

Location: **Former Westons Cars Site and Land Adjoining 114-142
Cambridge Road,
Hitchin
Herts
SG4 0JJ**

Applicant: **n/a**

Proposal: **Erection of three, 3-storey blocks to provide 24
apartments (7 x 1-bed and 17 x 2-bed) and a terrace of
4 x 3 bedroom houses including associated car
parking and vehicular and pedestrian access, cycle
and refuse storage, landscaping and open space
following demolition of the existing buildings (as
amended by plans received 3/11/21).**

Ref. No: **21/01834/FP**

Officer: **Peter Bull**

Date of expiry of statutory period: 10/09/2021

Extension of statutory period: 25/04/2022

Reason for referral to Committee: The application has been called in to Committee by Councillor Dennis-Harburg in the wider public interest and the issues raised including housing need and affordable housing

1.0 **Policies**

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

Policy 8: Development in Towns

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

1.2 **National Planning Policy Framework (Revised July 2021).**

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well designed places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

1.3 **Proposed Submission North Hertfordshire Local Plan 2011-2031 (Incorporating the Proposed Main Modifications November 2018 and May 2021)**

Strategic Policies

SP1: Sustainable development in North Herts

SP2: Settlement hierarchy

SP6: Sustainable transport

SP7: Infrastructure requirements and developer contributions

SP8: Housing

SP9: Sustainable Design

SP10: Healthy communities

SP11: Natural resources and sustainability

SP12: Green Infrastructure, landscape and biodiversity

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

NE1: Landscape

NE5: New and improved public open space and biodiversity

NE7: Reducing flood risk

NE8: Sustainable Drainage systems

NE9: Water quality and environment

1.4 **Other Policy documents**

- NHDC SPD: Vehicle Parking at New Development September 2011
- Hertfordshire Local Transport Plan (LTP4) 2018 – 2031
- Hitchin Urban Transport Plan 2011

2.0 **Site History**

19/00350/PRE - demolition of existing buildings followed by new residential development, landscaping and car parking.

3.0 **Representations**

3.1 Councillor Dennis-Harburg: called application in to Planning Committee objection and comments made - poor housing mix, no affordable housing proposed, overdevelopment of site, loss of privacy, loss of wildlife and biodiversity, inappropriate density, insufficient parking spaces, no EV charging point shown, increased congestion on existing roads, access to the site should be split to include Cambridge Road, additional pollution, adequate bike storage should be provided, direct pedestrian access through site should be provided, construction activities should be controlled, the site may contain hazardous substances, existing parking and associated safety hazards for pedestrians on Hampden Road, it is unclear whether there is sufficient sewer capacity.

3.2 Neighbours: Local Residents: 31 representations received with some support for redevelopment of site but a number of specific objections are raised -

- Inadequate car parking
- continued displacement of associated development parking onto existing roads
- 2-3 and 4 bed houses needed
- social housing needed
- overlooking and loss of privacy
- existing trees should be protected
- additional traffic and congestion on busy roads
- loss of green space
- construction periods should be restricted
- additional landscaping necessary
- loss of light
- adverse impact on existing infrastructure including footpaths and schools
- absence of green infrastructure
- low carbon and renewable technologies lacking
- loss of commercial use of site
- site would be better used for community use

- noise and damage from demolition
- asbestos concerns from former use
- impact on existing boundary walls unknown
- inappropriately located bin stores to block D
- access gate inappropriately located causing noise and disturbance (Block D)
- link between site to Hampden Road and Cambridge Road inappropriate
- footpath improvements needed and restrictive bollards to grass verge
- poor visibility due to parking of cars near to access
- light pollution from car headlights
- balconies inappropriate
- inadequate car parking for development
- impact on existing electrical sub station
- overdevelopment of the site
- inadequate vehicular visibility
- increased pollution
- better access needed to and from railway station and local school
- inappropriate density
- absence of affordable housing not justified
- inappropriate housing mix
- inadequate access for emergency and utility vehicles
- existing street drainage will be affected
- inappropriate designed buildings
- site not suitable for housing
- buildings should be no more than two stories high
- traffic safety and calming measure necessary
- inadequate gardens
- inadequate engagement by developer

- 3.3 Press Notice: 24.06.2021 (Expired 17.07.2021)
Site notices – 24.06.2021 (Expired 17.07.2021) 15.11.2021 (Expired 8.12.2021)
- 3.4 Lead Local Flood Authority: objects to the proposal but discussions ongoing
- 3.5 Environment Agency: considers that planning permission could be granted subject to conditions relating land contamination, surface water disposal and to control piling, foundation and other bore holes.
- 3.6 Hertfordshire Highways: Does not object to the development subject to a planning conditions and informatives and a Section 106 sustainable transport contribution.
- 3.7 Environmental Health (Land contamination): Recommends a condition requiring a Remediation Method Statement to deal with any land contamination.
- 3.8 Environmental Health (Noise/Residential Amenity): no specific details submitted in terms of the standard required. It is necessary to submit detailed façade calculations. This can be secured by a condition.
- 3.9 Environmental Health (Air Quality): no objection subject to electrical charging points being provided as part of the development
- 3.10 County Archaeology: The site is largely occupied by a modern building, therefore in this instance we consider that the development is unlikely to have a significant impact

on heritage assets of archaeological interest, and we have no comment to make upon the proposal

- 3.11 Community Development Officer: no response received
- 3.12 Anglian Water/Affinity Water: No objection but conditions relating to asset impact and surface water disposal are recommended.
- 3.13 UK Power Networks: no response received
- 3.14 Hertfordshire County Council (Planning Obligations Manager): Request financial contributions towards Primary and Secondary Education, Youth facilities and Library facilities and fire hydrant provision.
- 3.15 Economic Development: no response received
- 3.16 Transport Policy Officer: Considers that the transport assessment recognises the impact of the development and the need to mitigate the transport implications of the development. Recommends the developer commits to encouraging cycling, walking and use of public transport and Residential Travel Planning measures.
- 3.17 Housing Development Liaison officer: Sets out the Council's normal affordable housing policy criteria. Advises that the Council will normally insist on on-site delivery. In exceptional circumstances the Council will consider off-site delivery and as a last resort a commuted sum but in both circumstances an uplift in the affordable housing provision will be required in accordance with the Planning Obligations SPD.
- 3.18 Growth and Infrastructure Unit: Confirms that financial contributions would be sought for primary education, secondary education and library services.
- 3.19 Hertfordshire County Council (Passenger Unit): no response received
- 3.20 Hertfordshire County Council (Minerals and Waste): no response received
- 3.21 Herts Fire and Rescue: This will require the provision and installation of a fire hydrant, via condition, at no cost to the county, or F&RS. This is to ensure there are adequate water supplies for use in the event of an emergency, and that all proposed blocks are covered
- 3.22 Police Architectural Liaison Officer: no response received
- 3.23 Planning Policy Officer: the proposal for residential development at the location is considered suitable in principle.
- 3.24 Transport Policy Officer: no response received
- 3.25 National Grid: The location used to confirm that there are no National Grid assets affected at the location.
- 3.26 Waste Services: no response received

3.27 Greenspace & Parks (NHDC): The nearest play area to the development would be at Walsworth Common – there is no play area in Purwell Meadows as this is a LNR. We do have a play area at Purwell but this is adjacent Purwell Ninesprings adjacent the football pitches. At Walsworth Common there is a need to replace some of the items of equipment within the sand pit which is part of the play area. Much of this equipment is in need of replacement in the near future. £15k would provide two or three items which would significantly improve the play value of this area.

3.28 Hitchin Forum

- The Financial Viability Assessment's conclusion that the development cannot support any affordable housing unreliable and unconvincing
- We welcome the development of this brownfield site, which has been derelict and unused for the last 4 years.
- We query the construction of more 1 and 2 bed flats in this area of Hitchin and suggest that there is greater need for 2 and 3 bed houses.
- The Design and Access Statement document states that the flats will be spacious. However, scaling off the floor plans shows the 1 bed flats to be between 43 and 50 square metres gross, and the 2 bed flats to be between 63 and 71 square metres gross. The government recommended minimum gross floor areas are 50 and 70 respectively, indicating that the flats are not only not spacious, but some are actually undersized.
- The drawings show that windows have been located or angled to avoid overlooking existing adjacent properties. However, as a result there are some large blank walls and some overlooking will still occur (noting that because these are 2 and 3 storey flats, rather than houses, living rooms - not just bedrooms - occur at upper floor levels). Overlooking will also occur from the balconies of 3-storey Blocks B, C and D. Retention of existing hedges and planting of more trees may give improved screening.
- We cannot see any statement regarding proposed insulation and energy saving measures for the flats. These should be in line with the Council's stated policies, including for the Climate Change Emergency.
- We note that the Geo-Environmental investigation was not able to uncover the obsolete forecourt fuel tanks or examine within the buildings, so there is some uncertainty about ground conditions and possible contamination under these areas.
- The scheme includes 46 parking places, and we query if this is adequate for 31 flats. We note that Hampden Road is already heavily affected by parking and understand that the recent flats to the West of the site already have insufficient parking.
- We are concerned that the extra traffic generated by this development will exacerbate an already heavily trafficked road system, especially in Hampden Road, the sole vehicular entry/exit to the site, and its exit onto Purwell Lane. This will cause worse congestion, noise, fumes and difficulties for pedestrians.
- We note there is no affordable housing, or contribution to infrastructure, associated with the development.

4.0 **Planning Considerations**

Site and Surroundings

4.1 The existing site is a vacant car showroom and MOT site known as Westons and comprises a mixture of traditional two storey brick and industrial style buildings, extensive hard surfacing and car parking. The site is approx. 0.45 hectares in area and it is located to the east of Hitchin Town Centre on the southern side of Cambridge Road (A505). The immediate area is predominantly residential in character although

immediately west of the application site fronting Cambridge Road is a local shopping parade containing a mixture of local shops and services. It is understood that the application site and premises have been vacant for approximately 5 years.

- 4.2 Further south west of the shopping parade at the junctions of Cambridge and William Roads with and Hampden Road is the recently re-developed residential site previously occupied by the college. This contains 85 residential units comprising 3 and 4 storey flatted blocks, townhouses and associated access and car parking.

Proposal

- 4.3 Planning permission is sought for the erection of three, 3-storey blocks to provide 24 apartments (7 x 1-bed and 17 x 2-bed) and a terrace of 4 x 3 bedroom houses including associated car parking and vehicular and pedestrian access, cycle and refuse storage, landscaping and open space following demolition of the existing buildings (as amended by plans received 3/11/21).
- 4.4 The development will be laid out as follows -
- The four terraced houses (formerly Block A) located fronting Hampden Road
 - Block B will be located directly behind the parking area for the terraced houses adjacent to 81 Allwoods Place
 - Block C is positioned behind one half of the Cambridge Road shopping parade and
 - Block D is located fronting the Cambridge Road.
- 4.5 With the exception of two dropped kerbs serving double car parking spaces located adjacent to Block D and the terrace (Block A), vehicular access is solely provided via Hampden Road via a hardsurfaced road which runs parallel to the side boundaries of 11 Hampden Road and 148 Cambridge Road. Car parking is provided in three linked open air car parks and two double bayed car parking areas adjacent two of the blocks.
- 4.6 The design and layout evolved following the development of the collage site, pre-application discussions and during the processing of the application in a response to third party consultation responses. The primary changes made to the originally submitted scheme relate to (i) housing mix (ii) the deletion of Block A in lieu of four terraced houses (iii) revisions to window locations and finishes to Block C.
- 4.7 The application is supported by the following technical reports and documentation:
- Architecture and Design Statement
 - Ecology Report
 - FRA and Drainage Report
 - Transport Statement
 - Landscape Design
 - Ground Investigation Report
 - Noise Assessment
 - Energy and Sustainability Report
 - Financial Viability Assessment

Key Issues

- 4.8 The key issues for consideration of this application relate to (i) character and appearance, (ii) the impact on the living conditions of existing and proposed

residents, (iii) impact on highway safety and parking, (iv) sustainable development, (v) flooding and drainage, (vi) affordable housing (vii) ecology and biodiversity (viii) energy and sustainability (ix) planning obligations (x) other material considerations (xi) the planning balance

4.9 Principle of development

- 4.10 The principle use of the site is a former car sales and MOT centre, located outside of Hitchin's Employment Areas. Under emerging Policy ETC2 the Council will only permit the loss of existing employment uses on unallocated sites where it can be demonstrated that the land is not required to meet future employment needs. The Car Sales fall under the category of Sui Generis Use Class and MOT centres are marginal Sui Generis and B2 use so therefore it is likely that ETC2 does not apply as Sui Generis is considered employment generating rather than employment. However, the site meets the criteria for ETC2 in any case as the premises have been vacant for over four years and therefore, there has been no demand to continue using the site for this use class. The change of use to residential is considered appropriate given that the site is located in a residential part of Hitchin.
- 4.11 Saved Policy 8 provides broad in principle support for development in Hitchin (and other towns) to meet the majority of development need of the District subject to the compliance with other relevant policies. Saved Policy 26 seeks to permit housing development if the proposal is in an acceptable location within the environment and character of the existing area.
- 4.12 The site is within the urban area of Hitchin and housing development in the form of flats or houses lie adjacent to the site in Hampden Road, Cambridge Road and Willian Road. The site is within a sustainable location being 600m from Hitchin railway station and bus interchange and approximately 1 mile from Hitchin Town Centre. Immediately outside the site in Willian Road and Cambridge Road there are bus stops serving the Purwell estate as well as Hitchin and Letchworth. The site is immediately adjacent to the Walsworth Neighbourhood Centre which includes a number of shops and commercial premises. Within a few minutes walk is Highover Primary school, St. Faiths Church, Walsworth Common and directly opposite the site Purwell Common.
- 4.13 Given the relatively recently redeveloped residential site which comprised a high density scheme together, its proximity to local services and the prevailing residential development of the surroundings, it is considered that residential redevelopment of this site is appropriate in land use terms.
- 4.14 Moreover, the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF is particularly relevant to this application. The Council's housing policies are out of date and of limited relevance. Given the advanced stage of the emerging Local Plan (ELP), significant weight can be given to emerging policies. It is already established that the application site is in a sustainable location as mentioned above. The District can presently only demonstrate a 1.47 years supply of deliverable housing sites. In this case, where housing policies are out of date the NPPF states in paragraph 11 that permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole'. An assessment of the significance of the impact of the development and all other detailed matters is set out below.

4.15 **Character and Appearance**

The existing site comprises four linked utilitarian designed buildings with large hardstanding/car parking areas to the west (behind the existing shopping parade) and to the south (fronting Hampden Road). It is an unremarkable site in many ways with buildings and spaces that do not contribute to the existing form, character or appearance of development in the immediate locality. There is little in the way of notable landscaping features on the site with the exception of a hedge fronting the Hampden Road boundary. Overall, the loss of the existing buildings is not considered significant or harmful.

4.16 The scale of the immediately adjacent buildings varies from two storey 1930s style housing to the east of the site and three storey buildings – 1930s and the more modern 2017/18 development on the former college site - to the north and west of the application site.

4.17 The application proposes a predominantly high-density mixed contemporary and traditionally designed residential scheme with the four detached blocks separated by car parking and landscaped areas and cycle and bin storage structures across the site. All the proposed residential units will meet the National Space Standards for internal space.

4.18 The terraced housing (formerly Block A) fronting Hampden Road, comprises four linked two storey units finished in a mixture of brick and weather boarding with tiled roofs. Private garden spaces for these are provided and will include a shed for cycle and general storage purposes. Two designated car parking spaces are provided for each property in addition to two shared visitors spaces. Landscaping and will be provided to the front and side of the terrace. These properties will continue the linear form and scale of development that is characteristic of Hampden Road.

4.19 Directly behind the terraced housing is Block B (units 5 to 13). This comprises a single rectangular three storey building which is located adjacent to a three-storey terraced housing in Allwoods Place (81 being the nearest property). This will be a flat roof and parapet detailed building finished in a yellow stock brick with a timber entrance feature. It will include some balconies to the upper floors of both the front and rear elevations. This is considered to reflect the scale of the existing adjacent properties in Allwoods Place and will complement the contemporary design and appearance of the newer built local character.

4.20 Off set within the existing car park behind the shopping parade will be Block C (units 14 to 19). This proposes a three-storey building flat roof building (with parapet detailing) with a smaller footprint than Block B. Again, a yellow stock facing brick is proposed with a timber entrance and corner features. All primary windows have been located to the two ends of the building primarily for privacy reasons with only bathroom and stairwell windows facing north and south. This provides a contemporary design solution for the mixed traditional and newer contemporary buildings immediately north and east of the building. It is also of a scale that reflects these adjacent buildings.

4.21 Finally Block D is the new a most prominent building located adjacent to the existing neighbourhood centre. The design of this building reflects the 1930s architectural style along this part of Cambridge Road with a taller and wider brick facing section matching the scale of the shopping parade and the section nearest to 148 Cambridge Road stepped down with a rendered facing wall providing a visual link to these 1930s properties. Other design features referencing existing local character include 'Crittall'

style windows and traditional hipped roofs. The building is located parallel to the immediately adjacent buildings and provides a landscaped area fronting the street with two car parking spaces and a small turning area from Cambridge Road. This element of the development has been involved particularly careful and sympathetic design with the removal of the large area of hardstanding fronting the existing building and the introduction of a landscaped and open frontage which seeks to reinforce the existing linear built form in this part of Cambridge Road.

- 4.22 The majority of the surface parking area is provided between the buildings in three areas. These hard-surfaced areas are linked by a variety of landscaped areas including area adjacent existing site boundaries and at junction points. The primary open and landscaped area for the apartments will be located behind Block D (approximately 200 square metres in area) all of which will provide space to soften the built form of the development and help integrate the development into the two streets which they will form a part of. The associated sheds, bin and cycle storage buildings are all of domestic design and scale ensuring that they will not look out of place within the site.
- 4.23 The internal layout of the site seeks to provide a balance between the necessary parking and access roads and landscaping that is necessary to soften the impact of the built development and provide some useable outdoor space for residents. It is noted that the use of a shared surface arrangement minimises the amount of hard-surfacing required. An open and generally well landscaped layout is maintained along the Hampden Road boundary. The gaps between buildings allows for views into from Cambridge Road, Allwoods Place and Hampden Road. Within the site, the roads and landscaped areas provide adequate space between the buildings such that the development will not appear cramped or overdeveloped.
- 4.24 In assessing the impact of the development on local character it is useful to have regard to Section 12 of the NPPF (design) and in particular the requirement for planning decisions to promote or reinforce local distinctiveness. In this case the local character is a mixture of both contemporary and 1930s influenced architecture in the form of two and three storey buildings. The site itself further increases the variety and scale of development within the area thereby reflecting and contrasting the local distinctiveness of the area is on a wide spectrum rather than based on narrow and clearly defined parameters of scale and design
- 4.25 Cambridge Road is heavily trafficked road with the local centre adding also attracting traffic and creating associated noise. The two frontage buildings will provide practical noise barriers from this noise to the two apartment blocks proposed at the centre of the site and the wider area generally.
- 4.26 In summary, it is considered that the development overall will improve the character and quality of the area and the way it functions in accordance with national and local development plan policies. It is considered that the design and layout successfully achieves the balance of making effective use of a previously developed site that is not of high environmental value whilst creating an attractive and accessible development that reflects existing local character. Given the assessment above, it is concluded that the proposed development overall will reinforce local distinctiveness and would not harm the character and appearance of the area.
- 4.27 **Impact on living conditions of existing residents**

- 4.28 Following the initial consultation exercise, the application has been revised to take account of comments made by third parties. These changes included -
- Block C plans showing the bed windows moved and the ensuite / lobby obscured
 - Block A apartment unit deleted and four family terraced houses proposed
- 4.29 Some existing residents consider that the development is out scale and that there are too many residential units proposed. The issue of scale and density of development above has been carefully considered. Concern was raised with the agents in relation to the footprint of Block A (now removed) and its proximity to the rear elevations of Nos 82 – 85 Allwoods Place. Officers further considered that whilst two storey scale is acceptable a small terrace of houses would be more in keeping with the character of this part of Hampden Road. Through positive discussions with the applicant, Block A has been removed and replaced with four terraced family homes. This ensures additional landscaping around the buildings and a high-quality collection of family homes, a positive on the streetscene and additional tree planting.
- 4.30 It is considered that, whilst there will be a change in the scale, form and appearance of the development and a re-distribution of buildings across the site including the introduction of buildings on areas of the site where currently there is none, the separation distances between existing and proposed buildings are not unlike those on redevelopment sites (such as the adjoining former college site). In terms of general outlook, with the exception of the properties at 83 Allwoods Place which directly faces the side of unit 1 of the proposed terraced housing, the proposals are not to be significantly changed to be considered overbearing or unneighbourly. In relation to the aforementioned property in Allwoods Place, the harm is confirmed to the ground floor windows primarily and this is therefore considered to be less than substantial. Paragraph 196 of the NPPF confirm that in cases where there is a less than substantial harm, the harm should be weighed against the public benefits of the proposal.
- 4.31 In relation to privacy and following responses from neighbours, the applicant made a number of improvements and changes to Block C. Specifically, this has been revised to remove habitable room windows to the southern elevation with only obscure glazed windows to non-habitable rooms now proposed along this elevation. Non habitable room windows are proposed to the upper floors and these will serve communal spaces (lobby and stairwell) and therefore these windows can be reasonably conditioned to be obscure glazed to protect neighbouring amenity. This removes the potential for overlooking into the private gardens to properties in Allwoods Place. In relation to the terrace (formerly Block A), gable windows are proposed to the two end gables and as these serve the stairwell, these windows could be reasonably conditioned to be obscure glazed to protect the privacy of adjoining properties. The other two blocks are located and designed such that they do not give rise to any overlooking to existing properties.
- 4.32 In relation to light and sunlight, each of the proposed blocks include space and gaps to minimise the change experienced by existing residents. Along the north eastern boundary of the site adjacent 11 Hampden Road the proposed access road to the development (from Hampden Road) and some narrow landscaping areas provide this separation (approximately 8 metres in width). To the northern end of the site, a two-space car parking area and associated landscaped buffer is provided (between 6 and 7.5 metres in width). Between the existing property at 81 Allwoods Place and Block B there will be a gap of 4.5 metres. Daylight is not considered to be adversely affected to this existing property although given the location of Block B to the east of

the property some morning sunlight is likely to be affected although this is not considered to be significant.

- 4.33 Existing residents to 82, 83 and 84 Allwoods Place are likely to experience some albeit limited loss of morning sunlight due to the proximity of the terraced house at plot 1. However, this is not considered to be significant or substantially harmful and will need to be weighed in the planning balance.
- 4.34 In relation to noise and disturbance, the main potential source of this is likely to be from the vehicular access to the development adjacent 11 Hampden Road. However, this access is existing and appears to have been the primary point to enter the site when it was used for vehicle associated uses. This noise and disturbance is likely to have been exacerbated by the associated car parking areas also located in this southern part of the site. It is apparent that there will be some change in the days, periods and intensity of the use of the access although it is unlikely that this overall would be any worse than that which occurs in connection with the existing lawful vehicle related use of the site. On balance, the proposed continued use of the access is not considered to raise any additional harmful impacts.
- 4.35 The current vehicle related lawful use of the site comprises a collection of poorly designed utilitarian buildings which are considered to have a neutral, if not negative impact on the visual amenity of the locality and their removal would, in some measure, improve existing resident's views of the site from surrounding properties and the wider public realm. The new buildings although of a greater scale than existing would be a more appropriate use of the land and through the positioning of a number of detached buildings and careful design, it offers a good overall solution for the site.
- 4.36 The concerns of residents and other interested parties are acknowledged and these matters are considered and addressed in various sections of this report. Overall, it is considered that the development would have some minor harmful impacts on the residential amenity of existing residents although this would be less than substantial.
- 4.37 **Living conditions for new residents**
- 4.38 The application includes a noise assessment which has assessed the potential noise impacts attributable to the existing ambient environment. Unattended noise measurements were undertaken to obtain sound levels representative of the existing environment. A computer noise model was developed for calculation of the noise levels across the Proposed Development and assessment in accordance with the relevant British Standard and the World Health Organisation Guidelines for Community Noise. The assessment indicated that a typical facade design, with typical insulated double glazing and attenuated ventilation, will achieve the required noise levels at all proposed buildings. The requirements for glazing and ventilation remain below the value typically afforded by closed windows, as specified within British Standard. Night-time maximum noise levels are considered to achieve the WHO guideline noise level for the onset of sleep disturbance. The Council's Environmental Health Officer has assessed the noise report and confirmed that noise is not a limiting factor to prevent development in this location. In terms of noise mitigation measures, standard glazing will be adequate together with "attenuated ventilation". As detailed in submitted supporting noise report, it would be appropriate for the applicant to submit detailed facade calculations following confirmation of the detailed design. Subject to conditions there are no adverse impacts likely from a noise perspective.

- 4.39 The development provides specific private amenity spaces for the occupiers of the four terraced units. These will measure between 41 and 55 sqm for each dwelling and will generally be commensurate with the sizes of gardens permitted at the adjacent site at Allwoods Place. A communal amenity space of approximately 200 sqm is provided for the three other Blocks. The site is adjacent to Purwell Meadows and a few minutes walk from Walsworth Common. It is considered that the provision of on-site amenity space together with the close proximity to large areas of open space with play equipment provides sufficient outdoor amenity space for proposed residents. It is recommended however that permitted development rights for extensions and outbuildings is withdrawn to ensure amenity space is retained for the terraced houses.
- 4.40 The layout of the development is such that it allows pedestrian flows through the site to the shops on Cambridge Road, Purwell Meadows, Hampden Road and the station. It is a permeable and pedestrian friendly layout with well landscaped spaces and shared surface widths of 6m allowing generous room for vehicles to manoeuvre through the site with a respectable margin for pedestrian movement.
- 4.41 The new residential blocks and housing are sited so that they overlook the access roads, car parking areas and communal spaces and are considered to provide good levels of surveillance creating a safe environment and reducing the potential for crime. The outlook for many of the new residents is over an open and landscaped area which is of such a size and orientation that it will benefit from good levels of natural sunlight and daylight. Overall, the living conditions of proposed residents are considered to be acceptable.
- 4.42 **Impact on highway safety and parking**
- 4.43 The application is supported by a Traffic and Transport Assessment which sets out the highway and associated impacts. The Highway Authority have provided a comprehensive response to consultation on the proposals and have given detailed consideration to all aspects of the development. It should be noted that concerns raised by third parties relate also to the existing highway and parking issues experienced by local residents. The matters under consideration are limited to the impact the proposed development will have of the highway network. Issues and concerns relating to existing problems is a separate matter for the Highways Authority to consider through other legal mechanisms. Detailed comments from the Highway Authority are set out below.
- 4.44 Access
The development has two points of access, the secondary access is offset from Cambridge Road that is designated as a main distributor road, with the main access being from the reconfigured existing access from Hampden Road that is designated as a local access road both roads are subject to a speed limit restricted to 30 mph.
- 4.45 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 road. The submitted road layout is not 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 accesses have an acceptable level of vehicle to vehicle inter-visibility from the junctions.

4.46 Highway Safety

Vehicle to vehicle inter-visibility along the highway from the New Development
The vehicle to vehicle inter-visibility from the accesses from 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 43 metres are considered acceptable to the reconfigured accesses.

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

4.47 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 drawing number 19075-01-001 revision G 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 waste collection agency. The details of the above vehicle tracking would accommodate fire and rescue vehicles shown on drawing number 19075-01-008 revision C which would also accommodate delivery and other emergency vehicles at the end of the cul-de-sacs, along the access road and the turning areas.

4.48 Technical design of the road layout

The gradient of the accesses 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 reconfigured accesses to the new development offset from the adjacent highway. 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 reconfigured accesses 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 roads, 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.

4.49 Parking provision

Parking provision will comprise of a total of 44 off street car parking spaces. These have 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 may cause an obstruction and prevent emergency vehicles reaching their destination and service vehicles such as WCVs 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.

4.50 Cycling and walking

62 cycle parking spaces are provided of which 31 are covered and 31 are visitor spaces. The proposed cycle parking provision should conform to the North Herts District Council cycle parking standards. Pedestrians have access to an extensive network of footways within the vicinity of the site 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.

4.51 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 accesses along Cambridge Road and Hampden Road a Construction Traffic Management Plan has been recommended to manage construction vehicles throughout the construction phase and ensure the surrounding town centre network manages delivery traffic and is within operational capacity.

4.52 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.

4.53 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.

4.54 Given the proposal involves the provision of 28 dwellings considering the TRICS software, the total peak generation of traffic would be around a total of 20 vehicles departing from the development in the morning peak travelling period (8:0 am to 9:0 am) this was compared with 0.726 trips taken per household taken from the TRICS 7.6.2 2019 TRICS Data base) in the peak travelling period and 18 vehicles arriving at the development in the evening peak travelling period (5:0 pm to 6:0 pm) this was compared with 0.675 trips taken per household taking into account that the main access of 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.

4.55 Section 106 (transport)

Financial contributions of £46,679.00 for the sustainable transport contribution towards Hitchin railway station Eastern access project for the sustainable transport contribution in accordance with HCC Planning Obligations Guidance as of 2021.

Overall, there are no highway reasons to withhold the grant of planning permission subject to conditions and the S106 contribution.

4.56 **Flooding and drainage**

4.57 The applicant provided a Flood Risk Assessment and Drainage report as part of the supporting application documents package. This set out how flooding and drainage issues will be delivered as part of the development. Anglian Water has confirmed that they have no objection to the proposal subject to surface water details being agreed prior to commencement. However, the Lead Local Flood Authority have maintained an objection to the proposal until site specific pre and post hydraulic modelling of the development site and its associated catchment is provided. It has been confirmed that the need for additional clarification is based on the 'new' information presented within the revised Flood Risk Assessment which has raised new concerns. Based on the LLFA review of the additional information currently they are not satisfied that this overcomes previous points of objection and raises new concerns in relation to the assessment and management of surface water flood risk and surface water drainage. Discussions and additional information have been provided to the LLFA. Subject to this satisfying their concerns about flood and drainage issues on the site and the inclusion of any recommended conditions, Members agreement is sought for officers to conclude this matter with the imposition of appropriately worded conditions similar to those that were imposed on the Allwoods Place development.

4.58 **Affordable housing**

4.59 Under existing saved and emerging local plan policy, the proposed development would be required to provide an element of affordable housing. The applicant has provided a Financial Viability Report as part of the application with a view to explaining why it is financially inappropriate to deliver affordable housing in this instance.

4.60 This Viability Report has been independently assessed on behalf of the Council by consultants. They have confirmed that the overall approach to assessing the viability of the proposed development appears to be appropriate. They consider the majority of the submitted assumptions to be within the range that would be expected. However, there were a number of assumptions within the FVA report and appraisal which were queried or where a difference of opinion existed. These can be summarised as follows:

- Benchmark Land Value - the assumptions used to reach the submitted BLV appear overly positive given the nature of these long vacant premises and also considering the amount originally paid for the site. We have sensitivity tested the influence of taking a different view on BLV, which we consider warrants some adjustment.
- Construction costs - An upper quartile build rate has been assumed. It was not considered unreasonable that an above average rate should be assumed, given the fairly positive view taken of sales values. However, it was noted that the upper quartile

build rate used is significantly above the median rate and this makes a significant difference to the build costs and viability outcomes (particularly given that a further 30% is added to the base build rate due to linked assumptions on external works, fees and contingency). Therefore, alternative sensitivity test using alternative rates was undertaken. We also recommend the Council verifies the remediation cost of £165,000 with the applicant – this has not been explained.

- Sales, marketing and legal costs - Overall, it is considered that the total of 3.5% GDV for sales, marketing and legal costs to be excessive and have applied 3% overall in our appraisal.
- Developer's Profit –the Council's consultants have tested the scheme at 17.5% GDV (compared to the submitted 20% GDV, although noting again that the submitted profit scope after the presented deficit was lower at c. 11.8% GDV so this test position also aims to explore a different mix of assumptions that could potentially better represent the viability outlook for a scheme that we assume will be progressed if permitted)

4.61 The Council's consultants have tested various build cost scenarios. Looking at the most likely scenario it was assumed that a rent of £7/ft² average for the showroom/workshop and a yield of 8%, which we still consider results in a fairly positive BLV assumption for a site which we understand has been out of use for some time, appears unlikely to continue in its former use, would have to compete with a range of properties (which are better located or purpose-built) and may need works to be undertaken to bring the site back into economic use.

4.62 It is the Council's consultant's view that the scheme viability is significantly more positive than the submitted position of a c. -£800,000 deficit, and it is considered that the scheme will be likely to prove capable of delivering a reasonable level of profit. Having said this, in our view the viability is marginal as assessed at this time which (as ME say) is largely due to the high value of the site in its existing use, with a fairly high build cost also being assumed to support the submitted values. The consultants agree that a policy compliant provision of affordable housing would not be supported by the scheme based on the available information, however they are unable to agree that a nil contribution is appropriate.

4.63 In the opinion of the Council's consultant, the available surplus is up to £268,000 but in any event not less than £142,000, drawn from the above. The inclusion of ground rental income would add a further £195,000 to the development value, resulting in a further surplus for affordable housing. It should be clarified that this review is based on current day costs and values assumptions as described above, based on the current scheme as submitted. The Council's consultants had taken into account a figure of £124,000 as Section 106 costs. These costs have now more than doubled as a result of negotiations and in particular due to revised financial requests from the County Council as education authority. On top of this it is highly likely that build costs will increase as a result of recent high increase in energy prices and the consequent cost of materials rising. Any marginal profit has therefore been potentially eroded. The scheme has also been revised to include houses which are likely to be freehold and will not generate any ground rent. Indeed, the tenures across the whole scheme are unclear at this stage and therefore the ground rental figure cannot be relied upon. All of these factors point to the scheme being very much in the balance from a viability point of view.

- 4.64 No viability appraisal or review can accurately reflect costs and values until a scheme is built and sold - this is the nature of the viability review process. In this sense, the applicant and their agents are in a similar position to us in estimating positions – it is not an exact science by any means, and opinions will usually vary.
- 4.65 As set out in the PPG, a balanced assessment of viability should consider the returns against risk for the developer and also the aims of the planning system to secure maximum benefits in the public interest through the granting of planning permission and the delivery of housing which is a key Government objective. As a result of this and recognising that affordable housing delivery is a key priority of the Council the applicant has agreed, notwithstanding the tight margins of this scheme, to an off-site affordable housing contribution equivalent to three on site affordable units (based on HCA subsidy figures for this financial year). This final figure will need to be calculated but will be close to £100,000 which when received can be spent on other affordable housing schemes across the District.
- 4.66 In conclusion on this issue, both existing (Policy 29A) and emerging local plan policies (Policy SP7) allow for economic viability to be taken into account when determining the provision of key infrastructure such as affordable housing. In this case it has been demonstrated that the delivery of this scheme would be likely to be unviable with any affordable housing on site but an off-site contribution of circa £100,000 has been agreed by the applicant. Members are advised that if this offer is rejected and permission is refused, a possible outcome would be for the applicant to win the appeal and convince an Inspector that even this contribution would not be viable and an Inspector could in these circumstances allow the appeal without any affordable housing contribution at all. There is always a balance in negotiation and given the clear and independently verified evidence of the viability of this scheme I feel an acceptable compromise has been reached in this instance.
- 4.67 **Ecology and biodiversity**
- 4.68 A Preliminary Ecological Assessment (PEA) has been submitted as part of the application. This has confirmed that the application site has negligible to low potential to support roosting bats and of low suitability for foraging and commuting bats and offers suitable nesting bird habitat. Mitigation measures are identified for these and other notable species (hedgehogs), which are of potential to be present but are not afforded the same level of protection.
- 4.69 The endoscope inspection recorded no evidence of bat roosting. Buildings 1,2 and 4 are considered to have negligible suitability to support roosting bats. Buildings 3 and 5 are assessed as having low suitability to support roosting bats. It is recommended that buildings 3 and 5 are demolished using soft demolition techniques pending relevant Health and Safety measures given the presence of asbestos. If bats are discovered during demolition, then work will cease and ACD contacted in the first instance until an appropriate Natural England licence is obtained.
- 4.70 If Buildings 3 and 5 and the hedgerow are to be cleared during the nesting bird season (March to August), a nesting bird check is to be undertaken immediately prior to demolition/removal.
- 4.71 There are no designated sites within or adjacent to the Application Site, the nearest designation is Purwell Meadows LNR and LWS and it is not anticipated to be impacted by the proposals.

4.72 Provided that the mitigation measures recommended within this report are adhered to the development will accord to current legislation for protected and notable species. Furthermore, provided that the enhancement measures within this report are undertaken, the development has the potential to provide a net gain in biodiversity and accord to the NPPF.

4.73 A biodiversity net gain has been achieved through the creation of new habitats on-site. This includes extensive landscaping including wildlife suitable trees and shrubs and hedgerows, and two green roofs. A gain in habitat units of 0.58 and a 11.55% gain in hedgerow units has been achieved. These results are dependent upon the successful implementation of our recommendations within the Calculator and this report. Providing the biodiversity net gains are secured in perpetuity through a suitable management and monitoring plan, the proposed development at Former Weston's Car Site, Cambridge Road, Hitchin, would be in accordance with Section 15 paragraph 174d of the NPPF.

4.74 **Energy and sustainability**

4.75 The application is supported by an outline Energy and Sustainability Statement. This sets out the strategy to minimise carbon emission and energy during the occupation of the development. This will comprise a (i) fabric first, (ii) energy recovery and (energy efficient services together with (iii) renewable and low carbon technology approach. The fabric first method proposes to minimise heat losses through construction methods. The energy recovery method seeks heating from the most efficient means, passive ventilation, optimal heating controls, maximum insulation and LED lighting. The renewable and low carbon method will seek to utilise the most appropriate technologies for heating purposes. Sustainable drainage systems, the use of green roofs and efficient water technologies are also proposed. Overall, this outline strategy is considered acceptable. A condition requiring specific details of the measures to be adopted for the development is both necessary and reasonable to deliver a sustainable development on the site.

4.76 **Planning obligation (S106)**

Draft Heads of Terms have been agreed with the applicant's agent and these comprise of the following –

- Affordable Housing – Off site commuted sum of approx. £100,000 (final amount to be updated at the Committee)
- Primary Education (HCC) - Contribution of £90,893.00 (before indexation) towards the new 2FE primary school at the Highover Farm, Hitchin development (Strategic Housing Site HT1)
- Secondary Education (HCC) - Contribution of £94,795.00 (before indexation) towards the expansion of The Priory School, Hitchin or a secondary school in Letchworth Garden City
- Library Services (HCC) - Contribution of £2004.00 (before indexation) towards increasing the capacity of Hitchin Library
- Youth Services (HCC) - Contribution of £1,395.00 (before indexation) towards increasing the capacity of Hitchin Young People's Centre or its future re-provision.

- Sustainable Transport Contributions / works (HCC) – Contribution towards the provision of the Hitchin Station Eastern access project of £46,679.00 (before indexing)
- Traffic Regulation Order (HCC) - Financial contribution of £4,000 towards the establishment of a Traffic Regulation Order in Hampden Road
- Play Sports Contribution (NHDC) - Contribution of £15,000.00 (before indexing) towards the replacement / enhancement of play equipment at the Walsworth Common play area
- NHDC Planning Obligations SPD Waste Collection & Recycling (NHDC) - Contribution based on NHDC Planning Obligations SPD (figures are before indexing):
- District Contributions:
 - £71 per house
 - £26 per flat with shared or no amenity space
- Open space/ landscape management and maintenance arrangements - Private management company to secure the provision and long-term maintenance of the open space/landscape area and any SuDs infrastructure
- Fire Hydrants (HCC) - Provision within the site in accordance with standard wording

4.77 **Other material considerations**

4.78 In response to third party objections and comments, the revised scheme now includes some family housing which satisfies housing mix policies in the emerging local plan. Concerns about hazardous substances on the site that might affect health during the construction phase is noted. This is a matter in part will be dealt with by the proposed land contamination conditions although this is primarily a matter for the Health and Safety Executive. The applicant's attention is drawn to this in the suggested informative note to be attached to the permission. Other concerns about the impact on existing boundary walls is also a matter for the applicant to address under other legislation - Party Wall Act.

4.79 **The Planning Balance**

The Local Planning Authority is not able to demonstrate a five-year housing land supply (as of 1st April 2021 this figure is 1.47 years supply). The delivery of housing in a sustainable location carries substantial weight in the planning balance.

4.80 Whilst some harm has been identified in relation to residential amenity to existing adjacent properties, this is considered to be low and less than substantial.

4.81 The proposal has been the subject of a number of improvement and changes to address some of the issues raised by third party consultees. The scheme will deliver economic and social benefits through the provision of additional housing and employment during construction as well as continued and improved use of local services and facilities. It is in a sustainable location with a variety of access and transport modes available linking it to local services. In terms of the environmental perspective, there is the potential to enhance the biodiversity of the site through a detailed landscape scheme and ecological mitigation measures. The development will

also incorporate sustainable technologies and be constructed to a high energy and water efficiency standard.

4.82 In this instance, the public benefit of the delivery of the proposed housing in a sustainable location outweighs the limited harm identified.

4.83 The proposed development is considered to comply with both the adopted and emerging local plan and the policies set out in the National Planning Policy Framework as a whole. Given that there is no significant harm to residential amenity which provide a clear reason for refusal the tilted balance as set out in paragraph 11 (d) of the Framework applies and accordingly planning permission should be granted.

4.84 **Conclusion**

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. Grant conditional permission

4.85 **Alternative Options**

None applicable

4.86 **Pre-Commencement Conditions**

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

5.0 **Legal Implications**

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

6.0 **Recommendation**

6.1 That planning permission be **GRANTED** subject to (i) a S106 agreement (ii) the following conditions and (iii) the resolution of the objection raised by the LLFA:

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

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

5. The side gable stairwell windows to plots 1 and 4 shall be obscure glazed and retained in perpetuity.

Reason: To protect the residential amenity of existing adjacent residents

6. The first and second floor stairwell and lobby windows to Block C shall be obscure glazed and retained in perpetuity.

Reason: to protect the residential amenity of existing adjacent residents.

7. Prior to the relevant phase of the development all Landscaping details shall be submitted to and approved in writing by the Local Planning Authority and should include a native species hedge to the Hampden Road frontage and have regard for the biodiversity appraisal recommendations. The development shall be carried out in accordance with the approved plans.

Reason: In the interests of visual amenity

8. Ecology mitigation measures as set out in the Preliminary Ecological Appraisal shall be provided as part of the development.

Reason: In the interests of biodiversity

9. Prior to the commencement of the development, a pre-construction energy and sustainability statement to be submitted to and approved in writing by the LPA. All measures set out shall be implemented in accordance with the approved plans.

Reason: To ensure that the development is energy efficient and minimises energy use.

10. Prior to the first occupation of the development hereby permitted the main vehicular access shall be provided at 5.5 metres wide and thereafter and shall be retained at

the position shown on the approved drawing number INLA190115 SL.01 revision B. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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

11. Prior to the first occupation of the development hereby permitted the secondary access offset from Cambridge Road shall be reconfigured and thereafter shall be retained at the position shown on the approved drawing number INLA190115 SL.01 revision B any disused service access roads shall be closed and the surfacing shall be removed and reinstated to verge, the highway works in this location shall include an additional bus stop that is required to be placed along the south eastern side of the carriageway of Cambridge Road (north of Block D) as part of the application. The bus stop will need to be connected to the development's footways and provided with a hardstand, easy access kerbs and shelter as appropriate. The exact location of the bus stop and accommodating works such as additional footpath connection and road markings will need to be agreed in conjunction with appropriate parties these facilities shall meet accessibility standards and be constructed as in accordance with Roads in Hertfordshire Highway Design Guide. These works shall be secured and undertaken as part of the S278 works with the ultimate design being technically approved prior to commencement on site to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction.

Reason: To ensure satisfactory development to a suitable and safe standard in order to meet accessibility requirements for passenger services for the development in accordance with Roads in Hertfordshire 'A Guide for New Developments.(section 2 part 1 chapter 9 para 9.4) and to further encourage sustainable modes of transport. In accordance with Policies 5 and 22 of Hertfordshire's Local Transport Plan.

12. 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).

13. 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 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).

14. Before the development hereby permitted is commenced, details of the installation of a fire hydrant shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure there are adequate water supplies for use in the event of an emergency, and that all proposed blocks are covered.

15. Prior to occupation, the 24 designated parking spaces, shall each incorporate an Electric Vehicle (EV) ready domestic charging point. Additionally, visitor parking spaces shall also be required to incorporate an Electric Vehicle (EV) ready domestic charging point on a ratio of one per 10 visitor spaces.

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.

16. Prior to the first occupation of the dwellings, the applicant shall submit details of noise mitigation measures (glazing and ventilation) based on "The former Weston Cars Site, Cambridge Road, Environmental Noise Assessment", Report Reference E3037 Version 1.0, dated 26/5/21, by Entran Ltd for approval. Following approval, the measures shall be implemented on site and maintained thereafter.

Reason: To protect the residential amenity of future residents.

17. During the construction phase no construction activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

Reason: to protect the residential amenity of existing residents.

- 18.
- (a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
 - (ii) The results from the application of an appropriate risk assessment methodology
- (b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.
- (c) This site shall not be occupied, or brought into use, until:
- (i) All works which form part of the Remediation Method Statement report

pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(d) Any contamination, other than that reported by virtue of condition (b), encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; 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.

19. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements.

20. No development approved by this permission shall take place until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. 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 approved details.

Reason: To protect and prevent the pollution of controlled waters.

21. Prior to their installation, details of any external lighting to the parking areas, walkways and access roads throughout the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity

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:

Environmental Health informatives:

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

Prior to the commencement of demolition of the existing buildings, a survey should be undertaken in order to identify the presence of asbestos containing materials. Any asbestos containing materials should be handled and disposed of appropriately. Where necessary this should include the use of licensed contractors and waste disposal sites licensed to receive asbestos.

Highway Informatives:

HCC recommends inclusion of the following highway informative to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980: Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide (2011)". Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website;

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

Environment Agency advice :

The applicants attention is drawn to the Environment Agency advice set out in the consultation response letter dated 13th July 2021.