

<u>Location:</u>	Land Surrounding Burloes Cottages Newmarket Road Royston
<u>Applicant:</u>	Countryside Properties UK (Ltd)
<u>Proposal:</u>	Reserved Matters application for detailed matters relating to appearance, layout, scale, landscaping or the erection of up to 83 new dwellings, with associated landscaping and infrastructure – Phase 1 of Outline Planning Permission 17/00110/1.
<u>Ref. No:</u>	20/01138/RM
<u>Officer:</u>	Sarah Kasparian

Date of expiry of statutory period: 01/01/2021

Reason for Delay

Negotiation on detailed aspects and delays in responses from consultees

Reason for Referral to Committee

Site area.

1.0 **Relevant History**

- 1.1 These reserved matters are the subject of outline planning permission ref. 17/00110/1 and relate to phase 1 of the development for 83 units.
- 1.2 There is another application for full planning permission relating to the infrastructure elements of the outline planning permission (roads and drainage) ref. 19/03032/FP also for consideration during this Planning Committee.
- 1.3 The applicant has also sought to discharge various conditions to the outline planning permission ref. 17/00110/1.

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan No. 2 with Alterations 1996 (Saved):**

- Policy 6 – Rural Areas beyond the Green Belt
- Policy 26 – Housing Proposals
- Policy 29A – Affordable Housing
- Policy 55 – Car Parking
- Policy 57 – Residential Guidelines and Standards

Three supplementary planning documents are applicable. These are **Design, Vehicle Parking Provision at New Developments** and **Planning Obligations**.

2.2 North Hertfordshire District Local Plan 2011-2031 Emerging Local Plan and Proposals Map:

Policy SP1 Sustainable Development in North Hertfordshire
Policy SP2 Settlement Hierarchy
Policy SP5 Countryside and Green Belt
Policy SP7 Infrastructure Requirements and Developer Contributions
Policy SP8 Housing
Policy SP9 Design and Sustainability
Policy SP10 Healthy Communities
Policy SP11 Natural Resources and Sustainability
Policy SP12 Green Infrastructure, Biodiversity and Landscape
Policy T1 Assessment of Transport Matters
Policy T2 Parking
Policy HDS2 Affordable Housing
Policy HS3 Housing Mix
Policy HS5 Accessible and Adaptable Housing
Policy D1 Sustainable Design
Policy D4 Air Quality
Policy HC1 Community Facilities
Policy NE1 Landscape
Policy NE5 New and improved public open space and biodiversity
Policy NE6 Designated biodiversity and geological sites
Policy NE7 Reducing Flood Risk
Policy NE8 Sustainable Drainage Systems
Policy NE9 Water Quality and Environment
Policy NE10 Water Framework Directive and Wastewater Infrastructure
Policy HE4 Archaeology

The site is identified in the Submission Plan as a housing site - **RY10** Land South of Newmarket Road. The Plan sets out the following criteria for the site:

- *Appropriate solution for education requirements arising from sites RY2 and RY10 having regard to up-to-date assessments of need;*
- *Provide a site-specific landscape assessment and tree survey. Retention of trees and hedgerows where possible;*
- *Design and layout to respond to topography;*
- *Address potential surface water flood risk through SuDS or other appropriate solution;*
- *Archaeological survey to be completed prior to development;*
- *Detailed drainage strategy identifying water infrastructure required and mechanism(s) for delivery.*

The Local Plan timetable at the time of writing this report has the Emerging Local Plan being considered by the Planning Inspectorate following consultation on further modifications in Summer 2021. The Inspector's report is expected by the end of this year.

2.3 NPPF (revised 2021): Generally, and specifically:

5. Delivering a sufficient supply of homes

- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment

3.0 **Representations**

3.1 **Residents** – Three objections have been received including: resident of Brampton Road; resident of North Herts District; and resident of Bury Plantation, who have raised the following:

- Concern about Brampton Road being used as an emergency access point to the application site;
- Objection in principle to developing a greenfield site, reducing the rural area;
- Claim that as the application was made during the Covid-19 pandemic there would be fewer objections;
- Confusion regarding the extent of land that the application cover;
- Confirmation regarding proposed unit numbers;
- Confirmation regarding tree protection along the western boundary;
- Comment regarding the maximum height of buildings permitted under outline permission compared to this application;
- The site layout does not reflect the prevailing character of the area and indicates and overdevelopment of the site;
- Comment regarding the location of smaller units next to the pedestrian/cycle way raise privacy issues for residents;
- Comment regarding the accuracy of the LVIA with justification for the proposed development;
- Detail regarding the existing and proposed footpath links through the western boundary needs more work;
- Comments regarding the wider context of the development with particular reference to sustainable transport, landscaping plans, the detail of putting the existing powerline underground, and access points to the site in the context of construction.

3.2 **Royston Town Council** – Has objected as follows:

- "1) Members would like to see the plans for the whole site and details of the full provision of affordable housing throughout the whole development. They would like to see the provision of more 3 and 4 bedroom affordable homes on the site as phase one mainly provides for 1 and 2 bedroom affordable accommodation.*
- 2) The line of properties along Bury Plantation is too close to the boundary and trees.*
- 3) The access to the high density flats is across a shared surface road.*
- 4) There is currently no agreement or funding for burying the power line underground.*
- 5) There is no pedestrian pavement on south side of Newmarket Road by the development."*

3.3 **Crime Prevention Design Advisor** – Noted the reference to old SBD New Homes 2010 and Building for Life 12, which are now superseded by Homes 2019 and Building for a Healthy Life respectively. Initial concern regarding parking for plots 49-57 due to a lack of informal surveillance is counteract by the inclusion of a gate serving this parking area. Advisor requests inclusion of an informative regarding the accreditation of the development to SBD.

- 3.4 **Hertfordshire Ecology** – Several emails concluded and summarised as follows: Noted the need to discharge condition 8 before approval of reserved matters. In relation to any application for reserved matters, there needs to be a neutral or positive biodiversity net gain delivered through the landscaping plan. It has been agreed that a financial contribution would be made by the applicant by way of a unilateral undertaking towards another site identified by Hertfordshire Ecology for biodiversity net gain. The financial contribution is for J30k. This will discharge condition 8 of permission ref. 17/00110/1 and enable this reserved matter application to also be granted permission.
- 3.5 **Archaeology** – No comments given the negative results from initial archaeological evaluation of the outline planning application.
- 3.6 **Lead Local Flood Authority** – Following several responses and meetings, there is no objection to the proposals which involve draining the site via an infiltration pond, infiltration crates and deep bore soakaways. Attenuation tanks are also included which provide substantial attenuation volume as well as a cascading weir structure.
- 3.7 **Environment Agency** – Support for the drainage strategy in principle through this application given ground water levels across the site. Further work required in order to discharge condition 10 of outline permission ref. 17/00110/1 which would be subject to a separate application.
- 3.8 **Urban Designer and Landscape Architect** – Comments provided on initial landscaping and planting schemes which have been addressed by the applicant and can be secured by condition.
- 3.9 **NHDC Waste and Recycling** – No objection subject to a prior commencement condition.
- 3.10 **NHDC Transport Officer** – No further comments to add.
- 3.11 **Hertfordshire Highways** – Does not wish to restrict the grant of permission. The landscaping plan has been reviewed for intervisibility from the site to Newmarket Road. The applicant has also responded to previous comments about the swept path analysis in relation to waste collection vehicles and the proposed road layout is now suitable. No further condition or informative required.
- 3.12 **NHDC Environmental Health** – No further comments regarding land contamination.

4.0 **Planning Considerations**

Site & Surroundings

- 4.1 The application site comprises a large area of arable farmland to the east of the Studlands Rise residential area. The site runs to the south of the Newmarket Road and is surrounded by woodland to the south and east and a tree belt to the west and along Newmarket Road. The site rises by about 30m from Newmarket Road south with a dip in the central area. An existing pair of tenanted estate cottages are situated opposite the recreation ground off of Newmarket Road.

Policy Background

- 4.2 The application site has been identified in the emerging Local Plan as a housing site (RY10).

Proposal

- 4.3 The application seeks permission for the reserved matters of outline permission ref. 17/00110/1 for 'Phase 1' and the development of 83 homes out of the approved development of 325 homes. This application site relates to the far north-west corner of the site. The proposed vehicular access is shown to the west of the existing pair of tenanted cottages fronting Newmarket Road as per the outline permission. Detail is included in this application in relation to landscaping, layout, scale and appearance in accordance with Condition 1 of outline permission ref. 17/00110/1.

Key Issues

- 4.4 As this is an application relating to reserved matters only based on a previously approved outline application ref. 17/00110/1 the extent of the consideration to key issues is limited to layout, scale, appearance and landscaping as set out in condition 1. It is noted that access and temporary access was a matter subject of the outline application.
- 4.5 This report will first review the background to the application, followed by a discussion and analysis on the reserved matters. Any other matters requiring attention based on details submitted with this application shall take place, followed by a conclusion.
- 4.6 This application seeks the approval of all matters reserved pursuant to the grant of outline permission. Some matters of principle remain following the grant of outline permission, which impact matters reserved within this application. There is a crossover of this application with the application for full planning permission ref. 19/03032/FP for the main road and drainage infrastructure across the whole site. This application is also considered at this Planning Committee as they are intrinsically linked. Other matters also crossover between the details approved within outline permission, this application for reserved matters, covenants within the Section 106 agreement, and conditions to which the outline permission is subject to.

Background

- 4.7 Outline permission was given for this whole site known as Land to the south of Newmarket Road / Burloes Cottages, which is also an allocation in the Emerging Local Plan ref. RY10. The conclusion of the Officers report for that outline application was that the proposals at the time were in conflict with the current policies of the Saved Local Plan, in that the site was within the 'rural area beyond the Green Belt'. However, the Council could not demonstrate a five-year housing land supply, and therefore paragraph 11 of the NPPF (version dated 2019 and now the current version dated 2021) was engaged. A planning balance was conducted for the proposals that required permission to be granted unless the harm of doing so would significantly and demonstrably outweigh the benefits.
- 4.8 In this case planning permission was granted in accordance with Officer recommendation which found that social, economic and environmental impacts that would arise from the development would be minimal. The benefits of delivering the housing on this site would be a significant positive in contributing to the Council's housing supply as well as the contribution to affordable housing and units for social rent in particular. The site will also contribute towards education provision and ecological value in a meaningful way.

- 4.9 There are some matters that are fixed as a result of the outline planning permission. These include the principle of developing the site for residential use up to 325 units; the main access; the construction access; the contribution of the site to affordable housing; there is an informative regarding building heights; and the need for the site to contribute toward biodiversity, landscape, open space and drainage.

Layout

- 4.10 Layout is defined in the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) as: *'the way in which buildings, routes and open spaces within the development are provided, situated, orientated in relation to each other and to buildings and spaces outside the development...'*
- 4.11 It is considered that the proposed layout represents good quality design. The development has near complete active frontages, leaving no leftover or unplanned space within the clusters of development. The layout is based around the primary and secondary roads through the site, which reflect the principal layout shown on the illustrative master plan submitted with the outline permission.
- 4.12 On first entering the site from Newmarket Road, plot 82 and 83 are semi-detached units to the right of the main access. These units are well designed and reflect the character of Burloes Cottages, providing a pleasant and spacious entrance. Past the existing Burloes Cottages, there would be an area of green open space with a play area. This is a welcome layout providing a green buffer around the cottages and start to the wider primary road through the site which would be tree lined with buildings set back from the edge of the road and footpaths on both sides. Sightline is provided southbound along the primary road enabling a legible and readable development.
- 4.13 The secondary road would provide a second loop through the southern part of the site and provide access to informal courtyard of development, providing different characters of development.
- 4.14 The layout is such that no individual building within the development would be unreasonably impacted by surrounding buildings in terms of outlook, lack of light or loss of privacy. The back-to-back distances are more than 20m and back to side distances are at least 12m. Where there are relatively close back to side distances between dwellings, there are no relationships in the proposed layout where there would be a conflict of windows with potential for overlooking.
- 4.15 Private garden space would be generous, with more than half of the houses having more than 100 sq.m. The smallest is 39.9 sq.m which is a two-bed terraced unit and not considered to result in a disproportionately small garden relative to the size of the unit. The flats benefit from communal amenity space within the formal courtyard arrangement, as well as access to the green space available to the whole of the site. All flats will benefit from dual or triple aspects providing excellent daylight amenity. The restriction of Permitted Development rights in relation to Class A and E for extension and outbuilding is recommended for the plots with smaller gardens.
- 4.16 Regarding provision of car parking, the applicant has provided for 1 space for one bed units and between 2 to 4 spaces for two, three and four bed units as well as visitor parking across the site. Car parking spaces for all houses are conveniently located as close to the unit as possible to prevent on street parking, whilst not dominating the

streetscene. There is also one secure covered cycle space per dwelling either with the curtilage of the dwelling or in a communal area for the flats.

- 4.17 Along the western boundary, units are side on to the eastern boundary of Bury Plantation and adjacent roads, which is appropriate given the relationship and substantial landscape buffer. Regarding concerns raised by nearby residents about the footpath linking Aintree Road and the application site, there is a condition to 17/00110/1 which requires the Applicant to submit details for a '*programme for the delivery and adoption (or private management of) footpaths around the site*'. This is considered to be sufficient to address concerns.
- 4.18 The housing along the boundary with Newmarket Road mainly 'looks out' to the highway with building frontages and windows. The remaining south-eastern edge of the site will fit into the next phases of the site's development.
- 4.19 The layout is such that any user of the site would be able to differentiate between public and private spaces. Detail regarding road finishes has been provided in order to distinguish between primary and secondary roads and the courtyard spaces, which will assist in navigating the site and appropriate for the location. Buildings would be of a reasonable height and spacing in relation to the road network, all of which will create a pleasant and safe development. The layout also provides landmark buildings, in terms of the height of the blocks of flats as well as the particular design of individual units, particularly the buildings at the entrance and around the green space.

Appearance

- 4.20 Appearance is defined in the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) as: '*the aspects of a building or place within the development which determines the visual impression the building or places makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture...*'
- 4.21 The site sits on the edge of Royston. The character of the existing nearest residential development to the west and north west are relatively mixed, and mainly modern. In terms of materials, gault and red brick is common with some timber cladding. Roofs are dual pitched, and dwellings comprise detached and semi-detached properties. The development currently being constructed to the north of Newmarket Road (site ref. RY2) is more varied, and complimentary of the development which is adjacent to that site.
- 4.22 The proposed mix of dwellings, consisting of terraced, semi-detached, detached as well as some flats is considered appropriate for the site and requirements for the area. A predominance of dual pitched roofs is proposed with some extra dormer window detailing or gable ended properties where appropriate to reduce bulk, is considered to take account of the site's surroundings and topography. The design of buildings has been given sufficient attention to the sense of place and history of Royston.
- 4.23 The materials proposed would be representative of the mix available in the surrounding area, consisting of red stock brick with either hanging tile or weatherboard for detail, buff stock brick or off-white render, with red tile or slate for the roof covering. These materials will be varied across the site to promote different character areas, whilst providing a sense of cohesion from this palette of materials.

Scale

- 4.24 Scale is defined in the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) as: *'the height., width and length of each building proposed within the development in relation to its surroundings'...*
- 4.25 It is considered that the scale of the development, as well as individual buildings is acceptable. The vast majority of the proposals are for 2 storey buildings which is consistent with existing residential development to the west of the site. Within the site there is a varied layout of detached, semi-detached and terraced units, as well as two blocks of flats. There is a good relationship between all buildings, which are arranged primarily along the primary and secondary roads through the site, with some formal and informal courtyards.
- 4.26 On outline permission ref. 17/00110/1 there is a design informative, which states:
- 'Given the topography of the site and the general character of the area, the inclusion of any development above 2 storeys needs to be carefully considered and adequately justified. The inclusion of 2.5 storey or greater development is of particular concern and any development of this nature should be avoided unless it can be robustly justified to the prevailing context of the area'.*
- 4.27 An increase in height is proposed compared to the approved outline application. The Design and Access Statement submitted with this application for reserved matters states that the two blocks of flats (plots 49-57 and 63-71) are proposed to be 3 storeys and located in the far north west corner of the site adjacent to Newmarket Road. The two buildings would form a 'formal courtyard' arrangement with parking and green space between. These buildings would act as a 'way finding feature' on the pedestrian link to Bury Plantation and Aintree Road, linking green infrastructure into the primary and secondary road networks through the site.
- 4.28 The building of plots 63-71 containing 9 units would sit neatly in the corner of the site, which slopes down to the east and up to the south. The topography adjacent to Newmarket Road is steep, so the building would be slightly stepped into the ground level. The overall height of the roof of plots 63-71 and its ridge would still be lower than the 3 storey block of flats opposite of the courtyard to the south by 2m.
- 4.29 The building at plots 49-57, also 9 units, will also be set into the ground taking account of ground level changes. The height of the ridge of this block is then comparable to the ridge of three terraced Plots 44-46.
- 4.30 There would be about 35-40m distance between the proposed 3 storey blocks and existing dwellings at Aintree Road and Goodwood Road as well as the existing substantial landscape buffer. This is considered to be appropriate and quite sufficient to prevent impact on existing residents in terms of privacy, impact on daylight, overlooking and outlook. Existing residents closest to the application site will likely not have much visibility of the development.
- 4.31 These are the only 3 storey buildings to this phase of development and would be screened behind an existing mature landscape buffer along the boundaries of the site. The building elevations would be sufficiently articulated, the roof form varied, and it's setting appropriately landscaped. It is not thought that there would be much other potential for buildings taller than 2 storeys elsewhere on the site given the levels.

These two buildings sit comfortably with two sides of substantial and mature landscaping, whilst being adjacent to existing development. Other areas of the wider site would be more exposed with less potential to utilise existing screening, despite some lower levels on site.

- 4.32 Both blocks of flats would provide a mix of market and affordable housing tenures and the quality of the accommodation would be consistent throughout. The inclusion of the additional storey for this building enables the site to deliver the number of units (both market and affordable for social rent) for this phase, whilst also respecting the overall layout and spacing of buildings generally.
- 4.33 Within the scale of development, consideration can be given to density and housing mix more generally. It is considered that the density of the development proposed would not be out of scale with the density of development within the sites surrounding.
- 4.34 Regarding affordable housing, there would be 18 out of 83 units as affordable, which is 22% of units and in accordance the outline permission. The details provided with the applications sets out that there would be:
- One bed units 12 (9% for private and 33% for affordable);
 - Two bed units 19 (18% for private and 39% for affordable);
 - Three bed units 32 (43% for private and 22% for affordable); and
 - Four bed units 20 (29% for private and 6% for affordable).
- 4.35 The Strategic Housing Market Assessment 2016 requires predominantly three and four bed houses for market housing; and one bed flats, and two and three bed houses for affordable housing.
- 4.36 Between market and affordable units, the proposals are considered to be in accordance with the required housing mix and tenure, which has been shown to be able to be delivered on site with a suitable layout and scale of development. As well as mix and tenure, all units are designed to be either M(4)2 or M(4)3 compliant which allow units to either be accessible and adaptable dwellings or wheelchair user dwellings respectively.
- 4.37 **Landscaping**
- 4.38 Landscaping, in relation to reserved matters applications, is defined in the Town and Country planning (Development Management procedure) Order 2015 (as amended) as: *'the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out of provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features...'*
- 4.39 The landscaping strategy is intrinsically linked to the need for sustainable drainage systems and provision of open space, green infrastructure, road network and amenity space. There is little need for banks or terraces, although the site does slope, it is fairly gentle and can be more naturally managed. The proposals include swales along roads for sustainable drainage as well as a drainage attenuation pond along the northern boundary where the topography is low. The LLFA have been involved in the detail of

the proposals for surface water drainage which have their support and coordinates with the proposals under application ref. 19/03032/FP.

- 4.40 The main public green space incorporated into the plans is at the entrance to the site, providing a focal point on entering the site as well as a buffer to Burloes Cottages and provision of drainage. A main landscape corridor runs alongside the primary road with spacious roadside verge or front gardens with associated planting. The secondary access road would have a wider green swale running along one side of the road, creating a different character to these parts of the development, which will be green and spacious in a different way to the primary road. Generous gardens will enable a green and spacious feel for future residents. The mature and substantial landscape buffer particularly along the north and west boundaries of this phase of the site is a significant asset which will be retained and enhanced, with more formal green infrastructure links for pedestrians.
- 4.41 The Landscaping Officer provided initial comments on the proposals for further detail. Much of the comments have been addressed by the Applicant although there is still detail missing on particular numbers and species of proposed planting. This will be addressed by a condition. Overall though the layout of the site is considered to contribute to the landscape quality.
- 4.42 There is a proposed Local Area of Play (LAP) for the area of open space which is supported. Initial proposals include a 'natural play' concept although further details will be required by condition.
- 4.43 **Access for Refuse and Emergency Vehicles**
- 4.44 The provision of bin storage and collection has been considered through the submitted Design and Access Statement. Hertfordshire highways raised no objection and there is a plan for kerbside and bin collection points depending on the layout. Refuse drag distances are complied with for both workers and residents. Further detail has been requested by condition. In addition, there is condition 16 of 17/00110/1 for a Site Waste Management plan to be submitted for approval.
- 4.45 The fire strategy has also been considered for fire safety access, turning and hose distance. The Section 106 required contribution to fire hydrants. Condition 17 of 17/00110/1 also covers this aspect for emergency vehicles in general.

Ecology

- 4.46 Condition 8 of the outline permission required the discharge of information relating to biodiversity net gain relating to the whole site before any application for reserved matters is approved.
- 4.47 Following lengthy assessment and discussion with Hertfordshire Ecology and the Applicant it has been agreed that in order to discharge the condition there are requirements for enhancing existing biodiversity on site, in particular improvement of the mature landscaping buffer as well as provision of sustainable urban drainage features across the site, together with an off-site contribution of J30,000k via a Unilateral Undertaking (UU). This will go towards a locally identified project to increase biodiversity.

- 4.48 This approach is unorthodox as it seeks to improve biodiversity outcomes above that which was achieved through the outline planning permission. Moreover, biodiversity net gain on or off site is not technically an issue that should be addressed through an assessment of reserved matters. However, in adopting this approach the applicant can secure the removal of an objection from Herts Ecology and by addressing the improvement to biodiversity net gain through a UU payment separate to the determination of this application the approach is considered legal in this instance.
- 4.49 The recommendation of this application for reserved matters is therefore subject to the signing of a Unilateral Undertaking for the planning obligation detailed above and the discharge of condition 8.

Other Matters

- 4.50 Various matters have been raised through representations which are not directly relevant to the consideration of this application as they are beyond the scope of an application for reserved matters. Other matters have been addressed in the report above. It is noted that the application was submitted in June 2020, while there were restrictions due to the Covid pandemic, however letters and emails were sent to affected residents and consultees. It has also been well over the statutory period for determining this application enabling plenty of time for representations to be made.
- 4.51 It should also be noted that the principle of development has already been established for this site. As such, matters of tree protection and management to the western boundary is not relevant, nor the wider context or layout of the site, which will be the subject of applications for reserved matters on subsequent phases.
- 4.52 Regarding the footpath links from the Valley Rise estate, condition 11 was imposed on outline planning permission 17/00110/1 for the Applicant prior to commencement of development to submit '*a programme for the delivery and adoption (or private management of) footpaths around the site, with public access secured in perpetuity...*' etc, which is sufficient to secure such details and will be agreed in consultation with HCC Rights of Way.

5.0 Conclusions

- 5.1 This application for reserved matters follows from the approval of outline application ref. 17/00110/1 which includes detail on layout, scale, appearance and landscaping.
- 5.2 Subject to appropriately worded conditions, I consider that the proposed development would be of good quality design which would enhance and protect the amenities of the site and the area in which it is situated; would be of a suitable scale commensurate to the sites located on the edge of the settlement; have an acceptable and functional layout for residents and visitors to the site; be of an appearance considerate to the site and its setting; and host good accessibility to and within the site itself. These reserved matters link well with details already approved by way of the outline permission and conditions that have been discharged or are due to be discharged and would not prejudice legal covenants contained within the Section 106 agreement.
- 5.3 The proposed development is considered to accord with relevant policy provisions of the local development plan as listed above as well as the NPPF 2021.

6.0 **Alternative Options**

6.1 None applicable

7.0 **Pre-Commencement Conditions**

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

8.0 **Recommendation**

8.1 Resolution to **APPROVE** reserved matters subject to the following conditions, following the discharge of condition 8 of 17/0011/1, and the completion of a satisfactory legal agreement (Unilateral Undertaking). Should, for any reason, the legal agreement not be completed within the next month before 18 December 2021 and the applicant does not agree to an extension of time to allow for this, it is further recommended that permission be refused under delegated powers on the grounds of no satisfactory agreement.

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

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

2. 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.

Reason: To facilitate refuse and recycling collections.

3. No development shall take place until a detailed planting plan is submitted and approved in writing by the Local Planning Authority. The planting plan shall include a visual schedule the species, spacing and numbers of plants. 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 the visual amenity of the locality.

4. No development shall commence until the location of the Local Area of Play (LAP)

within the open space and full schedule of equipment to be installed have been submitted and approved in writing by the Local Planning Authority. No dwelling forming part of the development hereby approved shall be occupied until the LAP has been installed in accordance with the approved details.

Reason: In the interests of amenity of future residents.

5. Prior to the occupation of the 83rd unit, the development hereby permitted shall be implemented in accordance with the ecological mitigation measures described in section 4 of the Ecology Addendum October 2020.

Reason: In the interests of Biodiversity

6. The use of the land for access roads and vehicular parking shall not commence until the area has been laid out, surfaced and drained in accordance with approved plans and details and shall be maintained thereafter.

Reason: To ensure that adequate and satisfactory provision is made for parking of vehicles within the curtilage.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A and E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out at Plots 14, 16, 17, 27, 38, 39, 40, 45, 48, 58, 59, 62, 72 and 77 without first obtaining a specific planning permission from the Local Planning Authority.

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

8. 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.

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.

Informative/s:

The applicants are advised to contact the Police Crime Prevention Design Service with a view to achieving accreditation to the Police approved minimum security

standard that is Secured by Design. This will not only assist in discharging part 'Q' of building regulations but also demonstrate compliance with both the National Planning Policy Framework but also the emerging Local Plan.

Further advice on waste provision for developments is available on our website:
<http://www.north-herts.gov.uk/home/planning/waste-and-recycling-provision>