

Location: **Foundation House
Icknield Way
Letchworth Garden City
Hertfordshire
SG6 1GD**

Applicant: **Letchworth Garden City Heritage Foundation**

Proposal: **Erection of 57 dwellings comprising of 18 x 1-bed
apartments and 39 x 2-bed apartments including
provision of car parking with all associated ancillary
and landscaping works following demolition of
existing office building (Amended by plan received
17.09.20)**

Ref. No: 20/01714/FP

Officer: **Andrew Hunter**

Date of expiry of statutory period : 03.11.2020

Submitted Plan Nos.:

19059wd2.01B, 19059su2.01, 19059su2.02, 19059su2.04, 19059wd2.05, 19059wd2.06,
19059wd2.07, 19059wd2.08, 19059wd2.09, 19059wd2.10, 19059wd2.11, 19059wd2.15,
19059wd2.02, 19059wd2.03, 19059wd2.04, 19059wd2.14, 19059wd2.13, LSDP 1281.01 Rev
D, D35468/TF/A, ALD21955-03

Extension of statutory period:

Agreed to 29th March 2021.

Reason for referral to Committee:

The application is to be determined by Planning Control Committee by reason of the development being residential development with a site area of 0.5 hectares or greater, and any development with greater than 500sqm floor space on a site of more than 1 hectare (the site area is 1.36ha), as set out in 8.4.5 of the Council's 2019 Scheme of Delegation.

1.0 **Relevant Site History**

1.1 17/00614/1PN - Prior approval notification - Class O: Change of use from Use Class B1(a) (offices) to Use Class C3 (residential) to provide 9 x 1 bedroom flats and 7 x 2 bedroom flats and 20 car parking spaces – Prior Approval given 04/05/17.

- 1.2 11/02180/1DD - Demolition of former car auction buildings – Required 14/11/11.
- 1.3 01/01289/1 - Erection of two storey office building, formation of new access road and provision of 98 car parking spaces following demolition of existing buildings as amended by plan received on 1st November 2001 – Approved 10/12/01.
- 1.4 98/01499/1 - Alteration of existing vehicular access. Provision of 35 car parking spaces following demolition of rear canopy and supports – Approved 21/01/99.
- 1.5 93/00844/1 - Renewal of temporary permission for a maximum of 3 car auctions per week (granted 9.7.92 under reference 92/0617/1) – Approved 16/09/93.
- 1.6 92/00617/1 - Use of land and buildings for car auctions on maximum of three days a week for a temporary period together with use of land opposite for car parking – Approved 09/07/92.
- 1.7 91/00613/1DC - Section 64 Determination; to whether or not the sub-division of the Former shelvoke building into 5 class B1/B2 units with associated parking and modified access would constitute development requiring the specific granting of planning permission – Not required 03/06/91.
- 1.8 91/00109/1 - Demolition of redundant industrial roof and support structure, provision of 35 car parking spaces. Re-opening and modification of former east access into site – Approved 04/03/91.

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan No.2 with Alterations**

Policy 8 – Development in Towns
 Policy 14 – Nature Conservation
 Policy 16 – Areas of Archaeological Significance and other Archaeological Areas
 Policy 26 – Housing proposals
 Policy 29A – Affordable Housing for Urban Local Needs
 Policy 36 – Employment Provision
 Policy 51 – Development effects and planning gain
 Policy 55 – Car Parking Standards
 Policy 57 – Residential Guidelines and Standards
 Policy 58 – Letchworth Garden City Design Principles

2.2 **National Planning Policy Framework**

Chapter 5 – Delivering a sufficient supply of homes
 Chapter 6 – Building a strong, competitive economy
 Chapter 8 – Promoting healthy and safe communities
 Chapter 9 – Promoting sustainable transport
 Chapter 11 – Making effective use of land
 Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

2.3 **North Hertfordshire Draft Local Plan 2011-2031 - (Approved by Full Council April 2017)**

SP1 – Sustainable development in North Hertfordshire

SP2 – Settlement Hierarchy

SP3 - Employment

SP6 – Sustainable transport

SP7 – Infrastructure requirements and developer contributions

SP8 - Housing

SP9 – Design and sustainability

SP10 – Healthy communities

SP11 – Natural resources and sustainability

SP12 – Green infrastructure, biodiversity and landscape

SP13 – Historic environment

ETC2 - Employment development outside Employment Areas

T1 – Assessment of transport matters

T2 – Parking

HS1 - Local Housing Allocations

HS2 – Affordable housing

HS3 – Housing mix

HS5 – Accessible and adaptable housing

D1 – Sustainable Design

D3 – Protecting Living Conditions

D4 – Air quality

NE1 – Landscape

NE2 – Green infrastructure

NE6 – Designated biodiversity and geological sites

NE7 – Reducing flood risk

NE8 – Sustainable drainage systems

NE9 – Water quality and environment

NE10 – Water Framework Directive and wastewater infrastructure

NE11 – Contaminated land

HE1 - Designated Heritage Assets

HE4 – Archaeology

LG16 - Foundation House

2.4 **Supplementary Planning Document**

Vehicle Parking at New Development SPD (2011)

Design SPD (2011)

Planning Obligations SPD (2006)

3.0 **Representations**

3.1 **Site Notice:**

Start Date: 13/08/2020

Expiry Date: 05/09/2020

3.2 **Press Notice:**

Start Date: 13/08/2020

Expiry Date: 05/09/2020

3.3 **Neighbouring Properties:**

For the originally submitted plans, 12 objections were received from residents of Glebe Road, Haysman Close, Shaftesbury Industrial Centre Icknield Way, and Business Centre West Avenue One. The objections received were on the following grounds:

- High density of flats.
- Would like a fence higher than the 1.8m proposed and higher vegetation on the rear boundary – To prevent overlooking and light pollution of Glebe Road dwellings.
- Would like existing trees to remain.
- Want rear access gates removed as would open onto private property (an access track).
- This access should not be used for building/construction purposes.
- The former public footpath should remain closed. It was closed several years ago to stop anti-social behaviour.
- Impacts on wildlife/ecology, and mitigation.
- Car park lighting shouldn't illuminate my dwelling.
- Loss of privacy. Insufficient screening.
- Existing privacy should be maintained.
- Insufficient parking.
- Increased traffic.
- Increased noise.
- More noise complaints against existing businesses in this industrial area.
- Small affordable industrial units are needed here, not dwellings.
- Disappointed the site has been re-zoned to residential in the emerging Local Plan.
- Against garden city principles.
- Not realistic to allow the modern office building to be demolished.
- Need for more dwellings in or around the town centre.
- Disruption from construction.
- Effects of raised garden on retaining wall.

Following the receipt of amended plans on 13/10/20 and a further round of public consultation, no further comments were received.

Statutory Consultees:

3.4 Crime Prevention Design Advisor – Hertfordshire Constabulary

I have studied the documents submitted on the council's planning web site and have the following comments to make;

- I am pleased to see that the Design & Access Statement does include a section on 'Security' (page 12). I am also pleased to see that the intent is to seek accreditation to the Police preferred minimum security standard that is Secured by Design (SBD).
- Originally I did have some concerns regarding the proposed post boxes and the 'Protected Lobbies'. However, after contacting the applicant I can confirm that the Post will be delivered through the wall and the doors of the lobbies will be fitted with a fob access system. This is to prevent any unauthorised access from the stairwell (Compartmentalisation). In addition, the access control will be configured such that, in the event of a fire the locks will 'fail' in the open position allowing for easy escape.

I am pleased to say that the Police Crime Prevention Design Service fully support this application and I look forward to receiving the SBD application form.

3.5 Environment Agency

We consider that planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below.

3.6 Environmental Protection Air Quality Officer

No objections.

3.7 Transport Officer, Planning Policy

I've read the Transport Statement and have the following comments:

Car Parking:

I note that the car parking provision is for 80 spaces (57 residents and 23 visitors) which is a shortfall of 30 spaces based on NHDC's Vehicle Parking at New Development SPD as is identified in the report. I also note that the report states that pre-application discussions have been undertaken with HCC Highways who have indicated that they would accept a reduction in parking provision if appropriate evidence supports this. Assuming the evidence has been shared with HCC Highways and no objections were raised, then I have no objections to this either.

Cycle Parking:

The cycle parking provision is acceptable meeting NHDC's Vehicle Parking at New Development SPD.

Public Transport Accessibility:

I'm concerned that no proposals are included for either improving the local bus service or even to encourage the new residents to make use of the current local bus services. Whilst the bus stop 'Irvin House' on Icknield Way is located near-by to the development, the 96A which serves this stop provides a very limited service and in one direction only away from Letchworth town centre so is unlikely to be used by many of the new residents. The nearest, more frequent bus service is the 55 which serves the Norton Common pair of bus stops located on North Way North as is identified in the Transport Statement; however given the distance of the bus stops from the development I would question how many of the new residents will choose to use the bus if they have access to private transport, plus for any residents with shopping, (i.e. returning from Morrison's) may be put off from catching the bus, again given the distance from the bus stops on Norton Way North to the development.

The current NHDC 2006 Planning Obligations SPD (Table 9, section 5.8) states that each on-site parking space associated with residential development will incur a second strand charge of:

1 bedroom: J375 Zone 2 (Town Centre) or J625 Elsewhere

2 bedroom: J500 Zone 2 (Town Centre) or J750 Elsewhere

See: <https://www.north-herts.gov.uk/sites/northherts-cms/files/Planning%20Obligations%20SPD.pdf>

Will these charges apply to this development? If so can these be used to enhance the existing 96A bus service? If this is possible then I am happy to liaise with the Passenger Transport Unit at HCC to discuss this further.

Would it also be an option to request that the developer fund a monthly bus pass for each new resident as a further means to encourage using the local bus service? If so I can provide you with some draft costings for bus passes.

Would it be possible for the developer to provide information packs providing details on active and sustainable transport options for each new resident when they move in?

3.8 Hertfordshire County Council Growth and Infrastructure

Based on the information to date for the development of 57 dwellings (see breakdown below) we would seek financial contributions towards the following projects:

Library Service towards the enhancement of Letchworth Library (J5,792 This contribution is based on Table 2 below (index linked to PUBSEC 175).

Youth Service towards the increase of capacity at Hitchin Young People's Centre (J506 This contribution is based on Table 2 below (index linked to PUBSEC 175).

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit.

3.9 Anglian Water

No objections.

3.10 Housing Supply Officer

No objections.

3.11 Landscape and Urban Design Officer

1. The proposal is to demolish an existing office block and erect, five, three storey blocks of apartments accessed off a widened existing entrance on Ickniel Way. The land rises up from Ickniel Way and levels off towards the rear of the site where there is a further change in level along the rear boundary butting onto the rear gardens of dwellings on Glebe Road.

2. The site is on Ickniel Way, within easy walking distance of Letchworth town centre and the railway station and is surrounded by a mix of commercial and residential uses. The neighbouring three storey residential block, to the east of Foundation House, is set back from the road frontage on the higher level behind a brick wall. The adjoining residential development on Haysman Close, to the rear of Foundation House, is similar three storey blocks of flats.

3. The two largest residential blocks are located along the frontage of the site and would create an entrance into the scheme while the remaining three blocks form a group at the rear of the site. The residential blocks appear to have front and rear entrances which improve pedestrian permeability and accessibility and provide easier access to the parking bays which are located throughout the site.

4. The layout and treatment of the elevations of the residential blocks themselves have regard to the Letchworth Garden City principle of Vista; Closure; Accents; and Group design. The blocks are located away from existing residential development and existing boundary vegetation on adjoining land is being retained to help screen the new development.

5. The street scene is mixed along Ickniel Way ranging from garage forecourts to planted verges, to brick walls and fences. This proposal will enhance the street scene and create a more residential character along the north side of this section of Ickniel Way.

6. Landscape proposals, drawing no. LSDP 1281.01 Rev B are acceptable. Some existing trees within the site will need to be removed to accommodate the development but new trees and hedging proposed along the frontage with Icknield Way and within the site will strengthen the Garden City character. There are small areas of amenity space throughout the scheme: at the main entrance, within the centre of the site, along the northern boundary and within the courtyard area created by blocks B and C. There are other areas of planting proposed within the site and along the frontage with Icknield Way to enhance the setting of the development.

7. I have no objection to these proposals.

3.12 Environmental Health Contaminated Land

No objections.

3.13 Hertfordshire County Council highways officer

Does not wish to restrict the grant of permission.

VEHICLE ACCESS

The development has two points of access from Icknield Way that is designated as a local access road subject to a speed limit restricted to 30 mph.

TECHNICAL AUDIT

The design would have to be submitted to a scale of 1:200 to the highway authority and subjected to a Technical Audit with the ultimate design being technically approved prior to commencement of the s278 works on site.

The width of the main access road has been shown at 5.50 metres wide on the submitted drawings which would conform to the minimum width of an access road that would accommodate the waste collection vehicles in current use servicing the development. This width would support two-way traffic taking into account the passing of parked cars by waste collection vehicles for the scale of the development due to likely indiscriminate parking on the access roads.

The submitted road layout may not be to an adoptable standard. The site internal layout will need to comply with 'Roads in Hertfordshire - Highway Design Guide' if the roads within the estate were to be adopted under a Section 38 Agreement.

The Developer should contact the Development Management Team at County Hall to obtain the requirements for the adoption process for the associated road works as part of the development. This should be carried out prior to any development work being carried out. The accesses have an acceptable level of vehicle to vehicle inter-visibility from the junctions.

HIGHWAY SAFETY – vehicle to vehicle inter-visibility along the highway from the New Development

The vehicle to vehicle inter-visibility from the new junctions within the new development is shown on the submitted drawings to accord with Manual for Streets. In view of the geometry of the horizontal alignment of the road layout and estimated approaching speed of traffic visibility splays of 2.4 metres by 61 metres are considered acceptable to the new and reconfigured junctions.

Forward visibility around the radius corners within the development access roads conform to the sight stopping distance (SSD) criteria of Manual for Streets.

MANOEUVRABILITY WITHIN THE ROAD LAYOUT

To confirm that the geometry of the horizontal alignment of the road layout has sufficient capacity to accommodate two-way traffic for vehicles likely to serve the development a swept path analysis which has been tested as shown on the swept path analysis MLM drawing number 619577 PO1 that the layout would accommodate the manoeuvrability of waste collection vehicles at the reconfigured existing junction and along the new internal road layout without encroaching over footways and private amenity areas, the method of refuse collection must be confirmed as acceptable by North Herts refuse collection agency.

The details of the above vehicle tracking would accommodate fire and rescue vehicles also needed for delivery and other emergency vehicles at the end of the cul-de-sacs, along the access road and the turning areas.

TECHNICAL DESIGN OF THE ROAD LAYOUT

The gradient of the access road have been recommended to be a minimum 1:20 (5%) for the first 12 metres. This gradient is to avoid grounding of vehicles using the access to the new development from the access road offset from the carriageway of Whiteway.

Hertfordshire County Council as Highway Authority would consider that if the details were submitted showing the development layout with an acceptable level of vehicle to vehicle inter visibility on the road layout was provided and detailed to scale (1:200) on the site layout drawings of the proposal to accord with the above comments this may be considered for compliance with highway safety.

However prior to commencement on site preliminary design details of the new access roads should be provided to establish the technical design is to highway standards. An engineering drawing should be prepared drawn to a suitable scale of 1:200 to demonstrate the extent of re-profiling of the carriageway where it joins the existing road of Icknield Way, showing the access width, carriageway crossfalls and a scheme for the on-site and regulated discharge of surface water run-off drainage from the proposal.

Three copies of the preliminary design should then be submitted for approval to the highway authority where a in due course when progressing the s278 agreement a technical design check would also be carried out.

A topographical survey of the existing ground levels has been carried out to ensure that the vertical alignment is possible from the adjacent highway.

PARKING PROVISION

Parking provision has been sited to comply with the walking distance found within Roads in Hertfordshire "Highway Design Guide" which is 20 metres. (Section 4 – Design Standards and Advice Chapter 9 – Vehicle Parking Facilities)

A careful balance must be struck between the desire of residents to park as near to their house as possible and maintain the overall setting. If residents consider that the parking spaces are too far away from their dwellings they will park their vehicles on the access roads which will cause an obstruction and prevent emergency vehicles reaching their destination and service vehicles such as RCVs from collecting waste.

It is inevitable that residents that do not have individual driveways will not park in the prescribed areas and will park outside their homes.

PUBLIC TRANSPORT

BUS

The nearest bus stops are located along Icknield Way. These stops are both served by public routes 55 and 96A.

RAIL

Letchworth Railway Station is located approximately 1.25 km west of the site, on the northern edge of the town centre.

This rail station is on the First Capital Connect line with direct links to London Kings Cross,

Cambridge and Kings Lynn with a change at Hitchin that provides a link to Peterborough.

Journey time into London Kings Cross is approximately 32 minutes.

Other comments

The site is located within recognised accessibility criteria of a bus stop. The stops have shelters and easy access kerbing.

Services are frequent every 20 to 25 minutes and enable access to surrounding towns of Royston, Baldock, Hitchin, Stevenage and to Letchworth rail station.

Walking and Cycling

Pedestrians have access to an extensive network of footways within the vicinity of the site with a footway on each side of Icknield Way extending to the town centre.

The town centre and local facilities have a realistic access from the development by cycling albeit that there is no dedicated cycle lanes cycleway.

CONSTRUCTION TRAFFIC

Concerns over the impact that the volume of construction traffic travelling to the site by HCC has resulted in a Construction Traffic Management Plan recommended.

The proposal would need substantial construction traffic to serve the construction phase of the development for deliveries and site staff, as the manoeuvring of delivery vehicles would be concentrated to two access along Icknield Way a Construction Traffic Management Plan has been recommended to manage the vehicles when visiting the town centre and ensure the surrounding town centre network manages delivery traffic and is within operational capacity.

TRANSPORT IMPACT

Traffic data has been obtained by using an assessment of the TRICS database to calculate the trips rates for the development. The difference in Trip rates have been reduced as a result of the new development.

Considering that traffic flows are fundamental to the assessment of traffic impact HCC is satisfied that the data produced provides an overall picture of the existing traffic movements and the future traffic generated from the new development.

TRAFFIC GENERATION

Traffic generation has been derived from the volume of predicted traffic generated compared with the likely trip rates obtained from comparable residential site within the national TRICS software, (Trip Rate Information Computer System) trip generation database with equal multi modal splits with a reasonable level of public transport accessibility. The new development has been assessed and has been accepted of being comparable and realistic.

Given the proposal involves the provision of 57 units considering the TRICS software, the total peak generation of traffic would be around a total of 12 vehicles departing from the development in the morning peak travelling period (8:0 am to 9:0 am) this was compared with 0.5 trips taken per household (the figure of 0.5 trips taken from the 2012 (a) TRICS Data base) in the peak travelling period and 14 vehicles arriving at the development in the evening peak travelling period (5:0 pm to 6:0 pm) taking into account that the development is located adjacent to a local access road the new traffic generation of vehicles is considered as a reduction and have less impact on the local highway network.

The above data has been considered by HCC as being acceptable in traffic generation terms.

CONCLUSION

Hertfordshire County Council as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and does not wish to restrict the grant of permission subject to the recommended planning conditions and highway informatives above.

3.14 Waste Officer

No development shall commence until further details of the circulation route for refuse collection vehicles have been submitted to the local planning authority and approved in writing. The required details shall include a full construction specification for the route, and a plan defining the extent of the area to which that specification will be applied. No dwelling forming part of the development shall be occupied until the refuse vehicle circulation route has been laid out and constructed in accordance with the details thus approved, and thereafter the route shall be maintained in accordance with those details.

3.15 Environmental Health Noise

I have reviewed the submitted noise assessment "Acoustic Assessment of a proposed residential development at Foundation House Letchworth" Report reference 180703-Roo1B, dated 24/9/20 by ACA Acoustics. The Report is satisfactory and refers to latest site layout plan. Mitigation measures are required and detailed in Section 5, Table 5 Acoustic Performance specification for facade elements and Table 6 Specification for ventilators. The Report may be Approved.

3.16 Hertfordshire Ecology

The site comprises a modern two-storey office building, four outbuildings, large hardstanding car park, an area of unmanaged scattered scrub and young broadleaved woodland, managed landscape planting and some specimen trees. The majority of the site has limited value to biodiversity, with the main interest being the woodland and scrub vegetation to the north; and opportunities for breeding birds and foraging (but not confirmed roosting) bats.

The majority of trees will be retained; however, 9 trees and groups of trees are proposed for removal including three category B trees. Replacement planting is proposed, including a native species-rich hedgerow on the northern boundary, which is acceptable.

Of course, any significant tree/shrub work or removal should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

Enhancements for bats, birds, insects and hedgehogs are proposed. These are modest and the inclusion of integrated bat and bird boxes/features within the new buildings, if possible, would also be welcomed. To allow passage of hedgehogs between the properties and in/out of the whole site, garden fence lines and surrounding close boarded fence lines should be made penetrable with gaps at ground level and/or creation of holes measuring 13x13cm ('Hedgehog Highways') to allow free movement of hedgehogs but not large pets.

Notwithstanding the above, I consider the landscape proposals and biodiversity enhancements, if secured as described, will deliver net gain for the development in line with NPPF and emerging Government expectations.

The Lighting Plan does not show the woodland and scrub area to the north of the site. These habitats should not be lit by artificial lighting, which could have the potential to negatively impact on wildlife.

3.17 Lead Local Flood Authority

No objections.

3.18 County Council archaeologist

No objections.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site comprises a two storey building with a pitched roof at the front of the site, used for offices (Use Class E). The remainder of the site is used for car parking, with a small flat-roof building at the rear of the parking area. The rear of the site comprises vegetation and younger trees. Mature deciduous trees form the north boundary of the site, with vegetation in the north of the site being relatively dense. The side and rear boundaries with Haysman Close are comprised of 3m high fences (a 2m close-boarded fence and 1m trellis). Ground levels rise slightly to the rear of the site. The site has three vehicular accesses, all from Icknield Way.

4.1.2 The properties adjacent to the site are three storey buildings comprising residential flats and some two storey dwellings in Haysman Close to the north and east, semi-detached and terraced dwellings to the north on Glebe Road (including a private access drive serving most of the dwellings to the rear), Unit 4 Icknield Way which is a funeral parlour, and an electricity sub-station to the south-west.

4.1.3 Uses opposite the site on the other side of Icknield Way are primarily a mix of Classes E (light industry and offices) and B8 (storage and distribution). The character of the wider locality is of a light industrial employment area which is comprised of Classes E, B8, and some *sui generis* and other uses related to the commercial operations that take place in the employment area.

4.1.4 In the 1996 adopted Local Plan, the site is designated as being within an Employment Area, and a Business Area within the Employment Area. A Conservation Area borders the northernmost edge of the site. In the emerging Local Plan, the application site is designated as a Housing Site LG16; and is adjacent to an Employment Area, a Business Area, and the Conservation Area.

4.2 Proposal

4.2.1 Planning permission is sought for:

Erection of 57 dwellings comprising of 18 x 1-bed apartments and 39 x 2-bed apartments including provision of car parking with all associated ancillary and landscaping works following demolition of existing office building

4.2.2 All existing buildings and structures on the site would be demolished and removed, including some trees and vegetation, to facilitate the proposed development. The proposed dwellings would be within five three-storey separate buildings, which would all have pitched roofs. The proposal includes vehicular parking areas and internal access roads, pedestrian paths, and soft landscaping including trees. An area at the rear of the site comprising mature trees close to the boundary would be used as a communal garden, with other smaller communal outside areas elsewhere within the site. Five ancillary buildings to be used for cycle storage and bin stores are also included, which would have pitched roofs.

4.2.3 The buildings would be of a more traditional design and appearance, with front and rear projecting gables and half-hipped ends, front and rear porches with pitched roofs, and front and rear dormers with flat and pitched roofs. External materials are proposed to be a mix of red tiles, red brick, cream render, UPVC windows, and composite doors.

4.2.4 The dimensions of the five main buildings proposed are as follows:

- Building A (6 one-bed flats and 15 two-bed flats) – Length 61.6m, depth 10m to 16.2m, height to roof ridge 13.1m to 14.3m.
- Building B (12 one-bed flats and 6 two-bed flats) – Length 39.1m, depth 10m to 23.8m, height to roof ridge 13.1m to 14.3m.
- Building C (6 two-bed flats) – Length 19.4m, depth 10.4m, height to roof ridge 13.1m.
- Building D (6 two-bed flats) – Length 19.4m, depth 10.4m, height to roof ridge 13.1m to 15.8m.
- Building E (6 two-bed flats) – Length 19.4m, depth 10.4m, height to roof ridge 13.1m to 15.8m.

4.2.5 The development would provide 80 car parking spaces, providing 1 per flat and 23 unallocated spaces, including six disabled spaces. Cycling provision will be 57 spaces in three of the ancillary buildings, and a further 20 outside cycle spaces on hoops. The main vehicular and pedestrian access point will be where the present main entrance is, with a further vehicular access point further west. The site will be re-landscaped with new hard and soft landscaping, retaining the mature trees at the rear of the site. Some existing trees would be removed, with new tree planting proposed.

Planning obligations

4.2.6 The applicant proposes the following planning obligations:

- 40% affordable housing.
- Youth service - J5,792.
- Library service - J506.
- Waste contributions - J1482.
- Open space management scheme.
- Fire hydrants.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The acceptability of the principle of the proposed works in this location.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- Whether the proposal would provide an acceptable standard of accommodation for future occupiers of the dwellings.
- The acceptability of the proposed development with regards to parking, sustainable transport, and impacts on the public highway.
- The quality of landscaping proposed and the impact the proposed development would have on trees.
- The impact that the proposed development would have on ecology and protected species.
- The impact of the proposal on drainage and flood risk.
- The appropriateness of the planning obligations proposed.
- All other matters.

Principle of Development:

Physical construction work

4.3.2 In the 1996 adopted Local Plan, the application site is within the settlement of Letchworth Garden City, classed as a Town in Policy 8. This Policy states that the Council will normally permit proposals to meet the majority of the development needs of the District if the aims of other relevant Policies are met. The site is not within a Conservation Area and the building is not listed. In the emerging Local Plan, Policy SP2 is similar to Policy 8. Therefore the demolition of existing buildings and structures and the redevelopment of the site with new buildings is acceptable in principle in this location

Change of use

- 4.3.3 There are two aspects to this, firstly being the loss of the existing office use, and secondly the effective change of use of the site to residential.
- 4.3.4 With regards to the loss of the existing office use, in the adopted Local Plan the site is within an Employment Area (LE3), and a Business Area within the Employment Area (LEB5). Policy 37 ii of the adopted Local Plan states that employment uses at the site, as part of LEB5, will not normally be permitted if other than Use Class B1 where the use would be harmful to residential amenity or to the environment generally. Policy 36 states that the Council will limit some areas of the towns to business uses because of environmental and highway constraints.
- 4.3.5 Use Class B1 is referred to in Policy 37. B1 included office uses, however the Use Classes Order was amended in September 2020, which included changing Class B1 to Class E. This new Class E also includes financial and professional services, cafes or restaurants, clinics, health centres, creches, day nurseries, day centres, gyms, and indoor recreation. This new Class E can permit the B1 use to change to other uses in Class E as above without planning permission being required, which therefore limits substantially the weight and significance of the adopted Local Plan policies with regarding the objectives of maintaining an office/employment use on the site.
- 4.3.6 Policy 26 of the adopted Local Plan states that development proposals which involve the loss of land from existing employment use, and allocated for that purpose to meet the District's employment needs, will generally be refused. However as stated in 4.3.5, the recent changes to the Use Classes Order have substantially weakened this policy objective, and therefore much reduced significance can be placed on the loss of the existing office/employment use. Therefore only limited weight can be given to adopted Local Plan policies in respect of retaining the existing use. This also in turn increases the support and weight under adopted Local Plan policies for residential use on this site.
- 4.3.7 In the emerging Local Plan (ELP), the site has been designated for new housing under LG16, in association with Policy SP8. The policy presumption of the ELP is therefore that new residential development is acceptable on the site, and consequently so is the loss of the employment/office use. This site allocation has not been controversial with respect to the ongoing ELP examination, therefore it is considered that significant weight can be given to the ELP.
- 4.3.8 Taking the above into account, it is considered that the redevelopment of the site to residential can be supported on policy grounds.

Character and appearance, layout, size, scale and design:

- 4.3.9 The office building to be removed is not a listed building or in a Conservation Area. It is of relatively recent construction from the early 2000's, and is not of significant architectural or historic merit. While not an unattractive building, there are no objections to its demolition. The other buildings and structures to be removed are minor and of no significance, therefore there are no objections to their removal.
- 4.3.10 The proposed buildings would be large individually and cumulatively, however they would be comparable in size, height and scale to the 3 and 2 storey residential buildings of Haysman Close, Cromwell Road and Icknield Way a short distance to the east. Spacing of the buildings from each and site boundaries are considered to avoid a cramped appearance, while various detailing, landscaping etc. would further soften the overall visual impacts of the proposed development. Distances to the public highway Icknield Way would be comparable to the existing office building, with south elevation gables, dormers etc. successfully breaking up the larger mass of the proposed buildings.
- 4.3.11 The proposed buildings and the overall development approach is considered to be of high quality, and compares favourably to other residential buildings nearby to the east. The Council's Landscape and Urban Design Officer has no objection and considers the proposal in accordance with the Letchworth Garden City principles of *Vista; Closure; Accents; and Group design*, particularly through creating a strong group design over the whole site and notably at the main entrance where two distinctive corners of the larger two buildings face each other and provide an attractive entrance and focal point of the site. The proposed uses of steep pitched hipped roofs, window bays, gable ends and chimney features reinforce this.
- 4.3.12 Overall, I consider that the proposal would visually enhance the site and wider locality through improved buildings and landscaping. Densities of dwellings would be similar to nearby residential areas to the east and are acceptable. The layout of the development takes the ground levels of the site into consideration acceptably, with buildings predominantly on lower ground at the front and middle of the site, with the two rear buildings stepping up sympathetically to the higher area that would be used as a communal garden. The external materials and detailing are considered to be of an acceptable quality. I do not consider that the setting and significance of the Conservation Area to the north would be harmed as the proposed buildings are well designed, of a height and scale comparable to nearby buildings, and will be set away from mature trees (that will be retained) on the north boundary of the site with the Conservation Area that will provide substantial screening.

- 4.3.13 The site is a Strategic Housing Site in the ELP, which has a target of 47 homes. The application proposes 57 homes, which is considered reasonably close and an acceptable number. The detailed requirements of LG16 are considered to be complied with, as set out in this report as a whole. The housing mix proposed is of 18 one bed and 39 two bed units, which complies with Policy 57 Guideline 4 of the adopted Local Plan that requires a mixture of dwelling sizes (the degree of the mix is not specified). The proposal does not include dwellings with three or more bedrooms, however this is considered acceptable in this location where higher density residential development of smaller units are nearby, and as the size and character of the site means that development like that proposed is more suitable here. Were 47 dwellings proposed as per LG16, I consider it likely that the dwelling mix would be similar.
- 4.3.14 Waste would be kept in three separate smaller bin storage buildings, which are located in areas where refuse vehicles can access them and turn safely. The Council's Waste Officer has not objected to refuse arrangements, therefore this is considered satisfactory. Overall, the character, appearance and design of the proposal is considered acceptable, and it will result in public benefits of providing additional dwellings, including affordable housing, and improving the site and locality.

Impacts on Residential Amenity:

- 4.3.15 Buildings to the west and south are a funeral parlour and in employment use, and will not be adversely affected by the development. Dwellings on Glebe Road to the rear of the site are closest to proposed buildings D and E, which are the only buildings that could potentially affect them. These buildings would be approx. 16m to 20m from the end of the rear gardens of the opposite dwellings and would be substantially obscured by mature deciduous trees on the rear of the site that are a similar height or taller than D and E. The distances of D and E to the rear elevations of the closest Glebe Road dwelling would be approx. a minimum of 42m. Due to the above the proposed development would not appear overbearing or result in harmful loss of light and privacy to the Glebe Road dwellings. The amended plans omitted originally proposed gates on the rear boundary, therefore Glebe Road residents would not experience potential loss of amenity in this respect. External lighting would be confined to areas south of D and E, and will not affect Glebe Road dwellings. The proposed development would not therefore harm the amenity of dwellings on Glebe Road.
- 4.3.16 The closest dwellings to the site are flats in three storey buildings on adjacent Haysman Close to the east, in two separate buildings to the north and east of the existing office building. Between these buildings and the application site are car parking areas, parts of the highway leading to the parking areas, small communal garden areas, maturing trees up to 7m high interspersed in regular intervals along much of this boundary, 3m hedge and vegetation abutting the boundaries, and a 3m close-boarded and trellis fence comprising the boundary itself.

- 4.3.17 Buildings A, B and E are the closest to the boundaries of the site with Haysman Close. Building E would be approx. 8m from the boundary, and 34m from the west elevation of the closest Haysman Close dwellings. The 34m distance would exceed the 30m guideline distance between facing elevations of dwellings in Policy 57 Guideline 7 of the adopted Local Plan, and would not adversely affect Haysman Close dwellings. East-facing openings of Building E are proposed to be small kitchen windows which would provide views primarily of the car park, vegetation and communal gardens – these areas are presently substantially overlooked by dwellings in Haysman Close, therefore due to the small size of the east windows proposed for Building E I do not consider they would result in harmful loss of privacy and amenity. The impacts of Building E are acceptable.
- 4.3.18 Building B would at its closest be approx. 13m from the boundary at one corner, with the rest of the building tapering away from the boundary due to its design and siting. Building B would be a minimum of 37m from the closest Haysman Close dwellings, at an oblique angle, and would benefit from being obscured by trees, vegetation and the fence on the boundary. Due to the above I do not consider that Building B would be harmful to the amenities of dwellings in Haysman Close.
- 4.3.19 Building A would be south and west of two separate three storey buildings in Haysman Close. This building would be approx. 12m and 17m from the opposite north boundary (the majority of the building being 17m away); and a minimum of 29m from the Haysman Close building to the north (measured from the closest corners). The closest window-to-window distance would be approx. 32m. These distances are relatively large, which I do not consider would cause loss of amenity to Haysman Close dwellings to the north. Building A would in addition be obscured by the boundary fence, trees and vegetation. There would not therefore be loss of amenity to dwellings in Haysman Close to the north of Building A.
- 4.3.20 The other closest building in Haysman Close is east of the east wall of Building A. The east wall of Building A would be approx. 3m from the boundary with this part of Haysman Close, however as there is a car park adjacent to this boundary I do not consider the proximity and size of Building A in this location would cause loss of amenity. Building A would be a minimum of 17m from dwellings to the east and at oblique angles to the openings on that building, therefore I do not consider that Building A would cause loss of amenity. Building A would be approx. 25m from the side wall of the flats directly opposite the east elevation of A, which is considered sufficiently far away therefore preventing loss of amenity.
- 4.3.21 Regarding the objections from nearby properties, the majority have been addressed elsewhere in this report. Rear gates that resulted in many objections from Glebe Road dwellings have been removed from the plans, with the one pair of gates remaining providing access to an area of land that does not provide access to other land (these gates are proposed for maintenance).

There are no plans to re-open or create a public footpath. Construction access is anticipated to be from Icknield Way, and can be secured as part of a construction management plan. The 1.8m close-boarded fence for the rear of the site would be a sufficient height to maintain privacy of Glebe Road dwellings. Car park lighting will be from low-level bollards (further details will be required by condition) with light spillage at low levels and primarily within the site itself as shown on drawing D35468/TF/A, therefore I do not consider this would be harmful to residential amenity. No objections have been raised by the Council's Environmental Health Officer relating to potential noise from the development. Impacts from construction would be temporary and can be mitigated satisfactorily through an appropriate construction management plan. Potential structural impacts on a nearby retaining wall are not material planning considerations, being civil matters that would need to be resolved by the relevant parties.

Amenity of Future Occupiers:

- 4.3.22 Paragraph 127 (f) of the NPPF states that "*decisions should ensure that developments... create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity of future and existing users*". Paragraph 127 (f) is largely reflected in Guideline 8 of Policy 57 in the Saved Local Plan and Policy SP9 of the Emerging Local Plan. Matters relating to whether future residents would have acceptable living conditions concern the quality and quantity of internal space, quality and quantity of outside amenity space, outlook and light that would be received by main habitable rooms, the privacy of dwellings, impacts from existing nearby development, and overall whether residents would have a satisfactory quality of life in the development.
- 4.3.23 Private amenity space guidelines are set out in Policy 57 Guideline 8 of the adopted Local Plan, which states 18 sqm per one bed flat should be provided, with a further 10 sqm for each additional bedroom. For the dwellings proposed, this amounts to 1416 sqm. The size of the communal garden at the rear of the site would be approx. 1020 sqm, with other smaller garden areas proposed. On this basis the amount and quality of private amenity space is considered satisfactory.
- 4.3.24 Guideline 5 of Policy 57 of the adopted Local Plan states that within a dwelling, the total space and the size of rooms should meet the reasonable requirements of the expected occupants and serve their intended purposes. The proposed main habitable rooms such as living rooms and bedrooms are relatively spacious with user-friendly layouts and shapes. Internal main habitable rooms are therefore considered acceptable and meet the objectives of Policy 57. Policy D1 of the emerging Local Plan states that residential development should meet or exceed the nationally described space standards, dating from 2015. The individual rooms and overall living space of the flats are in accordance with or exceed these standards, therefore the internal living space proposed is considered acceptable.

- 4.3.25 The main habitable rooms of the units proposed would be considered to receive adequate outlook and daylight, with direct sunlight varying although this would not be unacceptable. The proposed dwellings would not be overshadowed by nearby buildings or experience inadequate privacy, including from other proposed buildings and flats of this application. Occupants would be safeguarded from external and internal noise through a combination of insulation, double glazing, cavity masonry and acoustic ventilators (as set out in the Acoustic Report dated 24 September 2020), which are considered acceptable by the Council's Environmental Health Officer.
- 4.3.26 Overall, occupants of the development would have access to sufficient amenity space, outlook, light and living conditions. The site would have a well-designed fairly attractive and interesting environment including soft landscaping/planting. Routes for walking and cycling would be available within the site with wider connections externally, which would allow pedestrian and cycle access to nearby shops, services and public transport. I consider that the development as a whole would provide satisfactory living conditions for potential occupants.

Parking, Sustainable Transport, and Highways:

Parking

- 4.3.27 The flats are a mix of one and two bed units. One bed units require one parking space, with the 2 bed units requiring two spaces. 18 one-bed units and 39 two-bed units are proposed, resulting in a minimum requirement of 96 parking spaces. There would also be a requirement of 14 visitor spaces, resulting in an overall total requirement of 110 spaces. The application proposes 80 spaces, a shortfall of 30. These spaces would be allocated as one per flat, and 23 unallocated. The applicant considers the level of parking acceptable as it is based on 2011 Census data demonstrating that it will be adequate and would result in limited overspill.
- 4.3.28 Appendix 4 of the ELP, which refers to residential car parking standards, states that reductions will be considered only in exceptional circumstances e.g. in town centres or other accessible locations with the availability of a range of local services and good local sustainable transport options and for e.g. small-scale conversion of buildings for a small number of residential units in defined town centres. In this case each flat would at least have one allocated parking space, therefore resulting in acceptable provision for the one-bed flats, and under-provision for the two-bed flats.
- 4.3.29 The Census data cited by the applicant suggests car ownership would be 39-40 based on an average of 0.69 vehicles per household, with the spaces proposed being an over-provision. The site is also approx. 10-15 minutes walk from Letchworth town centre and railway station respectively, while there are also two bus stops close to the site on Icknield Way.

A petrol station with a convenience store is at most five minutes walk to the west of the site on that end of Icknield Way, which would provide some essential groceries. As stated by the County Council highways officer, the town centre and local facilities have a realistic access by cycling and on pedestrian footways. The site is considered to be in a sustainable location where occupants wouldn't always require a car, consequently demand for car parking is considered more limited. On this basis a reduction in car parking requirements can be justified.

- 4.3.30 For cycle parking, 57 spaces for residents would be provided within lockable secure ancillary buildings, with a further 20 outside visitor cycle hoops. These are considered to provide an acceptable quantity and quality of storage.

Internal circulation/routes

- 4.3.31 As stated by the County Council highways officer, the internal roads, cul-de-sacs and turning areas would be of sufficient dimensions for larger refuse and other vehicles to manoeuvre and turn safely. Internal pedestrian links are proposed to be comprehensive and of an acceptable quality, and would be sufficiently connected to external footways therefore encouraging walking to and from the site. The site is considered to be designed and laid out in a way that would encourage cycle travel to and from it. These aspects of the development are considered acceptable.

External connections and impacts on the public highways

- 4.3.32 The two vehicular accesses to the site as proposed are considered acceptable by the County Council highways officer, and there are no reasons evident to disagree. The existing eastern access will be required to be closed up by condition. The development would connect sufficiently with existing pedestrian footways outside the site.

- 4.3.33 Regarding traffic generation, the highways officer provided the following comments:

Given the proposal involves the provision of 57 units considering the TRICS software, the total peak generation of traffic would be around a total of 12 vehicles departing from the development in the morning peak travelling period (8:0 am to 9:0 am) this was compared with 0.5 trips taken per household (the figure of 0.5 trips taken from the 2012 (a) TRICS Data base) in the peak travelling period and 14 vehicles arriving at the development in the evening peak travelling period (5:0 pm to 6:0 pm) taking into account that the development is located adjacent to a local access road the new traffic generation of vehicles is considered as a reduction and have less impact on the local highway network.

The above data has been considered by HCC as being acceptable in traffic generation terms.

4.3.34 Traffic generation as above is considered acceptable and smaller than that from the existing use, and is acceptable. Impacts on the public highway from the proposed development are considered acceptable.

Trees and Landscaping:

4.3.35 The site contains smaller younger trees and vegetation, principally at the rear, and a small number of trees to the front. These trees principally range in height from 6m to 12m, with two being 14m and 15m high. Ten individual trees or groups of trees/vegetation are proposed to be removed. These trees are not protected by Tree Preservation Orders, are young, and are considered to be of limited visual significance to the site and wider area. The Council's Landscape Officer has not objected to their removal. Therefore I do not object to the removal of these trees as part of the development.

4.3.36 The application proposes replacement tree planting, with 34 new trees shown on the proposed plans. This would result in more regular tree planting of better quality throughout the site in an attractive planned layout, that would also result in an increase in the quantity of trees on the site. The proposed tree planting has also been considered to strengthen the Garden City character by the Council's Landscape and Urban Design Officer, which is given weight.

4.3.37 The most significant trees are at the rear of the site, close to or on the boundary. The proposed buildings would be sited away from these trees such that they would not affect their roots or canopies, and would not result in future pressures for their removal or lopping. Other smaller trees close to other site boundaries would also not be affected by the proposed development. Impacts on trees are therefore considered to be acceptable.

4.3.38 The hard and soft landscaping proposed within the site is considered to be of an acceptable balance between the two, with trees, vegetation and lawned/grassed areas providing an appropriate softening of the harder surfaces. The hard surfaces are also proposed to be varied, employing surface types ranging from tarmac for the main access road to block paving of various types for smaller areas of hard surfacing such as some of the parking spaces, which will add interest to the development. Details of planting have been provided which are acceptable. New landscaping proposed is considered acceptable, and will contribute to improving the character and appearance of the site and locality.

Ecology:

4.3.39 The applicant has provided a detailed Ecological Impact Assessment report, and a Tree Report and protection plan. The majority of the site has limited value to biodiversity, with the main interest being the woodland and scrub vegetation to the north; and opportunities for breeding birds and foraging (but not confirmed roosting) bats.

4.3.40 The application proposes new trees and other planting, and enhancements for birds, bats, insects and hedgehogs. Hertfordshire Ecology considers that the proposal will result in a net gain in biodiversity and will not harm protected species, therefore impacts on ecology will be acceptable.

Drainage and flood risk

4.3.41 The application proposes a drainage strategy of on-site drainage with appropriate capacity for water to limit off-site impacts. The Lead Local Flood Authority consider this approach acceptable, which will result in satisfactory drainage and avoid flood risk.

Planning obligations

4.3.42 The applicant proposes a number of planning obligations. As set out in paragraph 56 of the NPPF, planning obligations must only be sought where they meet all of the following tests:

- 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.

Following detailed negotiations with the applicant, agreement has been reached on a range of matters that are included in a draft S106. All of the S106 obligations are listed in the following table:

Element	Detail and Justification
Affordable Housing (NHDC)	On site provision of 23 affordable dwellings based on 65% rented tenure (10 x 1 bed flats, 5 x 2 bed flats) and 35% shared ownership (8 x 1 bed flats) NHDC Planning Obligations Supplementary Planning Document Submission Local Plan Policy HS2 'Affordable Housing'
Library Services (HCC)	Contribution of J5,792 (before indexing) to go towards the enhancement of Letchworth Library Policy SP7 'Infrastructure requirements and developer contributions' Policy 51 of the North Hertfordshire District Local Plan No. 2 with Alterations. Planning Obligations SPD and HCC Toolkit
Youth Services (HCC)	Contribution of J506 (before indexing) towards the increase of capacity at the Hitchin Young People's Centre.

	Policy SP7 'Infrastructure requirements and developer contributions'
Waste Collection & Recycling (NHDC)	<p>Contribution based on NHDC Planning Obligations SPD (figures are before indexing):</p> <p>District Contributions:</p> <ul style="list-style-type: none"> - J26 per flat with shared or no amenity space <p>Total of J1,482 (before indexing)</p> <p>Policy SP7 'Infrastructure requirements and developer contributions'</p> <p>Planning Obligations SPD</p>

4.3.43 These obligations, and associated trigger points relating to the phasing of the development, have been agreed by the applicant and all relevant parties. These obligations are considered to meet the relevant tests in 4.3.42 and make the development acceptable in planning terms through acceptable mitigation of its impacts on relevant infrastructure.

Climate Change Mitigation:

4.3.44 The NPPF supports the transition to a low carbon future and the increased use of renewable energy sources. North Hertfordshire District Council has declared itself a Climate Emergency authority and its recently adopted Council Plan (2020 – 2025) seeks to achieve a Council target of net zero carbon emissions by 2030 and protect the natural and built environment through its planning policies. Emerging Local Plan Policy D1 seeks to reduce energy consumption and waste.

4.3.45 The applicant has stated that the proposed development would use materials from environmentally sustainable sources where possible and will be recyclable; the development will use high levels of thermal insulation to reduce energy requirements, and heating appliances will be selected to have low emission levels. The proposed development will also be required by condition to include electric vehicle charging infrastructure to simultaneously charge 60 electric vehicles. In addition, water saving measures such as flow restrictors, aerated taps and dual flush toilets will be incorporated into the development. Given the above, the proposed development is considered to meet the aims of minimising potential carbon emissions.

4.4 Planning Balance and Conclusion

4.4.1 Paragraph 11 of the NPPF states that where a local planning authority is not able to demonstrate a 5 year supply of deliverable housing sites, granting permission unless 1) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or 2) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.4.2 The LPA's current housing land supply position is that 2.2 years can be demonstrated. 1) in the above paragraph refers to designated areas/assets such as Green Belt or Conservation Areas, which the application site is not within. Paragraph 11 d) ii. of the NPPF is therefore engaged, therefore this application should be assessed according to whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

4.4.3 I will therefore list the adverse impacts and benefits of the proposed development so that the required balancing exercise can take place. The adverse impacts are considered to be:

- Loss of office space – This is considered limited due to September 2020 changes to the Use Classes Order, and the proposed allocation of the site for residential development in the emerging Local Plan.
- Under-provision of parking – This is considered limited as each dwelling would have one parking space, and as the site is in a more sustainable location within walking distance to shops, services and public transport.

4.4.4 The benefits are considered to be:

- The provision of 57 new dwellings on a site in a sustainable location – This is a moderate to significant benefit given according weight, particularly in light of the Council's poor housing land supply position.
- Visual enhancements to the site and locality – This is given moderate weight.
- New planting and biodiversity gain – This is given limited to moderate weight.

4.4.5 Taking the adverse impacts and benefits into consideration, the adverse impacts are all limited. The benefits would be moderate to significant and would be considered to outweigh the limited adverse impacts. The proposed development is considered acceptable and is considered to comply with the necessary provisions of both the existing and emerging Local Plan policies and the National Planning Policy Framework. It is recommended that planning permission is granted subject to appropriate conditions and the Section 106 legal agreement being signed that has been agreed in draft form.

4.5 **Alternative Options**

4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

4.6.1 Pre-commencement conditions as below are recommended, which have the agreement of the applicant.

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. External materials for the approved development shall be in accordance with 'Proposed Materials Schedule' (dated May 2020), unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

4. Hard and soft landscaping shall be completed in accordance with the details submitted with the application, unless otherwise agreed in writing with the Local Planning Authority.

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

5. 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.

6. Prior to occupation of the approved development, details of the proposed lighting columns shall be submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with these approved details.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

7. Prior to occupation, the development shall incorporate Electric Vehicle (EV) ready charging infrastructure capable of simultaneously charging 60 electric vehicles, as outlined above.

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.

8. Prior to the first occupation of the dwellings, the noise mitigation measures detailed in Tables 5 and 6 of "Acoustic Assessment of a proposed residential development at Foundation House Letchworth" Report reference 180703-Roo1B, dated 24/9/20 by ACA shall be implemented. The measures shall be maintained in accordance with the approved details thereafter.

Reason: To protect the residential amenity of future residents.

9. Any suspected contamination encountered during the development of this site, shall be brought to the attention of the Local Planning Authority as soon as practically possible; in such a case, a scheme to render this contamination harmless, shall be submitted to, and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

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

10. Unless otherwise agreed in writing by the Local Planning Authority, in connection with all site demolition, site preparation and construction works, no plant or machinery shall be operated on the premises before 08.00hrs Monday to Saturday, nor after 18.00hrs on weekdays and 13.00hrs on Saturdays, not at any time on Sundays or Bank Holidays.

Reason: To protect the residential amenities of existing and future residents.

11. The measures set out in the submitted Ecological Impact Assessment, Tree report and tree protection plan, and other ecology provision measures as proposed (including any amendments and/or additions to these documents) shall be implemented prior to occupation of the development, and thereafter shall remain in perpetuity.

Reason: In the interests of the protection of ecology and providing a net ecological gain within the site.

12. The development shall be completed in accordance with the measures set out in section 4.2 of the Design and Access Statement (dated July 2020).

Reason: To minimise carbon emissions in the interests of the environment and climate change.

13. No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

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

Reason: In the interests of archaeology.

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

Reason: In the interests of archaeology.

15. The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 13 and the provision made for analysis and publication where appropriate.

Reason: In the interests of archaeology.

16. Prior to the first occupation of the development hereby permitted the main vehicular access shall be provided 5.5 metres wide and thereafter both accesses shall be retained at the positions shown on the approved drawing number 19059wd2.01. 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 of surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

17. Prior to the first occupation of the development hereby permitted any disused accesses shall be closed and the footway shall be reinstated along the frontage of the site to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction.

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

18. The gradient of the vehicular accesses shall not exceed 1:20 for the first 12 metres into the site as measured from the near channel edge of the adjacent carriageway.

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

19. 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 Management Plan shall consist 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.

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).

20. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and SuDS Strategy in relation to proposed residential development at Foundation House, Icknield Way, Letchworth Garden City, Hertfordshire, SG6 1GD, dated October 2020, reference: H12913 prepared by Marks Heeley The Flood Risk Assessment and SuDS Strategy, Rev A - 30/10/2020 and the following mitigation measures;

1. The detailed drainage design will be based on location specific infiltration testing at the depths and locations of the proposed soakaways.
2. All features are to be sufficiently modelled to accommodate and provide attenuation for all rainfall events up to and including the 1 in 100 +40% climate change event, to ensure no increase in surface water run-off volumes.
3. Implement drainage strategy utilising permeable paving, hydro bio filters, silt traps and geocellular storage crates.

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

21. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment and SuDS Strategy in relation to proposed residential development at Foundation House, Icknield Way, Letchworth Garden City, Hertfordshire, SG6 1GD, dated October 2020, reference: H12913 prepared by Marks Heeley The Flood Risk Assessment and SuDS Strategy, Rev A - 30/10/2020/ The scheme shall also include:

1. Detailed infiltration testing to be carried out pre-commencement in accordance with BRE Digest 365 standards at the proposed locations and depths of all SuDS features. The test to be carried out at least three times in each location and the worst-case rate used for the design.
2. Depth of the permeable paving subbase to be increased by 50% to allow for additional attenuation to manage existing surface water flood risk.
3. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
4. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as lined permeable paving and Hydro Biofilters.
5. Provision of half drain down times within 24 hours
6. Silt traps for protection of any residual tanked elements
7. If the access road is not being adopted then permeable paving should be considered.

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

22. Upon completion of the drainage works for the site 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 scheme shall include:

1. Provision of a 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.

23. No gates or other means of access shall be created on the north boundaries of the site with Glebe Road dwellings without planning permission being obtained.

Reason: In the interests of residential amenity.

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

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

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs 170, 178, 179, EA Groundwater Protection Position Statements and Policy SP11 of the North Herts Local Plan.

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

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs 170, 178, 179, EA Groundwater Protection Position Statements and Policy SP11 of the North Herts Local Plan. Infiltration through contaminated land has the potential to impact on groundwater quality.

Proactive Statement:

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