that the drainage system - gutters, down pipes, channels, gullies and pipes – will intercept surface water from the proposed roof areas, access roads and car parking, before conveying it to an appropriate infiltration feature. Such features will comprise a combination of rain gardens, infiltration strips, house soakaways, porous paving and swales to drain the surface water runoff from the dwellings and areas of private hardstanding. The operation, maintenance and management for the SuDS systems will be secured by planning condition and will be dependent on the management arrangement for the open space which is likely to be the district council with a management company being the ‘fall-back’ position.

Foul water

- 4.3.149 The Site is an undeveloped greenfield site and does not contain any existing foul sewers. The existing nearest connection is a 150mm foul sewer to the north of the site in Grange Bottom. Anglian Water has confirmed to the developer that there is sufficient capacity to accept the foul flows from the proposed development and as such a connection in this location can be sought at the detailed design stage. It is anticipated that no pumping

station will be required given the Grange Bottom is located at a lower point than the application Site.

Technical consultees

- 4.3.150 The Environment Agency (EA) and the Lead Local Flood Authority (LLFA) have both been consulted. The EA had no comments to make. The LLFA has no objection to the proposal. However, it has commented that the flood strategy is based on discharge via infiltration through infiltration basins and a mix of private and shared soakaways across the site in areas of shared green space and private gardens. A large area of attenuation storage is proposed in the infiltration basins. The LLFA is concerned by the suggestion of shared soakaways, particular on a large scale across the site and the difficulties this can cause with maintenance i.e. if multiple residents share a soakaway, if one resident does not maintain their part of the soakaway this may adversely affect the drainage of neighbouring properties. Similarly, the LLFA has expressed concern at the use of below-ground features across the site often in areas of green space. These matters are not an obstacle to the grant of permission as appropriate drainage system for the development can be considered further as part of any future design work prior to the submission of any reserved matters applications. The LLFA has therefore recommended conditions to secure the necessary information and detailed drawings in the event permission is granted.

Conclusion on flood risk and drainage

- 4.3.151 The supporting FRA confirms that the proposed development is not at risk of flooding and, subject to detailed design measures being agreed, can be safely carried out without increasing the risk of flooding to downstream / surrounding properties. These details can be secured by condition if planning permission is granted. There is capacity to accommodate the additional foul water flows arising from the development. In the circumstances there is no harm arising to matters relating to flood risk and drainage and this matter weighs neutral in the planning balance.

Ecology and Biodiversity Net Gain (BNG)

- 4.3.152 Chapter 15 *Conserving and enhancing the natural environment* of the NPPF requires decisions to contribute to and enhance the natural environment. LP policies *SP1 Sustainable development in North Hertfordshire*, *SP12 - Green infrastructure, biodiversity and landscape*, *NE4 - Biodiversity and geological sites* and *NE6 - Designated biodiversity and geological sites* and *NE8 Sustainable drainage systems* - seek to protect, enhance and manage the natural environment.
- 4.3.153 The original application was supported by an Ecology Appraisal (EA) prepared by Aspect Ecology. It confirms that the site was surveyed in accordance with standard extended (Phase 1) methodology. A general appraisal of faunal species was also undertaken to record the potential presence of any protected, rare or notable species, with specific surveys conducted in respect of bats, badger and reptiles. Given the passage of time that had elapsed since the original survey work was undertaken and due to revisions to the application site boundary to accommodate new and improved pedestrian and cycle links, general site walkover and badger surveys were carried out by Aspect Ecology in November 2024. This information was presented in an Ecology Update (EU) in January 2025. For ease, this section of the report is set out in two parts. The first relates to the original EA from 2021 which Herts Ecology provided comments on. The second relates to the EU provided in January 2025 which the District Council's ecologist provided comments on. The conclusion draws together the findings on the two parts.

General matters

- 4.3.154 There are two stages to the development – construction and operational. There are likely to be ecological impacts during construction phases and need to be managed and mitigated. The provision of a CEMP can be secured by condition as part of subsequent reserved matters applications. Operational impacts are considered in the following parts of this report.
- 4.3.155 The Ecology Report confirms that the site itself is not subject to any statutory or non-statutory ecological designations. The nearest statutory designation is Therfield Heath Site of Special Scientific Interest (SSSI) and Local Nature Reserve (LNR). The nearest non-statutory designation is Green Lane south of Royston Local Wildlife Site (LWS)

Habitats (EA)

- 4.3.156 The EA concluded that the proposed development site is dominated by arable farmland with the field boundaries supporting hedgerows, woodland, grassland and ruderal habitat. Together, these suggest a site of relatively modest ecological importance although the woodland, hedgerows and tree lines were considered to represent examples of priority habitats. The illustrative masterplan confirms that the majority of these features are anticipated to be retained as part of the detailed site proposals and would be protected during construction. Small sections of the hedgerow along the eastern and north-west boundaries and small sections of tree lines within the centre of the site will be removed to facilitate access points. New, native species-rich hedgerow planting is illustrated as part of the masterplan proposals. In general terms, the County Ecologist does not consider there likely to be any harm habitats. Landscaping would be a reserved matter, and details of habitat protection and enhancements would be secured at that stage.

Protected Species (EA)

- 4.3.157 The Site is considered to offer the potential to support a diverse range of protected birds, reptiles, amphibians and mammals, including bats. In terms of the latter, a series of bat surveys, though carried out late in the season provide a strong indication that the site is of value for foraging bats. In addition, this showed the low to high potential of several trees to support roosts. Although certain features benefit from protection in law and policy, the EA concluded that the proposed development would not have a significant impact on the site overall and no measurable effects on any protected areas in the area are anticipated. Whilst these findings are generally accepted, future applications should be supported by updated surveys to include bats and barn owls with appropriate mitigation identified where relevant. Conditions to safeguard these faunal groups during relevant vegetation clearance and construction works is recommended.

Biodiversity Net Gain (BNG)

- 4.3.158 The 2021 Environment Act introduced an automatic requirement for every planning permission granted to achieve a 10% Biodiversity Net Gain (BNG). The application was submitted in 2021 which was prior to the mandatory BNG requirements being enacted in February 2024. However, the application includes a BNG assessment which indicates that the development will result in a 26% biodiversity net gain in habitat units and 57% biodiversity net gain in hedgerow units. Additional faunal enhancements are also envisaged and would be set out in further detail in future applications.

Ecology Update (EU January 2025)

4.3.159 The district council's ecologist has supplemented the comments and observations previously made by Herts Ecology (HE) set out above. Matters arising are explained below

-

- With the exception of the active travel routes to the Green Way Plantation and adjacent to Grange Bottom (considered further below), there have been no material changes in the ecological status of the site compared to that set out in the original EA.
- The application proposes extensive areas of green space which will deliver green infrastructure and biodiversity benefits. Management of these areas will be informed by a Landscape and Ecological Management Plan (LEMP) as recommended originally by Herts Ecology.
- Future applications should be supported by updated habitat and species surveys, particularly where habitat removal is proposed as part of the detailed design.
- The provision of Sensitive Lighting Zones (SLZ) will be essential in protecting habitats and species at a number of site edges where they are adjacent landscape features such as hedgerows, trees and woodland. Future applications should consider compatibility of development with existing and proposed ecological features and consider what and how ecological mitigation measures including SLZs across the whole site are necessary. Details of these specific details can be secured through the Design Code condition.
- The additional proposals to provide active travel routes between the application site and existing development to the north, by way of a pedestrian link to Grange Bottom and pedestrian/cycle routes to Shrubbery Grove have been subject to a sensitive preliminary design, taking account of the existing ecological constraints. Whilst this demonstrates that the ecological effects of the /cycle connections are likely to be negligible and that the ecological integrity and function of both areas of existing woodland are unlikely to be harmed, further information and details need to be provided. These should consider (i) the potential for bat roosts in trees and foraging as identified in the original EA. The preliminary proposals should be further developed to safeguard trees likely to be used for roosting. Precise details and design of these two new links will need to be considered further and should be informed by further habitat, bat and tree surveys. (ii) In relation to species, the EN acknowledges potential for lighting to the active travel route to have a detrimental impact on nocturnal species and advises a sensitive lighting strategy to minimise light spill. Bats are mainly active around dusk, half hour before for a couple of hours after and then again around dawn. On the assumption that the link must be lit to encourage regular and 'round the clock' usage, lighting in these sensitive ecological areas needs to be informed by the bat activities within the woodland. Some bat species are more sensitive to light and one recorded on this site is Barbastelle which are nationally rare. In terms of a lighting solution for the active travel and pedestrian routes, these must not have a detrimental impact on bats or species (i.e. a low level bollard / shielded lighting solution).
- *LP Policy NE4* requires development to deliver BNG although it does not specify an amount. The submitted EA sets out in general terms BNG proposals (set out above) and confirms that additional faunal improvements will be provided. Details of such additional improvements should comprise on plot enhancements such as integrated bat, bird and bee bricks and with hedgehog holes in fences. These can

be secured via an Ecological Enhancement Plan condition. In addition, a condition requiring the BNG improvements to be delivered is both reasonable and necessary. As there is no mandatory requirement for BNG in this instance, the Landscape Ecological Management Plan (LEMP) is considered sufficient to safeguard the retention and maintenance of the BNG improvements.

Conclusion on Ecology and BNG

- 4.3.160 Having regard to foregoing, there are no ecology impacts arising from the proposals, that cannot be mitigated. For the construction stage, a condition requiring the submission and approved of a Construction Environmental Management Plan (CEMP) is recommended. Future design work should be informed by further habitat, species and tree surveys, including but not limited to bats and barn owls. Further details of mitigation measures can be secured by conditions – LEMP, EEP and Design Code. A condition requiring the approval of the active travel and pedestrian routes at the Green Way Planation and Grange Bottom – informed by surveys - is considered reasonable and necessary. In relation to BNG, the proposal will provide an above improvement across the site. As this is not a mandatory requirement in this case, it is considered to be a moderate benefit in the planning balance.

Open space

- 4.3.161 Chapter 8. *Promoting healthy and safe communities* of the NPPF confirms that development proposals should aim to achieve healthy, inclusive and safe places which -

(c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling (paragraph 96).

- 4.3.162 *LP Policy NE6 New and Improved Open Space* states that planning permission will be granted for development proposals that make provision for new and/or improved open space in accordance with the Councils open space standards. In terms of open space provision for new housing development, NHC have adopted and apply the 'Fields in Trust' Standards (FiT), under the 'Guidance for Outdoor Sport and Play – Beyond six-acre Standard'. Further details are set out on the Council's Developer Contributions SPD. In addition to the above, it is confirmed that the site is located within the *Zone of Inner Influence* for Therfield Heath as identified in the *Therfield Heath SSSI Mitigation Strategy* (the Mitigation Strategy) which was adopted in November 2022. It sets out the details of the recreational pressures that can impact on the SSSI and the measures that could be used to help change those pressures in the future. There are two key areas of mitigation - Suitable Alternative Natural Green Space (SANG) provided on-site and financial contributions sought for projects associated with the management of the Heath. SANG green infrastructure is intended to absorb significant proportions of the day-to-day recreational needs of the new residents, including dog walking, jogging, children's play facilities and other informal recreation. As the Heath primarily provides natural and semi-natural green space, these same types of open space would be prioritised on new sites such as this. In addition, there is a significant shortage of allotments within Royston with a waiting time of over 5 years currently. This would be a secondary open space priority for housing sites in Royston.

Open space provision

- 4.3.163 The FiT standard would normally require 5.7ha of open space per 1000 population. There is no nationally-set SANG standard. However, a number of solutions have now been reached to mitigate recreational impacts on internationally and nationally designated sites which require provision of SANG at 8 ha per 1,000 population. Based on 280 homes proposed, it is estimated that the development will generate a population of circa 720. This creates a need for 5.76ha of open space. A total of 6.1ha is proposed as part of the proposals on this Site. A breakdown of the different open space typologies proposed is set out in the table below. These are also illustrated in submitted drawings and would be secured by condition.

Types of open space	Field in Trust (FiT) Standard	On-site provision	Off-site provision
Parks and Gardens	0.5ha	1ha	
Amenity Greenspace	0.4ha	1.8ha	
Semi-natural	1.2ha	6.5ha	
Allotments	0.2ha	0.82ha	
Children's play (LAP, LEAP, NEAP)	0.2ha	0.45ha	
MUGA	0.2ha	None	No project identified
Total	3.8ha	9.95ha	

Table 7: Open Space Typologies

- 4.3.164 As can be appreciated from the table above, the development will deliver a range of open space typologies with semi-natural and allotments prioritised and delivering areas notably above minimum standards. These open spaces will need to be managed from public use and biodiversity perspectives. The district council's Green Space Manager has indicated a preference to adopt these although the additional triangular area of woodland in the north-western corner of the site should be offered to Royston Town Council (RTC) in the first instance as it forms a continuation of the Green Walk Plantation which is currently managed by RTC. Details of the management of these spaces, including play areas, and associated committed sums can be secured as part of the s106 agreement. Detailed open space design should be undertaken collaboratively with district council's Green Space Team to explore meeting the Green Flag standard. Landscaping is a reserved matter so further details would need to be provided as part of future applications. Due to a shortage of allotments in Royston currently, the applicant has agreed to set aside additional open space on site for allotment use adjacent to the southern boundary (see Table 7 above). Preliminary details of the allotment are outlined in the Masterplan with precise details, their delivery and management to be secured in the s106 via an Allotment Scheme. The allotment would be offered to Royston Town Council in the first instance with the district council being a secondary choice. The Council's SPD requires a financial contribution towards a MUGA. However, in this instance no project has been identified and therefore a contribution is not sought.

- 4.3.165 The scheme also provides some of the pedestrian connections linking the Green Way Plantation in the north-west to a number of permissive footpaths on the opposite (northern) side of Barkway Road. These connections are identified in the Mitigation Strategy (page 52) and would provide wider benefits for both residents and visitors.

Other mitigation measures

- 4.3.166 In addition to seeking on site mitigation measures, the Mitigation Strategy also seeks financial contributions towards mitigation measures at the Heath. The Therfield Conservators have identified several potential projects at the Heath that require on going funding. A sum of £350 per dwelling has been agreed with the applicant which will support either staff costs (e.g. site warden or similar required role) and/or other management measures (such as signage, information boards or other measures identified).

Conclusion on open space

- 4.3.167 The development will provide open space in accordance with recognised SANG standards to mitigate the impact on Therfield Heath SSSI as required by the Mitigation Strategy. Semi Natural and allotment open space typologies have been prioritised. Details of play areas, open spaces, management and commuted sums will be secured as part of the s106. The development will deliver improved pedestrian connections to other existing pedestrian routes as identified in the Mitigation Strategy. A financial contribution is agreed towards other mitigation projects at the Heath. Cumulatively, these are considered benefits which weigh moderately / substantially in the overall planning balance.

Sports facility impacts

- 4.3.168 Section 8. of the NPPF *Promoting healthy and safe communities* requires planning decisions should aim to achieve healthy, inclusive and safe places. Paragraph 102 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 103 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.*

- 4.3.169 *LP 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 adopted the *Playing Pitch Strategy and Action Plan and the Indoor Sports Facilities Strategy and Action Plan* in December 2018. These are joint strategies resulting from the partnership working of stakeholders such as national governing bodies, facility providers, local clubs and leagues. The council is in the process of updating the strategy and it is anticipated that this will be published later in the year.

The council's adopted Developer Contributions SPD also sets out the broad framework for the provision of sports pitches and facilities in relation to new developments.

New provision arising (proposed)

- 4.3.170 The Masterplan confirms that the Site will make provision for green corridors, children's play space, general amenity space, a village green, allotments and other informal open spaces within the development. However, no on-site provision for community outdoor sport or indoor sport facilities is proposed.
- 4.3.171 Sport England (SE), in its role as non-statutory consultee, has provided guidance to the district council on sports and playing pitch need arising from the proposal. The council's adopted SPD provides guidance on how the LP policies should be implemented in relation to sport related contributions and confirms that *Sport England's Playing Pitch Calculator* should be used to estimate demands that will be generated from new development and should be used in conjunction with the current Playing Pitch Strategy. The SPD provides similar advice in relation to the use of the *Sport England Sport Facility Calculator* to inform indoor sports and leisure facility contributions.
- 4.3.172 The 2016 strategies are now out-of-date and do not account for the changes in local supply and demand since they were prepared. In accordance with the above policies, SPD and the emerging Playing Pitch and Outdoor Sports Strategy, the proposed residential use generates a need for both new sports pitches and facilities.
- 4.3.173 The SE calculators confirm that the development would generate the following sports pitch needs – natural and artificial grass pitches for football, rugby, cricket. In addition, other sports facility needs comprise swimming pools, sport halls, tennis and indoor bowls. Although the calculators identify additional demand towards cricket, hockey, rugby league, sports hall and indoor bowls facilities, as there is no identified local need for providing for these sports or facilities, no contributions are being sought. Capital sum contributions towards the following sports pitch needs and sports facilities are recommended on the basis that (i) there are current facility deficiencies and (ii) identified projects in the pipeline that contributions could be used towards in order to ensure that the CIL Regulation 122 tests can be met –
- i. **Natural Turf Football Pitches** - £71,013 (capital cost to meet match play demand for adult, youth and mini football pitches combined): Provision of a new 3G artificial grass pitch that could be used for football match play as well as training – new 3G artificial grass pitch at Royston Town FC or King James Academy.
 - ii. **3G Artificial Grass Pitches** - £57,798 (capital cost to meet training demand for 3G artificial grass pitches) – new 3G artificial grass pitch at Royston Town FC or King James Academy.
 - iii. **Rugby Union** - £58,011 (capital cost to meet match play/training demand and changing room demand combined): Royston Rugby Club, Heath Sports Club, Therfield Heath - projects to increase capacity in terms of pitch quality, changing facilities/social space.
 - iv. **Tennis** - £10,235 (capital cost to meet demand for new tennis courts): Royston Tennis Club, Heath Sports Club, Therfield Heath – projects to provide new Padel or Pickleball

courts, resurfacing work to existing courts, improved clubhouse facilities; gated access and floodlights. Alternatively, Priory Memorial Gardens to resurface existing courts.

- v. **Swimming Pools** - £159,330 (capital cost for meeting new swimming pool demand): Royston Leisure Centre – new learner pool. For the avoidance of doubt, the Council's current investment into refurbishing the Royston Leisure Centre is unrelated to the need to provide more swimming pool capacity to meet the additional demand generated by new development. Current investment is focused around enhancing the quality and energy efficiency of the existing facilities not providing additional capacity to meet additional demand like a learner pool would. There is insufficient funding available at present to deliver a learner pool which is why funding needs to be secured from various sources including developer contributions for the delivery of this project. Furthermore, one of the sources of funding for the NDC Capital Fund is developer contributions.

- 4.3.174 The applicant has agreed to make the above contributions, and these would be secured via the s106 agreement.

Conclusion on sports facilities

- 4.3.175 The proposal would generate new sports pitch / facilities needs. These would not be met on site. Financial contributions towards the improvement of identified existing sports pitches and facilities have been identified and agreed by the applicant. In the circumstances, there is no harm arising in relation to sports facilities as part of the proposal and this matter weighs neutral in the planning balance.

Tree impacts (including hedges)

- 4.3.176 Chapter 15 of the NPPF - *Conserving and enhancing the natural environment* - confirms that proposals should protect and enhance the natural environment. LP Policy SP1: *Sustainable development in North Hertfordshire* seeks to protect key elements of North Hertfordshire's environment. LP Policy NE2 *Landscape* seeks to ensure the health and future retention of important landscape features and their long-term management and maintenance.
- 4.3.177 The original application is supported by a preliminary Arboricultural Impact Assessment (AIA) by Aspect Arboriculture. This sets out tree constraints, impacts and preliminary mitigation measures arising from the development. The key tree and hedge features within the Site comprise –
- Woodland area along the route of bridleway 010 site between the two field parcels forming the site;
 - Hedgerows and isolated trees along the Barkway Road (eastern) boundary
- 4.3.178 It should also be noted that the site borders trees and woodland along its western, northern and southern boundaries.
- 4.3.179 Due to revisions to the application site boundary to accommodate new and improved pedestrian and cycle links through the Green Way Plantation and adjacent to Grange Bottom, additional Tree Surveys (TS) were provided by Aspect Arboriculture to inform the ecological update (see Ecology and BNG section of report). For ease, this section of the report is set out in two parts. The first relates to the original AIA from 2021. The second

relates to the TS and Technical Note more recently provided which the district council's ecologist has provided comments on. The conclusion draws together the findings on the two parts.

Arboricultural Impact Assessment (AIA)

- 4.3.180 No trees within the Site are subject to a Tree Preservation Order. Based on the submitted illustrative masterplan layout, the arboricultural impact is expected to be limited to the removal of three individual trees, two sections of groups and two sections of hedgerow. Removal has been concentrated on low quality trees. A preliminary tree protection drawing has been provided to confirm the extent of tree removal and retention, and to demonstrate the deliverability of safeguarding measures.
- 4.3.181 To safeguard trees and hedges during the development, a further Arboricultural Impact Assessment should be provided as part of the detailed design proposals, alongside a detailed Arboricultural Method Statement which clarifies impacts as identified in the preliminary AIA as specified in *BS5837:2012 Tree relating to construction*. Such details should include specification for tree protection barriers, a schedule of tree works; works within RPAs and appropriate mitigation measures, a scheme for auditing tree protection and subsequent reporting to the Council. Detailed Tree Protection Drawings should be prepared to 1:500 scale to support the AMS, with detail given of proposed levels and service routes.

Tree Survey – Green Way Plantation

- 4.3.182 In relation to this active travel link, this will run from the north-western corner of the Site, through the plantation and link into the existing residential development at Shrubbery Grove. The preliminary design work has considered a number of constraints – topography and levels, trees and wildlife habitats. The proposal will take the form of an elevated boardwalk to form a lit cycleway across the root protection areas (RPAs) of the existing trees within the plantation. This is a practical solution minimising impacts on existing trees. Precise tree impacts would need to be considered further as part of the detailed design of the boardwalk. The boardwalk solution is likely to cause less of the unsurfaced RPA to be lost than other potential design solutions. When considering this matter in more detail as part of the reserved matters stage, this will need to consider eliminating the need for steps which are more likely to be intrusive from a tree health perspective.

Tree Survey (TS) – Grange Bottom

- 4.3.183 The preliminary design for this route identifies the removal of 10 individual trees and one small group of trees. Again, removal is focused on lower quality trees. This provides an opportunity for improved tree management and maintenance and will provide benefits to the wider community.
- 4.3.184 Landscaping is a reserved matter, and it is expected that there will be significant new tree, hedge and other planting proposed across the site compensating for likely tree losses. This is considered further in the *Ecology and BNG* section of this report above.

Conclusion on tree impacts

- 4.3.185 Some low-quality trees and hedges will need to be removed to facilitate the development primarily for access purposes. Their loss would be compensated by the extensive new planting secured as part of the site's landscaping. Precise details of tree impacts can be

appropriately managed by way of further surveys and information and can be secured by conditions in the event permission is granted. This matter weighs neutral in the planning balance

Primary Health Care

- 4.3.186 *LP Policy SP7 Infrastructure requirements and development* contributions outlines that development proposals will be required to make provision for infrastructure that is necessary in order to accommodate additional demands resulting from the development. It is further noted that developers may be required to provide, finance and/ or contribute towards provision including on-site and/or offsite provision. The Developer Contributions Supplementary Planning Document (January 2023) establishes the requirement for primary healthcare contributions and that these should be based on a formulaic approach related to floorspace. The Infrastructure Delivery Plan (September 2016) demonstrates that in 2016 the practices in Royston had no spare capacity and the NHS Cambridge & Peterborough ICB (C&P ICB) note that since there has been significant housing growth that has come forward in the area.

Existing Healthcare positions

- 4.3.187 The proposed development is located south east of central Royston on the outskirts of the town, on the Barkway Road. C&P ICB has identified that the proposed development will most likely have an impact on three nearby health-care facilities. These include Royston Health Centre located 0.7 miles north west from the subject site, Granta Medical Practice: Market Hill Surgery located 0.6 miles north west and Roysia Surgery located 1.5 miles north. As residents registered with Royston Health Centre and Market Hill Surgery can access services at Barley Surgery due to them falling within Granta Medical Practice West Area, these have been included this practice within the capacity assessment. The practices nearby sit within the Granta and Meridian Primary Care Networks (PCNs), these PCNs will share surgeries and patients across boroughs, counties, and healthcare boundaries. The impacted practices with capacity assumptions set out in the table below

-

Premises	Patient List Size ¹	NIA (sqm) of premises ²	Capacity ³	Space Surplus or Deficit (% NIA required) ⁴
Granta West: Royston Health Centre, Market Hill Surgery & Barley	21,145	801.83	11,693	-648.11
Rosia Surgery	6,030	253.10	3,691	-160.39

Table 8. Summary position for primary healthcare closest to the proposed development

¹ Patient list size as of April 2024

² Current Net Internal Area (NIA) occupied

³ Based on 120sqm per 1,750 patients

⁴ As calculated based on patient list size

- 4.3.188 The Department of Health publication “Health Building Note 11-01: facilities for Primary and Community Care Services” indicates a floorspace requirement of approximately 150m² (GIA)/ 120m² NIA per 1,750 patients. The GP practices are showing a significant

health infrastructure deficit, thereby demonstrating that the surgeries do not have existing capacity to absorb any additional residents. The development would therefore have an impact on the primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable.

Healthcare needs arising from the proposed development

- 4.3.189 The intention of C&PICS is to promote Primary Healthcare Hubs with co-ordinated mixed professionals. This is encapsulated in the strategy document: The NHS Five Year Forward Views. The development would give rise to a need for improvements to capacity, in line with emerging STP estates strategy; by way of improvements to, reconfiguration of, redevelopment of, or extension to the existing estate, or through the delivery of new build healthcare infrastructure.
- 4.3.190 Based on the 280 unit and North Hertfordshire's average population per household figure of 2.3 (based on 2021 Census Data), the proposed development will result in 644 people, respectively, requiring mitigation.
- 4.3.191 C&P ICB confirm that the s106 contribution secured from this development would fund the extension, reconfiguration and/or refurbishment of the named practices or practices within the corresponding Primary Care Network (PCN) that would serve a development in this area. Table 2 below provides the capital cost calculation of additional primary healthcare services arising from the development proposal.

	Total residential units	Population increase	Floorspace required	Delivery approach	Capital required to create floorspace
Proposed Development	280	644	55.2	Extension and refurbishment	£309, 622

Table 8. Capital costs calculation of additional primary healthcare services

- 4.3.192 C&P ICB sought advice from its NHS partner, NHS Property Services Ltd, on recent costs benchmarks for healthcare developments for single storey extensions and refurbishments. This equated to £5,224 per m² (once adjusted for professional fees, fit out and contingency, but excluding land acquisition). Having rebased this cost to North Hertfordshire using BCIS, the cost changes to £5,609 per m². The ICB calculate the level of contribution required for combined development is £309,622.

Conclusion

- 4.3.193 The current primary care facilities do not have sufficient capacity to accommodate the additional population resulting from these developments. The development will create 280 new homes, generating approximately 644 residents in the local area. This would have a direct impact on local healthcare services and therefore will require mitigation. The applicant has agreed to make a financial contribution towards improvement to existing health care facilities as identified. This matter weighs neutral in the planning balance.

Sustainability assessment

- 4.3.194 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.

- 4.3.195 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 SP11 Natural resources and sustainability* gives broad support for proposals for renewable and low carbon energy development in appropriate locations. *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.
- 4.3.196 A variety of Sustainability measures likely to be included are set out in the Sustainability Framework within the masterplan. In general, the applicant has confirmed that the proposal is likely to exceed *Bronze* level in some of the 8 Themes set out in the SPD. The Government's *Future Homes Standards* are likely to introduce improved performances across a number of SPD Themes with most notable announcement confirming that solar PV will be expected on the majority of all new build dwellings. General comments on the Themes, are set out below -
- **Theme 1: Optimising Passive Design & Fabric Performance** – the preliminary illustrative design and layout of the development set out in the Masterplan has sought to optimize passive design and fabric performance. The construction will seek to ensure that buildings will have improved insulation levels, reduced air leakage and fabric u-values in line with the current Building Regulation requirements.
 - **Theme 2: Achieving low-carbon energy** - the development will seek to deliver a range of low-carbon energy generation solutions including solar panels and air source heat pumps.
 - **Theme 3: Minimising carbon footprint - Whole Life Cycle Assessment (all residential development) and Circular Economy Principles (Major residential developments)** – locally sourced materials will be prioritized where appropriate alongside the use of an improved fabric specification to reduce carbon emissions during the design process and minimize the development's carbon footprint. In relation to Circular Economy principles, targets will be identified during detailed design, following best practice for rates of recycling, reuse and diversion from landfill. A condition relating to Waste is recommended in the event permission is granted.
 - **Theme 4: Healthy placemaking - Green & Blue Infrastructure, NHS Health into Place Principles for Residential Development and Urban Greening Factor (UGF) for Major Residential Scheme** – as confirmed in the Masterplan compliance and Open Space sections of this report, the development delivers in excess of Fields in Trust (FIT) standards and will therefore be expected to be above Bronze in relation to this Theme.

- **Theme 5: Promoting biodiversity - Ecological Surveys & Assessment, Arboriculture Assessment (where trees are impacted by proposal), BNG and Ecological buffers** – as confirmed in the Ecology and Biodiversity Net Gain and Trees sections of this report, the application is supported by a variety of surveys. These confirm that the development is unlikely to have an adverse impact on habitats and species and will have a minimal impact on trees and hedges. BNG is provided in excess of the council's policy and will deliver a range of local improvements, including new hedges and tree planting.
- **Theme 6: Sustainable travel - Transport statements, assessments and travel plans, EV charging** - the application is supported by a Transport Assessment and a more recent Addendum. The development includes a network of designated off-road pedestrian and cycle ways, including links to the existing urban area in the north. Pedestrian accessibility to existing green spaces will be improved for both new and existing local residents. A preliminary travel plan has been provided and will need to be developed as part of any detailed design process. The applicant has agreed to a contribution towards setting up a car club with designated space within the site. EV charging is secured by condition.
- **Theme 7: Conserving water** – the development will aim to reduce water consumption during occupation through a range of water efficiency measures which could include dual flush WC's and low flow fittings. External water use will be limited through the provision of water butts and grey water recycling.
- **Theme 8: Incorporating sustainable drainage** - the Outline Drainage Strategy has been designed using Sustainable Drainage Systems (SuDS) principles and will include two attenuation basins. These features will be designed to include a range of aquatic habitats, providing co-benefits for biodiversity and amenity, as well as drainage facilities. The SuDS proposal are broadly acceptable to Hertfordshire County Council (the Lead Local Flood Authority). Detailed designs for SuDS features, will be developed for any Reserved Matters application.

4.3.197 In addition to the SPD sustainability measures, the NPPF sets out a three-pronged definition of sustainable development – economic, social and environmental. The social and environmental matters are set out in this report already. In relation to economic impacts, the Development will support construction related businesses over the build out of the whole site. Also, the proposal is likely to deliver a small amount of education and related support jobs off-site through the delivery of additional school places. Taken together, the development will provide a range of economic benefits to the local economy and potential employment for local residents.

Conclusion on sustainability

4.3.198 As can be appreciated from the foregoing, the proposal is expected to exceed existing minimum standards across a number of themes as set out in the recently adopted SPD. Where standards are exceeded, these are benefits which due to their undefined nature at this stage weigh moderately in favour of the scheme. Full details of how each phase of development will deliver specific levels across all the themes will need to be confirmed via the submission of detailed Energy and Sustainability Statement at each Reserved Matters

stage. Taken as a whole, the proposals deliver a variety of economic, social and environmental improvements which cumulatively will deliver a sustainable development.

Section 106 matters

- 4.3.199 In considering Planning Obligations relating to this proposed development the Community Infrastructure Regulations (CIL Regs) and Paragraph 57 of the NPPF set out statutory and policy tests. These are: (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. NHLP Policy SP7: *Infrastructure requirements and developer contributions* reaffirms to need to secure infrastructure that is necessary in order to accommodate additional demands resulting from the development. The Council's *Developer Contributions SPD* also sets out further guidance and clarification on this matter.
- 4.3.200 Detailed negotiations have taken place with the applicant and agreement reached on a range of matters that are included in a draft S106 agreement (see Table 9 below). The need for these to be secured are set out in this report with the exception of HCC Growth and Infrastructure Unit contributions which have identified a need for mitigation measures in relation to First School Education, Middle School Education, Upper School Education, Nursery Services, Childcare, Special Educational Needs and Disabilities, Library services, Youth Services, Fire and Rescue Services and Monitoring. These are considered to be compliant with the above CIL tests.
- 4.3.201 A number of requests have been made for contributions which are not being sought as they would not be compliant with the aforementioned CIL tests. Details of these are set out below -
- £125,000 towards the upgrading of the skatepark in Royston (Council's Green Space Manager) - these works have been completed and therefore it is no longer reasonable to request this contribution.
 - £11,658 and £4032 towards the kitchen refurbishment and replacement boiler at Community Hall, Market Hill Rooms, Royston (Royston Town Council) - these works have been completed and therefore it is no longer reasonable to request these contributions.
- 4.3.203 The agreed Heads of Terms for the s106 obligation are listed in the table below –

Element	Detail	Justification
First School Education (HCC)	£2,102,691 index linked to BCIS 1Q2024 towards the expansion of a first school serving the development and/or provision serving the development	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
Middle School Education (HCC)	£1,692,505 index linked to BCIS 1Q2024 towards the	Local Plan Policy SP7

	expansion of King James Academy and/or provision serving the development	'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
Upper School Education (HCC)	£1,365,758 index linked to BCIS 1Q2024 towards the expansion of King James Academy and/or provision serving the development	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
Nursery Services	£388,256 index linked to BCIS 1Q2024 towards increasing capacity at first school nursery in Royston and/or provision serving the development	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
Childcare Services (HCC)	£19,667 index linked to BCIS 1Q2024 towards increasing capacity at Orchard Day Nursery in Royston and/or provision serving the development	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
Special Educational Needs and Disabilities (SEND) (HCC)	£479,127 index linked to BCIS 1Q2024 towards new Severe Learning Difficulty (SLD) special school places (EAST) and/or provision serving the development	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
Library Services (HCC)	£75,588 index linked to BCIS 1Q2024 towards Royston Library to reconfigure the layout increasing the capacity and/or provision serving the development	Submission Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
Youth Services (HCC)	£68,036 index linked to BCIS 1Q2024 towards increasing the capacity of Royston Young People's Centre and/or provision serving the development	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit

Herts CC Fire and Rescue Service (HCC)	£120,176 index linked to BCIS 1Q2024 towards the new fire station provision at Royston and/or provision serving the development	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
County Council Monitoring Fees (HCC)	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 £340 (adjusted for inflation against RPI January 2024).	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
Sustainable Transport / Highway contributions (HCC)	£1,561,000 (Strand 2) towards off site highway improvements as specified in the officer report.	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022). HCC's adopted Developers Planning Obligation Toolkit (2021)
Travel Plan Monitoring Fee (HCC)	£6,000 for a five-year period (£1,200 per annum) index-linked RPI March 2014 Monitoring Fee to support the implementation, processing and monitoring of the full travel plan including any engagement that may be needed	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022)
Affordable Housing (NHC)	On site provision of 40% affordable dwellings based on 65% rented tenure and 35% intermediate tenure. S106 to also specify triggers by when certain proportions of affordable homes are to be delivered, and mechanism for agreeing mix of affordable housing between each phase of development or reserved matters application.	Local Plan Policies HS2 'Affordable Housing', SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022), Evidence with the Council's SHMA.

Sport Pitch Facilities Natural Turf Football Pitches (NHC)	£71,013 (capital cost to meet match play demand for adult, youth and mini football pitches combined): Provision of a new 3G artificial grass pitch that could be used for football match play as well as training – new 3G artificial grass pitch at Royston Town FC or King James Academy	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022)
Sport Pitch Facilities 3G Artificial Grass Pitches (NHC)	£57,798 (capital cost to meet training demand for 3G artificial grass pitches) – new 3G artificial grass pitch at Royston Town FC or King James Academy	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022)
Sport Pitch Facilities Rugby Union (NHC)	£58,011 (capital cost to meet match play/training demand and changing room demand combined): Royston Rugby Club, Heath Sports Club, Therfield Heath - projects to increase capacity in terms of pitch quality, changing facilities/social space	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022)
Sport Pitch Facilities -Tennis (NHC)	£10,235 (capital cost to meet demand for new tennis courts): Royston Tennis Club, Heath Sports Club, Therfield Heath – projects to provide new Padel or Pickleball courts, resurfacing work to existing courts, improved clubhouse facilities; gated access and floodlights. Alternatively, Priory Memorial Gardens to resurface existing courts.	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022)
Sport Pitch Facilities – Swimming Pools (NHC)	Swimming Pools - £159,330 (capital cost for meeting new swimming pool demand): Royston Leisure Centre – new learner pool.	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022)

Open space scheme (NHC)	<p>Scheme to be submitted for the provision, adoption and management of all open space (including play areas but excluding allotments) required to be submitted and agreed prior to commencement of development.</p> <p>Scheme to include (not limited to):</p> <p>1.On-site provision of open space including 2 x LAP, 2x LEAPs to be provided in accordance with recognised standards as set out in the Developer Contributions SPD together with a Children's Natural Play Space and open space and associated landscaping as specified and illustrated within the agreed site-wide Masterplan (V20).</p> <p>2.Preferred option for the management of open space is North Herts Council with management company option only explored if for any reason the council are unable to adopt the public open space. Commuted sum (for a minimum period of 25 years) to be calculated once RM scheme has been finalised and will be based on guidance set out in adopted Developer Contributions SPD. Sum to be index linked.</p>	<p>Local Plan Policies SP7 and SP9 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022)</p>
Community Car Club (Developer / NHC)	<p>Provision by developer or financial contribution to NHC.</p> <p>The applicant to designate for the exclusive use of at least one club car parking bay within the development site. The developer shall be</p>	<p>Local Plan Policies SP7 and SP9 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022)</p>

	<p>responsible for preparing and covering the costs of the associated TRO.</p> <p>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 50th dwelling, NHC 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>	
NHS ICB (NHS)	£309,622 towards the provision of (extension and /or refurbishment) of additional capacity within the Granta or Meridian 'Primary Care Networks' within Royston which will service this development (or subsequent successor body)	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022)
Therfield Heath Mitigation Strategy (NHC/Conservators of Therfield Heath)	Funding of £350 per dwelling or such other suitable sum] index linked for the reimbursement of a staff costs (e.g. site warden or similar required role) and/or other management measures (such as signage, information boards or other measures).	Local Plan Policies SP7 and SP9 'Infrastructure requirements and developer contributions', Therfield Heath Mitigation Strategy (Nov 2022) and Developer Contributions SPD (pages 60/61)
Allotments (Royston Town Council/NHC)	A scheme to illustrate 0.82ha for allotments in general accordance with Masterplan (V20). Also, triggers for when allotments to be laid out and handed over, and provisions for offering them to town council (1 st) and district council (2 nd), with fallback	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022)

	provisions in the event that neither council wishes to take them on.	
District Council Monitoring Fees (NHC)	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).	Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD (2022)

Table 9: Heads of Terms for s106 agreement

Planning Balance

- 4.4.204 As identified in the foregoing sections of this report, there are matters that weigh in favour and against the proposed development. The table below identifies the 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 impacts	Harm	Moderate
Highways and Traffic	Harm	Moderate
Delivery of residential development (up to 280 dwellings) including 40% affordable housing and open space	Benefit	Substantial
Biodiversity (BNG)	Benefit	Moderate
Sustainability credentials including economic benefits	Benefit	Moderate
Archaeology	Neutral*	None*

Heritage Impacts	Neutral*	None*
Tree Impacts	Neutral*	None*
Environmental impacts	Neutral*	None*
Flooding and drainage	Neutral*	None*
Open Space	Neutral*	None*
Sports pitch facilities	Neutral*	None*
Masterplan compliance	Neutral*	None*
Primary Health Care	Neutral*	None*

Table 10: Planning Balance summary * conditions or s106 covenants recommended

Overall assessment

- 4.4.205 This is an unallocated housing site in the adopted local plan and the site lies outside the settlement boundary for Royston. However, it will make a significant contribution to the housing land supply, delivering both market and affordable housing. 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 set out in the report and as summarised in the table above would be significant. The adverse effects of the proposal have been identified and weight attached to these. There would be moderate harm to landscape and visual matters, agricultural land and highways and traffic. However, the public benefits would outweigh that harm. 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.
- 4.4.206 Final planning balance - 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

The applicant has confirmed agreement to the pre-commencement conditions that are proposed with the exception of condition 9 (Design Code). A further update on this will be provided either before or at the committee meeting.

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 completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and
- B) Providing delegated powers to the Development and Conservation Manager to (i) resolve outstanding matters including financial contributions and (ii) update conditions and informatives with minor amendments as required; and
- C) Conditions as set out below.

Definitions:

'Development Parcel' means a phase or part of the development excluding Enabling and Associated Works.

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

Standard conditions

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

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

2. The development hereby permitted shall be carried out in general accordance with the Masterplan (V20) and complete accordance with the amended location plan, access plan, Developable Area Parameter Plan and Access Parameter Plan as listed above, together with the Reserved Matters approved by the Local Planning Authority, or with minor modifications of those details or Reserved Matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

3. Except for the permitted vehicular access, no part of the built development hereby permitted shall be commenced on a development parcel within a particular development parcel or sub-phase (as referred to in condition 6 Phasing and Delivery) until full details of the layout, scale, appearance and landscaping within the parcel (hereinafter referred to as Reserved Matters) have been submitted to and approved in writing by the Local Planning Authority.

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

Masterplanning

4. The development hereby permitted shall be carried out in accordance with the masterplan framework (V20) and parameter plans listed below:

- Land Use Parameter Plan – Drawing No. Mosaic 020-01
- Access Parameter Plan – Drawing No. Mosaic 020-02 Rev A

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of planning permission and in accordance with Policy SP9 of the North Herts Local Plan 2011-2031. Masterplan Compliance

5. Prior to or concurrent with the submission of the first Reserved Matters application, and any subsequent Reserved Matters applications, a Masterplan Compliance Statement shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan Compliance Statement shall provide detailed explanation of how the proposal accords with the Masterplan Framework (V20) document approved under application reference No. 21/00765/OP. Where the proposal does not accord with a specific principle or parameter within the approved Masterplan, the Masterplan Compliance Statement must provide clear and robust justification for each departure.

Reason: To ensure that the development as envisaged by the outline application is satisfactorily implemented in accordance with Policy SP9 of the North Hertfordshire Local Plan.

Phasing and delivery

6. Prior to or concurrently with the submission of the first Reserved Matters application a Site Wide Phasing and Delivery Plan which accords with the s106 triggers and Transport Mitigation Phasing Strategy has been submitted to and approved in writing by the Local Planning Authority. Thereafter each subsequent Reserved Matters application for any phase (or part thereof) shall be accompanied by an updated programme or statement of compliance with the approved strategy for subsequent approval by the Local Planning Authority. The development shall be carried out in accordance with the approved Phasing Plan unless there are unforeseen events / obstacles to delivery and alternative timing for provision is agreed in writing by the Local Planning Authority.

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

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

- a) Residential development parcels;
- b) A programme for the delivery of public transport infrastructure;
- c) Primary roads/routes within the site, including timing of provision and opening of access point into the site;
- d) Strategic footpaths and cycleways / active travel routes;
- e) Housing Mix
- f) Strategic foul and surface water features and SUDS;
- g) Formal and informal public open space, allotments, LAPS, LEAPs and children's natural play space;
- h) Strategic/structural landscaping;
- i) Strategic telecommunications and energy networks;
- j) Environmental mitigation measures;
- k) Off-site highway improvements;
- l) Accessible and adaptable housing.

Reason: To secure comprehensive, co-ordinated and sustainable development and assist with the determination of subsequent Reserved Matters applications in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development, in accordance with Policy SP1, SP9 and SP16 of the North Hertfordshire Local Plan.

Design code

9. Prior to the submission of the first reserved matters application(s) a Site Wide Design Code shall be submitted to the Local Planning Authority for approval. No development shall commence except enabling and associated works until the Site Wide Design Code has been approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council (as highways authority and LLFA).

The Site Wide Design Code shall be prepared in accordance with the approved parameter and framework plans established in this outline permission, building upon the place-making principles stated in the Design and Access Statement (Chapter 5) and the DAS Addendum (Chapter 2).

The Design Code shall also follow Buildings for a Healthy Life 2020 Guidance and any relevant North Herts Design Guidance such as the emerging District Design Code. The Site Wide Design Code shall be structured as follows:

(i) Site-wide Proposal

Regulating Framework Plan (plots, open spaces, movement network and street hierarchy)

(ii) Nature, Open Space and Ecology

Regulating Plan (based on Open Spaces identified in the Green Infrastructure Framework Plan)

Site Wide Landscaping Materials Palette (hard and soft)

Site Wide Tree and Planting Palette

Section on each Open Space (e.g. 'Village Green, Plateau Park') to include:

- Vision Statement
- Illustrative Plan (showing planting, habitats, trees, routes, surfacing, play, character, lighting, SUDs, function/use, etc)
- Illustrative Sketch View
- Play Concept and Objectives
- Planting Plan (based on Site Wide Tree and Planting Palette)

(iii) Streets, Movement and Parking

Regulating Plan (developing on routes and streets identified in Access and Movement Framework Plan).

Site Wide Streets Materials Palette (paving, highways, shared surface, etc)

Site Wide Parking Typologies

Section on each Street Typology (e.g. Primary Street) to include:

- Section and Plan (front door to front door) to show carriageway, pavements, planting, verges, street furniture, utility corridors, street trees, play, defensible space, boundary treatments, materials, lighting, parking, adoption, cycling provision, cycle parking, and bin storage.
- Junction design to lower order street (e.g. Primary to Secondary Street)

(iv) Character and Built Form

Regulating Plan (based on Urban Design Framework Plan)

Site Wide Tenure Distribution Principles

Site Wide Built Form Principles

Site Wide Materials Strategy (with contextual analysis of surrounding area)

(v) Compliance

Compliance checklist (to include all relevant codes from Site Wide Design Code and relevant policy including BHL 2020)

Reason: To ensure high quality design and co-ordinated phased development in accordance with Policy SP9, D1 and SP16 of the North Hertfordshire Local Plan and Section 12 of the NPPF, National Design Guide and National Model Design Code and to mitigate.

Waste

10. All Reserved Matters applications pursuant to this outline permission for a development phase shall provide full details of the on-site storage facilities for waste including waste for recycling and/or composting in accordance with the council's Waste and Recycling Strategy at the time of submission as per the approved site wide Design Code. Such details shall identify the specific positions of where wheeled bins will be stationed, and the specific arrangements to enable collection from the kerbside of the adopted highway/refuse collection vehicle access point in accordance with the walk distances set out in the council's approved waste collection strategy. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the Local Planning Authority.

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

Landscaping

11. All Reserved Matters applications for any development parcel or sub-phase shall include the follow design details:

Soft Landscape

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

Hard Landscape

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

Details of all hard surfacing materials (size, type and colour) shall be provided as part of condition 7. No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development Phase shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings in accordance with the North Hertfordshire Local Plan Policies SP9, SP16, NE2 and NE6.

Sustainability

12. Prior to or concurrently with each Reserved Matters application, a Sustainability Assessment shall be submitted to and approved in writing by the Local Planning Authority. Each Assessment shall explain how the development will address and deliver a specific target level under each sustainability Theme as outlined in the Sustainability Framework in the approved MasterPlan Framework. Thereafter, the relevant phase of development shall be carried out in accordance with the relevant approved 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.

13. No development apart from enabling and associated works shall commence until a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved details.

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

Drainage conditions (LLFA)

14. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment prepared by Link Engineering reference LE20274-FH-LE-GEN-XX-RP-CE-FRA01 Revision 01 dated 20 January 2021, the Proposed Drainage Strategy drawing number FH-LE-GEN-XX-DR-C-500 Revision D, and the following mitigation measures detailed within the FRA:

(i). Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off during the 1 in 100 year event plus 40% climate change event.

(ii) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 1952 m³ (or such storage volume agreed with the LLFA) of total storage volume in infiltration basins.

(iii) Discharge of surface water from the private drain to ground via infiltration.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

15. No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

(i) Detailed infiltration tests conducted to BRE Digest 365 standards at the exact locations and depths where infiltration is proposed.

(ii) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.

(iii) Relocation of shared soakaways from private curtilages. If it is not possible to relocate shared soakaways from private gardens, robust technical justification should be provided as well as easements for maintenance access for the lifetime of the development.

(iv) Evidence of full exploration of the SuDS hierarchy and the use of above-ground features. Underground, cellular features should not be located in areas of green space. A source control approach should be prioritised.

(v) Provision of robust SuDS management and treatment.

(vi) Final detailed post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change storm with half drain down times no greater than 24 hours. All calculations should use the latest FEH rainfall data.

(vii) Exceedance flow routes for storm events greater than the 1 in 100 year + 40% climate change storm.

(viii) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, both on and off site.

16. Upon completion of the drainage works for the site in accordance with the timing, phasing arrangements, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

(i) Provision of complete set of as built drawings for site drainage.

(ii) Maintenance and operational activities.

(iii) Arrangements for adoption and any other measures to secure the operations of the scheme throughout its lifetime. Confirmation of who will be maintaining the SuDS for the lifetime of the development must be provided.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

17. No development shall take place until a surface water management strategy for the construction phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how surface water will be captured, attenuated and discharged from the site without increasing flood risk on or off site.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding both on and off site.

Archaeology

18. (A) Save for the approved vehicular access, no phase of development as agreed under condition 6 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:

- (i). The programme and methodology of site investigation and recording;
- (ii) The programme and methodology of site investigation and recording as suggested by the evaluation;
- (iii) The programme for post investigation assessment;
- (iv) Provision to be made for analysis of the site investigation and recording;
- (v) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- (vi) Provision to be made for archive deposition of the analysis and records of the site investigation;
- (vii) Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

(B) Each phase of development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 18 (A)

(C) Each phase of 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 18 (A) and the provision made for analysis and publication where appropriate

Reason: The 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.

Environmental issues

19. No development approved by this permission shall take place until a Phase 2 investigation report, as recommended by the previously submitted JPP report dated March 2021 (reference R-DS-21323-01-02), 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 ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters in accordance with North Hertfordshire Local Plan Policies SP11, SP17 and NE11, and Section 15 of the NPPF 2024 and the Environment Agency's approach to groundwater protection.

20. Full details of a Construction Environmental Management Plan (CEMP) for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase of development (including any pre-construction or enabling works). The construction of the development shall thereafter be carried out in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The Plan shall include but not limited to the mitigations measures as set out in the Noise Assessment provided by Sharps Acoustics Ltd and the following additional elements:

- a) Details and timing of the removal of any site waste;
- b) measures to minimise dust during construction.
- c) site set up and general arrangements for the delivery and storage of plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- d) construction traffic route signage, monitoring and enforcement measures;
- e) any temporary 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 1997 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 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 Local Plan.

21. Each reserved matters application shall be accompanied by a detailed noise assessment which shall include details of noise sources (including but not limited to London Luton and London Stansted airports) likely to affect and be affected by the development and necessary mitigation measures. Thereafter, the development shall be carried out in accordance with the approved noise assessment.

Reason: To ensure a satisfactory noise environment for occupiers and adjacent residential properties in the interests of residential amenity in accordance with policy D3 in the North Hertfordshire Local Plan.

Ecology

22. Prior to or in conjunction with the submission of each Reserved Matters application, an Ecological Enhancement Plan (EEP) for the creation of new wildlife features to include but not limited to hibernacula, the inclusion of bird, bat and bee boxes in buildings/structures and hedgehog holes in fences, has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

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

23. Prior to or in conjunction with the submission of each Reserved Matters application, a lighting design strategy for biodiversity for the relevant phase shall be submitted to and approved in writing by the local planning authority. The strategy will be informed by up to date bat surveys and shall;

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 including light exclusion zones, appropriate luminaire specifications, spacing and height of lighting units, light barriers / screening, light intensity, directionality and dimming and part-night lighting) 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: To ensure that works do not result in adverse impacts to protected species. (Section 15 of the NPPF)

24. Prior to the submission of any Reserved Matters applications, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following outline site-wide information:

a) Purpose and biodiversity objectives for the proposed works;

b) Suitably detailed design(s) and/or working methods necessary to achieve these objectives (including, where relevant, the type and source of materials to be used, the provenance of native trees etc);

c) Extent and location of proposed works shown on appropriate scale maps and plans;

d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of development (including an annual work plan capable of being rolled forward over a thirty-year period comprising both initial aftercare and long-term maintenance); and

e) Ongoing monitoring and remedial measures.

The development shall thereafter be carried out in complete accordance with the approved LEMP.

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.

25. No development shall take place (including ground works and 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 an up to date ecological walkover survey and shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- 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: Biodiversity 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 ecological impacts of the development are mitigated in accordance with the NPPF and Policies NE4, NE12 and SP12 in the North Hertfordshire Local Plan.

Trees

26. Prior to or concurrent with each Reserved Matters application, the following document(s) shall be submitted to and approved in writing by the Local Planning Authority in accordance BS5837 (Trees in relation to construction) –

- (i) Arboricultural Impact Assessment
- (ii) Arboricultural Method Statement
- (iii) external underground service plan illustrating the routes of all cables and pipes.

Thereafter, the development shall be carried out and completed in accordance with the approved details.

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.

Fire Safety

27. Before the first occupation of any dwellinghouses hereby permitted, details of a fire hydrant(s) shall be 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. The

hydrant(s) shall be provided in accordance with the approved details prior to the first occupation of the development.

Reason: To ensure adequate fire protection for the development by way of appropriately located hydrant facilities.

Highways

28. All Reserved Matters applications for each development parcel or sub-phase shall include full details in relation to the design of estate roads (in the form of scaled plans and / or written specifications) and phasing details for commencement and completion shall be submitted to and approved in writing by the Local Planning Authority to detail 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).

29. Prior to the first occupation of the development hereby permitted the accesses (pedestrian, cycle and vehicle) as illustrated on drawing numbers (J32-5129-PS-008 Rev A and Access & Movement Plan Rev D) shall be completed in accordance with details and specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority.

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).

30. 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).

31. Prior to the first occupation of the development hereby permitted, each residential dwelling shall be provided with an active (ready to use) EV charging point which shall thereafter be provided and permanently retained.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018) and with Local Plan Policies SP9 and D4.

32. Prior to the first commencement of each phase of development hereby permitted, as agreed under condition 6, a scheme for the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

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

33. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction 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 car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- 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.

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).

34. Highway Improvements – Cycle Route to Shrubbery Grove/ Grange Bottom Walkway
A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence within the western parcel of the site until a detailed design for the Cycle Route to Shrubbery Grove, which should be step-free and include a lighting plan, and the Walkway to Grange Bottom, as indicated on drawing number FHR-MI-GEN-XX-CD-CE-100 Rev P03, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The design shall be informed by appropriate ecological surveys to minimise impacts on habitats and species.

B) Implementation / Construction

Prior to the first occupation of any part of the western parcel of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

35. Highway Improvements – A10 Segregated foot/cycleway between Shrubbery Grove and The Warren

A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed design for the off-site highway improvement works as indicated in Figure 2.2 of Land West of Barkway Road, Royston Transport Assessment Addendum v1.2, April 2025 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to the first occupation of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

36. Highway Safety Improvement – Signalisation of Market Hill Zebra Crossing

A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing number (J32-5129-PS-005 Rev B) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to the first occupation of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

37. Highway Safety Improvement – Signalisation of Barkway Road Pedestrian Crossing immediately north of Shaftesbury Way

A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on Figure 2.2 of Land West of Barkway Road, Royston Transport Assessment Addendum v1.2, April 2025 have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to the first occupation of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

38. Highway Safety Improvement – Signalisation of Barkway Road Pedestrian Crossing south of A10 Gyratory

A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing J32-5129-PS-005 Rev B have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to the first occupation of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

39. Rights of Way

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 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).

40. Travel Plan – Requested Prior to Use

At least 3 months prior to the first occupation 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 with an annual review to be submitted to the Local Planning Authority for a five-year period commencing following its written approval. Any

modifications shall be agreed in writing 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).

41. Traffic Regulation Order – Indicated on Plan (Extension of Barkway Road 30mph zone) Prior to the first occupation of the development hereby permitted the Traffic Regulation Orders (TROs) as indicated on Figure 2.2 of Land West of Barkway Road, Royston Transport Assessment Addendum v1.2, April 2025 must be secured in place and implemented.

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).

42. The existing field access identified on the approved access and movement parameter plan shall be used for emergency vehicle purposes and active travel users only unless otherwise agreed in writing by the LPA in consultation with HCC Highways. Prior to the first occupation of the development, details of a gate, barrier or other similar means of control for this access shall be submitted to and approved in writing by the local planning authority. Thereafter, the approved details shall be implemented within an agreed time period and thereafter retained in perpetuity.

Reason: It has not been demonstrated that this vehicular access is safe for general use by vehicular traffic. To ensure that the access is suitable for emergency and active travel use only.

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

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

44. Prior to the first occupation of any dwellings hereby permitted, the off-site highway improvements include refuge island, pedestrian crossing locations and bus stops as illustrated on the approved access drawing shall be carried out and installed to the satisfaction of the Highway Authority.

Reason: In order to protect highway safety and the amenity of users of the public highway and 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, 10, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

INFORMATIVES

Highways:

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

AN1) 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 (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) 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>

AN9) 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.

AN10) 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.

AN11) 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

LLFA:

It is noted that the western swale/reed bed structure is indicated in the same location as a footpath. The LLFA do not object on this point but would recommend that it is clarified in future drainage details secured by conditions. We would recommend that the Environment Agency is consulted regarding the groundwater source protection zones.

Proactive Statement

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

7.0 Appendices

- 7.1 Illustrative Masterplan
- 7.2 Viewpoint Locations from LVIA
- 7.3 Proposed Site Access Drawing
- 7.4 Highway Improvements Plan (Figure 2.2 from TAA)
- 7.5 Developable Area Parameter Plan
- 7.6 Access Parameter Plan

07

ILLUSTRATIVE MASTERPLAN

The illustrative masterplan indicatively shows how the site could come forward in accordance with the development parameters and character area guidance set out within this document.

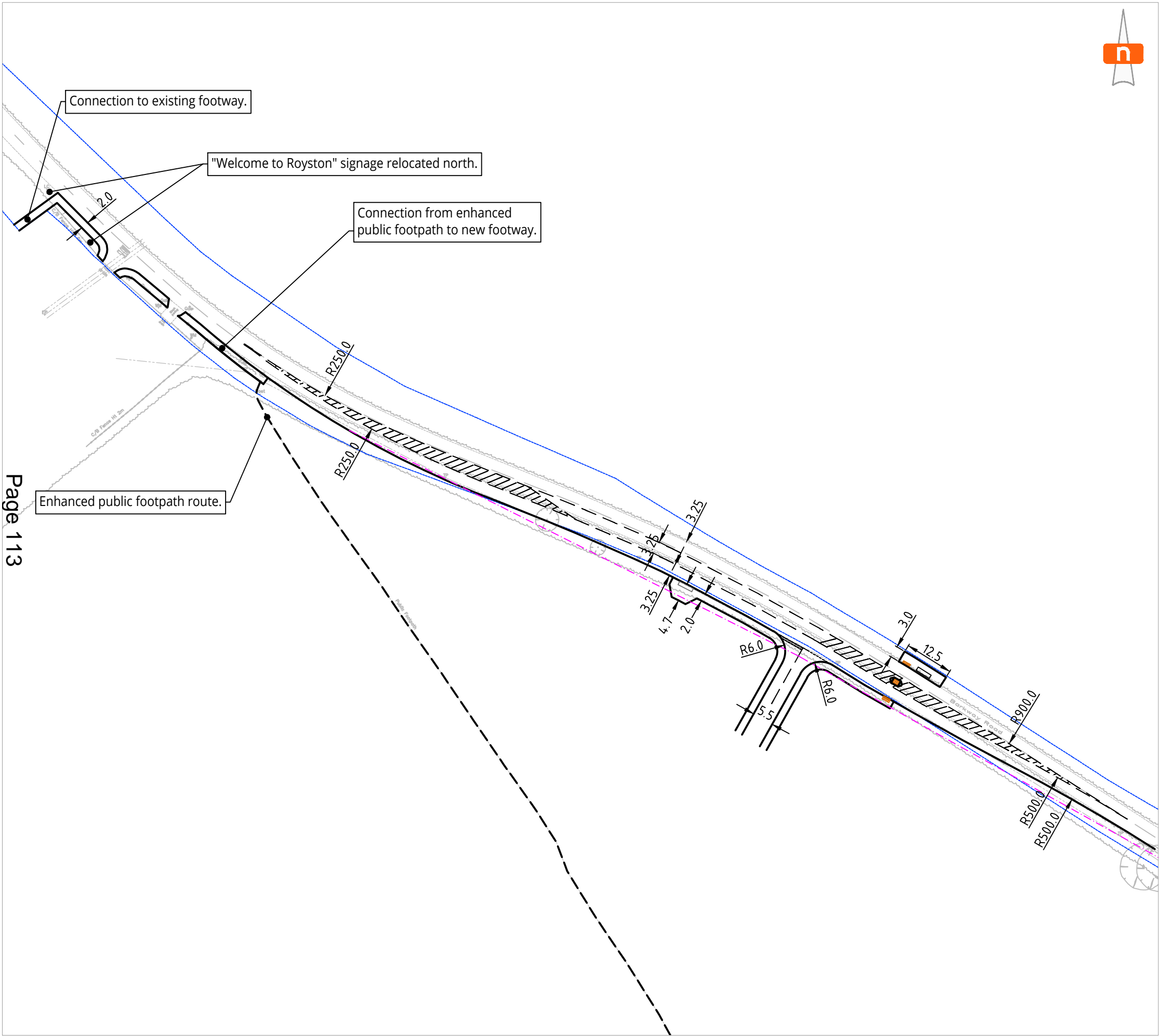


This page is intentionally left blank

Appendix 7.2 – Viewpoint Locations from LVIA



This page is intentionally left blank



NOTE;

1. THIS DRAWING IS BASED UPON A TOPOGRAPHICAL SURVEY

2. THIS DRAWING IS INDICATIVE AND SUBJECT TO DISCUSSIONS WITH LOCAL & NATIONAL HIGHWAY AUTHORITIES. THIS DESIGN IS ALSO SUBJECT TO CONFIRMATION OF LAND OWNERSHIP, TOPOGRAPHY, LOCATION OF STATUTORY SERVICES, DETAILED DESIGN AND TRAFFIC MODELLING.

4. ROAD MARKINGS & TRAFFIC SIGNS ARE TO BE IN ACCORDANCE WITH 'THE TRAFFIC SIGNS REGULATIONS AND GENERAL DIRECTIONS 2016'

5. DO NOT SCALE FROM THIS DRAWING WORK FROM FIGURED DIMENSIONS ONLY.

KEY:

— HIGHWAY BOUNDARY

-	12.05.2021	INITIAL ISSUE
REV	DATE	REMARKS
CLIENT		

S&R

JOB TITLE

FLINT HALL, ROYSTON

DRAWING TITLE

PROPOSED ACCES & FOOTWAY CONNECTION

DRAWING NO.

J32-5129-PS-008

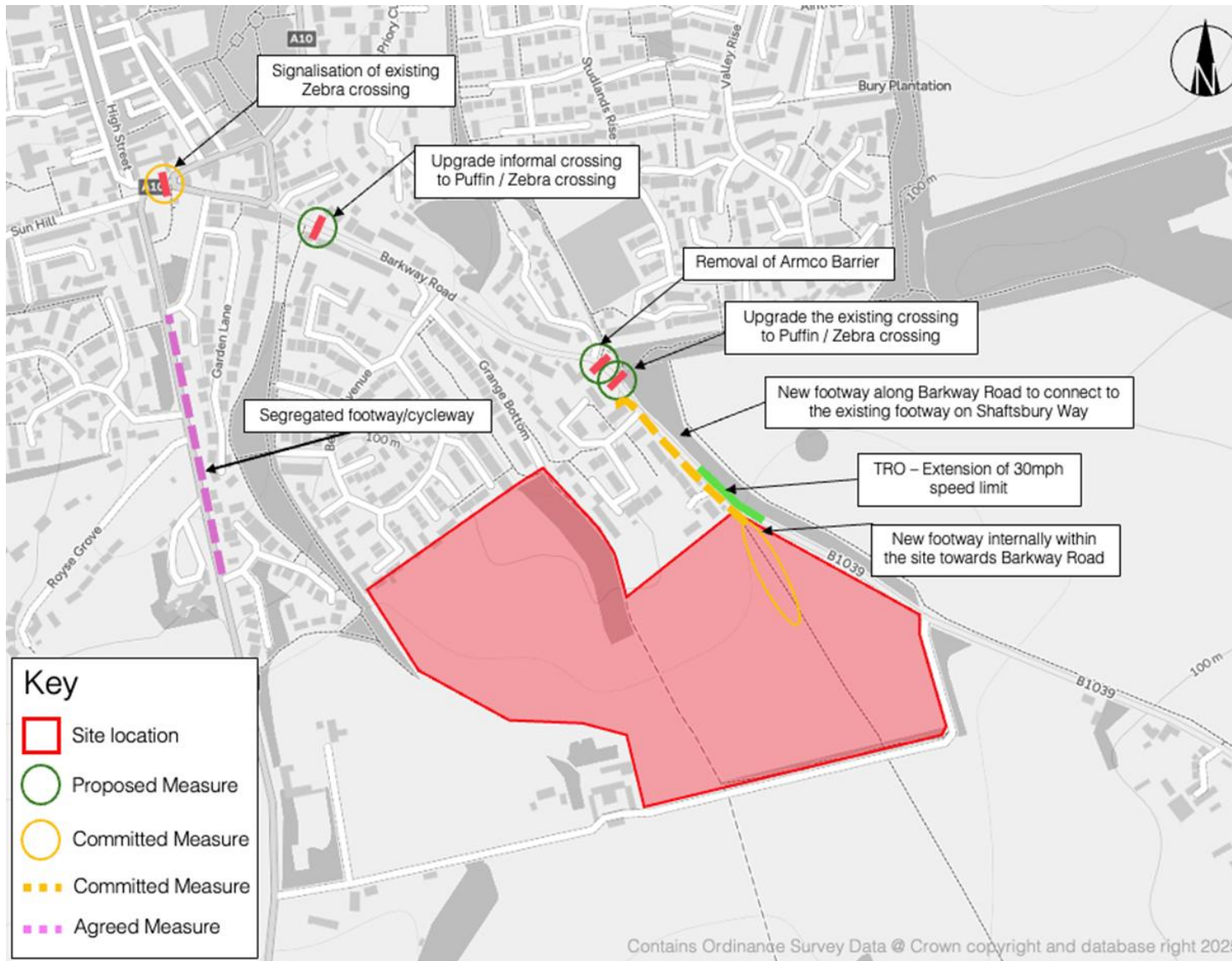
DRAWN	KB	CHECKED	SS
CREATED	MAY '21	SCALE	1:1000 @A3

mode transport planning
LABS HAWLEY LOCK
HAWLEY WHARF
1 WATER LANE
LONDON
NW1 8NZ
T 020 7293 0217
E INFO@MODETRANSPORT.CO.UK
W WWW.MODETRANSPORT.CO.UK



This page is intentionally left blank

Appendix 7.4 – Highway Improvements Plan (Figure 2.2. from TAA)



This page is intentionally left blank



- Site boundary
- ➔ Vehicular and active travel access
- ➔ Emergency access (with active travel)
- ➔ Pedestrian access
- ➔ Active travel access



CLIENT:
Southern & Regional Developments Ltd

PROJECT:
Land off Barkway Road, North of Flint Hall, Royston

DRAWING:
Access Parameter Plan

PROJECT NUMBER:
1126

DRAWING NUMBER:
020-02

REVISION:
A

DATE:
04/12/24

CHECKED BY:
SR

STATUS:
Final

SCALE:
1:2,500

This page is intentionally left blank



- Site boundary
- Developable Area
- Green infrastructure



CLIENT:
Southern & Regional Developments
Ltd

PROJECT:
Land off Barkway Road, North of Flint
Hall, Royston

DRAWING:
Developable Area Parameter Plan

PROJECT NUMBER:
1126

DRAWING NUMBER:
020-01

REVISION:
-

DATE:
03/12/24

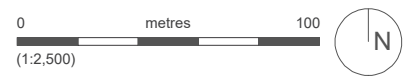
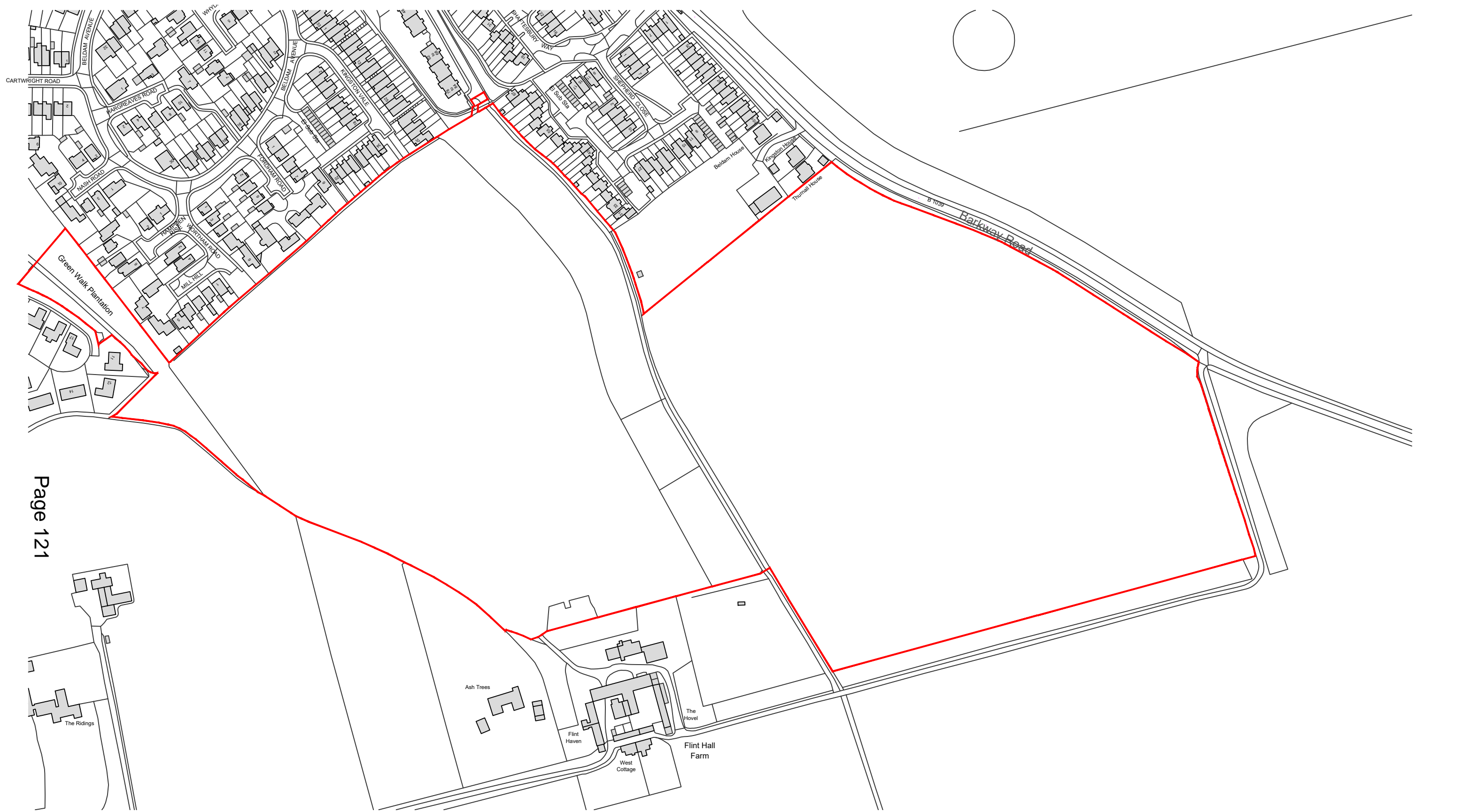
CHECKED BY:
SR

STATUS:
Final

SCALE:
1:2,500



This page is intentionally left blank



Planning application boundary 18.82 ha

Project			
Land off Barkway Road, north of Flint Hall, Royston			
Drawing Title			
Site Location Plan			
Date	Scale	Drawn by	Check by
08/11/2024	1:2,500 at A3	JB	SR
Project No	Drawing No	Revision	
1126	004	D	

This page is intentionally left blank

<u>Location:</u>	Land At Church Wood Three Houses Lane Codicote Hertfordshire
<u>Applicant:</u>	D&A Architectural & Structural
<u>Proposal:</u>	Change of use of land to equestrian and erection of stables and covered menage.
<u>Ref. No:</u>	24/01042/FP
<u>Officer:</u>	Tom Rea

Date of expiry of statutory period: 24th July 2025

Reason for Referral to Committee: This application is required to be determined by the Planning Control Committee due to the site area of the application site.

1.0 **Relevant Planning Policy**

1.1 **North Hertfordshire Local Plan 2011 – 2031**

Policy SP1: Sustainable development in North Hertfordshire
Policy SP2: Settlement Hierarchy and Spatial Distribution
Policy SP3: Employment
Policy SP5: Countryside and Green Belt
Policy SP6: Sustainable Transport
Policy SP9: Design and Sustainability
Policy SP12: Green Infrastructure, landscape and biodiversity

Policy T1: Assessment of transport matters
Policy T2: Parking
Policy D1: Sustainable Design
Policy D3: Protecting Living conditions
Policy D4: Air quality
Policy NE2: Landscape
Policy NE4: Biodiversity and geological sites
Policy NE8: Sustainable drainage systems
Policy HE1: Designated heritage assets
Policy HE4: Archaeology

1.2 **National Planning Policy Framework (2024)**

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

Section 9: Promoting sustainable transport
 Section 11: Making effective use of land
 Section 12: Achieving well-designed places
 Section 13: Protecting Green Belt land
 Section 14: Meeting the challenge of climate change
 Section 16: Conserving and enhancing the natural environment

1.3 Supplementary Planning Guidance and Documents

- Design SPD 2011
- Vehicle Parking at New Developments 2011
- Sustainability SPD (2024)

1.4 Knebworth Neighbourhood Plan (Made May 2022)

Policy KBLE2: Rural Businesses
 Policy KBEF1: Biodiversity
 Policy KBT1: Sustainable Modes of Travel
 Policy KBEF3: Flooding and Drainage

Church Wood and Crouch Green Wood are noted as Local Wildlife Sites.

2.0 Site History

No directly relevant history but the adjacent land history is as follows:

1/1669/84/(118): Use of land as pet cemetery. Granted

05/01337/1: Detached building for machinery store and workshop (in connection with pet cemetery and pheasant rearing business) Granted 22/11/05. Condition 3 restricted future uses.

14/02866/1AG: Agricultural building for grain storage (for pheasant rearing / shooting business) . Granted as Permitted Development on 1st December 2014

18/01478/AG: Agricultural building for straw storage . Granted as Permitted Development on 19th July 2018

20/000614/PNQ: Prior Approval Notification - Class Q: Conversion of agricultural building into one 3-bed dwelling. Permission refused as not permitted development, 7/05/2020

22/01891/FP: Change of use of existing agricultural barn to one 3-bed dwelling. Granted 28/9/22. This permission has not been implemented

24/01002/FP: Change of use of existing three barns to office and storage space and the erection of supporting substation and concrete base. Withdrawn 09.09.2024

24/02343/FP: Change of use of existing site from agricultural to use Class B8 (Storage and Distribution). Extensions and alterations to existing barns; erection of detached temporary structure of three years and supporting substation and concrete base. Installation of hardstanding for outside storage and parking and installation of electric front entrance gates. Drainage pond and associated outfall pipe, alterations to surface access track (Development has commenced). Refused 10th March 2025

An appeal has been lodged and a decision from the Planning Inspectorate is pending.

3.0 **Representations**

3.1 **Site Notice and Neighbour consultation**

At the time of writing this report 17 comments have been received with 17 objections. The comments include the following concerns (full details on the Council's web site) :

- Inappropriate development in the Green Belt / contrary to Green Belt policy
- Loss of openness
- Not a sustainable location and no demand for the use therefore not Grey Belt
- Not a suitable location for increased traffic and congestion
- HGV's degrading the road surface, verge and drainage channels
- Increase in surface water flooding
- Health and safety concerns
- Adverse impact on the environmental and ecological impact including damage to trees, the woodland TPO and local wildlife site
- Adverse impact on landscape character and appearance
- Inaccurate statements and information within the application
- Adverse visual impact
- Query surface water and foul water drainage arrangements
- Increased noise and vibration, light and dust pollution
- No biodiversity net gain only a loss
- Loss residential amenity
- Application lacks information
- Contrary to Local Plan policies and the NPPF

3.2 **Knebworth Parish Council:**

Formal comments as follows:

The Council objected to this application on the basis of:

1. *The proposed manège and large stable block represent significant new built development within the Green Belt.*

Such development is considered inappropriate unless very special circumstances are demonstrated. The scale and footprint of the proposed buildings—occupying up to 20% of the field—would harm the openness, rural character, and visual amenity of the Green Belt, contrary to national and local planning policy.

2. *Disproportionate Scale to Site Size and Use*

The facility is vastly out of proportion to the size of the field (1.67 hectares) and the number of horses that could be supported. With 1,944 sq. metres of new buildings and associated hardstanding, the usable grazing area would be drastically reduced, making the site unsuitable for the number of horses proposed. This raises concerns about overdevelopment and the sustainability of the use.

3.3 **Hertfordshire Highways:**

Raises no objections

3.4 **Natural England:**

Comments as follows:

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.

3.5 NHDC Ecology officer:

Raises no objection. Recommends a condition until a full ecological appraisal of the actual works undertaken within the full red line boundary has been provided together with details of mitigation measures that will be required to compensate for damaging practices to the LWS on the basis the application is contrary to policies SP12 and NE4 in the North Herts Local Plan

3.6 Lead Local Flood Authority:

Object to the application in the absence of an acceptable Flood Risk Assessment (FRA) and Drainage Strategy

4.0 Planning Considerations

4.1 Site and Surroundings

- 4.1.1 The application site is irregular in shape and comprises approximately 1.55 hectares in overall area and is located on the south side of Three Houses Lane. The site is within the open countryside and Green Belt. The site includes agricultural land. A vehicular access road off Church Lane serves the site (and the adjacent barns) having recently being upgraded and widened.

Crouchgreen Wood and Church Wood extend to the north east and west of the application site owned by the applicant. The trees within the woods are protected by a provisional Tree Protection Order (TPO 00221/2025). The woodlands are designated as part of a Local Wildlife site.

4.2 Proposal

- 4.2.1 Change of use of land to equestrian and erection of stables and covered manège.

- 4.2.2 In detail the proposals include the following elements:

- Change of use of approximately 1.5521 hectares of land to an equestrian use
- Erection of an L-shaped building comprising a stable block (10 stables) and an attached covered manège (riding area). Total floorspace of 1,944 sq metres. Maximum height of 6.7 metres.
- Access track from Church Lane

4.3 Key Issues

4.3.1 The key issues are as follows:

- Principle of development
- Impact on character and appearance of the area
- Impact on Heritage Assets
- Ecological issues
- Highway issues
- Other Environmental issues (Flooding, Climate change etc)

4.3.2 Principle of development

Green Belt Assessment

4.3.3 Policy SP5 of the Emerging Local Plan states at paragraph c) that the LPA :

‘Will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated; ‘

4.3.4 Paragraph 153 of the NPPF states:

‘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.’

4.3.5 Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate and then sets out several exceptions. The exception that may be relevant to consider with this application is as follows:

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

4.3.6 An equestrian use of the land would be an appropriate outdoor recreational use in the Green Belt and therefore there is no objection in principle to such a use, subject to the proposal preserving the openness of the Green Belt. In this case the proposed stable block and manège is of considerable scale and disproportionately large for the site occupying over 12% of the whole site area. Consequently, the building would have a significant impact on the openness of the Green Belt in spatial and visual terms.

4.3.7 In addition to the size and scale of the proposed building there would inevitably be some parking area and / or hardstanding associated with the use for example for horse box vehicles and for supplier delivery vehicles, visitors, vets and various service

vehicles. This would have an additional visual impact on the Green Belt and consequently its openness. The application drawings do not show provision for this likely impact. Therefore, it is considered that the proposal does not meet any exceptions of NPPF paragraph 154.

4.3.8 Paragraph 143 of the Framework sets out the five purposes of the Green Belt 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.

4.3.9 In view of the above likely impacts the proposed development would not preserve the openness of the Green Belt and would not assist in safeguarding the countryside from encroachment thereby conflicting with purpose c) of one of the five purposes that the Green Belt serves as set out in paragraph 143 of the NPPF.

4.3.10 Grey Belt assessment

4.3.11 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.”

4.3.12 In determining whether the application site should be defined as Grey Belt, the The National Planning Practice 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.

4.3.13 The Council published its Green Belt Review Update in 2018. In that document the application site falls within strategic land parcel No. 7 – Old Knebworth. The outcome of the review was that land parcel No. 7 made a moderate contribution towards safeguarding the countryside from encroachment and a moderate contribution overall to Green Belt purposes. The document was endorsed by the Local Plan Inspector when concluding the Local Plan Examination in Public which subsequently led to the adoption of the North Herts Local Plan 2011 – 2031. However, in a recent appeal decision at Wandon End (APP/X1925/W/25/3359065) the Inspector gave little weight to the findings of the Review because it did not consider whether land was Grey Belt, amongst other things. Therefore little weight is given to the Green Belt Review in the assessment of this proposal.

4.3.14 Consequently, notwithstanding the above Green Belt Review findings I set out below an assessment under the PPG as follows:

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

4.3.15 Purpose (a) of paragraph 143 intends to check the unrestricted sprawl of large built-up areas.

4.3.16 The application site is not adjacent to any large built up area and some development, subject to its being appropriate in use terms and of a limited scale, would not result in an incongruous pattern of development. As such the site does not make a 'strong contribution' to purpose a) of paragraph 143.

4.3.17 Purpose b) is to prevent neighbouring towns merging into one another. The application site is not in a location whereby it could possibly result in towns merging therefore the site does not make a 'strong contribution to purpose b) of paragraph 143.

4.3.18 Purpose d) 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

4.3.19 Given the above, it is considered that the application site does not contribute strongly to purposes (a), (b), or (d) of paragraph 143 of the NPPF.

Footnote 7 considerations

4.3.20 As set out in the PPG and NPPF, Grey 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.

4.3.21 Footnote 7 references designated heritage assets. It is not considered that the development would have any significant impact on nearby heritage assets. Any limited harm to the designated heritage assets are not considered to provide a strong reason to restrict the development.

Consideration against NPPF paragraph 155

4.3.22 Paragraph 155 sets out a further assessment of whether a proposal should be regarded as inappropriate development in the Green Belt. There are three criteria. The first (a) is whether a development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area. Given the site area and its location relative to built-up areas, the proposed equestrian development is not considered to fundamentally undermine the purposes of the remaining Green Belt across the area of the plan and 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. The second criterion (b) is whether there is a demonstrable unmet need for the type of development proposed and the third (c) is whether the development would be in a sustainable location.

4.3.23 Therefore, even if the site were considered to be Grey Belt it is required to meet all the criteria in paragraph 155 of the NPPF to be regarded as not inappropriate development in the Green Belt. Regarding criterion (b), there is no demonstrable unmet need for this type of recreational development in the district. Regarding criterion (c), with particular regard to NPPF paragraphs 110 and 115, the site is in an unsustainable location given the lack of public transport to the site and the lack of any nearby services. Therefore, the proposal does not meet all of the criteria of NPPF paragraph 155 and therefore is inappropriate development within the Green Belt.

4.3.24 In conclusion, the proposal is inappropriate development within the Green Belt and there is harm to the openness of the Green Belt and conflict with a purpose of the Green Belt. Substantial weight is attributed to this harm. It is necessary to consider whether there any other harms and benefits that would arise before setting out the concluding planning balance on this proposal.

4.3.25 Impact on the character and appearance of the area

4.3.26 The development would result in a significant change to the character and appearance of the area through the following aspects of the development:

- The introduction generally of a large building and associated hardstanding in a predominantly rural / agricultural setting
- Potential increase in the size and frequency of visitors and commercial vehicles accessing the site and along Three Houses Lane generally given the scale of the proposed development.

4.3.27 The application site falls within Area 205 (Codicote Plateau) of the North Herts and Stevenage Landscape Study 2011. The study states the key characteristics of the area as comprising gently rolling upland landscape with large arable parcels with varying blocks of woodland with a moderate to high sensitivity overall with the area sensitive to the introduction of additional development and urbanising features. In terms of its capacity to accommodate development the study says that the landscape capacity for commercial/warehouse estates and large scale open storage is considered to be low. The landscape capacity for incremental small scale development is also stated to be low to moderate.

4.3.28 Policy SP9 states that the Council will support new development where it is well designed and located and responds positively to its local context. Policy D1 also states that permission will be granted for development which responds positively to the site's local context. Policy NE2 ('Landscape') is particularly relevant to this application as it states:

Planning permission will be granted for development proposals that:

- a) Respect the sensitivities of the relevant landscape character area and have regard to the guidelines identified for built development and landscape management;
- b) Do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this;
- c) Are designed and located to ensure the health and future retention of important landscape features; and
- d) Have considered the long-term management and maintenance of any existing and proposed landscaping.

4.3.29 It is considered that the proposed development would have an adverse impact on the tranquillity and natural beauty of the countryside through the impacts set out above resulting in harm to the character and appearance of the area in general. The development would be in conflict with Policies SP9, D1 and NE2 of the Local Plan as well as being contrary to Section 12 of the Framework, in particular paragraph 135 which states that planning decisions should, inter alia, ensure that developments are sympathetic to local character including the surrounding built environment and landscape setting. Significant weight is attributed to this harm.

4.3.30 Heritage impact

4.3.31 The nearest historic building is The Peach House, a Grade II narrow glasshouse located within the Node Park settlement approximately 140 metres to the south east. Given the distance of the site from the listed building together with intervening landscaping in between it is considered that there would be no adverse impact on the historic significance or historic setting of the Peach House. There are no other nearby historic assets which could be considered materially affected by the development. This matter is neutral in the planning balance. The impact on ancient woodland is considered below.

4.3.32 Ecological issues

4.3.33 The application site is part of a Local Wildlife Site (LWS) but has no statutory designations. Both Crouchgreen Wood and Church Wood are covered by a provisional Tree Protection Order (TPO 00221 (2025) which covers both woodlands specifying various species of trees protected.

4.3.34 The submitted Ecological walkover survey concludes as follows:

'The proposed development will lead to the permanent loss of arable land with historically cereal-based cultivation. While the baseline biodiversity value is low (0.40 BU), achieving BNG compliance requires additional on-site habitat creation or off-site compensation to meet the 10% biodiversity net gain target. Mitigation measures, particularly for protected species, priority habitats, and ecological connectivity, should be incorporated into the development plans to minimise ecological impact and ensure compliance with local and national conservation policies'

4.3.35 The Council's Ecologist has not raised any objections to the development subject to the mandatory biodiversity net gain condition. Accordingly it is considered that the development would be consistent with Policies SP12 (Green infrastructure, landscape and biodiversity) and NE4 (Biodiversity and geological sites) of the Local Plan.

4.3.36 Highway issues

4.3.37 Policy T1 of the Local Plan states that permission will be granted provided:
'Development would not lead to highway safety problems or cause unacceptable impacts on the highway network'

The Policy further states:

d) For major developments, applicants demonstrate (as far as is practicable) how: i. the proposed scheme would be served by public transport; ii. safe, direct and convenient routes for pedestrians and cyclists will be provided; and iii. comprehensive integration into the existing pedestrian and cycle, public transport and road networks will be secured.

(This application has been advertised as a major development because of the site area exceeding 1 hectare and the floorspace created is 1,000 sq metres or more (Part 1 of the Town and Country Planning (Development Management Procedure) Order 2015)).

4.3.38 Vehicular and pedestrian access is to be provided through an existing group of industrial buildings. No provision is shown on the submitted drawings for car parking for vehicles that would be associated with the development (visitors, horse boxes, service vehicles etc). No provision is made staff parking and there is no dedicated cycle storage / parking area.

4.3.39 Notwithstanding the above the Highway Authority consider that the proposed development is not expected to have any significant traffic impact on the operation or safety of the highway network than the existing use. Neutral weight is given to this matter in the planning balance.

4.3.40 **Other Environmental issues (Flooding, Climate change etc)**

4.3.41 The site is within Flood Zone 1 of the Environment Agency's Flood Map i.e. where there is the lowest probability of fluvial flooding. The main issue appears to be surface water run-off from the site. The application is not accompanied by a Flood Risk Assessment. The Lead Local Flood Authority have objected to the development due to a lack of a Flood Risk Assessment and Drainage strategy.

4.3.42 The application is not accompanied by a sustainability assessment to address the impact of the development on local climate change. The submitted Design and Access statement makes only brief reference to sustainability commenting that the site '*is located within a sustainable location*' and that the development will meet the three pillars of sustainability (economic, social and environmental) as required by the Framework. The application is not supported by any further information as to how the development will be future proofed against the challenge of climate change as required by the Framework and the Council's Sustainability SPD adopted in 2024. If permission is granted a condition requiring the submission of a site-wide sustainability strategy would be required, such strategy addressing such matters as renewable energy, reducing carbon emissions and water conservation.

4.3.43 **The Planning Balance and conclusion**

4.3.44 The overarching purpose of the planning system is to contribute to achieving sustainable development, as stated in Section 2 of the NPPF. This is considered against the three objectives of sustainable development, the economic, social, and environmental objectives.

- 4.3.45 The development would bring forward some limited employment opportunities (the application form states 2 full time employees) and there would be some biodiversity net gain (albeit off site). Limited weight can be attributed to these benefits.
- 4.3.46 The development is considered inappropriate development in the Green Belt. No very special circumstances have been advanced in support of the application and none are apparent in this case. Paragraph 142 of the NPPF says that the Government attaches great importance to Green Belts. The harm to the Green Belt must therefore carry substantial weight as stipulated by NPPF paragraph 153.
- 4.3.47 The development, because of its size and consequent visual and spatial impact on the openness of the Green Belt, causes harm to the character and appearance of the area. This matter weighs significantly against the proposal.
- 4.3.48 There is also no flood risk assessment which is particularly important given the size of the building and any associated surface water run-off. The development is also in an unsustainable location and fails to achieve the environmental objective of sustainable development as required by the Framework. Collectively these environmental harms carry significant weight. In terms of Green Belt policy, it is concluded that the very limited benefits that would arise from the development do not constitute very special circumstances that clearly outweighs the harm to the Green Belt by reason of inappropriateness and the other harms identified.
- 4.3.49 In terms of a summary of applying weight to the positive and negative aspects of the application, it is considered that the adverse impacts of the development significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole and accordingly planning permission should be refused.

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 **REFUSED** for the following reasons:

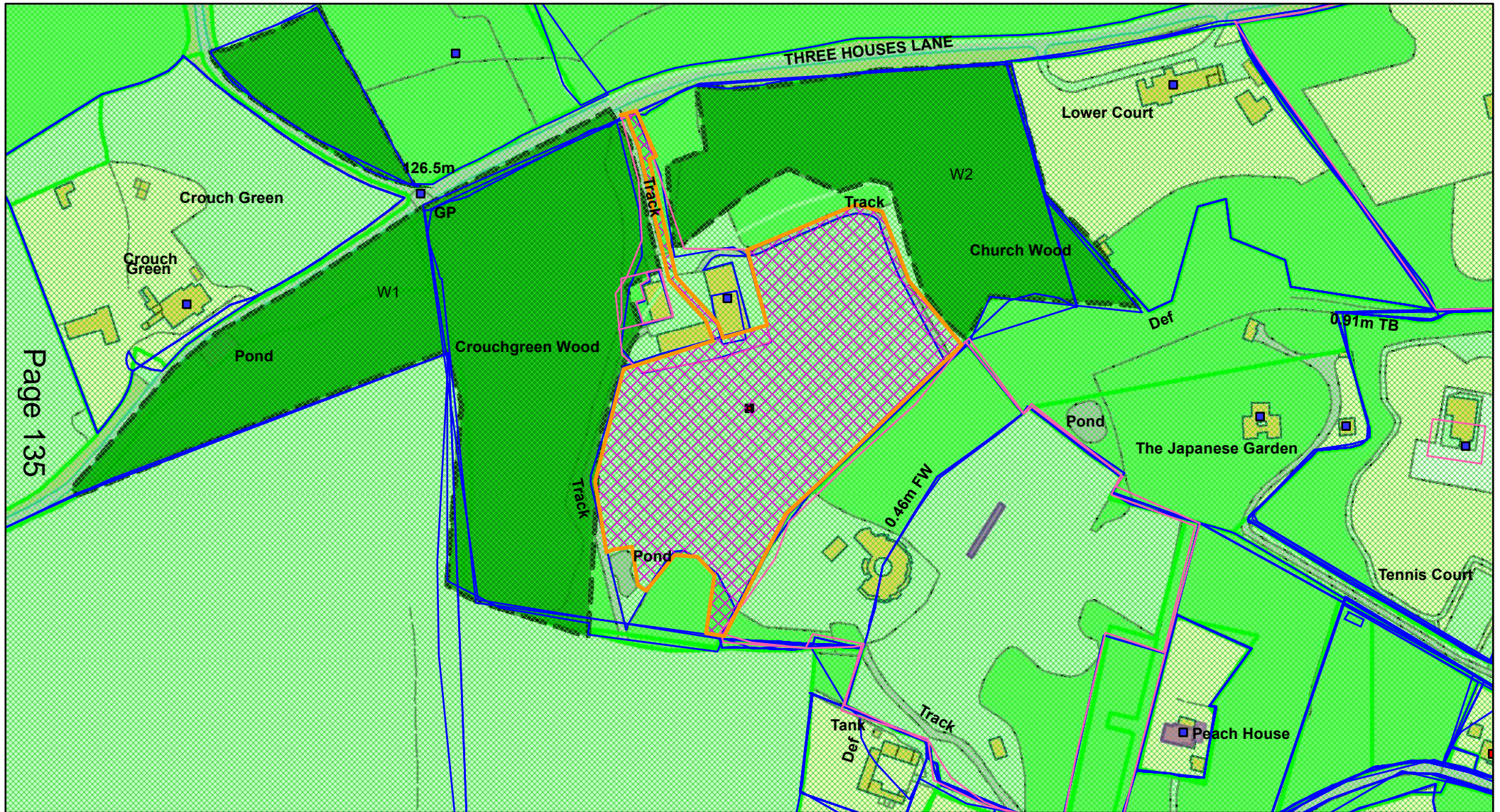
1. The application site is within an area designated in the North Hertfordshire Local Plan as Green Belt, within which there is a presumption against inappropriate development, unless very special circumstances can be demonstrated. In the view of the Local Planning Authority, the development does not fully comply with the exemption criteria set out under paragraphs 154 and 155 of the National Planning Policy Framework. Furthermore, the development results in a materially greater impact on openness and would conflict with one of the five purposes of the Green Belt. As such, the harm to the Green Belt by reason of inappropriateness, as well as to openness and the

purposes of the Green Belt, is not clearly outweighed by other material considerations and as a result, very special circumstances have not been demonstrated. Therefore, the development conflicts with the provisions of Policy SP5 of the North Hertfordshire Local Plan 2011 - 2031 or with the provisions of Section 13 of the NPPF

2. The development, by reason of its size and scale and associated activity and vehicular movement would result in an adverse visual impact and consequent harmful effect on the rural character and appearance of the area. The development would therefore be contrary to the provisions of Policies SP9, D1 and NE2 of the North Herts Local Plan 2011 - 2031 and Section 12 of the National Planning Policy Framework.
3. In the absence of a satisfactory flood risk assessment and site drainage strategy the development may give rise to surface water flooding which would be harmful to public health and amenity. The development would not be in accordance with the guidance in the NPPF and Planning Policy Practice guidance, or the North Herts Local Plan Policy NE8: Sustainable drainage systems (Reducing Flood Risk).

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.



This page is intentionally left blank

<u>Location:</u>	Land Between Shangri-La And Todds Corner Stevenage Road Todds Green Hertfordshire SG1 2JE
<u>Applicant:</u>	Mr A Watts
<u>Proposal:</u>	Erection of two detached dwellings with private gardens including landscaping, parking and widening of existing vehicular access off Stevenage Road.
<u>Ref. No:</u>	25/00949/FP
<u>Officer:</u>	Tom Rea

Date of expiry of statutory period: 30th May 2025

Extension of statutory period: 24th August 2025

Reason for Delay: Call in to Committee.

Reason for Referral to Committee: This application has been called-in to Planning Control Committee by Councillor Griffiths on the basis that the site is within the Green Belt and that the application has generated a number of objections and therefore the call-in is in the wider public interest.

1.0 **Planning Policy**

1.1 **North Herts Local Plan 2011- 2031**

Policy SP1: Sustainable development in North Hertfordshire

Policy SP2: Settlement Hierarchy and Spatial Distribution

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 SP12: Green Infrastructure, landscape and biodiversity

Policy T1: Assessment of Transport matters

Policy T2: Parking

Policy HS3: Housing mix

Policy D1: Sustainable Design

Policy D3: Protecting living conditions

Policy D4: Air Quality

Policy NE2: Landscape

Policy NE4: Biodiversity and geological sites

Policy NE7: Reducing flood risk

Policy NE11: Contaminated land

Policy HE4: Archaeology

Policy IMR1: Five Year Housing Land Supply Policy IMR2: Local plan early review

1.2 National Planning Policy Framework 2024

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

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

1.3 Supplementary Planning Documents

Vehicle Parking Standards at new development (2011) plus Appendix 4 of the Local Plan. Design Supplementary Planning Document

Sustainability SPD

1.4 Wymondley Neighbourhood Plan

Policy NHE2 Biodiversity

Policy NHE3 Wildlife and Ecology

Policy NHE4 Green Infrastructure 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

2.0 **Site History**

2.1 None relevant

3.0 **Representations**

3.1 Site Notice / Neighbouring notifications:

3 comments have been received following consultation with the public.

The key issues are summarised below:

- Contrary to the Local Plan
- Inappropriate development in the Green Belt
- Overdevelopment
- Adverse impact on highway safety
- Detrimental impact on the character of the area
- Adverse impact on setting of the listed 'Thatched Cottage'
- Adverse impact on residential amenity of adjacent houses

3.2 Consultees:

Wymondley Parish Council: Object on the basis of the following concerns:

- The land is Green Belt.
- No very special circumstances have been demonstrated to allow the development
- No infilling is allowed as it is a hamlet not a village
- The particular land allows through views which provide the hamlet with wide open and distant country views
- Approval based on re designation as a village would be a very dangerous precedent across the district
- The local residents are opposed as the houses would block their views of the countryside an intrinsic aspect of the hamlet.
- There is some risk of adjoining properties being overlooked and the streetscape being diminished with parked cars

Hertfordshire Highways: Raises no objection subject to a condition and informatives.

NHDC Ecologist: No ecological objections. Recommends conditions relating to Habitat Management & Monitoring, Ecological enhancements and Biodiversity Net Gain

NHDC Environmental Health:

Contamination - Recommends conditions

Noise – Recommends a condition

Air Quality – Recommends an EV charging condition

NHDC Waste Service:

Provides advice on waste storage and collection points / carrying distances

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site (total area 1913 sq metres) is located on the west side of Stevenage Road within the settlement of Todds Green. The site contains a small shed and stable and the land is used as a horse paddock. The site, as well as all of Todds Green is located within the Green Belt.

4.1.2 The site lies between two residential properties – Todds Corner Green to the north and Shangri-La to the south. Opposite the site to the east are several other properties including 'Thatched Cottage' a grade 2 listed building. The site has a field gate access onto Stevenage Road, a classified highway which runs south into Fishers Green and Stevenage. There are no public rights of way across the application site however there is footpath access from Todds Green into Fishers Green.

4.2 **Proposal**

4.2.1 The proposed development is for the erection of two detached two storey dwellings including access, landscaping and parking

4.2.2 The proposals include the following detail:

- Erection of two detached, two story dwellings with habitable accommodation within the roofspace.
- The houses would be served by the existing vehicular access proposed to be widened.
- The design of the dwellings would be similar to the Edwardian character of several of the houses in Todds Green with traditional materials including red brick and painted render.
- The layout would retain a vehicular access to the paddock land to the rear western land also under the ownership of the applicant.
- An area would be set aside beyond the formal gardens to the properties for planting in order to facilitate a biodiversity net gain.
- Hardsurfacing would include tarmac and block paving.

The application is accompanied by the following reports:

- Planning and Heritage statement
- Arboricultural Assessment
- Environment Agency Flood Map for the site
- Ecological Impact Assessment
- Sustainability and Energy report
- Transport note

4.3 Key Issues

4.3.1 The key issues for consideration are as follows:

- The Principle of Development
- Impact on character and appearance of the area
- Sustainability
- Impact on Heritage assets
- Living Conditions
- Landscaping and ecology
- Highway and parking matters
- Environmental matters
- Planning Balance

4.3.2 Principle of development

4.3.3 The application site comprises a large plot previously used as paddock land with a field gate access onto Stevenage Road. Although there are houses to the north, south and opposite to the east the site is outside of any settlement boundary identified in the North Herts Local Plan (NHLP) and is within the Green Belt.

4.3.4 Paragraph 142 of the Framework for Planning Policy states that it is of great importance to Green Belts. It states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land

permanently open and identifies the essential characteristics of Green Belts are their openness and their permanence.

- 4.3.5 Policy SP5 ('Countryside and Green Belt') of the NHLP states that the Council *'will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated'* and this policy reflects paragraph 153 of the National Planning Policy Framework (NPPF) which resists inappropriate development in the Green Belt.
- 4.3.6 Paragraph 154 of the NPPF does set out various forms of development that are an exception to inappropriate development and this includes criterion e) limited infilling in villages.
- 4.3.7 In addition to the above, paragraph 155 of the NPPF identifies further circumstances where development is not inappropriate in the Green Belt. Paragraph 155 states the development of homes should not be regarded as inappropriate where (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 the Framework; and (d) where applicable the development proposed meets the 'Golden Rules' requirements set out in Framework paragraphs 156-157.
- 4.3.8 Whether the proposals constitute limited infilling in a village
- 4.3.9 The term 'limited, infilling and village' are not defined in the NPPF or the NHLP. The question of whether Todds Green can be regarded as a village has been queried by the Parish Council however Todds Green has a similar number of dwellings as Great Wymondley which is identified as a category B village in the North Herts Local Plan (although it has a pub, village hall and church).
- 4.3.10 Stevenage Borough Council have taken the view, in granting outline permission for 5 dwellings off Old Chantry Lane (SBC ref: 24/00196/OP), that their site should 'be treated as limited infilling within the village of Todds Green'. SBC have also granted planning permission for 17 dwellings at the Courtlands Riding Stables on the basis that it was previously developed land but also falling within the village of Todds Green such that paragraph 154 e) also applied. SBC also consider that the Franklin Park development (133 homes) substantively extended the village to the south.
- 4.3.11 Regardless of the view of the adjoining authority over the status of Todds Green as a village the application site can accommodate 2 dwellings on plot sizes similar to others in the settlement and as located between two existing dwellings the development proposal could be regarded as both limited in the number of proposed dwellings and it would utilise a modest gap between existing development. Therefore, it is considered that the development is consistent with the wording of 'limited infilling'
- 4.3.12 Todds Green comprises a typically linear built up frontage with some in depth development (such as the Courtlands site and the small industrial estate on the eastern side and that south of Shangri-La). Many of the residential plots border open agricultural fields / grazing land. In this case the application site is contiguous with the village linear pattern, fronting the main through road and its frontage framed around a roundabout junction. It is flanked by residential houses to the north and south and there is residential development opposite. It is considered that the site has a greater affinity to the village area than the rural landscape beyond to the west. The proposed houses themselves would appear as part of the built-up frontage with no perception of

separation or intervening open ground. It is therefore considered that the site would lie within the village for the purposes of the assessment under paragraph 154 e) of the Framework.

4.3.13 Consequently, the proposed development of two dwellings would constitute limited infilling in a village in accordance with exception e) of paragraph 154 of the Framework. However, given that Todds Green is not identified as a settlement within the adopted local plan it is appropriate to consider the proposal against paragraph 155 of the Framework including whether the development would utilise grey belt land.

4.3.14 Whether the site could be regarded as grey belt land

4.3.15 The Framework defines 'grey belt' 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, and 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. Purpose (a) is to check the unrestricted sprawl of large built-up areas; (b) is to prevent neighbouring towns merging into one another and (d) is to preserve the setting and special character of historic towns.

4.3.16 As described above the application site is contained by existing development to the north, south and east and forms part of the linear character of the village. The development would not result in the unrestricted sprawl of large built-up areas, the merging of towns, nor affect the setting and special character of historic towns. Therefore, it is concluded that the site does not strongly contribute to purposes (a), (b) and (d) of paragraph 143 of the Framework. In addition, the proposal would not affect areas or assets in footnote 7 of the Framework (other than Green Belt). An assessment of the impact on heritage assets is given below. The proposal, in my opinion, would therefore utilise grey belt land.

4.3.17 The density of the development would be similar to the prevailing density of development in the locality and the street scene drawing (TM/TG/008) demonstrates that the scale, spatial quality and visual impact of the scheme would be similar to that nearby. There would however be built form across the site where there currently is none and this would be in addition to hardstanding and domestic features that would intensify the use of the site. The spatial impact of the development on Green Belt openness would therefore be greater than the existing undeveloped nature of the site and there would be a greater visual impact.

4.3.18 The site is screened to some extent by boundary vegetation along the north and south boundaries. Views of the development would be mainly experienced from passing vehicles and pedestrians but in terms of long distance views towards the village the development would be subsumed against the backdrop of existing residential development as well as the commercial development to the south.

4.3.19 It is acknowledged that the spatial and visual impacts of the development would result in some moderate harm to openness. However, the development would utilise grey belt land and would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across the planning authority's area. Therefore, the proposal would comply with criterion (a) of Framework paragraph 155.

4.3.20 North Herts District Council cannot demonstrate a five-year supply of housing delivery (currently 3.9 years). Consequently, for the purposes of criterion (b) of Framework

paragraph 155, there is a demonstrable unmet need for the type of development proposed.

4.3.21 The bus service through the village is limited and future occupants of the proposed dwellings would need to travel to meet their day to day needs. The nearest facilities are within Symonds Green (local shops and health centre) and Corys Mill (Sainsburys supermarket and petrol station) and Little Wymondley (pubs, church and primary school). However, paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

4.3.22 There would be only a limited number of vehicular movements associated with the development of two dwellings, sufficient parking can be provided on site and the highway authority do not object to the development. It would seem that the proposal would not have any significant impacts on the capacity of the transport network, congestion, or highway safety.

4.3.23 Given the above the proposal would be in a sustainable location, as required by criterion (c) of Framework paragraph 155, that fulfils the requirements of paragraphs 110 and 115 of the Framework.

4.3.24 The proposed development is not major development, and therefore the requirement of criterion (d) of Framework paragraph 155 to satisfy the 'Golden Rules' are not applicable to this development.

4.3.25 As set out above, the proposal would utilise grey belt land, there is a demonstrable unmet need for housing, and the development would be in a sustainable location. The Golden Rules are not applicable. The proposal would therefore satisfy criteria (a)-(d) of paragraph 155 of the Framework. Consequently, the proposed development would not be inappropriate development within the Green Belt.

4.3.26 Impact on Character and Appearance

4.3.27 The pattern of development in Todds Green is mainly linear with most development comprising detached or semi-detached dwellings fronting Stevenage Road although there is some in depth development extending the settlement behind the built frontage such stables and equestrian facilities and the two small industrial unit sites on both the east and west side of the village. The application site is the only gap in the almost continuous built up frontage through the village.

4.3.28 Most of the dwellings have parking located towards the front of the plots facing Stevenage Road set behind boundary walls and hedgerow. The properties along Stevenage Road are mostly two storey and vary in age however most display traditional architectural features such as gable roofs and projecting gables, decorative timber framing and chimneys. Common external materials include plain roof tiles, red brickwork and painted render. The extensive use of hedgerow through the village softens to some extent the built up character.

4.3.29 The development proposals would be consistent with the linear character of the village. The two dwellings would follow a similar building line and be of a similar two storey scale as the dwellings that flank the north and south boundaries and present their main elevations to the road in keeping with other dwellings in the vicinity with a parking area set behind a new hedgerow feature plus additional tree planting. In terms of design the dwellings would follow the Edwardian character of several of the older houses located along the western side of Stevenage Road using similar materials and external finishes. A significant gap would be maintained between the dwellings that would provide views through the site to open land to the west and this together with new

frontage planting and biodiversity planting area to the rear of the houses would integrate the proposal with the rural surroundings.

- 4.3.30 The current undeveloped nature of the site is mainly experienced at the roundabout junction by passing traffic and pedestrians. However, the site has no particular landscape features being mainly open paddock land devoid of trees. Overall there would be some diminishment of the open character of the site however the proposed development would retain significant gaps between and either side of the dwellings and this, together with new planting, would limit the urbanising influence of the scheme on the character and appearance of the area. Considering the built residential form either side and opposite the site together with the existing street lamps, roundabout and road infrastructure it is considered that the proposals would not be in conflict with Local Plan Policies SP9 and D1 which support development that is well designed and responds positively to its local context.

4.3.31 **Sustainability**

- 4.3.32 The application site is in a rural location where the range of shops or other facilities is limited. However, the site is close to Little Wymondley which has some facilities including pubs and a primary school as well as Stevenage which has a large range of community facilities and services. There is also a bus service through the village and a footpath connection into Stevenage. The Framework recognises that transport solutions will vary between urban and rural areas. On this basis, the development would be in a sustainable location having particular regard to paragraphs 110 and 115 of the Framework.

4.3.33 **Impact on heritage assets**

- 4.3.34 The LPA is required by section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building and its setting when exercising planning functions. Considerable importance and weight must be given to the desirability of preserving the significance of a listed building, and there is a strong presumption against the grant of permission for development that would harm its heritage significance.
- 4.3.35 The only heritage asset potentially affected by the proposed development is 'Thatched Cottage' a Grade II listed dwellinghouse located to the south east and separated from the site by Stevenage Road. The submitted Heritage statement evaluates the setting and significance of the listed building as follows:

'Thatched Cottage is situated directly opposite Shangri-La (the property to the south of the site) so it's relationship with the application site is not a direct one. Indeed, it is separated from the site by Stevenage Road with existing outbuildings in the grounds of Thatched Cottage limiting views towards the cottage from the site. In any case, the historic significance of Thatched Cottage is largely as a consequence of its architectural value, and we consider it to have a limited setting, largely comprising its immediate curtilage'

- 4.3.36 Thatched Cottage has no historical or functional association with the application site and indeed its setting is already contained by Stevenage Road on two sides and agricultural land to the south. The special historic interest and significance of the listed

building is primarily derived from its architectural features and historic fabric rather than its curtilage or wider area around it and therefore I would agree with the submitted heritage assessment that the proposed development would not have any impact on the setting or significance of the grade II listed Thatched Cottage.

4.3.37 The site does not fall within an area of archaeological significance therefore there are no designated assets of archaeological importance to consider.

4.3.38 In terms of an assessment under Paragraph 11 and Footnote 7 of the Framework there is no strong heritage reason to refuse the development. Indeed, the development would comply with Policy HE1 (Designated heritage assets) of the NHLP as well as Policy NHE9 of the Neighbourhood Plan.

4.3.39 **Living conditions**

4.3.40 The nearest affected properties are Todds Corner and Shangri-La sited adjacent the site boundaries to the north and south. The main dwelling at Todds Corner is located over 15 metres away from the northern boundary of the site and approximately 18 metres from the nearest dwelling at Plot 1. It is acknowledged that there is an ancillary outbuilding close to the site boundary however this building is used for garaging and storage purposes as well as a fitness room and has other windows that provide light to it apart from those on the southern elevation and southern roof slope. Even so, the 5-metre gap between it and the house on Plot 1 would still be sufficient for reasonable levels of light to be received into this outbuilding. The siting of Plot 1 away from the side boundary and its location towards the main road and alongside the adjacent outbuilding means that there would be limited impact on the garden to Todds Corner. All the proposed first floor side facing windows on Plot 1 facing towards Todds Corner are to be obscure glazed thus protecting privacy.

4.3.41 The property at Shangri-La is set in large grounds and separated from the nearest proposed dwelling on Plot 2 by at least 20 metres with a tall hedge providing screening. Its southerly orientation to the site also means that there would be very limited if any affect on daylight /sunlight received by this property.

4.3.42 Aside from recommending conditions regarding contamination and noise as well as an informative for the construction phase of the development, Environmental Health raise no objections to the scheme. There is therefore no apparent trigger to require mitigation measures in line with Local Plan Policy D3.

4.3.43 The submitted plans indicate that the proposals would meet the nationally prescribed space standards which is required by Local Plan Policies SP9 and D1. The dwellings would have good sized gardens and therefore adequate outdoor amenity space is provided.

4.3.44 In summary the development would provide a good standard of residential environment for the prospective occupiers and would not significantly impact on nearby residents amenity and therefore the development complies with Policies D2 and D3 of the Local Plan.

4.3.45 **Landscaping, Ecology and Biodiversity**

4.3.46 The application site has no special landscape designation. The site falls within Area 215 (Wymondley and Titmore Green) of the North Herts Landscape Study 2011. The

study says that the area is considered to be of low landscape sensitivity and value with some capacity for incremental small-scale developments. The proposal does however add significant value to the local landscape with a comprehensive landscape scheme adding new trees and a landscaping belt at the rear of the site. All existing boundary trees and hedges will be retained.

4.3.47 The submitted Ecological Assessment advises that legally protected areas of ecological importance would not be negatively impacted by the proposed development. The existing site provides limited nature conservation value, limited ecological features and negligible potential for foraging bats, badgers and herpetofauna. The existing boundary trees hedgerow and shrubs provide some potential for breeding birds. The proposed landscaping scheme will provide species rich grassland and planting that will improve the baseline ecology of the site. The Council's Ecologist raises no objections subject to the inclusion of an Ecological Enhancement Plan condition.

4.3.48 The site will deliver a 10% Biodiversity Net Gain on site mainly through the provision of the Biodiversity Net Gain planting belt located to the rear of the dwellings. A habitat management and monitoring plan is recommended. The development will meet the requirement to deliver measurable net gains for biodiversity as required by Policy NE4 of the NHLP. It is considered that the development will also be consistent with Policies NHE2 and NHE3 of the Neighbourhood Plan.

4.3.49 Highway and parking matters

4.3.50 The proposed development will utilise the existing access albeit it will be upgraded to current highway authority standard. Cars and delivery vans will be able to enter and leave the site in forward gear and the required sight lines of 2.4m x 43m in both directions can be achieved. Refuse vehicles will collect from the kerbside in Stevenage Road as is currently the practice in the village. Refuse storage facilities will be within 10 metres of the highway boundary. No objections are raised by the highway authority on the basis that the development is small scale and will not result in a significant increase in vehicle movements and therefore would not have an adverse impact on highway safety.

4.3.51 The development will accommodate off street parking provision for at least two cars plus a visitor space for each dwelling. This complies with the Council's Parking Standards SPD. The development will comply with Policies T1 and T2 of the NHLP.

4.3.52 Environmental matters

4.3.53 The site is located within Flood Risk Zone 1 where there is the lowest risk of fluvial flooding. The Environment Agency mapping also confirms that the site is not at a potential risk of surface water flooding.

4.3.54 The Council's Sustainability Supplementary Planning Document adopted in 2024 seeks to ensure that new developments are future proofed against the challenge of climate change. The submitted Sustainability & Energy Statement proposes that the development incorporates a high level of thermal fabric performance and renewable heating & energy generation systems such as air source heat pumps and solar panels. This scale of development is however unlikely to have any significant impact on local climate change.

4.3.55 Any potential contamination on the site can be adequately addressed through the condition recommended by the Council's Environmental Health officer.

4.4 Planning Balance

- 4.4.1 The Council are currently unable to demonstrate a five-year supply of land for housing. Accordingly, the 'tilted balance' in paragraph 11d is engaged and planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits
- 4.4.2 The proposed development would constitute limited infilling in a village and utilise Grey Belt land given that the proposals are in accordance with the provisions set out in paragraphs 154 and 155 of the NPPF. Therefore, the provision of two dwellings is not inappropriate development within the Green Belt. No harm would arise from the proposed development with regards to the five purposes of the Green Belt as set out in paragraph 143 of the Framework.
- 4.4.3 The proposal would provide two new family sized dwellings. This social benefit attracts moderate weight given North Herts Council's current inability to demonstrate a five year supply of deliverable housing sites. Further modest benefits to the local economy would stem from the dwellings construction and from spending of future occupants of the dwellings.
- 4.4.4 The proposal would not result in harm to highway safety. The proposed layout, in tandem with the retention of trees on the site and new planting, would mean that there would not be a significant loss of privacy to neighbouring occupants. The traditional style proposed, along with the dwellings siting would ensure that they would have an acceptable effect on the character and appearance of the area.
- 4.4.5 The various social, economic and environmental benefits to the area would in my view outweigh the relatively minor harm to Green Belt openness. Accordingly, it is considered that there is no strong reason for refusing the development under paragraph 11 d) i) of the Framework and any identified harm is outweighed by the various benefits of this scheme in a sustainable location. It is concluded that the development can therefore be supported.

Alternative Options

None applicable

Pre-Commencement Conditions

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

5.0 Legal Implications

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

6.0 Recommendation

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

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

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

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

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

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

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

4. Prior to the first occupation of the development hereby permitted, the following works shall be fully implemented and completed in accordance with the approved plans (Drawing Refs: ST-3849-700 and TM/TG/010/Revision A):

- o The proposed vehicular access arrangement,
- o Visibility splays,
- o Associated footway connections, and
- o The relocation of existing road signage and lighting column.

All works shall be carried out in accordance with the highway design standards set out in Roads in Hertfordshire: A Design Guide. Provision shall also be made to ensure that surface water drainage is intercepted and disposed of separately, so that it does not discharge onto or from the highway carriageway. These works shall thereafter be retained and maintained for the lifetime of the development.

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).

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

- d. Screening and hoarding details to protect neighbouring residents.
- e. Traffic management requirements, including the location of routes and from the site, details of their signing monitoring and enforcement measures.
- f. Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
- g. Siting and details of wheel washing facilities.
- h. Cleaning of site entrances, site tracks and the adjacent public highway including end of day tidying procedures to ensure protection of the site out the hours of construction.

The construction activities shall be designed and undertake in accordance with the code of best practice set out in BS 5228 1997 and the agreed details unless otherwise agreed in writing by the LPA and Highways.

Page 21

- i. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
- j. Provision of sufficient on-site parking prior to commencement of construction activities.
- k. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

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

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

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

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

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

8. The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority 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 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;
(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

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

9. The development hereby approved shall be carried out in accordance with the recommended mitigation set out in the submitted Ecological Impact Assessment by MS Ecology.

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

10. No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:
- o A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;
 - o A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study);
 - o A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation)

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

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

11. Prior to any permitted dwellings 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.

12. 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 BS10175:2011. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

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

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

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

Proactive Statement:

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

Informative/s:

1. **HIGHWAY INFORMATIVES:**

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

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

AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN) 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.

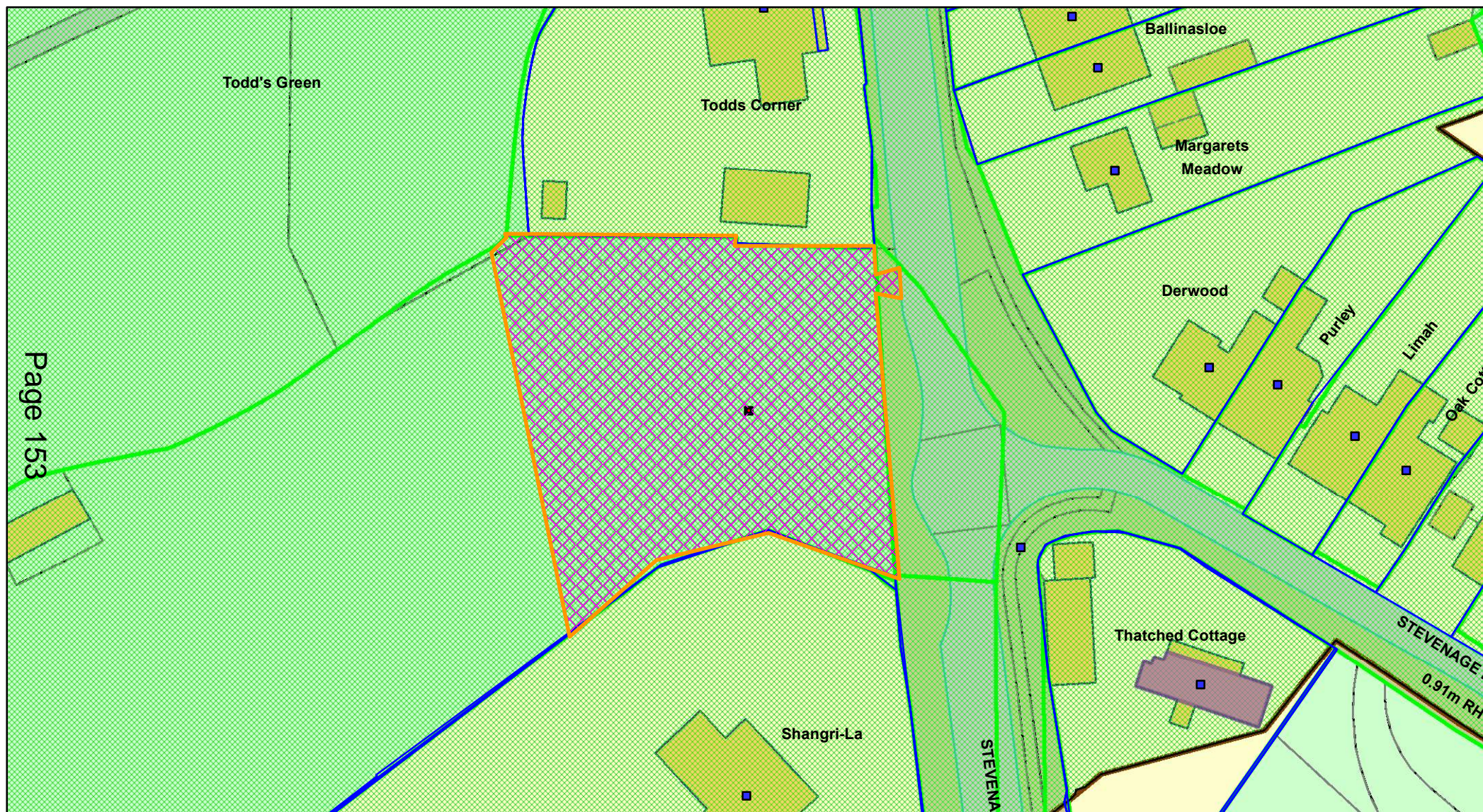
AN) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

Environmental Health Informatives

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

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 noisy work at any time.



This page is intentionally left blank

<u>Location:</u>	Land Between Royston Road And Cambridge Road Barkway Hertfordshire
<u>Applicant:</u>	Mr Glass
<u>Proposal:</u>	Variation of wording to Condition 3 and Condition 20 of planning permission 18/01502/OP granted on 25.07.2023.
<u>Ref. No:</u>	24/01994/S73
<u>Officer:</u>	Ben Glover

Date of expiry of statutory period: 06/12/2024

Extension of statutory period: 20/06/2025

Reason for Delay: Discussions with the applicant and a lack of a legal agreement that would enable to carrying over of agreed developer contributions secured within the outline permission (18/01502/OP).

Reason for Referral to Committee: The site area at 7.3 ha is greater than 0.5 ha and as the proposal is for residential development, in accordance with the Council's constitution the application is being presented to Planning Control Committee for determination.

Relevant History

- 1.1. 18/01502/OP - Outline application with all matters reserved other than strategic point of access onto Royston Road and Cambridge Road for the erection of up to 140 dwellings and a new shop – Granted Conditional Permission on 25/07/2023.
- 1.2. 24/01883/RM - Application for the approval of reserved matters comprising: details of the siting, design and external appearance of the development, and the landscaping of the site in respect of the approved outline planning permission ref: 18/01502/OP for the development of 140 dwellings and a new shop on the land between Royston Road and Cambridge Road, Barkway – Under Consideration at the time of writing this report.
- 1.3. 24/02396/DOC - Details reserved by Condition 19 (Construction Traffic Management Plan) of outline permission application reference 18/01502/OP granted on 25.07.2023 – Approved on 27/01/2025.
- 1.4. 24/02595/DOC - Details reserved by condition 10 Part A (Archaeology) of planning permission reference no 18/01502/OP granted 25.07.2023 – Approved on 12/02/2025.

- 1.5. 24/02408/DOC - Details reserved by Condition 17 (Local Transport Plan) of outline permission application reference 18/01502/OP granted on 25.07.2023 – Approved on 12.02/2025.
- 1.6. 24/02835/DOC - Details reserved by Condition 16 (Reinstatement of verge/footway) of outline planning permission 18/01502/OP granted on 23.02.2023 – Under consideration at the time of writing this report.
- 1.7. 24/02858/DOC - Details reserved by condition 25 (Fire Hydrants) of outline permission reference no18/01502/OP granted 25.07.2023 – Refused on 12/03/2025.
- 1.8. 25/00103/DOC - Details reserved by condition 24 (Phasing Plan) of outline permission reference 18/01502/OP granted 25.07.2023 – Approved on 10/03/2025.
- 1.9. 25/00636/NMA - Vary condition 25 (fire hydrants) to allow for commencement up to slab level before a scheme is agreed (as non-material amendment to outline planning permission 18/01502/OP granted on 25.07.2023) – NMA agreed on 30/06/2025.

2. Policies

2.1. National Planning Policy Framework (2024)

Section 2: Achieving sustainable development
 Section 5: Delivering a sufficient supply of homes
 Section 6: Building a strong, competitive economy
 Section 11: Making effective use of land
 Section 12: Achieving well-designed places
 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 SP2: Settlement hierarchy
 Policy SP8: Housing
 Policy SP9: Design and sustainability
 Policy SP10: Healthy communities
 Policy SP11: Natural resources and sustainability
 Policy SP12: Green infrastructure, biodiversity and landscape
 Policy SP13: Historic environment
 Policy T1: Assessment of transport matters
 Policy T2: Parking
 Policy HS1: Local housing allocations
 Policy HS2: Affordable housing
 Policy HS3: Housing mix
 Policy 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 HE4: Archaeology

Policy BN T5 Vehicle Parking in Residential Development

HCC Growth & Infrastructure – No objection.

HCC Highways – No objection.

HCC Lead Local Flood Authority – No objection.

HCC Public Rights of Way – No response received.

NHC Conservation Officer – No comments.

NHC Housing Development Officer – No response received.

NHS Hertfordshire – No response received.

4. Planning Considerations

4.1. Site and Surroundings

- 4.1.1. The application site is 7.62 ha in size and is arable land situated between Royston Road and Cambridge Road with an existing bridleway running north / south through the site. The Chiltern Ridge runs east – west along the north site boundary with Newsells Estate lying to the north and the Cokenach Estate off to the north east.

4.2. The Proposal

- 4.2.1. The application proposes the variation of Condition 3 and Condition 20 of planning permission 18/01502/OP. The outline permission, to which this application relates, was an “*outline application with all matters reserved other than strategic point of access onto Royston Road and Cambridge Road for the erection of up to 140 dwellings and a new shop*”. This application was approved by Planning Control Committee on the 1st of December 2022, and the decision was issued on the 25th of July 2023.

Condition 3 of 18/01502/OP reads as follows:

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

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

Condition 20 of 18/01502/OP reads as follows:

- The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by Ardent Consulting reference 163461-02a dated June 2018. The surface water drainage scheme should include;

1. Implementation of the appropriate drainage strategy based on infiltration into using appropriate above ground SuDS measures and indicated on Surface Water Drainage drawing.
2. Provision of storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event.

The mitigation measures shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

- 4.2.2. At the time of submission, the applicant proposed the below wording as a variation to Condition 3 of 18/01502/OP.

“The development hereby permitted shall be carried out wholly in accordance with the Location Plan (dwg ref 1797-30-110), the Land Use Plan (dwg ref 1797-30-101E) and the Site Access Plans (dwg refs 163462-006A and 163462-007A) and broadly in accordance with the Proposed Access Arrangements Plan (dwg ref 163462-005A), the offsite highway works plans (dwg refs 163462-002A, 163462-004B and 163462-008), the Access and Movement Plan (dwg ref 1797- 30-103E), the Urban Design Parameter Plan (dwg ref 1797-30-104A), the Landscape Parameter Plan (dwg ref 1797-30-105A), the Illustrative Masterplan (dwg ref 1797-30-100G) and the Masterplan Summary Document (dated March 2022), together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.”

- 4.2.3. Following discussions with the applicant, it has been agreed between officers and the applicant that Condition 3 be amended to the following:

“The development hereby permitted shall be carried out wholly in accordance with the Location Plan (Plan No. 1797/30/110), Proposed Access – Royston Road (Plan No. 163462/006 Rev A), Proposed Access – Cambridge Road (Plan No. 163462-007 Rev A), and the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

- 4.2.4. It is also considered necessary to include a new condition, Condition 4, which would read as follows:

“Concurrent with the submission of the first Reserved Matters application, and any subsequent Reserved Matter applications, a Masterplan Compliance Statement shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan Compliance Statement shall provide detailed explanation of how the proposal accords with the Masterplan Summary Report approved under application reference No. 18/01502/OP and dated March 2022, and plan numbers 1797/30/101

Rev E - Land Use Plan; 1797/30/103 Rev E - Access and Movement; 1797/30/104 Rev A - Urban Design Parameter Plan; and 1797/30/105 Rev A - Landscape Parameter Plan; 163462-002 Rev A – Alternative Royston Road Crossing Improvements (Option 2); 163462-003 Re B – Cambridge Road Potential Gateway Feature and Foot/Cycleway Extension; 163462-008 – Indicative Pedestrian Improvements Plan; 1797/30/100 Rev G – Illustrative Masterplan; 1797/30/104 Rev A – Urban Design Parameter Plan. Where the proposal does not accord with a specific principle or parameter within the approved Masterplan, the Masterplan Compliance Statement must provide clear and robust justification for each departure.

Reason: To ensure that the development as envisaged by the outline application is satisfactorily implemented in accordance with Policy SP9 of the North Hertfordshire Local Plan.”

- 4.2.5. Condition 20, which would now become Condition 21 following the insertion of Condition 4, would read as follows:

“Notwithstanding the surface water drainage strategy set out within the approved Flood Risk Assessment (Ardent Consulting, reference 163461-02a dated June 2018), prior to commencement of development a detailed surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall include:

- 1. Implementation of the appropriate drainage strategy based on infiltration into using appropriate above ground SuDS measures; and*
- 2. Provision of storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event. The surface water drainage scheme shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.*

Reason: To reduce the risk of flooding to the proposed development and future occupants.”

- 4.2.6. The applicant has at the time of writing this report, lodged an appeal against non-determination of the S73 application. The appeal was lodged on the 6th of August 2025. The Council as Local Planning Authority is therefore not the determining authority currently, and the power to determine the application now lies with the Planning Inspectorate. This report sets out how the application would have been recommended at the time the appeal was lodged with the inspectorate. It should be noted that were the appellant to withdraw the appeal the power to determine this application would revert to this council.

4.3. **Assessment**

Variation of Condition 3:

- 4.3.1. Alongside the application, the applicant submitted a cover letter that set out the reasoning for the submission of the S73 application and the wording suggested to vary Condition 3. The applicants reasoning is set out below:

“As part of the pre-application process it has become apparent that the part of Condition 3 requiring the development to be ‘carried out wholly in accordance with the details specified in the [outline] application and supporting, approved documents and

plans...’ is unduly restrictive. There are a number of elements shown in the outline application documents and plans that are no longer feasible or desirable to carry forward, such as the location of the attenuation features and the play area.

There are a number of elements of the outline application that it is important to ensure that the reserved matters application and subsequent development to accord with, such as the overall design philosophy and the size and distribution of land uses. It is considered that this would be appropriately secured via a very minor change to the wording of the condition”.

- 4.3.2. It was agreed that the condition attached to the original permission was unreasonably restrictive in the scope of an outline planning application and should be considered to be varied. It is also material that updated studies required to discharge other conditions attached to the outline planning permission created a conflict with Condition 3, in particular regards to flooding.
- 4.3.3. The suggested wording presented by the applicant was deemed inappropriate due to the use of the term ‘*broadly in accordance with*’. This term is difficult to define and was not supported in discussions with Officers. The now re-worded conditions has removed this term and now requires that the development be carried out ‘*wholly in accordance with*’ the documents that are required to be implemented wholly in accordance with, such as the location plan and technical access plans.
- 4.3.4. The purpose of the new Masterplan Compliance Statement condition (Condition 4) would allow the Local Planning Authority to retain control of future submissions and ensure that the development envisaged by the approved outline planning application and associated Masterplan is satisfactorily implemented.

Variation of Condition 20:

- 4.3.5. The applicant has provided a rationale for the variation of Condition 20 of the outline permission in a cover letter dated 23rd of May 2025.
- 4.3.6. The cover letter set out that the surface water drainage strategy approved by the outline permission would be difficult to implement and a more preferable solution had been identified following further investigation of the site.
- 4.3.7. Following consultation with the Lead Local Flood Authority, no objection was raised to the variation of the condition, which would still require the submission of a detailed surface water drainage scheme to the Local Planning Authority. There is no objection to the variation of Condition 20, which would not become Condition 21.

Infrastructure Contributions:

- 4.3.8. The outline permission was granted subject to the completion of a S106 legal agreement however, the legal agreement lacked any mechanism of securing the agreed contributions to any subsequent applications, such as the S73 under consideration.
- 4.3.9. The purpose of a S73 application is to vary or remove conditions on an existing planning permission, in this case the outline permission. Crucially, when a S73 is granted, it does not amend the original permission, it instead results in the grant of a new and independent planning permission that stands alongside the original permission. An applicant will have the option of implementing the original permission or the S73

permission For this reason, a mechanism is required to secure the infrastructure contributions approved as part of the outline permission. These contributions are listed below:

1. Community hall contribution - £507,078.66 (index linked).
2. Libraries contribution – £12,898 (index linked).
3. Middle Education contribution - £697,297 (index linked).
4. Monitoring contribution - £1,020 (index linked).
5. SEND contribution - £146,712 (index linked).
6. Sustainable Transport contribution - £139,250 (index linked).
7. Travel Plan Evaluation and Support Contribution - £6,000 (index linked).
8. Upper Education contribution - £625,396 (index linked).
9. Waste Collection and Recycling contribution – £9,940 (index linked).
10. Youth contribution - £34,312 (index linked).
11. Indicative Affordable Housing:
 - a. Affordable Rented Units:
 - i. 6 x 1 bedroom flats
 - ii. 2 x 1 bedroom bungalow M4(3) standard
 - iii. 4 x 2 bed flats
 - iv. 1 x 2 bed bungalow M4(3) standard
 - v. 10 x 2 bed houses
 - vi. 2 x 3 bed bungalow M4(3) standard
 - vii. 9 x 3 bed houses
 - viii. 2 x 4 bed houses
 - b. Other tenures
 - i. 2 x 1 bed flats
 - ii. 1 x 2 bed bungalow
 - iii. 6 x 2 bed houses
 - iv. 9 x 3 bed houses
 - v. 2 x 4 bed houses

4.3.10. As indicated previously, this application is currently subject to appeal against the failure to determine the application within the prescribed period. Therefore, the Local Planning Authority is not the determining authority, and this responsibility lies with the Planning Inspectorate. However, it is necessary to consider what the decision would have been had this Council retained the power to determine the application for the purpose of the appeal. In addition, were the applicant to withdraw the appeal, the power to determine this application would revert to this Council. The recommendation of this report is determined as of the day the appeal was submitted. At the time of the submission of the appeal no legal mechanism was available to secure infrastructure contributions required to make the development acceptable in planning terms.

4.3.11. A Deed of Variation (DoV) is currently being negotiated to secure S106 obligations to this and any subsequent S73 application. Should the DoV be agreed, the recommendation of this report would change to a recommendation for approval subject to the legal agreement and conditions. However, without a legal agreement in place and the lack of ability to secure previously agreed contributions, the recommendation of this report is for refusal.

Other Changes:

4.3.12. Following the submission and approval of several Approval (Discharge) of Condition applications relating to the outline permission, several conditions have been reworded to become compliance conditions rather than pre-commencement conditions. The amended conditions (not including those listed above) are as follows:

- Condition 10 – Archaeology
- Condition 17 – Local Transport Plan
- Condition 19 – Construction Traffic Management Plan
- Condition 24 – Phasing Plan

4.3.13. Condition 25 (fire hydrants) of the outline permission has also been amended following a non-material amendment application, which was agreed on the 30th of June 2025.

4.3.14. A full list of conditions is attached in the appendix of this report.

Conclusion:

4.3.15. The application seeks to vary the wording of Condition 3 and 20 of outline planning permission 18/01502/OP granted on the 25th of July 2023. Following negotiations and discussions with the applicant, the wording originally proposed to Condition 3 has been agreed between parties as set out in the report above. Subsequently, the need for the addition of a new Masterplan Compliance condition (Condition 4) has been agreed to be included securing the vision of the original masterplan and outline application, whilst also allowing for deviation where it is justified. The variation of Condition 20 has been agreed by the Lead Local Flood Authority. There is no objection to the variation of Condition 3, Condition 20, and the addition of Condition 4 (Masterplan Compliance Statement).

4.3.16. However, due to the lack of a secured legal agreement at the time the appeal was lodged, the recommendation is for refusal in the absence of a legal agreement that would secure the obligations previously secured under the outline application.

4.3.17. The Local Planning Authority is not, at the time of writing, the determining authority. This responsibility currently lies with the Planning Inspectorate. The recommendation to refuse the application is what would have been recommended at the time the appeal was lodged. Should the appeal be withdrawn between the publishing of this report and presentation to Planning Control Committee and the Council become the determining authority once again, given the lack of objection to the variations proposed, the recommendation would be for approval of the S73 application subject to the agreement of a satisfactory Deed of Variation and the recommended conditions included in the appendix of this report.

5. 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 where restrictive conditions are attached, the applicant has a right of appeal against the decision.

6. Recommendation:

6.1. That planning control committee delegate to officers to submit a statement of case that planning permission would have been refused on the date that the appeal was submitted (lodged on the 06/08/2025) for the following reason:

1. The proposed development is unacceptable due to the absence of a legal agreement that would secure the planning obligations that formed part of the approved outline permission (18/01502/OP). The obligations are required to make the development acceptable in planning terms, the absence of these contributions would result in conflict with the North Hertfordshire Local Plan (2011-2031) including Policies SP7 (Infrastructure Requirements and Development Contributions), HS2 (Affordable Housing) and T1 (Assessment of Transport Matters) and the National Planning Policy Framework (2024).

7. Appendix:

List of Conditions:

Should the appeal be withdrawn by the applicant and the recommendation changed to one for approval, below is the list of conditions that would form part of the decision notice:

1. Before the development hereby permitted is commenced, approval of the details of the siting, design and external appearance of the development, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 as amended.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the grant of planning application 18/01502/OP, and the development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

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

3. The development hereby permitted shall be carried out wholly in accordance with the Location Plan (Plan No. 1797/30/110), Proposed Access – Royston Road (Plan No. 163462/006 Rev A), Proposed Access – Cambridge Road (Plan No. 163462-007 Rev A), and the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

4. Concurrent with the submission of the first Reserved Matters application, and any subsequent Reserved Matter applications, a Masterplan Compliance Statement shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan Compliance Statement shall provide detailed explanation of how the proposal accords with the Masterplan Summary Report approved under application reference No. 18/01502/OP and dated March 2022, and plan numbers 1797/30/101 Rev E - Land Use Plan; 1797/30/103 Rev E - Access and Movement; 1797/30/104 Rev A - Urban Design Parameter Plan; and 1797/30/105 Rev A - Landscape Parameter Plan; 163462-002 Rev A – Alternative Royston Road Crossing Improvements (Option 2); 163462-003 Re B – Cambridge Road Potential Gateway Feature and Foot/Cycleway Extension; 163462-008 – Indicative Pedestrian Improvements Plan; 1797/30/100 Rev G – Illustrative Masterplan; 1797/30/104 Rev A – Urban Design Parameter Plan. Where the proposal does not accord with a specific principle or parameter within the approved Masterplan, the Masterplan Compliance Statement must provide clear and robust justification for each departure.

Reason: To ensure that the development as envisaged by the outline application is satisfactorily implemented in accordance with Policy SP9 of the North Hertfordshire Local Plan.

5. The landscape details to be submitted as reserved matters shall include the following :
- a) which, if any, of the existing vegetation is to be removed and which is to be retained
 - b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting
 - c) the location and type of any new walls, fences or other means of enclosure and any landscaping proposed
 - d) details of any earthworks and / or levels changes;

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.

6. None of the trees or hedges 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.

7. 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.

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

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

9. Prior to occupation, each dwelling shall incorporate one Electric Vehicle (EV) ready domestic charging point and it shall thereafter be retained.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

10. No development shall be commenced until confirmation has been provided that either:- all sewage works upgrades required to accommodate the additional flows from the development have been completed; or - 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 - Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

11. A) The development hereby approved shall be carried out in accordance with the Archaeological Method Statement and Specification for Archaeological Works Document approved under application reference number 24/02595/DOC unless otherwise agreed in writing by the local planning authority.

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 protect the historic environment.

12. Prior to the first occupation of the development hereby permitted the access and principal access road offset from the Royston Road (west access) shall be provided 6.0 metres wide complete with 10 radius kerbs and 2.0 m footway extended around the radii onto Royston Road, thereafter the accesses roads and footways shall be retained at the position shown on the approved 'proposed access Royston Road' plan number 163462-006 revision A

Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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

13. Prior to the first occupation of the development hereby permitted the access and principal access road offset from the Cambridge Road (east access) shall be provided 6.0 metres wide complete with 12 radius kerbs and 2.0 m footway extended around the radii and along Cambridge Road, thereafter the accesses roads and footways shall be retained at the position shown on the approved site layout plan number 163462-007 revision A in conjunction with footway connections and associated works shown on drawing number 163462-004 revision B and the Royston Road Crossing junction improvements identified on drawing number 163462-002 revision A.

Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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

14. Prior to occupation a system of footways shall be provided to connect the new development with the existing bus stops in Royston Road as part of the application. These will need to be connected to the development's footpaths and easy access kerbs and shelters should be provided as appropriate. The exact location and accommodating works will need to be agreed in conjunction with appropriate parties. These works shall be secured and undertaken as part of the s278 access works.

Reason: In order to meet accessibility requirements for passenger services for the development in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

15. Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 70 metres to both directions along the Royston Road shall be provided to each side of the access where it meets the highway as identified on the approved proposed access Royston Road' plan number 163462-006 revision A and such splays shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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.

16. Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 90 metres to the south westerly direction and 2.4 metres x 215 metres to the north easterly direction shall be provided along the Cambridge Road to each side of the access where it meets the highway as identified on the approved proposed access Cambridge Road plan number 163462-007 revision A and such splays shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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

17. Prior to the commencement of development details of the redundant points of access to the site from Cambridge Road and Royston Road and reinstatement of the verge or/and footways where relevant shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and permanently retained.

Reason: To provide safe and accessible linkages for pedestrians and cyclists and to confine vehicle movements to the permitted points of access in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

18. The development hereby approved shall be carried out in accordance with the Local Transport Plan documents approved under application reference number 24/02408/DOC unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory access into the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

19. The gradient of the access roads shall not exceed 1:20 as measured from the existing carriageway.

Reason: To ensure satisfactory access into the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

20. The development hereby approved shall be carried out in accordance with the Construction Management Plan approved under application reference number 24/02396/DOC unless otherwise agreed in writing by the local planning authority.

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

21. Notwithstanding the surface water drainage strategy set out within the approved Flood Risk Assessment (Ardent Consulting, reference 163461-02a dated June 2018), prior to commencement of development a detailed surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall include:

1. Implementation of the appropriate drainage strategy based on infiltration into using appropriate above ground SuDS measures; and
2. Provision of storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event.

The surface water drainage scheme shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

22. Before each phase of development approved by this planning permission no development of that phase shall take place until the final design of the drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood Risk Assessment carried out by Ardent Consulting reference 163461-02a dated June 2018.

The scheme shall also include;

1. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
2. Detailed surface water calculations and modelling for all rainfall events up to and including the 1 in 100 year + climate change event for the whole site.
3. All calculations/modelling and drain down times for all storage features.
4. Confirmation of which SuDS features will be infiltrating and specific infiltration rates for each feature.
5. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.
6. Silt traps for protection for any residual tanked elements.

7. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.

8. Details of final exceedance routes, including those for an event which exceeds to 1:100 + climate change rainfall event.

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

23. Upon completion of the drainage works for each phase in accordance with the timing / phasing, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.

The plan shall include;

1. Provision of complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

24. Despite the provisions of the Use Classes Order 2020 the 'shop use' hereby permitted shall be used for convenience type shopping and for no other use within the E class category unless planning permission for a change of use is first obtained from the LPA.

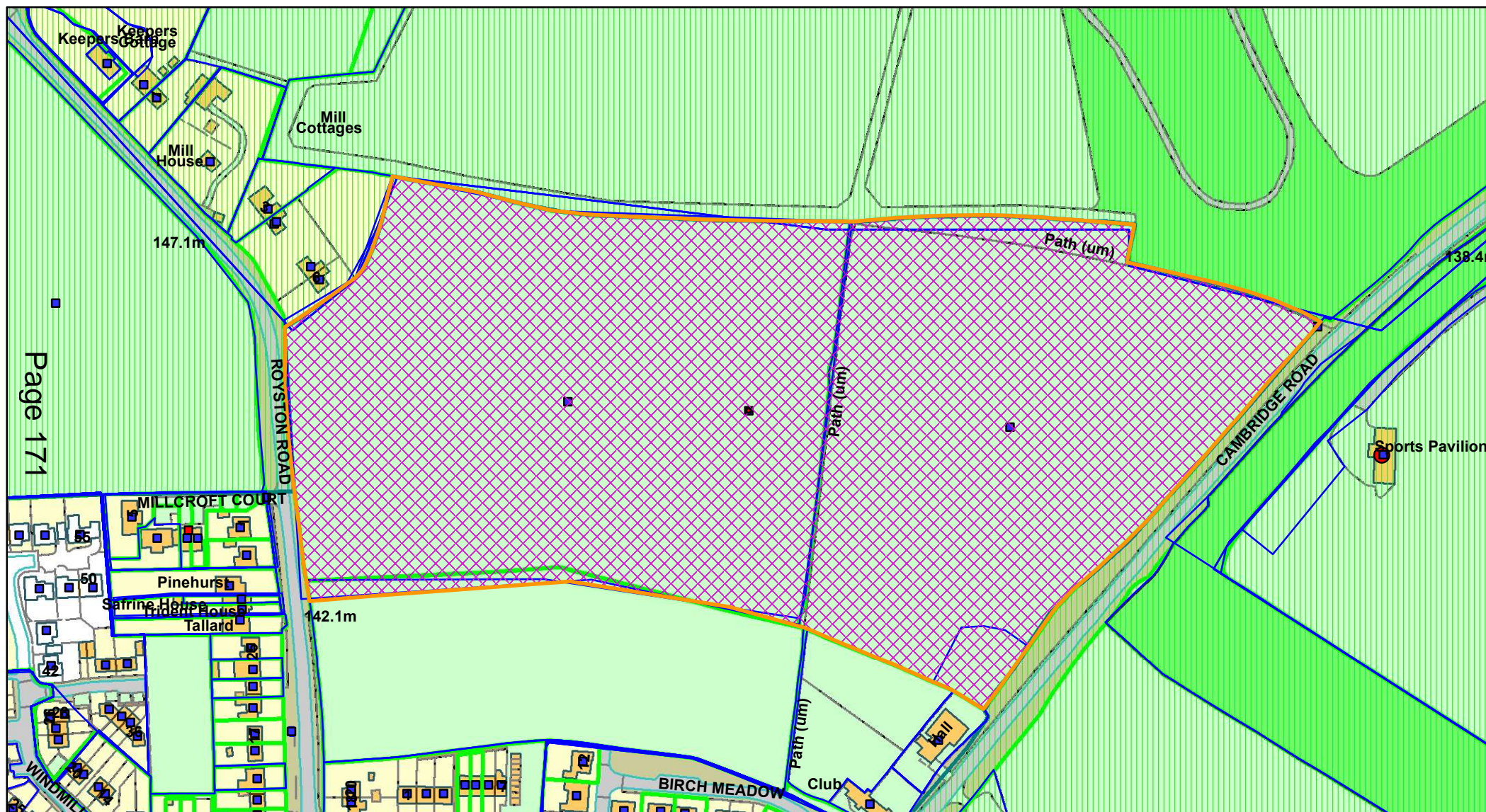
Reason - it is a requirement of the BK3 Local Plan policy that a 'shop' is provided within the BK3 allocation area.

25. The development hereby approved shall be carried out in accordance with the Phasing Plan approved under application reference number 25/00103/DOC unless otherwise agreed in writing by the local planning authority.

Reasons: To ensure the proper planning and phasing of the development in the interest of good planning and implementation and to ensure the delivery of the convenience store in a timely manner in relation to the wider housing development in accordance with the terms of Policy SP9 of the Emerging North Hertfordshire Local Plan (2011-2031).

26. Prior to above slab level of the first phase of the development, a scheme for the provision of fire hydrants serving the whole development is to be submitted to and approved in writing by the Local Planning Authority and the scheme is to be implemented prior to the first occupation of the first dwelling in each phase of the development in accordance with the agreed details.

Reason: Fire hydrants are a requirement for the development.



This page is intentionally left blank

**PLANNING CONTROL COMMITTEE
PLANNING APPEALS LODGED**

DATE: 04 September 2025

APPELLANT	Appeal Start Date	DESCRIPTION	ADDRESS	Reference	PROCEDURE
Mr Glass	06 August 2025	Variation of wording to Condition 3 and Condition 20 of planning permission 18/01502/OP granted on 25.07.2023.	Land Between Royston Road And Cambridge Road Barkway Hertfordshire	24/01994/S73	Written Representations
Mr Grindal	19 August 2025	Insertion of dormer to existing front roofslope to facilitate conversion of loftspace into habitable accommodation.	56 Chilvers Bank Baldock Hertfordshire SG7 6HT	25/00846/FPH	Householder Appeal Service

This page is intentionally left blank