

Location:           **Land at Ivel Court  
Radburn Way  
Letchworth Garden City  
Hertfordshire**

Applicant:           **Mr Sean Crossan**

Proposal:           **Residential development comprising of one five storey building providing 24 apartments (3 x 1-bed, 20 x 2-bed and 1 x 3-bed) with associated car parking, access and landscaping. (Additional plan received 04 May 2021)**

Ref. No:             21/00401/FP

Officer:             **Simon Ellis**

**Date of Statutory Expiry Period:** Agreed extension to 16.07.21

**Reason for Delay**

Change of case officer due to staff absence and to enable preparation of the requisite S106 Obligation.

**Reason for Referral to Committee**

As the Council owns of the application site it is therefore necessary for this planning application for residential development to be determined by the Planning Control Committee under the Council's constitution and scheme of delegation.

**Submitted Plan Nos.**

503-01 Location Plan  
530-10C Site Layout  
530-11B Lower Ground, Ground, First and Second Floor Plans  
530-12B Third Floor and Roof Plans  
530-13A Front, South and Side East Elevations  
530-14A Rear, North and Side West Elevations  
530-17 Bin Store, Floor Plans and Elevations  
530-18 Proposed Block Plan  
2018-11 Rev B Land Survey Plan  
Landscape Master Plan  
Tree Protection Plan

**Associated Documents:**

Noise Assessment Plan  
Transport Statement and Appendices  
Surface Water Drainage Strategy  
Arboricultural Report  
Planning Statement

## **1.0 Policies**

### **1.1 North Hertfordshire District Local Plan No. 2 – with Alterations (Saved Policies):**

Policy 8 'Development in Towns'  
Policy 21 'Landscape and Open Space Pattern'  
Policy 26 'Housing Proposals'  
Policy 29A 'Affordable Housing for Urban Local Needs'  
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'

### **1.2 National Planning Policy Framework (NPPF):**

In total but in particular:

Section 2 'Achieving Sustainable Development'  
Section 4 'Decision Making'  
Section 5 'Delivering a Sufficient Supply of New Homes'  
Section 8 'Promoting Healthy and Safe Communities'  
Section 9 'Promoting Sustainable Transport'  
Section 11 'Making Effective Use of Land'  
Section 12 'Achieving Well Designed Places'  
Section 14 'Meeting the Challenge of Climate Change, Flooding and Coastal Change'  
Section 15 'Preserving and Enhancing the Natural Environment'

### **1.3 Supplementary Planning Documents:**

Vehicle Parking Provision at New Development (SPD – 2011)  
Design SPD  
Planning Obligations SPD (November 2006)

### **1.4 Submission Local Plan (2011-2031) (with Modifications):**

#### **Section 2 – Strategic Policies**

SP1 - Sustainable development in North Hertfordshire;  
SP6 – Sustainable Transport  
SP7: Infrastructure Requirements and Developer Contributions  
SP8 - Housing;  
SP9 - Design and Sustainability;  
SP10 - Healthy Communities;

#### **Section 3 – Development Management Policies**

T1 - Assessment of transport matters  
T2 - Parking;  
HS2 - Affordable housing;  
HS3 - Housing mix;  
HS5 - Accessible and Adaptable Housing  
D1 - Sustainable design;  
D3 - Protecting living conditions;  
D4 - Air quality;  
NE7 - Reducing flood risk;  
NE8 - Sustainable drainage systems;  
NE9 - Water Quality and Environment;  
NE10 - Water Framework Directive and Wastewater Infrastructure;  
NE11 - Contaminated land;

## **2.0 Site Planning History**

- 2.1 Planning application ref. 07/02156/1: Residential development of 74 units comprising 13 x 2 bed houses and 61 x 2 bed flats (33% affordable housing). New community centre, supermarket, hot food takeaway and extension and refurbishment of existing flats, 65 additional car parking spaces, landscaping and ancillary works following demolition of existing library community centre, shops and garage blocks. Erection of temporary community centre. Withdrawn: 29/10/2007
- 2.2 Planning application reference: 08/00404/1: Residential development of 59 units comprising 13 x 2 bedroom affordable houses, 12 x 2 bedroom affordable flats and 34 x 2 bedroom flats. New community centre, supermarket, hot food takeaway and extension and refurbishment of existing flats, 38 additional car parking spaces, landscaping, creation of new areas of public open space and ancillary works following demolition of existing library, community centre, shops and garage blocks. Erection of temporary community centre. Planning Control Committee resolved to grant subject to the completion of a S106 Obligation. Scheme not proceeded with.
- 2.3 Pre-application advice was provided for this scheme under reference 20/01344/PRE. The advice was generally supportive and the position of the Council's Housing Supply Officer reported below on the provision of affordable housing in association with this scheme was also clarified and is set out below in paragraph 3.8.

## **3.0 Representations:**

### **3.1 Technical and Statutory Consultees:**

#### **Hertfordshire County Council (Highways):**

Originally objected to the application due to lack of information on vision splays and access information. Following pro-active negotiation between the applicant, officers and HCC (Highways) further information and clarification has been submitted and following this there are no objections, suggested conditions (see recommended condition nos. 6-9 and informative 3).

### **3.2 Hertfordshire County Council (Lead Local Floor Authority):**

No objections, suggested conditions (see recommended condition nos. 11 and 12).

### **3.3 Hertfordshire County Council (Historic Environment – Archaeology):**

No objections, suggested conditions (see recommended condition no. 10).

### **3.4 Hertfordshire County Council (Growth and Infrastructure and Fire and Rescue):**

Only require Library services contributions of £2,615 towards enhancements to Letchworth Library. No other contributions sought.

### **3.5 NHDC Environmental Protection (Air Quality):**

Require suitable EV charging points on site which can be secured through planning condition(s) and informative(s) (see recommended condition no. 13 and informative no. 2)

- 3.6 **NHDC Environmental Protection (Contaminated Land):**  
No objections, any contaminants found during construction should be brought to the attention of the Council (see recommended condition no. 14).
- 3.7 **NHDC Environmental Health (Noise):**  
No objections, suggested conditions limiting (see recommended condition no. 15 and informative no. 1).
- 3.8 **NHDC (Waste Collection and Recycling):**  
No objections. Confirms that collections will operate from Radburn Way to this development.
- 3.9 **NHDC (Parks and Countryside):**  
Requires a contribution towards play equipment in the facility nearest the site (see table of recommend S106 contributions).
- 3.10 **NHDC (Housing Supply Officer):**  
Agreed 8 shared ownership units in pre-application discussions rather than an off-site contribution. The option of an off-site financial contribution was put to the applicant who preferred to deliver 8 on site shared ownership units as they are already working with a Registered Provider (RP). If rented units are provided this can make management of a dual tenure block more difficult therefore the Housing Supply Officer has agreed that the affordable housing element of this scheme can be limited to shared ownership units only and an appropriately worded S106 Obligation is being drafted to deliver this. The development would therefore deliver 16 market units and 8 shared ownership units within the development scheme (representing 33% affordable housing).
- 3.11 **Anglian Water:**  
No objections.
- 3.12 **Environment Agency:**  
Nothing received. Any comments received to be reported orally.
- 3.13 **Transition Towns Letchworth:**  
See comments set out in **appendix 1**.
- 3.14 **Local Residents:**  
Full details can be viewed on the Council's website. A summary of views is set out below:
- Loss of established green space and trees having been fenced off for public use prior to development (only 27 spaces for 24 flats proposed);
  - Insufficient car parking for the development;
  - Loss of privacy to existing occupiers of Ivel Court with a five-storey building proposed in this location;
  - Loss of daylight and sunlight to surrounding area from such a tall building;
  - Vital need for affordable housing and sufficient units within the proposal should be allocated for this purpose;
  - Loss of established access to nearby shopping centre;

- Bland design out of keeping with the surrounding area;
- Noise assessment carried out during Covid restrictions, therefore doesn't represent a true picture of the surrounding noise climate;
- Likely to be complaints from residents of the development against organised events at the Jackman's Community Centre, undermining its sustainability;
- Lack of provision for cyclists and EV charging points.

## **4.0 Planning Considerations**

### **4.1 Site and Surroundings**

4.1.1 The application site consists of a 0.2ha area of land between Radburn Way and Ivel Court, Letchworth. Ivel Court is a large dominating five storey apartment block with retail on the ground floor. There is also a large public area around the courtyard which also includes the Jackmans Community Centre building (behind the application site). The location of the site is a post war housing estate development with wide open streets linking residential areas. The application site is a slope leading from Radburn Way to the Ivel Court complex above.

### **4.2 The Proposals**

4.2.1 Full planning permission is sought for a five-storey (including lower ground floor) apartment block (lower ground, ground floor, floor one and floor two) consisting of a 24 no. residential apartment building, a mix of one, two and three bedroom units (3x1 bedroom, 20x2 bedroom and 1x3 bedroom units). Of the 24 flats, 16 are proposed as open market accommodation and 8 no. as affordable housing as shared ownership tenure (6x2 bedroom and 2x1 bedroom flats). The block would be of a flat roof design of functional form and materials. Materials of construction proposed are facing brick, render, cast stone detailing around windows and steel and glass balconies.

4.2.2 Cycle storage facilities would be located within the block and car parking and access would be to the rear (consisting of 28 car parking spaces). A bin store block would also be located to the side of the block close to the new proposed vehicular access. Pedestrian access would be gained directly off Radburn Way to the front entrance, to the side of the building also off Radburn Way as well as from the rear car park and vehicular access to the rear car parking area, would also be off Radburn Way to the side of the apartment block. The existing vehicular access to the former public car park (now closed) would be blocked off as part of the development scheme.

4.2.3 The height of the proposed building would be just over 15m when viewed from the lower ground floor level as this level would be built into the natural slope of the land on which the building would be sited. This natural slope extends from the site of the building up to Ivel Court on higher ground and from the site down to the opposite side of Radburn Way, which is fronted by two storey semi-detached houses. The application site therefore acts as a transition area between two storey dwellings and the Ivel Court mixed use development complex.

## 4.3 Key Issues

4.3.1 Taking account of the relevant development plan policies and other material considerations listed above, together with the representations also listed above and the resolution of the Planning Control Committee in 2008 to grant planning permission for a larger 59 unit apartments block on this site I consider the main issues to be addressed in the determination of this planning application are as follows:

- The principle of development on the site and the overall policy basis for any decision;
- Whether the design, layout and overall appearance of the development is acceptable in this location;
- Whether the living conditions of nearby residents and future residents of the proposed development would be acceptable;
- Whether the proposal would have sufficient car parking, access and servicing arrangements to meet the needs of the development and not harm the wider area;
- Whether suitable S106 contributions and affordable housing can be secured, and
- Whether the proposal is acceptable in all other technical respects, and in relation to matters of climate change and air quality mitigation.

The following paragraphs address these broad issues and related detailed matters in this order before reaching conclusions on the planning balance and setting out a recommendation.

### 4.3.2 Policy Basis for the Proposal

The application site is located within the urban area of Letchworth Garden City and as such housing development is acceptable in principle under Saved Local Plan Policy 8 'Development in Towns'. The application site is close too but not within part of the Landscape and Open Space Patter (Saved Local Plan Policy 21) and although there has already been some loss of soft landscaping in this area in preparation for the proposed redevelopment (see comments reported above) the proposed development would not encroach on the open space pattern protected under Policy 21. As the development is acceptable in principle it must be assessed against relevant design policies, 57 and 58 of the Saved Local Plan and DS1 and DS3 of the emerging Local Plan.

### 4.3.3 Quality of Design and Layout

The previously approved scheme from 2008 consisted of two residential blocks in the same broad location as this development proposal (planning application no. 08/00404/1). Whilst this scheme was never implemented the principle of residential development on this site was effectively established by this decision. Whilst the blocks had a mix of roof forms, building heights and materials, including pitched roof elements, the overall building mass of the 2008 approved development was greater than that proposed here.

4.3.4 When seen from the Radburn Way the proposal would appear as a five storey flat roof building, however, the location of the block and flat level between Radburn Way and the façade of the proposed block would mitigate the visual prominence of the block in my judgement, when seen from across the other side of Radburn Way and from within the street scene. And whilst clearly placing a new block of development in this location

of the size and form proposed on a site that had no previous development on it would have a significant visual presence, it would be seen against the backdrop of the larger and more visually prominent Ivel Court block of flats, which sits on higher ground and has a greater visual presence than the proposal here, albeit it is sited further away from the Radburn Way street frontage. Given the context of the development proposal and the previous decision of the Planning Control Committee to grant permission for a larger overall built form on this site, I am satisfied that the scale and prominence of the proposed development is acceptable in this location. If a pitched roof were added to the scheme then this would add to the visual presence of the block without significantly improving its design and appearance, in my view. On that basis I consider the proposed building to be of an acceptable standard of design and layout on this site.

#### 4.3.5 Living Conditions

The proposed development would have a considerable visual presence in this locality but is in my view sited far enough away from nearby residential properties to avoid any loss of privacy, overshadowing or loss of outlook when seen from those properties. Moreover, for the occupiers of the proposed development the space around the building would ensure that their living conditions are acceptable in relation these matters.

4.3.6 The issue that has been raised in the representations reported above regarding the relationship between the proposed development and the operation of the nearby Jackmans Community Centre is of some concern, in that the proposed development would be close to the community centre and will bring new residents to the area who may make complaints about any noise issues emanating from the community centre. Whilst these issues would be addressed separately through the Council's Noise Nuisance Powers under the Environmental Protection Act (Environmental Health) this issue is a material consideration in the determination of this planning application. Given that the Planning Control Committee have resolved to grant planning permission for residential development on this site in 2008 and that there are no specific objections to this planning application from the Council's Environmental Health Officers (as is reported above) it would in my view be manifestly unreasonable to refuse planning permission for housing on this site based on a hypothetical risk that the occupiers of this development may complain about noise from a nearby community centre and that that noise nuisance would be so severe that a noise abatement notice forces the closure of the centre. In my view if a noise nuisance is that severe it would be of a level of disturbance that impacts on the living conditions of existing residents in the wider area as well as any potential future occupiers of this development.

4.3.7 The proposed development lacks shared amenity space in my view but the function and operation of the proposal is acceptable, the car parking is sufficiently separated from the development, it and the proposed bin stores would be readily accessible and in general I consider that the function of the block in relation to on site facilities and infrastructure would be acceptable and provide acceptable living conditions for proposed residents.

#### 4.3.8 Car Parking and Transport Issues

The proposed development includes a car park with 27 spaces for 24 flats, at a standard of just over 1 space per flat. This is below the standards set out in the Vehicle Parking Provision SPD which requires at least 2 spaces for two bedroom units+ and one space per one bedroom unit and this scheme includes a mixture of tenure and

bedroom numbers so this level of provision is below the standard. However, whilst this site is not within a town centre where the SPD allows for a reduction in the standard, it is in a relatively sustainable location with good links to the public transport network and local shops and services so on that basis car ownership is unlikely to be of a high level for occupiers of this development and the likelihood of significant overspill car parking into the surrounding area is limited in my judgement. As Members will be aware paragraph 109 of the NPPF is very clear in its approach to refusing permission on the grounds of highway impacts:

**‘Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe’.**

The under provision in off-street car parking in absence of any objection from the Highway Authority would not in my view lead to severe impact on highway safety and on that basis I cannot recommend refusal for this reason as a result.

#### 4.3.9 S106 Matters

Set out in table below is the elements of the S106 Obligation that this development proposal requires. All the terms set out have the agreement of the applicant and an advanced draft of the document is being prepared by the Council’s planning lawyer and the applicant’s solicitor.

Element	Details	Justification
Affordable Housing Provision	8 units of shared ownership accommodation (6x2 bedroom and 2x1 bedroom)	Saved Local Plan Policy 29A and Emerging Local Plan Policy HS2 (33%)
Interactive Play Equipment for Jackmans Central Play Area	£12,861 (index linked from 2006 costs)	Planning Obligations SPD 2006
Waste Collection and Recycling	£71 per flat (index linked to 2006 costs)	Planning Obligations SPD 2006
Letchworth Central Library Contribution for enhancements	£2,615 (index linked)	Planning Obligations SPD and HCC Toolkit

4.3.10 As Members will know under Community Infrastructure (CIL) regulations it is necessary to identify the specific infrastructure project to which funding is sought from an applicant at the time that planning permission is granted. It is no longer allowable to collect a tariff through a S106 Obligation towards a general category and allocate to an identified project later. Following consultation with all relevant Service Provides and local ward Members the above table sets out details of all relevant projects that have been sought in relation to this scheme. On that basis this table forms the basis of a CIL regulations compliant S106 Obligation which is at an advanced stage of preparation.

4.3.11 On affordable housing, the emerging Local Plan Policy (HS2) would require 35% affordable housing for a 24-dwelling scheme of which 65% should be for rent and 35% for other affordable housing tenure (such as shared ownership). This scheme proposes 33% affordable housing, 100% of which would be other affordable housing



tenure, in this case shared ownership. There has been pre-application discussion between the applicant and the Council's Housing Supply Officer and she has agreed this provision in lieu of on-site rental or an off site financial contribution. It is more feasible to mix shared ownership tenure with market accommodation in one single block of development as Registered Providers (RPs) (i.e. Housing Associations) prefer to manage rented accommodation in one block or separate houses within a housing development scheme. The applicant already has an RP on board to manage the shared ownership units so on the basis that this can be managed in the same block as the market units the Housing Supply Officer has agreed that the on-site delivery of shared ownership units is preferable to a financial contribution for off-site delivery in this instance. And since the S106 Obligation cannot deliver both the delivery of on-site shared ownership and an offsite financial contribution the proposed provision represents a tangible contribution towards overall affordable housing delivery in the District and is acceptable on that basis, in my view.

#### 4.3.12 Other Technical Matters

As can be seen from the technical consultation responses reported above, all outstanding technical matters have been resolved in relation to the determination of this planning application and are addressed in the specifically worded recommended conditions set out in the recommendation below.

#### 4.3.13 Conclusions and the Planning Balance

It is clear in my view that this proposal would have a significant visual presence in the locality. It is of functional design and appearance but by establishing 24 units of new residential accommodation on a relatively small site within the urban area of Letchworth at a time when the Council can only demonstrate a 1.5 year supply of deliverable housing sites (latest AMR figures from April 2021) in one of the worst performing local planning authorities for housing delivery in England the public benefits of the scheme in providing much needed new housing outweighs any harm caused by the development of this building in this locality. Moreover, and notwithstanding these concerns the principle of allowing new housing on this visually prominent site was established in 2008 when the Planning Control Committee resolved to grant planning permission for a larger scheme than that set out in this planning application.

#### 4.3.14 Climate Change and Air Quality Mitigation

The scheme proposes three EV charging points within the proposed development whereas I recommend below that a greater provision is secured through a suitably worded planning condition which is set out below at one EV point per allocated space for each dwelling (i.e. 24 EV points as recommended by the Councils Environmental Protection Officer (Air Quality)).

#### 4.3.15 Alternative Options Considered

See discussion of case merits above.

## **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 a) That planning permission be **GRANTED** subject to the following conditions and to the completion of the requisite S106 Obligation to deliver the benefits set out in the above table and to no new issues being raised within the period of notice being served on the owner of the planning application site.

b) That the applicant agrees any necessary extensions to the statutory determination during the period to enable the completion of the S106 Obligation and the grant of planning permission within the extended statutory period or permission is refused under delegated powers based on incomplete S106 Obligation.

### Recommended conditions and reasons

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.

4. Prior to the commencement of the development hereby permitted full details of hard and soft landscaping shall be submitted to and approved by the Local Planning Authority which shall include the following:

a) which, if any, of the existing vegetation is to be removed and which is to be retained

b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting

c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed

d) details of any earthworks proposed

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 the first occupation of the development hereby permitted the main vehicular access shall be provided 4.8m wide and thereafter the access shall be retained as shown on approved plan no. SK01 Rev B. Arrangements shall be made so that surface water drainage does not discharge onto the public highway.

Reason: To ensure satisfactory vehicular access to the site and to avoid carriage of extraneous materials onto the highway in accordance with Policy 5 of the Hertfordshire Local Transport Plan (adopted 2018).

7. Prior to the first occupation of the development hereby permitted the disused access shall be closed and footway shall be reinstated along the frontage of the site to the satisfaction of the Local Planning Authority.

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

8. The gradient of the access shall not exceed 1:20 for the first 6m into the site as measured from the rear of the footway.

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

9. No development shall commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include compound details for construction, vehicle routes for deliveries, times of deliveries and hours of construction, on site vehicle cleaning and wheel washing, parking for contractor's vehicles, post construction restoration of the public highway and hoarding, pedestrian and vehicle routes throughout the development project.

Reason: In order to protect the highway safety of other road users and nearby residents in the interests of highway safety and amenity, in accordance with Policies 5, 12, 17 and 22 of the Hertfordshire Transport Plan.

10. A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of archaeological significance and research questions; and:
- 1) The programme and methodology of site investigation and recording;
  - 2) The programme and methodology of site investigation and recording as suggested by the site evaluation;
  - 3) The programme of post evaluation and assessment;
  - 4) Provision to be made for 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 archiving and deposition of the analysis and records of the site investigation;
  - 7) Nomination of a competent persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B) The development shall take place 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 until the site investigation and post investigation has been completed in accordance with the Written Scheme of Investigation approved under condition A) and the provision made for analysis and publication where appropriate.

Reason: To secure the proper archaeological evaluation of the site in accordance with the requirements of Section 16 of the NPPF.

11. The development permitted by this planning permission shall be carried out in accordance with approved Surface Water Drainage Strategy carried out by EAS, Job No. 2978 Rev B, dated 29 January 2021 and the following mitigation details set out in the FRA:
- 1) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run off rate of 1 l/s during the 1 in 100 year event plus 40% climate change event.
  - 2) 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 event + climate change providing a minimum of 107.88 cubic metres (or such storage volume agreed with the LLFA) of total storage volume in the attenuation tank.
  - 3) Discharge of water from private drain into the Anglian Water sewer network.

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

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

12. No development shall 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 runoff from the site generated by the corresponding rainfall event. The scheme shall subsequently be fully implemented in accordance with the approved details before the development is completed. The scheme shall include the following:
- 1) Confirmation from Anglian Water that the proposed connection to the into the Surface Water Sewer and the proposed discharge rate is acceptable.
  - 2) Final detailed drainage plan including the location and provided volume of all SUDs features, pipe runs and discharge points.
  - 3) Detailed engineering 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.
  - 4) Should third party agreements be needed to secure the connection into the Anglian Water surface sewer they should be sought, evidence of
  - 5) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifespan.

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

13. Prior to occupation, the 24 designated parking spaces, shall each incorporate an Electric Vehicle (EV) ready domestic charging point. Additionally, one of the visitor parking spaces shall also be required to incorporate an Electric Vehicle (EV) ready domestic charging point.
14. 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.

15. Prior to the first occupation of the development, the noise mitigation measures (glazing and ventilation) as detailed in Section 6.4, Table 8 and Appendix F of "Land adjacent to Ivel Court,..... Proposed Residential Development" Report reference DP618/20326/ Rev 1 dated 3/2/21 by Spectrum Acoustic Consultants shall be implemented. The measures shall be maintained in accordance with the approved details thereafter.

Reason: To protect the residential amenity of future residents

### Informatives

1. 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.
2. EV Charging Point Specification:

A charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

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

- A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
  - The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
  - If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.
  - A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>
3. Construction standards for works within the highway shall be constructed to the satisfaction and specifications of the Highway Authority, by an approved contractor, and in accordance with 'Roads in Hertfordshire – Highway Design Guide 2011'. Before work commences the applicant will need to apply to the Highway Authority to obtain their permission and requirements.

#### Pro-active 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.

## **7.0 Appendices**

### 7.1 Appendix 1: Comments on the application from Transition Towns Letchworth