

<u>Location:</u>	Ickleford Mill Arlesey Road Ickleford
<u>Applicant:</u>	Mr Isaacson
<u>Proposal:</u>	Outline Planning application for up to 71 dwellings and associated access, car parking, garages, landscaping and open space including demolition and removal of all existing structures, buildings and hardstanding (all matters reserved except means of access). - Planning update note available to view.
<u>Ref. No:</u>	17/01955/1
<u>Officer:</u>	Peter Bull

Date of expiry of statutory period: 20 November 2017

Extension of statutory period: 20 January 2023

Reason for delay:

The application stalled because agreement could not be reached on viability and affordable housing issues and more recently also because the applicant wanted to concentrate on its core business during Covid-19. These matters have now been resolved and the application can be determined.

Reason for referral to Committee:

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

Due to the age of the application, the relevant Direction for referral to the Secretary of State is set out in Circular 02/09: The Town and Country Planning (Consultation) (England) Direction 2009. Although the application includes inappropriate development within the Green Belt, it does not involve (a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt. For the avoidance of doubt, the inappropriate development of the proposal relates to a small pumping station adjacent to the vehicular access. In the circumstances, referral to Secretary of State for Levelling Up, Housing and Communities is not necessary.

None relevant

2.0 **Policies**

2.1 North Hertfordshire District Local Plan 2011-2031

Policy SP1: Presumption in favour of sustainable development
Policy SP2: Settlement Hierarchy
Policy SP5: Countryside and Green Belt
Policy SP6: Sustainable Transport
Policy SP7: Infrastructure requirements and developer contributions
Policy SP8: Housing
Policy SP9: Design and Sustainability
Policy SP10: Healthy Communities
Policy SP11: Natural Resources and Sustainability
Policy SP12: Green infrastructure, biodiversity and landscape
Policy D1: Sustainable Design
Policy D3: Protecting living conditions
Policy D4: Air Quality
Policy HS3: Housing mix
Policy NE1: Landscape
Policy NE8: Sustainable Drainage Systems
Policy NE12: Renewable and low carbon energy development
Policy T1: Assessment of Transport matters
Policy T2: Parking

2.2 National Planning Policy Framework (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 13: Protecting Green Belt land
Section 14: Meeting the needs of climate change
Section 15: Conserving and enhancing the natural environment

2.3 Supplementary Planning Guidance

Design SPD
Planning Obligations SPD
Vehicle Parking Provision at New Development
North Hertfordshire and Stevenage Landscape Character Assessment

2.4 Hertfordshire County Council

Local Transport Plan (May 2018)

Guide to developer infrastructure contributions (July 2021)

2.5 Ickleford Parish Council Neighbourhood Plan

The IPCNP Area was designated in September 2014. The Plan is currently in its early consultation stages and as it is not adopted or part of the Development Plan for the district at this stage, does not carry any material weight in the determination of planning applications.

3.0 Representations

3.1 Statutory consultees:

Ickleford Parish Council:

No objection to the principle of redevelopment although a number of concerns are raised on technical matters which assurance are sought on and therefore maintains a strong objection until these are satisfactorily resolved:

1. We note that the Green Belt areas within the scheme are designated for Open Spaces and would therefore like assurances that this undertaking would be adhered to and not used for future development. To protect against this possibility, we are seeking that these Open Spaces should be gifted to Ickleford Parish Council in perpetuity and to maintain its availability in the public realm and for the common good. This is in accordance with NPPF items 79 and 80 (Protecting Green Belt land).

2. There still appears to be a lack of understanding from the developers with regard to safety access for pedestrians from the development and the situation regarding bus stops and pedestrian crossings (as per NPPF 32 – safe and suitable access to the site for all people):

2.1 One proposed bus stop, in the direction of Hitchin, is situated just before the narrow bridge, on a bend and where there is insufficient space to accommodate a bus shelter; the second, in the direction of the village centre, is situated close to a very busy and narrow triangle junction. In neither case has consideration been given to road congestion, passing traffic or pedestrian visibility/safety, whilst the buses are stationary at the stops.

2.2 Similarly, the zebra crossing, at present located beyond the main road access from the development and on a narrow bend, is still considered to be the most inappropriate and dangerous siting. In particular, anyone wishing to walk into the village will first have to walk in the direction of Hitchin to cross the road and then walk back. Children are notorious for finding the shortest route.

2.3 It is our considered opinion that any form of crossing must be activated by the

person(s) wishing to cross e.g. a Pelican Crossing. This would stop all traffic from both directions, allowing safe travel. It must be borne in mind that this crossing will be used by young children travelling to school and recreation; parents with young children and prams; the elderly; and people with disabilities including those using wheelchairs and with impaired sight.

2.4 It is likely from the drawings that the intended 'Emergency Access' will be the most popular exit for pedestrians. Clarification is therefore sought from the developer as to how they see these pedestrians crossing the road safely from this point, which is shown to exit onto a very dangerous part of Arlesey Road; parents with prams, children going to school/recreation, the elderly, and those with disabilities must be considered, some of who may wish to catch the southbound or northbound buses. At present, because of privately owned land, there is no provision to create a footpath on the west side of Arlesey Road as it enters the village.

2.5 The present narrow bridge already constitutes a measure to slow traffic, and whoever produced the drawings detailing the bus stops, crossing and emergency access point, has obviously no knowledge of the village road system. We should certainly resist any suggestion of widening the bridge to accommodate their suggestions.

3. Given also the close proximity of the new houses to the River Oughton, which is one of 200 of the world's rare and protected chalk streams, the Parish Council would like to ask the developer if a SuDs system will be incorporated to ensure that surplus rainwater from houses etc., does not flow into the river and create flooding further downstream where a weir is encountered before the River Oughton converges with the River Hiz, which is also a protected chalk stream. Since road run-off water with its many contaminants can lead to fish-kill, what assurances can the Developer give that every precaution will be put in place to stop this run-off water from entering the chalk streams?

4. It has been noted that a building is to be demolished which adjoins the old Mill wall. Can assurances be given that the wall will be protected, given that it is also part of the boundary wall to the neighbouring houses?

As stated earlier, whilst the Parish Council does not object to the development as outlined, we do however, consider there are many serious issues that require addressing. We therefore **STRONGLY OBJECT** to this Planning Application until assurances can be given as above, confirming that every effort will be made to protect the River Oughton from contaminated road run-off water, the Open Spaces from future development, and the safety of the walking public, by careful design and siting.

Waste and Recycling: Advises that details of waste and recycling measures are provided as part of the reserved matters submission.

NHDC Environmental Health officer (contamination): no objection subject to land contamination condition

NHDC Environmental Health officer (air quality):

No objection subject to conditions relating to construction management and Electric Vehicle charging infrastructure.

NHDC Environmental Health officer (noise):

No objection subject to conditions and informatives.

NHDC Housing Supply Officer:

No objections subject to the delivery of 40% affordable housing.

HCC Natural and Built Environment (Archaeology):

Recommends the attachment of archaeological Written Scheme of Investigation conditions should permission be granted.

Hertfordshire Ecology:

No objection in principle subject to surveys being completed and conditions requiring details of Landscape and Ecology Management Plan, wildlife sensitive lighting scheme, hedgehog friendly boundary treatments, walk over badger survey and the provision of 20 bat boxes.

NHS East and North Hertfordshire Clinical Care Commission Group:

Does not require a contribution in this instance.

Natural England:

No objections

Anglian Water

Confirms capacity in existing waste-water treatment plant. Details of foul water drainage should be provided by condition. Surface water matters should be agreed with LLFA. Assets maybe affected by the development and recommends advisory note.

HCC Growth & Infrastructure:

Seeks financial contributions towards Primary education, Nursery education, Childcare service, Secondary education, Special Educational Needs and Disabilities, Library service and Youth service.

Herts CC (Fire and Rescue):

No objection subject to a condition requiring the provision of fire hydrants

Water Officer:

No objection subject to a condition requiring the provision of fire hydrants

Lead Local Flood Authority:

No objection subject to a condition requiring details of the surface water scheme.

Hertfordshire Highways:

No objections to the proposed development subject to conditions, highway informatives and financial contribution to cover off site highway improvements.

Environment Agency:

No response received

Hitchin Forum:

The style and density of the proposal, and the general massing of buildings is supported. Open space should be protected and if possible should be publicly controlled. Existing foul water problems in the village should not be exacerbated by the development and resolved before construction.

Neighbour and Local Resident Representations:

Two consultation processes have been carried out in this application in 2017 and 2022. A total of 6 representations have been received including 1 objection. Contributors were generally supportive of the principle of redevelopment of the site although a number of issues and concerns were raised about technical issues. The issues raised included the following matters :

- Insufficient sewer capacity for additional surface water drainage from development. Additional drainage and attenuation measures are needed
- Additional traffic calming measures from the village to the bridge at laurel Way is needed
- Green belt open space areas should be publicly controlled to ensure their use and management in perpetuity
- Pumping station is located in Green Belt public open space and should therefore be located below ground level
- Zebra crossing is unsafe and should be upgraded to pelican crossing and relocated
- Safety audit is needed
- Bus stop should be repositioned
- Additional traffic along narrow Arlesey Road
- Development will create an additional burden on local health and education facilities
- Canada geese were not part of habitat and species survey and therefore this should be redone
- Current unsustainable access from site to village and needs to be improved
- S106 money should be used to fund health and education improvements
- Density of development inappropriate
- Loss of village identity due too scale of development proposed
- Detailed layout should protect existing residential amenity – noise, disturbance, privacy
- Existing brick boundary walls should be protected and retained
- Other proposed allocated housing sites should be reviewed if this site is granted permission
- Proposed additional housing for village is unsustainable
- Existing mill wall facing Arlesey Road should be retained

4.0 **Planning Considerations**

4.1 Site and Surroundings

4.1.1 The application site is a vacant mill located within the village of Ickleford off Arlesey Road to the southern edge of the village. Measuring 3.59 hectare in area, the site comprises a number of detached and linked buildings including mills dating from the 1960s and 1980s, silos, warehouse, food processing facilities, laboratories, offices and yard and car parking areas. The River Oughton runs through the site from east to west. The existing buildings are located within the settlement boundary for the village as defined in the recently adopted Local Plan although the open space areas south of the river and the vehicular access are located within Green Belt. The site contains a number of trees which are located along the road frontage and to the south section of the site.

4.1.2 The village of Ickleford is located north of Hitchin. It has a predominantly residential character with the main built-up area to the north and north-east of the application site.

4.2 Proposal

4.2.1 This application seeks outline planning permission for up to 71 dwellings and associated access, car parking, landscaping and open space including demolition and removal of all existing structures, buildings and hardstanding (all matters reserved except for means of access). The proposals also include the reduction in the width of the existing main vehicular access to the site and other off-site highway works to provide a zebra crossing to the south of the existing access and the provision of footpaths on the western boundary of the site either side of the access. A new secondary access is proposed to the north of the east boundary immediately south of East Lodge.

4.2.2 The application is supported by the following documents:

- Planning Statement
- Indicative Masterplan and Design and Access Statement
- Flood Risk Assessment
- Ground Conditions Report
- Ecological Phase 1 Habitat Survey
- Bat Surveys
- Transport Statement
- Noise Assessment
- Air Quality Assessment
- Cultural Heritage / Archaeology
- Design and Access Statement
- Viability Appraisal (CONFIDENTIAL)

4.2.3 The dwellings will be located on areas of the site currently occupied by mill buildings and other permanent structures with the existing open space to the south retained and unaffected. In addition to the retention of existing trees, new landscaping is proposed throughout the site and along the site boundaries.

4.2.4 The submitted illustrative masterplan identifies four 'character' areas for the development of the site – The Mill Quarter with a landmark taller apartment building to the north-east adjacent the road to mimic a traditional mill building, the Riverside Frontage overlooking the river and public open space, Meadow View to the western edge of the site overlooking a smaller area of open grassland and the main Village Quarter set the centre and to the north of the site. Buildings will be maximum of 3 storey with a density of 20 dph. Public Open Space provision would amount to 1.8017 ha.

4.2.5 The application is for outline permission with only the means of access being considered. In the circumstances, it does not seek to formally agree housing types and tenures. In addition to pre-application advice with officers, the applicant also organised an exhibition (March 2017) at which members of the community could make comments and suggestions relating to the proposals.

4.2.6 Since this application was submitted, a number of the supporting documents have been updated or added to take account of responses received from third parties or because of new policy requirements. These comprise:

- Revised illustrative layout to illustrate to location of the proposed pumping station
- Revised viability report and associated Geo-environmental site investigation report to explain more precise abnormal costings
- Revised Planning Statement setting out updated policy position and addressing some third-party issues
- Biodiversity Net Gain (BNG) Assessment
- Preliminary Energy Assessment
- Updated Bat, Otter and Water Vole Surveys
- Developable Area Plan

4.2.7 Having regard for the passage of time that has elapsed since the application was originally received and these revised documents, a further round of consultation was carried out in the summer of 2022.

4.3 Key Issues

4.3.1 The key issues for consideration of this application are as follows:

- Principle of development including loss of employment land
- Green Belt impacts
- Impact upon heritage assets
- Impact on the character and appearance of the area
- Residential amenity
- Highway and access impacts
- Flooding and drainage
- Affordable housing
- Ecology
- Land contamination

- Energy and carbon emissions
- Sustainability assessment
- Whether there are any Very Special Circumstances
- Planning obligations
- Planning balance and conclusion

4.3.2 Principle of development

Loss of employment site

- 4.3.3 The site is a vacant mill (use class B2) located within the settlement of Ickleford. Under 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 in either the local community or the District; the existing use has a significant adverse impact on the amenities of surrounding land uses; or the existing use is detrimental to highway safety. The mill is not an allocated employment site although it is an established employment use and is therefore policy ETC2 is applicable.
- 4.3.4 In 2015 the applicant undertook an assessment of the strategic options that were available to the Company in relation to the milling division at all their sites including Ickleford. This confirmed that the milling element of the business was making losses largely due to high maintenance and overhead cost associated with operating facilities which are between 35-50 years old; and a very competitive market where a small number of large food companies operate.
- 4.3.5 The company considered a number of options for the business – (i) Retaining the milling operation was discounted due to the high maintenance and capital investment needed and scale and efficiency issues (ii) the development of a new mill was also discounted as the current site would not provide the space to build a new mill and would require extensive borrowing which would be difficult to source as a private company. It would also result in the closure of the old mills in order to build a new one would result in loss of jobs and customers (iii) Sale of trading activities and closure of site although this option would result in some redundancies, and would require on-going maintenance an capital expenditure with continued scale and efficiency issues in a competitive declining market and (iv) the sale of business as a going concern was considered to be the best option for the business.
- 4.3.6 A number of associated milling businesses were approached with offers invited for the business and premises. Parties that were interested, were only interested in acquiring some of the trade and physical assets. There were no offers for the premises and assets at Ickleford. Since the closure of the site in 2015, 16 of the 35 redundant Ickleford Milling staff have been re-deployed into roles within Ingredients across the Company's Ickleford, Hitchin and Bedford sites. In the circumstances, officers accept that reasonable attempts have been made to secure the use of the site being for milling purposes.

4.3.7 Turning to the prospect of alternative more general B2 operators of the site, it is acknowledged that the majority of the buildings on the site are designed to meet the needs of the former milling business and are dated and are coming to the end of their useful economic life. The buildings are considered to have limited appeal to other general B2 operators, and the costs involved in demolishing them and carrying out remediation of the land is also another disbenefit for potential new users. It is also evident that continued use or intensification of the site for B2 general industrial purposes has the potential to cause adverse amenity impacts for residents of the village particularly given the site sits juxtaposed to residential development. It is understood that in addition to the loss of noise and disturbance from the activities at the site, the former milling use historically generated 440 lorry movements per week at its peak. The redevelopment of the site for a non-employment purpose is therefore likely to bring some amenity benefits to the local community.

4.3.8 The Council's Employment Land Supply study from 2013 concludes that in relation to B1c/B2 land requirements, these are likely to contract over the emerging plan period. While there will be a requirement for land to meet these needs, this is likely to be delivered through the re-use and recycling of some existing provision, while some of this employment land may also be released for other uses. Furthermore, the nearby town of Hitchin contains a number of protected employment sites which is likely to meet any identified need. Officers accept that it would be unreasonable to insist on some employment retention on the site and that the expansion of the ingredient's business, which this development will facilitate should offset any negative economic impact of the closure of the Ickleford site.

4.3.9 It is considered that the applicant has taken reasonable steps to secure an alternative employment use of the site and its loss would not harm the district's employment land provision.

Residential use of the site

4.3.10 The site is located within the built-up area of the existing village. The recently adopted Local Plan identifies Ickleford as a Category A village and includes a settlement boundary. With the exception of the southern section of open space and the main vehicular access, the application site falls within the village settlement boundary.

4.3.11 The NPPF (paragraph 120) confirms that when making decisions they should -

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

4.3.12 Paragraph 123 goes on to confirm that –

Local Planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs

4.3.13 Local Plan Policy SP2 confirms that general development will be allowed within the defined settlement boundaries. Policy 8 provides in principle support for residential development to meet the majority of development need of the District subject to the compliance with other relevant policies.

4.3.14 These policies give broad support for the redevelopment of the site for residential purposes given its location and status as previously developed land.

4.3.15 The site is immediately adjacent to existing residential development to the north and east. The site is within a sustainable location with existing footpath links to the village centre. The village includes a range of local services including shops, primary school, village hall and recreation ground, a number of public houses and a church. The site is approximately 1.6 miles from Hitchin railway station and bus interchange. Given 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.

Green Belt impacts

4.3.16 The existing mill buildings and majority of the hardstanding areas north of the River Oughton are located within and adjoining the existing built up area of Ickleford village and outside of the Green Belt (northern section). The area of the site south of the river including the existing vehicular access is located within the Green Belt (southern section). There is also an area of hardstanding and treed area to the western edge of the site which also falls within the Green Belt.

4.3.17 Although the application is in outline form with all matters reserved except for means of access, there are likely to be impacts on the Green Belt. These comprise (i) a new pumping station and associated pipeline (ii) the provision of play areas/equipment and (iii) the reintroduction of open space to existing hardstanding car parking area to the western edge of the application site.

4.3.18 Paragraph 137 of the NPPF confirms that the Government attaches great importance to Green Belts, where the fundamental aim of policy is to prevent urban sprawl by keeping land permanently open.

4.3.19 The Green Belt serves five purposes, these are set out at paragraph 138 of the NPPF and are:

- (a) To check the unrestricted sprawl of large built-up areas;
- (b) To prevent neighbouring towns merging into one another;
- (c) To assist in safeguarding the countryside from encroachment ;
- (d) To preserve the setting and special character of historic towns; and
- (e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.3.20 Paragraph 149 identifies exceptions to development which is acceptable in the Green Belt. Indent (2) recognizes provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries would not be inappropriate development, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

- 4.3.21 Paragraph 147 of the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. As the application is in outline form with only the means of access being considered no details of the pumping station or the open space/play areas are presented as part of this application. However, it is accepted that both will involve operational development within the Green Belt.
- 4.3.22 The existing vehicular access to the development is the existing vehicular access used for the mill and this will be a reduced smaller scale priority T-junction than what currently serves this industrial site and the existing road south of the River, which provides an exit for all traffic entering the site, will be reduced to a footpath. Given there is no additional development within the Green Belt associated with these changes there is no impact on the Green Belt.
- 4.3.23 With regard to the pumping station, the applicant confirms that Anglian Water have indicated that the most suitable foul water outfall location for the site proposals to connect into which is adjacent to Arlesey Road. There is insufficient capacity in the pipe heading northwards and therefore the foul connection point south of the residential site is necessary to connect into. This option requires a pumping station to be installed and underground pipework laid and the most appropriate location for this is understood to be on land south of the vehicular access within the Green Belt. The pumping station would be modest in size and scale and located close to the edge of the application boundary adjacent to Arlesey Road to reduce any impact on the Green Belt. Whilst the below ground works (pipework) associated with this pumping station involve engineering operations they are not considered to be 'inappropriate development', the pumping station kiosk and concrete apron would be above ground. The illustrative masterplan indicates that the pumping station would be positioned immediately adjacent to the existing access road and it would be seen in juxtaposition to it. Whilst the pumping station would be inappropriate development within the Green Belt, this impact is offset by the restoration of the hardstanding car parking area to the western and northern boundaries of the site. This is likely to result in a net gain in undeveloped and open Green Belt land on the site.
- 4.3.24 The development will require the delivery of a Local Equipped Area of Play (LEAP) which may need to be located within the open space designated as Green Belt. This typically will comprise a play area of 20 metres by 20 metres and include a total of six pieces of play equipment or structures. Paragraph 145 of the NPPF encourages the enhancement of areas of Green Belt including the provision of opportunities for outdoor sport and recreation. Paragraph 149 also confirms that exceptions to inappropriate in the Green Belt include "the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it." Having regard for this advice, it is considered that the provision of a LEAP and the associated play equipment would not be inappropriate development providing it preserves the openness of the Green Belt. The openness of this part of the Green Belt could be preserved by careful design and the type and scale of the equipment installed. The details of these area would be secured by condition and in the circumstances the impact on the openness of the Green Belt can be minimised.

- 4.3.25 Presently to the northern and western edges of the site is a hardstanding and car parking area located within the Green Belt. The illustrative masterplan illustrates this area as being restored to open space comprising a meadow and new tree planting. This will reintroduce a more appropriate land use and appearance to the Green Belt.
- 4.3.26 In summary, the pumping station will be inappropriate development within the Green Belt affecting its openness. This impact will be offset by the restoration of the existing car parking to the western and northern boundaries which is illustrated as being restored to meadow land. The provision of the LEAP within the open space will be exceptions to inappropriate development. The applicant accepts that the proposed development is inappropriate in the Green Belt but considers that there are material considerations in this case that constitute 'very special circumstances'. Paragraph 148 of the NPPF stipulates that substantial weight must be given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt and any other harm resulting from the proposal, is clearly outweighed by other considerations. Before considering whether very special circumstances exist the harm to openness and purposes of the Green Belt are considered.
- 4.3.27 Under the provisions of paragraph 148 of the NPPF, any other harm resulting from the proposal should be taken into account, very special circumstances will not exist unless other considerations clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm. The Courts have confirmed "any other harm" to mean any harm relevant for planning purposes, which can include factors unrelated to the Green Belt in the planning balance, such as heritage harm or harm to highway safety. Having assessed the harm to the Green Belt, outlined above, this report will now go through each of the key material considerations applicable to this proposal to identify and attribute weight to any other harm which may arise from the proposed development.

Impact upon heritage assets

- 4.3.28 Local Plan Policy HE1 sets out the requirements in assessing the impacts on heritage assets including their setting. Policy HE3 deals with impacts relating to non-designated heritage assets. The Ickleford Conservation Area is located north and north-east of the site and within it are a number of statutory listed buildings. The site is not within or does it adjoin the Conservation Area. Also, there are no listed buildings or scheduled monuments within or adjoining the site. Given the separation distance and the intervening more modern developments, there are not considered to be any impacts arising to the setting of above ground statutory protected heritage assets in this instance. Third parties have however raised concerns about the historic boundary brick wall which forms part of the boundary to the site and which may be vulnerable to demolition as part of the redevelopment of the site. The wall, which is distinctive and attractive, acts as boundary between the mill and the existing property – East Lodge – which is located outside of the application site but is owned by the Applicant. This wall is considered to be an important historic asset on the site and its retention is justified. An appropriately worded condition should be included to seek both the protection of the wall during demolition works and its long-term retention and repair if necessary thereafter.

4.3.29 The site has the capacity to contain archaeological remains. Policy HE3 addresses non-designated heritage assets and indicates that planning permission for a proposal that would result in harm to non-designated heritage assets will only be granted where a balanced judgement has been made to assess the scale of harm. In terms of archaeology, Policy HE4 sets out the circumstances where development proposals affecting heritage assets with archaeological interest will be granted, and this includes the submission of a desk-based assessment, demonstration of how archaeological remains will be preserved and the use of appropriate conditions. An Archaeological Desk Based assessment accompanies the application. This assessment confirms that the site has the potential to have archaeological remains, this potential is moderate in respect of the Pre-historic and Roman period and a limited potential for all other periods. It is considered that this is a material consideration in the planning balance that can be adequately addressed by planning conditions. The County Council's Historic Environment Advisor has requested conditions in this case.

Impact on the character and appearance of the area

4.3.30 Policy D1 of the ELP states that planning permission will be granted if development proposals respond positively to the site's local character, amongst other things.

4.3.31 As the application is in outline form with only the means of access being considered, the other detailed matters – layout, appearance, scale and landscaping – would be dealt with as part of a reserved matters application. However, the applicant has provided an illustrative plan which demonstrates that it would be possible to develop the site for 71 units together with the necessary open space. The new buildings will be confined to the existing built envelope (i.e. areas of the site of the site currently occupied by buildings and hardstanding areas) with existing open spaces retained, enhanced or reinstated. This is shown on a Developable Area Plan submitted as part of the application. The density, scale and form of the development illustrated seeks to mimic the redundant mill buildings currently on the site.

4.3.32 The submitted Design and Access Statement explains how the site could be developed sympathetically having regard for its milling history. As previously indicated, this illustrates four 'character' areas for the development of the site – The Mill Quarter with a landmark taller apartment building to the north-east adjacent the road to mimic a traditional mill building, the Riverside Frontage overlooking the river and public open space which would comprise of terraced blocks to mimic the scale and uniformity of existing mill buildings, Meadow View traditional dwellings to the western edge of the site overlooking a smaller area of open grassland and the main Village Quarter set the centre and to the north of the site. The Mill Quarter and the Riverside Frontage would provide visually interesting built edges to the site from public view-points along Arlesey Road with building frontages outward facing. The more traditional urban characteristics of the development in the form of access roads, street lighting, parking bays and footpaths would, as illustrated, be generally limited to internal views with some new street landscaping.

4.3.33 Buildings will have a maximum height of 3 storeys. The density of the site would be around 20 dwellings per hectare which is appropriate for this urban / village fringe location and reflects the generally low density of housing in the immediate locality.

Public Open Space

4.3.34 As set out in the Use and Amount Plan this would amount to 15,400 m² equal to 1.54 ha. The Developable Area Plan identifies two principle open space areas within the site – to the south of the river in an area currently grassed and landscaped and to the north and western boundary of the site which is currently a car park. Additional open space is illustrated to the north of main vehicular access. Here an existing secondary access road is shown to be reduced to a footpath with additional less formal open space areas proposed either side of it. In the event planning permission is granted, a condition to requiring specific areas of the site developable and open space purposes as set out on the submitted Developable Area Plan would be both necessary and reasonable. As the larger Public Open Space area south of the river is outside the Parish, it is not practical or reasonable for these to be adopted by the Parish Council. In the circumstances, a Management Plan will need to be provided and agreed and this will be secured as part of the Section 106 agreement.

Trees and Landscaping

4.3.35 The application is supported by an Arboricultural Report which assesses the existing trees on site. In general terms, the area of the site to be redeveloped does not include any trees although the areas of open space and adjacent site boundaries do. There is potential for the redevelopment to affect these trees both in the short-term during demolition and construction and the long term once the site is developed. The submitted assessment has been based on the submitted illustrative plan which does not form part of the application. In the circumstances, with the exception of 13 trees of poor quality which should be removed regardless of the final site layout (T3, 5, 20, 25, 29, 37, 40, 44, 75, 77, 107, 154 & 169), this assessment should be reviewed prior to any reserved matters submission as part of the landscaping proposals for the site. This should include details of a demolition and construction method statement which sets out how trees will be protected during works. Overall, it is anticipated that the majority of existing trees across the site will be retained and together with new landscaping and planting will ensure that the site is developed sensitively having regard for its location on the edge of the village.

Landscape and Visual Amenity

4.3.36 The site's location south of the main built-up core of the village means that it is unlikely to have any particular impacts on the character of the village. The development would have a largely localised impact on the existing landscape and visual amenity and, taking into account the scale of mill buildings which will be removed as part of the site's redevelopment, the proposal is likely to deliver some visual and landscape improvements to the area.

4.3.37 Overall, based on the illustrative masterplan layout, it is possible for the site to deliver 71 high quality homes on previously developed land outside of the Green Belt and within the village settlement boundary that responds to local character and could accord with Policy D1. The actual layout, scale, appearance and landscaping are ultimately for consideration at the reserved matters stage which would need to be

submitted in the event that this application is approved. The submitted Developable Area Plan sets out these basic parameters for the site's development and will guide any subsequent reserved matters submissions.

Residential amenity

- 4.3.38 The site is bound to the north-east by a cul-de-sac residential development – Manor Close. To the east on the opposite side of Arlesey Road is a cul-de-sac residential development known as Laurel Way. An historic lodge house, East Lodge, to the east owned by the applicant and adjacent to the Arlesey Road is retained and is located outside of the application site. Immediately north of this is a detached property – Dower House.
- 4.3.39 The illustrative plan demonstrates that it is possible to deliver 71 sufficiently spaced dwellings on the site and protect the amenity of these adjacent properties as required by Policy D3. Again, this would be a matter to be considered in more detail at the reserved matters stage in the event that this application is approved.
- 4.3.40 In terms of living conditions for the prospective occupiers the key issues are noise, air quality, space standards, amenity space provision and waste and recycling provision. The application is supported by a Noise Survey which has been reviewed by the Council's Environmental Health Officer. Monitoring data confirms that the residual noise levels across the vast majority of the application site are less than 55 dB LAeq daytime and less than 50 dB LAeq night-time. Given these relatively low noise levels, the residential use of the site is likely to provide an acceptable an indoor or outdoor amenity for occupiers of new dwellings. Any subsequent reserved matters application should have regard for minimising noise impacts when designing the layout of the site. In general terms, it is acknowledged that the site's last use as a mill created high noise levels due to operational milling activities and associated HGV movements. In the event that permission is granted and the site redeveloped, there is likely to be a substantial reduction in day to day noise levels which will benefit both existing nearby residents and the occupiers of the new properties. The demolition and construction phases phase have the potential to create nuisance to the surrounding existing residents arising from noise. It is therefore recommended that a detailed demolition plan is submitted to and approved in writing prior to any demolition site clearance begins.
- 4.3.41 In terms of air quality, an assessment forms part of the submission documents and has regard to ambient air quality legislation and national policy. The assessment methodology included the construction phase and operational phase. The assessment sets out how the development can mitigate against dust and pollution effects during the construction phase - demolition, earthworks, construction and track-out associated with the proposed development – in compliance with the Institute of Air Quality Management guidance. In addition to the usual construction air quality issues identified, the Council's Environmental Health Officer has confirmed that historically the Council has received complaints about flour and associated dust at the site. As the proposed redevelopment will involve the demolition of all existing milling structures on site, there is likely to be a lot of flour and dust within these structures which has the potential to cause a nuisance. Unless dealt with in an appropriate manner it is highly likely that flour and dust will give rise to nuisance at nearby residential premises. A

demolition and construction management plan should be provided prior to any demolition work commencing on site and should include how the issues identified in the supporting assessment together with the flour and dust associated with the existing structures will be controlled during clearance works. In respect of the operational phase, the site is not within an Air Quality Management Area and NHDC Air Quality Planning Guidance suggest the provision of Electric Vehicle charging points for dwellings both unallocated and allocated parking areas. This matter should be conditioned in the event permission is granted. Subject to the identified conditions being imposed, the proposed development does not, in air quality terms, conflict with national or local policies and therefore there are no constraints to the development in the context of air quality.

- 4.3.42 As the application is in outline form with only the means of access being considered, no details of the site layout or proposed houses has been provided. Any reserved matters application will need to ensure that the proposed dwellings comply with the minimum internal space standards set out in the 'Technical housing standards - Nationally Described Space Standards' produced by the DCLG in 2015.
- 4.3.43 Similarly, due to the outline form of the application no details are provided of amenity and garden areas. The illustrative layout does, with the exception of some houses located within the Riverview character area, demonstrate that it is possible to meet the Council's external amenity standards. This issue would need to be considered further together with other layout matters – car and cycle parking and refuse storage – at the reserved matters stage.
- 4.3.44 In principle, the residential use of the site is likely to be able to deliver acceptable living conditions for both existing and proposed residents.

Highways and access impacts

- 4.3.45 The Highway Authority issued an initial statutory consultee response in September 2017. Updated responses were provided in July and October 2022 due to the passage of time that had elapsed since the initial response. These revised responses took account of a variety of matters including updated policy and guidance and their updated S106 Obligation Toolkit.
- 4.3.46 As the means of access is being considered at this stage, more detailed comments are provided on this matter in this report. Issues pertaining to the internal roads and footpaths are considered to be 'layout' matters which do not form part of this application and would be dealt with at the reserved matters stage. For clarity, the site includes two access points – the existing main access to the mill south of Arlesley Road and a new access south of East Lodge also off Arlesley Road nearer to the village.
- 4.3.47 The proposed development will utilise the existing 'T' junction vehicular access into the site from the existing junction onto Arlesley Road. New footways on either side of the junction will provide pedestrian access to the site. As part of section 278 works outside of the site within Arlesley Road, a zebra crossing is proposed adjacent the access to provide a safe crossing point for pedestrians linking the site to the existing footpath on the eastern side of the road. Two existing unmarked bus stops for school buses on

Arlesey Road to the north of the site will be formalised for regular bus service use with stopping areas line marked. Physical changes to the road will include raised bus kerbs, flags and a shelter for the southbound stop.

Technical Matters

- 4.3.48 The proposed main vehicle access is located along the Arlesey Road that is designated as an unnumbered local distributor road that is subject to a speed limit restricted to 30 mph. 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 this would include the bus stops, footway connections and provision of the Zebra crossing along the Arlesey Road. To maintain highway safety along the adjacent highway for site access for construction purposes serving the new development must be complete to base course level for the first 15 metres prior to any building construction to the new development commencing on site.

Technical Audit

- 4.3.49 The width of the main access has been recommended to be 5.50 metres with 10.0 metres radius kerbs which has been shown on drawing number E3631/700/E which would conform to the minimum width of an access road that would accommodate a waste collection vehicle in current use. The principal access road should be 5.5 metres wide for the first 15 metres which can be narrowed to 5.0 metres wide this width of carriageway would support two-way traffic taking into account the passing of parked cars by waste collection vehicles for the scale of the development due to likely indiscriminate parking on the access roads. The sightlines from the proposed access are recommended to be 2.4 metres x 43 metres to both directions as indicated in the supporting Transport Statement and this provides sufficient visibility from the access. The vehicle-to-vehicle inter-visibility from the junction within the new development is shown on the submitted drawings to accord with Manual for Streets.

Transport impact

- 4.3.50 As previously mentioned, the former milling use historically generated 440 lorry movements per week at its peak. Also, former staff (35 persons) and visitors to the site would have created circa 35-40 vehicle weekday trips during peak periods. Traffic data has been compared to the Trip Rate Information Computer System (TRICS) database was used to calculate the trips rates for the development which demonstrate that as a result of the development proposals, there will be 42 to 48 vehicle trips to the site during the weekday travelling peak periods. It is demonstrated in comparison with the TRICS Database that the proposed development would not result in an increase in vehicle trips to the site. Considering that traffic flows are fundamental to the assessment of traffic impact HCC is satisfied that the data produced provides an overall picture of the existing traffic movements and the future traffic generated from the new development.

Traffic generation

- 4.3.51 This 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 trip generation database with equal multi modal splits with a reasonable level of public

transport accessibility. The new development has been assessed and has been accepted of being comparable and realistic. Given the proposal involves the provision of 71 units considering the data output from the TRICS software the total peak generation of traffic would be 42 to 48 trips in both of the peak travelling periods considering that the development is located adjacent to a local distributor road the new traffic generation of vehicles is considered not to have a significant impact on the local highway network. The above data has been considered acceptable in traffic generation terms. Herts County Council Highways Unit has considered the TRICS software covering highway and traffic issues, this data was carefully scrutinized to establish the likely impact of the road network.

Secondary Vehicular Access

- 4.3.52 As previously mentioned, the application seeks permission for a secondary access adjacent East Lodge off Arlesey Road. This is not considered to be suitable for use by general vehicular traffic as the submitted plans and supporting information do not (i) demonstrate adequate vehicular visibility splays (ii) include a junction capacity assessment and (iii) address general safety concerns for highway users. In the circumstances, it is recommended that this access be restricted by condition for use by emergency vehicles, pedestrian and cyclists only and should include appropriate physical restrictive measures to secure this. The applicant has been advised of this and has agreed to the provision of such conditions.

Transport for residents

- 4.3.53 Pedestrians and cyclist have access to footways although there are not any cycleways within the vicinity of the site. The village centre and local facilities have a realistic access from the development by cycling albeit that there are no dedicated cycle lanes. The site is located within recognised accessibility criteria of two bus stops although both of these do not currently have easy access kerbing. Off-site works would have to be carried out as part of the s278 highway works to provide these kerbing details.

Travel Plan

- 4.3.54 Since the issuing of the previous Highway Authority Statutory Consultee response, the Highway Authority have published an updated Travel Plan Guidance. The guidance specifies that residential developments between 50-80 dwellings must be accompanied by a Travel Plan Statement. This matter can be secured by condition in the event permission is granted.

Construction Traffic

- 4.3.55 The impact of construction traffic travelling to and from the site is recognised as being a potential hazard to road safety and users and therefore the Highways Unit have recommended a planning condition being imposed requiring a Construction Traffic Management Plan to be submitted and approved prior to development commencing on site.

Other highway issues

4.3.56 Matters relating to the technical design of the internal roads, manoeuvrability, vehicle to vehicle inter-visibility from the internal junctions, vehicle to vehicle inter-visibility within internal road, waste storage and collection, secure cycle and car parking and electric vehicle charging points would all be matters to be considered at the reserved matters stage. The Highways Authority have confirmed in their responses that these matters will need to have regard to Roads in Hertfordshire Highway Design Guide and Manual for Streets if they are to receive approval under both the Planning Act and Sections 38 and 278 of the Highways Act. The concerns raised by the Parish Council and residents regarding aspects of road safety and proposed road improvements along the Arlesey Road are noted. As these works are outside of the application site within the public highway the precise details of such works would be dealt with as part of the Section 278 Highways Act works and maybe subject to change. A copy of the Parish Council's letter has therefore been passed to Herts Highways Unit so they can consider the concerns raised and address them as they see appropriate when considering the design of Section 278 works.

Highways financial contributions

4.3.57 The Highway Authority have published an updated S106 Planning Obligation toolkit (2021). In accordance with the toolkit and associated guidance, second strand sustainable transport contributions are sought for residential developments on a unit rate basis of £6,826 per dwelling. This is to mitigate adverse pressures generated by the proposed development to the future operation and safety of the local highway, footway, cycleway and public transport networks. The mitigation will also focus on enhancing and encouraging active travel and public transport use by improving facilities, walking and cycling environments, and improving the safety of trips. The total S106 sustainable transport contribution sought is $71 \times £6,826 = £484,646$. The Highway Authority will distribute the contributions to the associated schemes to mitigate the impact of the development, typically through schemes identified in the HCC's Local Transport Plan (LTP) and its supporting documents, North Central Hertfordshire Growth and Transport Plan. Sustainable transport contributions can be used for, but not limited to (i) Package 08 North Hitchin and Industrial Estate - New and improved active infrastructure links from the industrial estate and new development to the rail station and (ii) Bus service improvements.

4.3.58 Having regard for the foregoing, there are no highway reasons to withhold permission for the development.

Flooding and drainage

4.3.59 The proposed development site is located within Flood Zone 1. Areas classified as Flood Zone 1 are those that have less than a 0.1% chance of flooding. However, a Flood Risk Assessment is mandatory for sites of 1 hectare or greater in such Zones. Such an Assessment has been provided as part of the supporting documents. In addition to assessing the impact the development will have on flooding down-stream, the assessment considered foul and surface water drainage.

Flooding and Surface Water

- 4.3.60 It is understood that the existing surface water drainage from the mill predominantly discharges to the River Oughton at a number of locations although it is thought that there is also an outfall of surface water runoff into the existing public foul water sewer in Arlesey Road. The proposed drainage strategy is based on discharge into River Oughton utilising existing outfall connections. Anglian Water have confirmed that the proposed method of surface water management does not relate to their assets. The submitted drainage calculations relate to storm events up to and including the 1 in 100 year plus 40% for climate change. The removal of existing buildings and hardstanding areas mean that there is significant reduction impermeable area on the site which will reduce surface water runoff rates and volumes by approximately 42% and the proposals for discharge in the River Oughton will remain unrestricted. The Internal Drainage Board have raised no objections to the re-development of the site. The layout of the site is reserved for future consideration and the Lead Local Flood Authority (LLFA) has confirmed that there will be a need to explore measures to achieve greenfield run-off rates or alternatively undertake modelling of the scheme to ensure there are no impacts from the proposed discharge rate. In these circumstances, precise details of the surface water via a site drainage strategy should be secured by condition. Surface water flood maps show some flooding at the main vehicular site entrance. The reserved matters design should consider how the site could mitigate this impact in particular how the areas of public open space could potentially be utilised for attenuation measures. Proposed s278 works within the highway could also explore what improvements could be made to alleviate the severity of flooding at the junction.

Foul Water Drainage

- 4.3.61 It is understood that the foul water sewerage system within Ickleford has flooded in storm conditions and that surface water runoff from a large part of the site presently is being directed to the foul water system. This runoff will be removed as part of the development proposals thereby reducing the potential for flooding from the foul water system. Anglian Water has confirmed that the existing waste-water treatment facility in Hitchin has capacity to deal with flows from the site. However, following further investigative work there is insufficient capacity in the pipe heading northwards, therefore the foul connection point south of the site will be used to connect into. This option requires a pumping station to be installed on land south of the vehicular access within the Green Belt. There is no objection in principle to the residential development although given the outline nature of the application, Anglian Water has recommended that precise details of foul water drainage for the development is secured by condition.

Affordable housing

- 4.3.62 In accordance with Policy HS3, the affordable housing requirement is 40% on sites which will provide 25 or more dwellings. Based on 71 dwellings overall and a 40% affordable housing requirement, in accordance with the Proposed Submission Local Plan, this equates to the provision of 28 affordable dwellings.

4.3.63 The NPPF paragraph 50 says *“To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:*

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.....*
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and*
- where they have identified that affordable housing is needed, set policies for meeting this need on site and the agreed approach contributes to the objective of creating mixed and balanced communities...”*

4.3.64 Paragraph 159 of the NPPF says “local planning authorities should have a clear understanding of housing needs in their area. They should prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs...The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need...”

4.3.65 Within the overall 40% affordable housing requirement a 65%/35% rented/intermediate tenure split is required, in accordance with the council’s Planning Obligations SPD and the 2016 Strategic Housing Market Assessment (SHMA) Update. Therefore, of the overall 28 affordable units 18 rented units and 10 intermediate tenure units should be provided to meet housing need. The affordable homes should be owned and managed by a registered provider, should meet Housing Corporation Design and Quality Standards and be physically indistinguishable from the market housing. The affordable housing should be in small clusters across the site rather than concentrated in one part.

4.3.66 The Government announced last year a new affordable housing product called ‘First Homes’. These are discounted market sale housing. Under transitional arrangements, once the Council has an up to date adopted Local Plan, there is not an automatic need to reflect the requirement for First Homes when considering planning applications. The Council do not have an evidence base to demonstrate that we need First Homes.

Ecology

4.3.67 Policies SP12 - Green infrastructure, biodiversity and landscape, Policy NE4 - Biodiversity and geological sites and NE6 - Designated biodiversity and geological sites - seek to protect, enhance and manage the natural environment. Although not a legal requirement yet, the 2021 Environment Act seeks new developments to achieve a 10% Biodiversity Net Gain (BNG). The Council therefore encourages, where appropriate and possible, developers to aim to meet this 10% target.

4.3.68 In relation to ecology, the application is supported by a Preliminary Ecological Appraisal and included habitat and bat surveys. Updated Bat Roost Survey and Badger and Otter Survey Reports were provided in October 2022. This Appraisal supporting Surveys/Reports considered habitats of badgers, bats, otters, water voles, birds and great crested newts. This appraisal indicated that there are no significant ecological constraints to the proposed development works, providing that appropriate assessments and mitigation are provided. Herts Ecology has confirmed that the submitted survey reports provide sufficient information for determination. A bat mitigation licence will be required to proceed lawfully with destruction of the known bat roosts. Pre-site clearance walk over survey to check and identify for badgers, otters and water voles is recommended. These matters can be reasonably dealt with by condition.

4.3.69 Mitigation, compensation, and enhancement opportunities include (i) the provision of ecological enhancements for bats should be incorporated into the sites landscape design in the form of bat boxes to existing trees south of the river, planting additional trees, creating areas of open grassland and maintaining and connecting on-site and off-site habitats to avoid fragmentation of habitats (ii) Water vole/otter stand-off buffer is needed between the river and any new development (iii) due to the likely presence of widespread nesting bird species on site, it is recommended that initial development works are undertaken outside of the usual bird breeding season (normally taken to be March – August inclusive). If such timescales cannot be accommodated, it is recommended that a check for the presence of active nests, and nesting birds should be undertaken by a suitably qualified ecologist prior to the commencement of habitat clearance works. Any active nests should be identified and protected subject to the relevant legal provisions until the nesting attempt is complete. Also, sensitive site wide lighting is an important consideration in relation to ecology and nature/habitat conservation. All the aforementioned matters can be secured by condition in the event planning permission is granted.

4.3.70 In relation to biodiversity, Policy NE4 requires biodiversity net gain on development sites. A Biodiversity Net Gains Assessment was provided in 2022 and is based on the illustrative plan. This Assessment confirms that –

- Through habitat enhancement, creation and retention onsite, including the urban trees, woodland and enhancement of the modified grassland, the site could deliver a net gain with 27.48% net gain in Habitat Units and a gain of 18.06% Hedgerow Units.
- A Landscape Management Plan should be produced, securing appropriate management of retained, created and enhanced habitats, such as the woodland and grassland. This should secure maintenance of these habitats and their condition over the long term; this would be an important part of delivering biodiversity net gain as it will be the process that secures biodiversity enhancements into the future.
- Planting of additional native trees and shrubs, enhancing grassland on site, enhancing river corridor on site, the installation of bat boxes on retained trees around the Site boundaries

4.3.71 Overall, these findings and recommendations are welcome. Full compliance with the policy will need to be delivered in the form of a Landscape and Ecological Management Plan (LEMP) which can be secured by condition. In the circumstances, it is considered that there are no adverse ecological impacts arising and some net gains in relation to biodiversity the latter of which would weigh in favour of the proposed development.

Land contamination

4.3.72 The application is supported by a Ground Conditions Report. The Council's Environmental Health Officer is satisfied that the initial assessment is appropriate and adequate and agrees that intrusive investigations are necessary. Therefore, there are no objections to the principle of this development. Given the sensitivity of the proposed residential use to contamination, and the findings of the initial risk assessment, it is recommended that the standard contamination condition is attached to any permission given for this development.

Energy and carbon emissions

4.3.73 The Council passed a Climate Emergency motion in 2019 which pledged to do everything within the Council's power to achieve zero carbon emissions in North Hertfordshire by 2030. The Council has adopted a Climate Change Strategy to promote carbon neutral policies. Adopted Policy DE1 – Sustainable Design – requires developments to consider a number of criteria including the need to reduce energy consumption and waste. In relation to residential development this will typically include features such as - low carbon technologies such as air or ground source heat pumps, solar or PV panels, Sustainable Drainage Systems (SuDS) and exceeding Building Control standards on thermal insulation.

4.3.74 The application is supported by a Preliminary Energy Statement which includes a basic sustainability strategy for the site. This focuses on the energy consumption of the dwellings and confirms that the efficiency of a property's thermal envelope and internal building services will be prioritised thereby reducing the forecasted energy demand of each property and minimising the need for low carbon and renewable technologies. Given the outline nature of the application, a detailed strategy will need to be provided once the site design is formalised and this should set out a broader range of sustainable building methods and technologies around energy and water use as identified above. In the event that planning permission is granted, a pre-commencement condition should be included requiring specific details to be submitted to and agreed in writing.

Sustainability assessment

4.3.75 A matter to consider in all applications for planning permission is whether the proposed development would represent a sustainable form of development. The NPPF confirms that all three objectives of the planning system would be met. These are economic, social and environmental.

- 4.3.76 In terms of the economic objective the development would provide homes that would support economic growth and productivity. The construction of the development and on-going maintenance of it would result in construction jobs and employment in the service sector. The fitting out and furnishing of the homes would also generate economic activity and jobs. Future occupiers would purchase local goods and services, boosting the local economy and helping to sustain the vitality and viability of local shops and services.
- 4.3.77 In terms of the social objective, several community benefits would accrue from this development. First, it would provide valuable housing, including 40% percentage of affordable housing that meets local housing need. A range of house types and tenures would assist in meeting this need.
- 4.3.78 Secondly, the proposal would deliver a high-quality and inclusive residential development. The development would be well connected to the existing community of Hitchin and Ickleford and by public transport to larger towns and settlements. As such the development would provide access to the social, recreational and cultural facilities and services that the community needs. The proposal would achieve a well-designed sense of place and make effective use of land. The development would be in accordance with sections 8, 11 and 12 of the Framework.
- 4.3.79 In terms of the environmental objective, it has been concluded above that the proposed development would likely result in some landscape and visual benefits with the removal of the existing utilitarian mill buildings. Regarding biodiversity, the proposal has the potential to deliver a net gain in biodiversity on site. The site is not isolated in terms of transport with the site accessible by public transport and local services can be reached on foot and by cycling in accordance with Local Transport Plan objectives and Section 9 of the Framework
- 4.3.80 In conclusion on this matter, it is considered that the proposals would be a sustainable form of development and would comply with national and local planning policy and guidance.

Whether there are any Very Special Circumstances

- 4.3.81 As set out earlier in this report, only the proposed pumping station element of the proposal would constitute 'inappropriate development' in the Green Belt. Although no details of this are provided due to the outline nature of the application, as identified of the Developable Area Plan, this will occupy a very limited area within the Green Belt. This is likely to result in some albeit limited impact on the openness of the Green Belt and its purposes. Paragraph 148 of the Framework states "*when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*" It is considered that in this case there are considerations that amount to very special circumstances to outweigh the harm to the Green Belt as set out below.
- 4.3.82 The proposal would deliver 71 dwellings that would contribute towards the Council's housing land supply. Of these, 28 would be affordable units (40% of the total number on site). This would provide for 18 rented tenure and 10 intermediate tenure and at a

mix that meets the requirements of Policy HS3 including the housing need identified in the Strategic Housing Market Assessment. This would, given the recent adoption of the local plan, attract only limited weight in the planning balance.

4.3.83 The harm to this area of the Green Belt is off-set by the improvement to the openness of a larger area of the Green Belt within the site adjacent to the western boundary. When Other additional benefits associated with this scheme comprise -

- Use of a brownfield site;
- landscape and visual improvements resulting from removal of existing mill buildings and structures;
- the loss of the mill's heavy goods traffic from the surrounding road network and village;
- Improvement to noise and odour environments following demolition of the mill buildings;
- the provision of 'windfall' housing development resulting from the redevelopment of a non-allocated site;
- biodiversity net gain;
- ecology benefits;
- drainage benefits resulting from the removal of buildings and structures;
- improvements to the local highway network resulting in local safety benefits resulting from the proposed zebra crossing, new bus stop and other highway works.

4.3.84 Paragraph 81 of the NPPF stipulates that significant weight should be placed on the need to support economic growth and productivity. This is particularly relevant during the pandemic recovery period and other current pressures on the economy. There will be considerable economic benefits derived from the construction of the site. There will be employment for construction workers and resulting direct and indirect benefits to the local economy. There will also be economic benefits arising from the fitting out and furnishing of the new homes. There would also be ongoing benefits from the spending of future occupiers in local businesses. Given the scale of the proposed development it is considered that significant weight should be given to this in the planning balance.

4.3.85 The benefits of this proposal and the weight attributed to these will be set against the harm outlined earlier in this report, in the 'conclusion and planning balance' section below. This will assess whether very special circumstances exist necessary to justify the grant of planning permission.

Planning Obligations

4.3.86 In considering Planning Obligations relating to this proposed development. The Community Infrastructure Regulations and Paragraph 57 of the Framework set out statutory and policy tests. These are: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.

4.3.87 Detailed negotiations have taken place with the applicant and agreement reached on a range of matters that are included in a draft S106 agreement. These include the provision of affordable housing, local community facilities, St Katherine's church, and financial contributions towards education, sustainable transport/highway facilities and other services provided by the County Council. All of the S106 obligations are listed in the table below.

17/01955/1	Draft Heads of Terms for Section 106
Ickleford Mill	
Element	Detail and Justification
Affordable Housing	On site provision of 40% affordable dwellings based on 65% rented tenure and 35% intermediate tenure. NHDC Planning Obligations Supplementary Planning Document Local Plan Policy HS2 'Affordable Housing' Evidence with the Council's SHMA
Primary Education educations	Full contribution based on child yield likely to arise of 0.22FE representing 11% of the cost of providing a 2FE primary school in Ickleford. Amount before index linking: £576,140 (£563,855 + £12,285) index linked to BCIS 1Q2020) Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
Secondary Education contributions	Full contribution based on Table 2 of the HCC Toolkit index linked to PUBSEC 175. To be used towards the expansion of The Priory Secondary School Amount before index linking: £605,661.00 Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
Nursery Services	Full contribution based on Table 2 of the HCC Toolkit index linked to PUBSEC 175. Amount before index linking: £68,551.00 Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit
Childcare Services	Full contribution based on Table 2 of the HCC Toolkit index linked to PUBSEC 175. To be used towards the expansion of Pirton pre-school Amount before index linking: £193,367.00 Local Plan Policy SP7 'Infrastructure requirements and developer contributions'

	Planning Obligations SPD and HCC Toolkit
Special Educational Needs and Disabilities	<p>Full contribution based on Table 2 of the HCC Toolkit index linked to PUBSEC 175. To be used towards the expansion of the new East Severe Learning Difficulty school</p> <p>Amount before index linking: £64,654.00</p> <p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit</p>
Library Services	<p>Full contribution based on Table 2 of the HCC Toolkit index linked to PUBSEC 175. To be used towards the development of a meeting room at Hitchin library.</p> <p>Amount before index linking: £6,823.00</p> <p>Submission Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit</p>
Youth Services	<p>Full contribution based on Table 2 of the HCC Toolkit towards equipment for expansion of outreach provision in North Herts villages, including Ickleford</p> <p>Amount before index linking: £21,075.00</p> <p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit</p>
Waste Service (HCC)	<p>Towards increasing the capacity of the recycling centre network to serve the development</p> <p>Amount before index linking: £7,327.00</p> <p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit</p>
Monitoring	<p>HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021).</p> <p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions' Planning Obligations SPD and HCC Toolkit</p>

Sustainable Transport / Highway contributions	<p>Full contribution based on NHDC Planning Obligations SPD.</p> <p>Schemes to be agreed with the Highway Authority. May include upgrading of nearby bus stops.</p> <p>Amount before index linking: £484,646.00</p> <p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions'</p>
Local Community Facilities (Ickleford Parish Council)	<p>Projects potentially to include contributions towards new play equipment within Ickleford village</p> <p>Contribution: £20,000</p> <p>Policy 51 of the North Hertfordshire District Local Plan No. 2 with Alterations.</p> <p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions'</p>
NHDC Waste Collection & Recycling	<p>Full contribution based on NHDC Planning Obligations SPD.</p> <p>£71 per dwelling index linked in accordance with SPD. (£5041)</p> <p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions'</p> <p>Planning Obligations SPD</p>
Open space/Landscape buffer management and maintenance arrangements	<p>Private management company to secure the provision and long term maintenance of the open space/landscape buffer and any SuDs infrastructure</p> <p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions'</p>
St. Katherines Church, Ickleford Community Project	<p>St. Katherines Church 'Room for all' project. An extension to the Grade I listed church for community use.</p> <p>Contribution: £20,000</p> <p>North Hertfordshire Partnership Sustainable Community Strategy 2009 - 2021</p>

Overall Planning Balance and Conclusion

4.3.88 As set out in this report, there are matters that weigh in favour and against the proposed development. These are summarised below.

4.3.89 Negative impacts comprise –

- the pumping station would be inappropriate development within the Green Belt and would affect its openness attracting significant weight albeit limited due to the relatively small footprint this will occupy and its minor scale;
- noise and dust impacts although these would be limited due to the temporary nature (i.e. during construction) and therefore attract limited weight;
- the loss of employment land attracting limited weight;
- vehicular traffic associated with the redevelopment of the site attracting limited weight.

4.3.90 Benefits of the redevelopment consist of –

- Use of a brownfield site attracting significant weight;
- landscape and visual improvements resulting from removal of existing mill buildings and structures attracting moderate weight;
- the loss of the mill's heavy goods traffic from the surrounding road network and village attracting moderate weight;
- Improvement to noise and odour environments following demolition of the mill buildings attracting moderate weight;
- the provision of 'windfall' housing development resulting from the redevelopment of a non-allocated site attracting moderate weight;
- the provision of affordable housing attracting substantial weight;
- biodiversity net gain attracting moderate weight;
- ecology benefits attracting moderate weight;
- drainage benefits resulting from the removal of buildings and structures attracting moderate weight;
- the restoration of the western area of Green Belt to open landscaped appearance attracting moderate weight;
- improvements to the local highway network resulting in local safety benefits resulting from the proposed zebra crossing, new bus stop and other highway works attracting significant weight.

4.3.91 Paragraph 148 of the NPPF states the following: *“when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”*. In this regard, the benefits identified above when taken cumulatively are significant and, in this case, clearly outweigh the harm that has been identified to the Green Belt. Very special circumstances therefore exist to justify the development in the Green Belt as required by paragraphs 147 and 148 of the Framework.

5.0 Pre-commencement Conditions

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

6.0 Legal Implications

6.1 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.

7.0 **Recommendation**

7.1 That planning permission is resolved to be **GRANTED** and subject to the following:

A) The completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement if required and;

B) The following conditions and informatives:

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

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

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

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

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

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

4. The reserved matters application(s) shall include new buildings within the Developable Area only (except for the proposed pumping station and apron) as defined on the Developable Area Plan (reference P4048 SPA XX ZZ DR A 10 001 Rev A dated October 2022).

Reason: To protect the Green Belt from inappropriate development and to protect its openness. For the avoidance of doubt.

5. The landscape details to be submitted as reserved matters shall include the following:
a) which, if any, of the existing vegetation is to be removed and which is to be

retained

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

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

d) details of any earthworks and / or levels changes;

e) the use of native species plants and trees as required by the Landscape, Ecology Management Plan (LEMP) condition.

f) planting proposed near the river should be appropriate for the riparian habitat.

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

6. None of the trees and hedges identified in the submitted Tree Assessment as being retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

7. Before the commencement of any other works on the site, trees and hedges to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

8. No pre-construction, demolition or enabling works shall take place until full details of a dust management plan (to include measures to minimise dust impacts) during the demolition and construction phases of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The construction project shall thereafter be carried out in accordance with the approved programme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise environmental impacts and protect the residential amenity of existing residents.

9. Prior to the commencement of any single phase of development, a Demolition and Construction Management Plan/Method Statement shall be submitted to and approved in writing by the local planning authority in consultation with the Highway Authority and Environmental Health Unit (Noise). Thereafter the demolition and construction of the development shall only be carried out in accordance with the approved Plan/Statement. The Construction Management Plan/Method statement shall address the following matters:
 - (i) Details of a demolition and construction phasing programme (including any

pre-construction or enabling works);

(ii) Hours of construction operations including times of deliveries and removal of waste;

(iii) Site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;

(iv) Access and protection arrangements around the site for pedestrians, cyclists and other customers; (v) Details of provisions for temporary car parking during construction;

(v) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures; (vi) Screening and hoarding details

(vii) End of day tidying procedures;

(viii) Construction and storage compounds (including areas designated for car parking);

(ix) Siting and details of wheel washing facilities;

(x) Cleaning of site entrances, site access roads and the adjacent public highway

and: (xi) Disposal of surplus materials.

Reason: To minimise the impact of construction vehicles on the highway network and to maintain the amenity of the local area.

10. Prior to commencement of the development (other than demolition works), the main access road shall be provided 5.5 metres wide for the first 25 metres where after the principal access road shall be narrowed to a minimum of 5.0 metres wide with the kerb radii along the adjacent Arlesey Road being a minimum of 10.0 metres which shall be complete with tactile crossing features to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction.

Reason: In order to protect highway safety and the amenity of other users of the public highway, in line with HCC Local Transport Plan Policy 5.

11. Prior to first occupation of the development, a system of footways shall be provided to connect the new development with the existing bus stops along Arlesey Road as part of the application. The bus stops will need to be complete with easy access kerbs and shelters as appropriate. The exact location and accommodating works will need to be as identified on drawing number E3631/700/E and agreed in conjunction with appropriate parties. These works shall be secured and undertaken as part of the s278 works.

Reason: In order to provide safe and suitable pedestrian access to public transport facilities, in line with HCC Local Transport Plan Policy 5.

12. Before the main access is first brought into use vehicle to vehicle visibility splays of 2.4 metres x 43 metres to both directions shall be provided and permanently maintained. Within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

Reason: In order to protect highway safety and the amenity of other users of the public highway, in line with HCC Local Transport Plan Policy 5.

13. The gradient of the main access from the Arlesey Road shall not be steeper than 1 in

20 for the first 15 metres from the edge of the carriageway.

Reason: In order to protect highway safety and the amenity of other users of the public highway, in line with HCC Local Transport Plan Policy 5.

14. No dwelling forming part of the development shall be occupied until a Zebra crossing 3.0 metres wide has been provided along Arlesey Road. The crossing will need to be complete with pedestrian tactiles, Belisha beacons and road markings as appropriate. The exact location and accommodating works will need to be as identified on drawing number E3631/700/E and agreed in conjunction with appropriate parties. These works shall be secured and undertaken as part of the s278 works.

Reason: To facilitate the free and safe flow of other traffic on the highway and the safety and convenience of pedestrians of all ages and abilities, in line with HCC Local Transport Plan Policy 5.

15. No development (other than demolition works) shall commence until full details have been submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within the development. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Reason: To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policies 5 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

16. Prior to the occupation of any dwellings hereby permitted, an Electric Vehicle ready (active) domestic charging point shall be provided for each property and thereafter permanently retained.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

17. Prior to the first occupation of the development hereby permitted a scheme for the parking and storage of cycles for each dwellinghouse including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. Where appropriate, this shall also include details for the parking of mobility scooters. The scheme must be designed in line with the cycle parking standards contained in the DfT's Cycle Infrastructure Design LTN1/20. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

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

18. Three months prior to the first occupation / use of the approved development, a detailed Travel Plan Statement for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The Travel Plan Statement shall take account of Travel Plan Guidance' at www.hertsdirect.org. It shall be implemented in accordance with the timetable and

target contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

19. The proposed emergency vehicular access as identified on the submitted layout plan (E3631-700E - Proposed Means of Access) shall be used by emergency vehicles, pedestrians and cyclists only. The reserved matters details shall include details of physical measures to restrict the use of the access to the aforementioned users only. These measures shall be implemented before any dwellinghouses are occupied and retained in perpetuity.

Reason: It has not been demonstrated that the secondary vehicular access is safe for general use by vehicular traffic.

20. No development (other than demolition works) approved by this planning permission shall take place until a detailed surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood risk Assessment carried out by Wormald Burrows Partnership Limited reference E3631-frareport-0917-Rev1 dated July 2017. The surface water drainage scheme should include;

- (i) Implementing the appropriate drainage strategy based on attenuation and discharge into the River Oughton, using appropriate above ground SuDS measures.
- (ii) Limiting the surface water run-off generated by the 1 in 100 year + 40% for climate change critical storm to greenfield runoff rates. Alternatively undertake modelling of the scheme to ensure there are no impacts from the unrestricted proposed discharge rate.
- (iii) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event
- (iv) Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

21. Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance and operational activities; arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. www.hertfordshire.gov.uk Informative to the LPA

22. No development (other than demolition works) shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

23. No dwelling shall be occupied until a Flood Warning & Evacuation Plan (FWEP) to identify safe access/egress routes and refuges in the event of extreme surface water flooding at the junction of the site with Arlesey Road has been submitted to and approved in writing by the local planning authority. The FWEP shall include details of the management and implementation of the plan. The FWEP shall thereafter be implemented in accordance with the approved details.

Reason: To ensure the safety and health of occupiers and visitors to the site.

24. No demolition work shall commence until details of protection measures and where necessary the repair of the existing brick walls, piers and coping stones forming the boundaries of the site immediately south and east of East Lodge have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the wall shall be retained and repaired as agreed in accordance with the approved details.

Reason: In the interests of visual amenity and to retain important details associated with the historic mill use of the site.

25. No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

Reason: To ensure the protection of heritage assets of archaeological interest

26. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 26.

Reason: To ensure the protection of heritage assets of archaeological interest

27. The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 26 and the provision made for analysis and publication where appropriate.

Reason: To ensure the protection of heritage assets of archaeological interest

28. No development (other than demolition works) shall take place until details of a scheme for the provision of fire hydrants to serve the relevant phases of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.

Reason: To ensure all proposed dwellings have adequate water supplies for in the event of an emergency.

29. (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.
- (b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then 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
- (c) 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 (b), above; has been submitted to and approved by the Local Planning Authority.
- (d) 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 (c) 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.
- (e) Any contamination, other than that reported by virtue of condition (a) and (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.

30. No development (other than demolition works) 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 ensure that satisfactory provisions is made for the collection of refuse and

recycling.

31. Prior to the commencement of development (other than demolition works), full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins will be stationed and walk distances for residents including the specific arrangements to enable collection from the kerbside of the adopted highway/refuse collection vehicle access point [or within 5m]. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity

32. Prior to the commencement of development (other than demolition works), full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins will be stationed and the specific arrangements to enable collection from within 15m of the kerbside of the adopted highway/ refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity.

33. Prior to the commencement of the development (other than demolition works), a pre-construction energy and sustainability statement to be submitted to and approved in writing by the Local Planning Authority setting out specific ways in which the energy usage of the development will be reduced. Thereafter, all measures set out and agreed shall be implemented in accordance with the approved plans.

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

34. Works that will affect roosting bats set out in the Bat Roost Survey Report dated October 2022 prepared by Wardell Armstrong shall not in any circumstances commence unless the local planning authority has been provided with a copy of either:
- a) a licence, or confirmation of valid licence, issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity / development to go ahead; or
 - b) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence. Development shall then proceed in accordance with that licence and in accordance with the approved bat report unless otherwise agreed in writing with the LPA.

Reason: In the interests of wildlife protection and in accordance with Conservation of Habitats and Species Regulations 2017

35. The development shall be carried out in complete accordance with the recommendations contained in section 4 of the submitted Badger and Otter Report

dated 2022.

Reason: In the interests of wildlife protection and in accordance with Conservation of Habitats and Species Regulations 2017.

36. Within a month prior to commencement of the development (including clearance work), a mammal walk-over survey of the site and 30m of adjacent land (access permitting) shall be carried out by a suitably qualified and experienced ecologist to check for the presence of further active badger setts, otter holts and water vole holes / feedings stations and if protected mammals will be impacted by the development proposals, appropriate mitigation to safeguard them must be submitted to the Local Planning Authority for approval. A licence may be required from Natural England to proceed lawfully. In the absence of the requirement for a licence any recommended non licensable mitigation should be carried out in full.

Reason: In the interests of wildlife protection and in accordance with Conservation of Habitats and Species Regulations 2017.

37. The reserved matters submission shall include an undeveloped 10 metre buffer to the river as set out in the submitted Preliminary Ecological Appraisal (Phase 1 Habitat Survey) prepared by Wardell Armstrong.

Reason: In the interests of wildlife protection and in accordance with Conservation of Habitats and Species Regulations 2017.

38. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall deliver a net gain in habitat units from a combination of on and offsite measures to achieve a measurable net gain to biodiversity and include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate creation and management options for achieving the required number of ecological units as detailed in approved metric (including species mixes).
- e) Prescriptions for management actions which must correspond with and directly reference the habitat and condition scores in the approved metric.
- f) Preparation of a 5 year work schedule (including an annual work plan) capable of being rolled forward in perpetuity i.e. 30 years, with habitats clearly marked on plans.
- g) Ongoing monitoring and reporting schedule, with assessment and triggers for remedial measures.
- h) Required actions should habitat areas fail to reach stated condition in the approved metric.
- i) Details of the body or organisation responsible for implementation of the plan.
- j) Details of integrated bird and bat boxes, make, model and location.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of biodiversity.

39. No development shall commence (other than demolition works) until full details of the following have been submitted to and approved in writing by the local planning authority:
- (i) a site wide wildlife-sensitive lighting scheme;
 - (ii) hedgehog friendly boundary treatments;
 - (iii) the provision of 20 bat boxes.
- Thereafter, the development shall be implemented in accordance with the approved details and retained in perpetuity.

Reason: In the interests of wildlife and habitat protection and enhancement.

Proactive Statement:

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

Informative/s:

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

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

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

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments)
 - o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
 - o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes

requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).

- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

- o A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at

- <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

- o UK Government is intending to issue legislation in 2021 to require domestic EV charge points to be smart, thus we recommend that all charge points will be capable of smart charging, as detailed in UK Gov consultation response.

3. Highways

Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

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

4. Lead Local Flood Authority

Please note that the watercourse within the site boundary is an ordinary watercourse. Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of any planning permission.

5. Anglian Water

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public

open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

6. Herts Ecology

The site wide lighting scheme should be minimised by the use of lights with warm white light sources, UV filters, movement sensors, and directional downlights - illuminating below the horizontal plane which avoid light trespass into the environment. The use of light directional accessories such as baffles, hoods and louvres can assist with this. Particular attention should be made to avoid lighting of the trees, hedgerows and the river. Lighting types to be avoided include any blue-white light sources, metal halide and mercury lamps, and any form of uplighting, which lights above the horizontal plane, illuminating trees and foraging habitat. A bat mitigation licence will be required from Natural England to proceed lawfully with demolition of B6 and satisfy the Conservation of Habitats and Species Regulations 2017 (as amended).