

<u>Location:</u>	<b>Land Between Croft Lane Norton Road And Cashio Lane Letchworth Garden City Hertfordshire</b>
<u>Applicant:</u>	<b>Ms Sass Pledger</b>
<u>Proposal:</u>	<b>Outline planning application for residential development (all matters reserved)</b>
<u>Ref. No:</u>	22/01464/OP
<u>Officer:</u>	<b>Peter Bull</b>

**Date of expiry of statutory period: 28 February 2023**

**Reason for delay:**

The application stalled pending the outcome of the planning appeal on the same site for a similar development. This has been received. The appeal was dismissed on the grounds that it had not been demonstrated that financial contributions sought were compliant with the Community Infrastructure Levy (CIL) Regulations. The application presented can now be determined.

**Reason for referral to Committee**

The site area for this application for development is 3.7 ha. Under the Council's scheme of delegation sites over 0.5 ha in area must be determined by the Council's Planning Control Committee. Hence the referral to Members.

1.0 **Policies**

Herts CC Local Transport Plan

Travel Plan Guidance for Business and Residential Development 2020

2.0 **Relevant History**

2.1 17/00933/1PRE - Pre-app advice for Outline Planning Application: Residential development of up to 39 dwellings – advice given

2.2 19/00520/OP - Outline planning application for residential development of up to 42 dwellings, all matters reserved but access (as amended by plans and information received 09-06-2020, 23-07-2020 and 10-12-2020) – refused – appeal dismissed

3.0 **Representations**

3.1 **Site Notices: 15/06/2022 Expiry: 15/07/2022**

**Press Notice: 23/06/2022 Expiry: 16/07/2022**

3.2 **Anglian Water:** no objection subject to informatives being included on any permission.

3.3 **Herts County Council (Archaeology):** no objections subject to a condition requiring the submission of a Written Scheme of Investigation.

3.4 **Herts County Council (Highways):** does not wish to restrict the grant of planning permission subject to conditions.

3.5 **Countryside and Rights of Way:** no response received.

3.6 **Environmental Health Contaminated Land:** no objection subject to conditions.

3.7 **Environmental Health (Noise):** no response received.

3.8 **Environmental Health (Air Quality):** general comments made. Reserved matters application will need to consider this matter in more detail.

3.9 **Growth and Infrastructure:** No objection subject to financial contributions towards local services being provided.

3.10 **Herts County Council (Ecology):** no response received.

3.11 **Hertfordshire Fire and Rescue Services:** no response received.

3.12 **Herts and Middlesex Wildlife Trust:** objects as proposal does not demonstrate measurable net gain to biodiversity.

3.13 **Historic England:** no response received.

3.14 **Housing Supply Officer:** no objection proposal will require 40% affordable housing provision in accordance with policy and guidance.

3.15 **Landscape and Urban Design Officer:** comments provided on previous application remain relevant. Any reserved matters application will need to address concerns about tree impacts and the location of open space.

3.16 **Lead Local Flood Authority:** no response received.

3.17 **Letchworth Garden City Heritage Foundation:** Objections raised in respect to vehicular access, construction traffic, residential amenity, heritage assets, allocation of financial contributions and deliverability of site.

3.18 **Minerals and Waste Authority:** no objection subject to conditions.

- 3.19 **Conservation Officer:** no response although it previously confirmed that the proposed access and wider development would result in less than substantial harm to the significance of heritage assets
- 3.20 **Sport England:** Objects as proposal does not meet exception tests although if either a replacement playing field or an appropriate financial contribution towards playing field mitigation is provided the objection maybe withdrawn
- 3.21 **Waste and Recycling:** general comments on waste matters received
- 3.22 **Site notice/neighbour representations:**

39 neighbour representations have been received from neighbouring property owners adjoining and surrounding the site. All are objections. The representations are summarised, cumulatively, below. It is noted that the below is a brief summary. All responses have been read in full multiple times, and members are encouraged to review the neighbour responses in full at their leisure.

- Green space should be preserved for the original use
- Access issues around health and safety inc. construction traffic, RSA insufficiencies, Croft Lane road widths
- Character impact of the development on the original garden city plan and street scene of Croft Lane as a Conservation Area
- Local plan says 37 units, application up to 42 units, Transport Assessment up to 50 units
- Issues with the application form
- Issues with the Transport Assessment (inc. conflict between access and construction access)
- Comparisons in Herts Highways approach between this site and Echo Hill, Royston and Netherfield Lane, Stanstead Abbots
- Herts Highways “U-turn”
- Restrictive covenant on land
- Compulsory purchase of a Norton Road house for alternative access should be explored
- All members should visit Croft Lane prior to making the decision
- Scale at up to 42 units too large to fit surrounding context
- Structural damage to listed buildings adjoining the access
- Too many executive homes
- Ecological and wildlife habitat issues inc. newts, foxes, a heron, red kites, muntjack deer, newts, sparrowhawks, common toads, bats
- Pedestrian and cyclist access onto Cashio Lane will exacerbate parking issues on the Lane and other off-site parking concerns
- Impact of the Croft Lane localised widening on trees (especially the Horse Chestnut opposite)
- Revised plans still dated 2017
- Cashio Lane access could be used for vehicular access and egress as it is 8.2m wide
- Insufficient capacity of local schools and GPs
- Loss of privacy and overlooking

3.23 **Norton Action Group (NAG):** have provided independent technical reports/objections notes on transport, arboricultural impacts Air Quality and Disability Discrimination, as well as general objections which tend to follow the summary of other neighbour responses above.

#### 4.0 **Planning Considerations**

##### 4.1 **Site and Surroundings**

4.1.1 The site lies within the settlement of Letchworth Garden City some 2.7 km north-east of the town centre. It is an allocated housing site in the recently adopted Local Plan (Policy HS1 – site LG10). The part of the site containing one of the illustrative vehicular access points lies within Croft Lane Conservation Area. The site forming the playing field, in which the proposed dwellings would be located, is immediately on the south boundary of Croft Lane Conservation Area. There are Listed Buildings nearby and adjoining the site, including (Norton Grange Farmhouse - Grade II, The Three Gables - Grade II, Treetops – Grade II, Thatches – Grade II, Norton Edge – Grade II, Paynes Farmhouse – Grade II, Croft Corner – Grade II, The White Cottage – Grade II and 5 and 7 Croft Lane – Grade II). The site contains two buildings formally utilised in association with the vacant former playing field. The site is largely flat in terms of topography.

4.1.2 The wider area of the locality is residential in character. Adjacent buildings are large, detached dwellings set on spacious plots with large rear gardens. The surrounding area is mixed in character, with some notably important buildings including those listed above.

##### **Heritage Appraisal**

4.1.3 Consultants for North Hertfordshire Council were commissioned to undertake a Conservation Area Character Statement for Croft Lane Conservation Area. Relevant parts of the Character Statement are quoted below (paragraphs 4.1.4 to 4.1.7) to frame an assessment of the contribution of the site to the significance of, and setting of, the Conservation Area.

4.1.4 Croft Lane is historically part of the village of Norton and its two large farm buildings remain as evidence of the area's rural past. Croft Lane was developed as a residential street from around 1905 onwards, though is notably occupied by larger villa type houses than are seen in the surrounding residential streets. Since the principal phase of development between around 1905 and 1911, other plots have been filled with houses of a similar scale and the east end of Croft Lane appears to have been developed more recently, towards the end of the 20th century.

4.1.5 Norton Grange Farmhouse (NHLE 1102027), Paynes Farmhouse (NHLE 1174144) and Thatches (NHLE 1347675), of the 17th, 18th and 18th centuries respectively, are the three timber buildings within the Conservation Area, the former two being sat opposite each other on Croft Lane as part of U-shaped farm complexes, each with farmland behind. The Three Gables (1907) (NHLE 1295871) and Croft Corner (1911) (NHLE 1102026) were both designed by Cecil Hignett, famously the architect of The Spirella Building in Letchworth, the former for his own occupation. The former is in roughcast brick with thatched roof with eyebrow dormers and casement windows throughout.

- 4.1.6 All of the buildings in the Conservation Area are set back from the road behind gardens which are themselves separated from the road by tall hedges and other planting, creating a secluded feel from the roadside and presumably also within individual properties.
- 4.1.7 There are noticeably more street trees west of Paynes and Norton Grange farmhouses and this locates the more enclosed-feeling part of the Conservation Area to this part of it, i.e. around the earlier 20th century buildings. There is a pavement on the south side of Croft Lane which has, for the most part, a grass verge between it and the road. The kerbs here are stone.
- 4.1.8 The special interest of Croft Lane Conservation Area lies in its connection to the foundation of Letchworth Garden City and it hosting a series of significant buildings by key Letchworth Garden City architects, Parker & Unwin, Cecil Hignett and Geoffrey Lucas. Due to planting in front of almost all properties in the Conservation Area, long views are almost entirely absent, and it retains something of a rural feel, despite being almost entirely surrounded by suburban residential streets of Letchworth Garden City.
- 4.1.9 Croft Lane's significance is considered to lie within its historical development. The Lane served few farm buildings and a single dwelling on the edge of Norton prior to the development of Letchworth Garden City. Parts of the Lane were filled in the early part of the development of Letchworth Garden City, and later infilled with more modern dwellings. All dwellings are detached, of similar sizes, and set back from the lane with verdant frontages, maintaining a relatively rural feel considering the site's edge of settlement wider context.
- 4.1.10 The setting of the Conservation Area is mixed, with agrarian feel to the north, and recently (in built form context) developed residential land to the south. Historically, the area hosted two farm buildings in a U formation either side of the Lane. Part of the significance of the Conservation Area lies in how it has been developed to form the edge of Letchworth Garden City. Given the later development of the area, the significance of the Conservation Area partially lies within the very confined interrelation of houses and the streets lack of long views either through or out of it. The setting of the Conservation Area, by reason of the Lane's confined nature, has a limited contribution to the significance of the heritage asset.

#### **Sites contribution to significance of the heritage assets**

- 4.1.11 The site subject to this application contains some buildings which fall within the Conservation Area. The smaller building on the west edge of the site has no architectural merit and does not contribute to the significance of the Conservation Area. The larger building, to the east edge of the site, hosts some architectural merit and seemingly has some historic association with Norton Grange Farmhouse. These buildings are set back from Croft Lane, do not address Croft Lane, and are screened to some extent by the verdant frontage of the site to Croft Lane. These buildings are currently marked as being retained, and in respect to the larger building to the east of the site, this retention is of merit. There is one small access point wide enough for vehicular access, with a small dropped kerb and hard surfacing leading to the site's boundary. Beyond this, the site is green and open, laid to grass, with some trees growing within the part of the site within the Conservation Area.

- 4.1.12 The wider site, outside of the Conservation Area, is laid to grass, with no current functional use. The site is bounded by the rear boundary treatments of dwellings which encompass the site. The site boundaries are largely verdant, with mature trees and hedging.
- 4.1.13 It is considered that the part of the site which lies within the Conservation Area does contribute to the heritage assets significance. This significance is formed from the site's openness, and its exception from historic infill development between historic buildings on the Lane. Further contribution to significance is derived from the sites open and verdant presentation to the street, with hedging and trees.
- 4.1.14 The wider site is open in its nature. Notwithstanding this, by reason of the confined nature of the Conservation Area, alongside the site positioning to the south and surrounding residential development, the site openness only has a limited contribution to the significance of the heritage asset.
- 4.1.15 It is noted that the site is bounded by some Listed Buildings, as described above. These Listed Buildings have varying significances and historic and architectural interest.
- 4.1.16 The farm buildings and Thatches reveal the history of Croft Lane before the development of Letchworth Garden City. Paynes Farmhouse retains some of its historic agricultural setting on the north side of Croft Lane. Given the separation distance and agrarian setting derived from the north side of Paynes Farmhouse, it is not considered that the site contributes to the setting of Paynes Farmhouse.
- 4.1.17 Whilst historically, the site would have formed part of the setting of Norton Grange Farmhouse, the openness of the surroundings have been significantly degraded over time. The sites current contribution to the significance of Norton Grange Farmhouse as part of its setting is considered limited by the changes in character and function of the listed building itself and its surroundings over time. It is not considered that the site contributes to the significance of Thatches as the other pre-Garden City listed building adjacent to the site.
- 4.1.18 The other listed buildings which directly adjoin the site are Treetops and The Three Gables. These buildings are self-evidently architecturally significant, and historically significant in that they were designed by prominent Garden City architects, and form part of the history of Letchworth Garden City. Pursuant to this, it is not considered that the open, playing field, nature of the area to the rear of these properties contributes to the historic significance of these heritage assets.
- 4.1.19 In addition to the listed buildings, the following adjoining premises are registered as Buildings of Local Interest –
- **46 Norton Road.**  
*1906. Designed by Parker and Unwin. A simple square house with large steeply pitched roof with weatherboarded infill. The front elevation has a broad veranda with hipped roof. The building is designed by notable architects and is of particular local and historic interest.*

- **54 and 56 Norton Road.**  
*1906. Geoffrey Lucas. The building has a complex multi-gabled roof and is well designed with high quality chimney detailing. The building is designed by notable architects and is of particular local and historic interest.*
- **68 Norton Road.**  
*1911. Designed by Bennett and Bidwell to a high architectural standard, in the vernacular style characteristic of Letchworth. The building is designed by notable architects and is of particular local and historic interest.*

4.1.20 Furthermore, the Letchworth Garden City Heritage Foundation has prepared a list of 'Homes of Special Interest' (hereafter referred to as HSI's). Of particular relevance to the applicant site, and not already a designated heritage asset (i.e. part of the Conservation Area, are –

- **Norton Road**  
*52, 54, 56, 66, and 68.*

4.1.21 These adjacent non-designated heritage assets, are of notable architectural interest, historical value, retained original features or forming part of the town and country ethos of the Garden City. Notwithstanding this, it is not considered that these notable features are materially influenced by the sites currently open nature. The development of the site will not impinge upon the features from which these non-designated heritage assets derive their value.

## 4.2 Proposal

4.2.1 The application seeks outline planning permission for residential development of the site with all matters reserved for future consideration. In relation to plans, the only one of relevance is the site location plan. All other plans are indicative and do not form part of the consideration for the purpose of this outline application.

## 4.3 Key Issues

### Preliminary matters

4.3.1 The application is for outline planning permission with all matters - *means of access, appearance, scale, landscaping and layout* - reserved for future consideration. Notwithstanding the outline nature of the application, some indicative details, including the means of access, have been received to assist in deciding the proposal. The considerations of *means of access, appearance, scale, landscaping and layout* remain relevant, however, only to the extent that the site may be capable of accommodating the proposed development in the context of these considerations.

4.3.2 The 2019 application for residential development on the same site with all matters reserved except for means of access was refused permission for the following reason –

*“In the opinion of the Local Planning Authority the proposed vehicular access associated with this development would generate additional traffic onto Croft Lane which has a substandard road width. Such additional traffic would be to the detriment of highway safety in the locality, contrary to Policies T1, SP6 and SP7 of the Emerging North*

*Hertfordshire District Local Plan (2011-2031) and to paragraphs 109 and 127 (f) of the National Planning Policy Framework (NPPF)."*

4.3.3 Although the subsequent appeal was dismissed, this was only due to a procedural matter relating to whether the financial contributions sought were compliant with the Community Infrastructure Levy (CIL) (a statutory requirement). In relation to highways reasons for refusal, the Inspector found that the proposal would not prejudice highway safety. This is considered further in the latter parts of this report. A copy of the appeal decision is attached at Appendix 1.

4.3.4 Supporting documents relating to the application comprise –

- Built Heritage Statement
- Tree Survey
- Phase 1 Geo Environmental Report
- Planning Design and Access Statement
- Flood Risk Assessment
- Service Investigations Report
- Transport Statement
- Archaeological Assessment
- Ecological Appraisal
- Statement of Community Engagement
- Travel Plan Statement
- Design Brief

### **Principle**

4.3.5 The 2011-2031 Local Plan has been adopted recently following examination by the Secretary of State. The site is identified as a Local Housing Allocation under Policy HS1 as LG10. This allocation was modified during examination to remove the requirement for re-provision of the loss of open space as the site is not open to the public.

4.3.6 Under the policy, the site is allocated for the provision of an estimated 37 homes. The policy stipulates that the development hosts appropriate access arrangements to minimise impact upon heritage assets; sensitive design and lower density development to minimise harm to the Croft Lane Conservation Area and setting of the Grade II Listed Buildings along Cashio Lane, Croft Lane and Norton Road; and to provide an archaeological survey prior to development. These matters are considered later within this report, in line with specific professional advice sought from consultees. However, the principle of residential development of the site is supported by policy HS1.

4.3.7 Given the residential use of the site is supported by Policy HS1, it is considered that the proposal is acceptable in principle. Although this is an outline application with all matters reserved for future consideration, it is useful and appropriate to consider technical matters in a broad sense so there is greater certainty and understanding as to what a reserved matters application should include and deliver. These matters are considered in the following parts of this report.



## Highways impacts

- 4.3.8 The means of access to and from the site is reserved for future consideration and does not therefore form part of the considerations on this application. However, in such circumstances The Town and Country Planning (Development Management Procedure) (England) (Order) 2015 requires that 'where access is a reserved matter, the application for outline planning permission must state the area or areas where access points to the development proposed will be situated'. The points of access into the site have been illustrated to be from Cashio Lane (pedestrian and cycles) and Croft Lane (vehicular and other traffic). These are the only possible options available to access this site. They are also identical to those considered as part of the 2019 application and as illustrated on the adopted Local Plan proposals map.
- 4.3.9 Although the illustrative layout shows 42 units (as was also proposed as part of the 2019 application) and the supporting Transport Assessment provided by the applicant has assessed traffic impacts for up to 50 units, the description of the proposal does not propose a specific number of residential units. However, the application form indicates that 42 dwellings are proposed. The Council must therefore be satisfied that the site is capable of accommodating a residential use of the site in general terms and, if necessary and reasonable for highway safety reasons, imposing conditions to limit the number of units.
- 4.3.10 The Local Plan site allocation – Policy HS1 (site LG10) - requires appropriate access arrangements to minimise impact upon heritage assets. The illustrative plan shows a proposed vehicular access and egress on Croft Lane to the north of the site and through Croft Lane Conservation Area. This illustrative means of vehicular access could accommodate two-way traffic with a road width of circa 5.5m. An additional access is illustrated for pedestrians and cycles onto Cashio Lane.
- 4.3.11 By way of background information it should be noted that the Highway Authority provided advice and guidance into the formulation of Policy HS1 site LG10 in the recently adopted Local Plan. Since the previous application was considered, several new planning/highways policies have emerged including the government's Decarbonising Transport 2021, LTN1/20 cycle guidance, Inclusive Mobility 2022 and the Transport Decarbonisation Toolkit. These all place even greater emphasis on the need for sites to be highly sustainable and accessible for all people particularly more vulnerable users (e.g. those with disabilities, sight-impairment, parents with buggies, children and the elderly). With this in mind, and overall to ensure the development complies with paragraphs 110 to 112 of the NPPF, wider highway works will need to be focussed on these issues when preparing the reserved matters proposals. As part of this process, the Highway Authority would expect the developer to reconsider the illustrated access arrangements at the reserved matter stage in the event that outline planning permission is granted. This should include the reassessment to ensure proposed access designs and approaches comply with latest policy and guidance. Whilst this may still result in the provision of accesses as currently detailed on the illustrative plan and which have been found to be acceptable by the Inspector when considering the recent appeal, it could also necessitate some changes to the access arrangements. In terms of the trip generation and vehicle capacity details in the Transport Statement, these are acceptable, and in a wider highway context the residential use of the site is not considered to have a significant effect on the free flow of traffic.

4.3.12 Although the access arrangements are not considered as part of this outline application, there is a high probability that the Croft Lane access point - due to its greater width compared to the narrower Cashio Lane access point - will provide some sort of vehicular access to/from the site. In relation to this matter the Inspector, in considering the 2019 scheme, concluded that -

*“I acknowledge that the proposed scheme would increase traffic movements along Croft Lane and within the immediate vicinity of the site but that the increase would not be of such a scale that highway safety would be seriously prejudiced. The measures included in the Section 278 Agreement are sufficient to balance concerns in respect of highway safety. For these reasons, I conclude that the proposed scheme does not conflict with the emerging policies T1, SP6 and SP7 or Paragraphs 130(f) and 111 of the Framework.”*

4.3.13 Officers previously opined that an access on Croft Lane would be the least harmful means of achieving the development proposed in heritage terms. This and other concerns over the means of access have been raised by local residents and the Norton Action Group. However, as this matter is not part of the considerations on this application, this would need to be raised and weighed as part of any reserved matters submission.

4.3.14 Having regard for the advice of Hertfordshire County Council as Highways Authority and the recent findings of the Inspector’s highway matters relating to the previous application, it is considered that, subject to conditions and legally secured contributions, the proposal is broadly acceptable from a highway perspective. Other off-site highways mitigation works needed to facilitate an acceptable residential development use of the site would need to be detailed as part of the reserved matters submission and secured by way of a S278 agreement under the Highways Act 1980.

4.3.15 In relation to S106 contributions, the County Council sets out a headline figure of £6826 per dwelling to go towards CIL compliant sustainable transport schemes in the vicinity. Based on 50 dwellings being proposed at reserved matters stage, this would equate to £341,300. Packages 11 and 12 of the adopted North Central Growth and Transport Plan include schemes which are CIL compliant in this case. As the work covered under conditions 8 (new and improved footways) and 9 (bus stop improvements) would have a wider public benefit, it would be reasonable to deduct the implementation costs of these from the headline s106 figure. This means a final Heads of Terms sustainable transport contribution would be – total number of units x £6826 less £186,692. This matter is set out in the latter section of this report along with a summary of the other S106 matters.

### **Appearance**

4.3.16 Appearance *“means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture”* (DMPO). The most relevant site-specific criterion to this matter is that the development be sensitively designed and/or lower density housing to minimise harm to the Croft Lane Conservation Area and setting of the Grade II Listed Buildings along Cashio Lane, Croft Lane and Norton Road.

- 4.3.17 Appearance is clarified within policy D1 of the adopted Local Plan and the Design Supplementary Planning Document. Appendix 5 of the Local Plan sets out design principles for Letchworth Garden City. Generally, the policies aim for the design of buildings or places to reflect the character of the sites surroundings. The SPD goes into more detailing as to the materials used in the development of Letchworth Garden City and their rational (particularly paragraph 196 of the SPD). Adopted Policy HE1 – Designated Heritage Assets - also provides some guidance on development affecting the setting of heritage assets. These policies are not of particularly relevance in relation to this application, as appearance is a reserved matter. The policy basis is only important in that it would be possible to achieve the desired appearance on the site with the proposed development.
- 4.3.18 The summited Design Brief set out the broad parameters of all the reserved matters including appearance. Given the amount of high-quality designed buildings in the immediate surroundings of the site, it is considered that the proposal would be more than capable of accommodating buildings of an appropriate appearance in any future reserved matters application. No further information is considered to be required at this outline stage in respect to appearance. No parameters have been proposed in any of the documents submitted, and consequently, the Council will have freedom to assess a reserved matters application in respect to appearance on its merits and seek the highest architectural quality. The proposed development could thereby provide a high-quality appearance which would preserve the significance of the heritage asset and meet the relevant design based criteria of the adopted Local Plan and NPPF.

### **Landscaping**

- 4.3.19 Landscaping is defined as *“the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes -*
- (a) *screening by fences, walls or other means;*
  - (b) *the planting of trees, hedges, shrubs or grass;*
  - (c) *the formation of banks, terraces or other earthworks;*
  - (d) *the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and*
  - (e) *the provision of other amenity features.”*
- 4.3.20 Policy NE1 of the adopted Local Plan advises that proposals would be granted so long as they do not cause unacceptable harm to the character and appearance of the surrounding area taking account of any suitable mitigation measures necessary to achieve this, are designed and located to ensure the health and future retention of important landscape features and have considered the long-term management and maintenance of any existing and proposed landscaping.

- 4.3.21 Some landscaping details have been provided within an illustrative plan and as part of the Tree Survey and Tree Constraints Plan although as landscaping is a reserved matter, these are indicative only. The site contains some trees along the boundary as well as two class C trees towards the east of the site which are not on the boundary. The illustrative site plan shows the majority of those trees to be retained.
- 4.3.22 The indicative retention of category B and a large proportion of category C trees is welcomed. The illustrative site layout plan does not position any dwellings such that any trees are clearly threatened by proximity, daylight issues, or root protection concern. In the situation where the means of access is proposed from Croft Lane, there are some potential implications for existing trees including ones outside of the application site. Previously officers opined that the removal of three trees to facilitate the means of access from Croft Lane was justified due to the proximity other trees, poor quality and/or their contribution towards the significance of the Conservation Area. In the event the reserved matters application identifies trees for removal, these would need to be assessed for their value and health in the normal way. Off site trees within the public realm affected by any proposed means of access would be a matter for the applicant to resolve separately with the Council's Tree Officer as the 'landowner'. For clarity, this matter is addressed by way of an informative as part of this recommendation.
- 4.3.23 The landscaping shown in the indicative details, in terms of the planting of trees along the outer and inner side of the circular access road shows that a good level of tree planting could be achieved. Further consideration of perimeter screening planting should be considered in future landscaping reserved matters applications where that planting would benefit the amenity of the occupiers of future and that of adjoining premises.
- 4.3.24 As a result, it is considered that the indicative layout shows that the site could accommodate the proposed development while maintaining a high-quality landscape. The proposed removal of trees would not impact the contribution of the site to the significance of the Conservation Area, subject to later reserved matters application to improve landscaping to the entrance of the site along Croft Lane, which is clearly achievable.

### **Layout**

- 4.3.25 Layout *"means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development"*.
- 4.3.26 Layout is considered to be an important aspect of Letchworth Garden City Design Principles. Policy D1 and Appendix 1 of the adopted Local Plan set out the expectations in this regard and Policy HE1 will necessitate consideration of layout insofar as it impacts on the setting of heritage assets. Creating vistas, closure and accents within group design breaks the monotony of built form. Stepping of building lines with differing block designs with similar materials allows for the creation of accents. Vistas are best formed by tree lined streets and closure represented by feature buildings at key points.
- 4.3.27 The illustrative layout and the broad parameters set out in the submitted Design Brief are useful in-so-much as they provide some evidence that the amount of development proposed could be accommodated on the site in respect to layout.

- 4.3.28 It is considered that future site layout will need to improve vistas and accents currently shown on the illustrative plan. Work is also required in respect to buildings addressing corners and orientation of the built form to make best use of natural light and solar gain. Based on the illustrative plan, it is demonstrated that occupiers of any proposed dwellings would enjoy satisfactory living conditions (outlook, open space, accessibility). In terms of open spaces, it is considered that the grouping of open space around the edges of the site is not a particularly attractive or inclusive strategy. However, it does allow for some spacing from sensitive adjoining premises in terms of heritage value and residential amenity (along Norton Road where landscape screening is less prevalent). The details of open space and its management would typically be provided and agreed as part of the S106 agreement. For the avoidance of doubt, the re-provision of the loss of the site as an open space is not necessary as the site is not open to the public. This matter was addressed during the Local Plan examination.
- 4.3.29 Care will need to be taken in any reserved matters application in respect to layout (and landscaping) to ensure that harm to adjoining premises in terms of overlooking and outlook does not occur. Care should be taken particularly around plots 25, 28-32 in terms of distance to existing rear boundaries and supplementary planting as potential mitigation. Further consideration must be had to views into the site or views into or from any adjoining heritage assets as a starting point for any layout supplementing future reserved matters applications. Due to the limited size of rear gardens shown on the illustrative plan, it is considered appropriate to remove permitted development rights relating to additional buildings within each dwelling plot. This would enable control to be in place to avoid overdevelopment of a plot, with the consequential impact on the living conditions, the character and appearance of the area, and heritage significance of the adjacent conservation area through development within its setting. This matter can be secured by condition in the event of approval.
- 4.3.30 In terms of reflecting the character of the site's surroundings, it is noted that the buildings are separated some distance from the street or driveway which they address. Shared driveways should be minimised in future reserved matters applications as it is unreflective of the linear pattern of development of the surrounding area. Notwithstanding the above suggestions, with some configuration, it is considered that an acceptable layout, not unlike the indicative plan, would award sufficient spacing to accommodate the proposed development without harm to the significance of nearby heritage assets and living conditions of the occupiers of adjoining premises, while representing high-quality design.

### **Scale**

- 4.3.31 *"The height, width and length of each building proposed within the development in relation to its surroundings"* is how scale is defined in the GPDO. Again, this consideration is only covered in-so-far as to whether the site would likely be capable of accommodating the development proposed.
- 4.3.32 Scale is not directly addressed in the development plan beyond policy D1 of the recently adopted Local Plan. The scale of the proposed development should respect the character of the sites surroundings.

- 4.3.33 The indicative plans and elevations show two storey buildings. The planning, design and access statement confirms an envisaged height of 2 storeys, with maximum eaves heights of 5m and ridge heights 9m. It is not considered that the ridge height is appropriate to the site's context. Notwithstanding this, this matter is reserved, and the suggestion that 9m is inappropriate is just that. Evidence will need to support any reserved matters application that the height of the buildings has been informed by its context. 2 storeys as a maximum height is considered appropriate to the context of the site. The indicative layout shows that the site can accommodate the dwelling mix and floor space required for those dwellings over two storeys.
- 4.3.34 The proposed development is not going to be capable of directly reflecting the surrounding area in respect to the width and length of each building and separation distances without having a severe impact on deliverability and failing to maximise the use of the site. Here we have conflicting policy considerations. Considering the likely access details (representing a cul-de-sac with good pedestrian and cyclist permeability) and spacing between the proposed built form and those dwellings on Cashio Lane, Croft Lane and Norton Road, it is considered that, with adjustment to the illustrated plan layout, the proposed development could provide the density and scale indicated without harming the character of the surrounding area. Overall, the information supporting this application demonstrates that the site could accommodate the scale of development proposed without harm.

### **Ecology**

- 4.3.35 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. The 2021 Environment Act introduced an automatic requirement for every planning permission granted to achieve a Biodiversity Net Gain (BNG) from November 2023. This means that, before any development begins, developers need to measure the existing and proposed biodiversity values of their sites.
- 4.3.36 An updated Ecological Appraisal including a range of Phase One Habitat Surveys has been provided as one of the supporting documents. Although no formal response has been received from Herts Ecology, given the updated Appraisal did not find any changes from the one previously submitted the response on the 2019 application is considered still to be relevant. A summary of findings relation to existing species and habitats is as follows -
- Bats – any work to a single walnut tree which had some bat activity (feeding and foraging) would need to be considered further (watching brief by licensed bat ecologist) at reserved matters stage. Providing the former highways buildings adjacent the Cashio Lane entrance are retained then there are not considered to be risks to bats or their habitats. Hedgerows should be retained and sensitive site lighting delivered as part of the development.
  - Nesting birds –development works should avoid bird breeding season if possible. Informative recommended.
  - Hedgehogs – there is known to be activity within the area. Informative recommended.

- Badgers – no evidence of activity or denning was found. There is considered to be negligible impact on badger population from the development. Informative recommended.
- Reptiles – no adverse impacts likely.
- Grassland – considered to be species poor and unlikely to be valued habitat.

Overall, these impacts are not significant to justify the withholding permission although appropriate mitigation together with the provision of sensitive site wide lighting should be sought by way of conditions.

4.3.37 In relation to biodiversity, the application site's baseline habitats have been calculated to provide 14.24 Habitat Units and 1.26 Hedgerow Units (using the Biodiversity Metric 3.0). Although the site is currently of low biodiversity value, habitat retention, enhancement and creation including existing site trees and hedgerows will be necessary to satisfy recently adopted LP policy. From November 2023, such enhancement will need to be at least 10% over existing baseline. Within the communal open spaces, it is recommended that the planting of a small orchard and a wildflower meadow. New tree, shrub and hedgerow planting within the development should be either native species or species of known wildlife value. Any biodiversity enhancements should be considered at an early stage to avoid potential conflict with any external lighting plans. These matters can be secured by condition including a Landscape Management Plan (LEMP) to ensure that appropriate biodiversity net gain will be delivered as part of the development.

#### **Flood risk**

4.3.38 A Strategic Flood Risk Assessment was undertaken in 2018 and this informs the submitted Flood Risk Assessment (2021) provided as a supporting document to the application. In relation to surface water drainage, the assessment demonstrates that the proposed Sustainable Drainage System (SuDS) features provide sufficient storage to avoid flooding during the 1 in 100 year storm event plus 40% allowance for climate change. All surface water runoff from the development would pass through a swale and a detention basin which would provide adequate treatment for the potential pollution hazards generated by the land uses.

4.3.39 In relation to foul water flows from the development, the submitted Detailed Drainage Strategy presented as part of the Flood Risk Assessment confirms that the site can be drained adequately.

4.3.40 The site is not considered to be at risk of flooding from fluvial, surface water, groundwater, sewers or artificial source. Although the Lead Local Flood Authority have not responded in relation to the current application, they previously raised no objection to the development of the site for residential development subject to conditions which are recommended in the event that permission is granted.

## Housing mix

4.3.41 The illustrative plans show the following housing mix –

House type	Number	Total large/small split (%)
1 bed flats	0	+
2 bed flats	0	+
2 bed houses	6	14
3 bed houses	11	+
4+ bed houses	25	86
Total	42	100

Table 1

4.3.42 Recently adopted Policy HS3 requires that new home sites achieve the overall targets of the plan; the findings of the most up-to-date evidence including the most recent Strategic Housing Market Assessment (SHMA), the Council's Self-Build Register and other relevant evidence of housing need; the location and accessibility of the site; and recent completions, existing permissions and sites in the five-year supply. Policy HS3 also requires that proposals should provide a density, scale and character of development appropriate to its location and surroundings.

4.3.43 Following this guidance, the policy requirement for housing mix is, broadly, shown below, based on up-to-date evidence –

House type	Number	Total large/small split (%)
1 bed flats	3	+
2 bed flats	5	+
2 bed houses	9	40
3 bed houses	17	+
4 bed houses	8	60
Total	42	100

Table 2

4.3.44 The applicant acknowledges that the omission of a specific number of units from the application description is due to the fact that in considering the 2019 application officers identified the site would require more smaller units, which would potentially increase the total number of units on site to over the 42 shown on the illustrative masterplan. It is anticipated that any reserved matters application will reflect the housing mix suggested by officers. In the event that it does not, evidence will be required to be submitted to demonstrate the housing mix proposed is both sought and justified. As the housing layout and types are illustrative and a matter reserved for future consideration, the indicative housing mix does not give rise to any reason for refusal at this stage.

## Affordable housing

4.3.45 Policy HS2 requires 40% affordable housing on sites providing 25 dwelling or more. This percentage has been agreed and built into the S106 agreement to be delivered on-site. The policy continues that the expectation is for 65% be rented and 35% other forms of affordable housing. This has again been agreed and is included within the S106 agreement. As with policy HS3, the affordable housing provision needs to meet the



needs of the area. The other policy requirements have been secured within the legal agreement in the form of the S106 agreement.

- 4.3.46 The Council's Housing Supply Officer has recommended the mixes best meets housing needs, as identified in the 2016 SHMA Update and these are set out in the tables below. The delivery should include the provision of a three, four or five bedroom M4(3) wheelchair accessible standard bungalow or house for rent to meet this need and the requirements of Policy HS5: Accessible and adaptable housing.

Social/affordable rented	Total (%)
1 bed flat	21
2 bed flats	12
2 bed houses	26
3 bed houses	35
4 bed houses	6
Total	100

Table 3

Intermediate	Total (%)
1 bed flat Intermediate	8
2 bed flats Intermediate	8
2 bed houses Intermediate	20
3 bed houses Intermediate	54
4 bed houses Intermediate	10
Total	100

Table 4

### Archaeology

- 4.3.47 Following a thorough review of all available information for the site, Hertfordshire County Councils Historic Environment team consider the archaeological potential of the site falls just below the threshold for requiring further intrusive evaluation predetermination. Consequently, conditions requiring a Written Scheme of Investigation are recommended to ensure the archaeological value of the site is preserved.

### Energy and carbon emissions

- 4.3.48 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.

- 4.3.49 Given the outline nature of the application, no detailed carbon reduction measures are yet known. However, a detailed Energy Statement 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. Typically, this would focus on the energy consumption of the dwellings and set out measures such as improving the that the efficiency of dwellings thermal envelope and utilising low carbon and renewable technologies.
- 4.3.50 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**

- 4.3.51 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.
- 4.3.52 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.
- 4.3.53 In terms of the social objective, several community benefits would accrue from this development. Firstly, 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.
- 4.3.54 Secondly, the proposal would deliver a high-quality and inclusive residential development. The development would be well connected to the existing community and by public transport and existing and new public footpaths. Thirdly, a financial contribution towards improvements to a local community church which supports the wider community has been agreed. Overall, 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.
- 4.3.55 In terms of the environmental objective, it has been concluded above that the proposed development would likely 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
- 4.3.56 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.

## S106 Legal agreement matters

4.3.57 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.

4.3.58 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, Norton Methodist 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 -

<b>Category (Authority)</b>	<b>Figure (£)</b>	<b>Infrastructure Project(s)</b>
Primary Education (HCC)	Based on final delivery (index linked to 1Q2020 – BCIS All in TPI)	towards the expansion of the Garden City Academy school by 1 FE
Secondary Education (HCC)	Based on final delivery (index linked to 1Q2020 – BCIS All in TPI)	towards the expansion of Fearnhill School by 1FE
Library (HCC)	Based on final delivery (index linked to 1Q2020 – BCIS All in TPI)	towards increasing the capacity of Letchworth Library or its future re-provision
Youth Services (HCC)	Based on final delivery (index linked to 1Q2020 – BCIS All in TPI)	towards increase capacity by sourcing a new exclusive or shared use young people’s centre serving Letchworth and the surrounding area
Special Educational Needs and Disabilities (SEND)	Based on final delivery (index linked to 1Q2020 – BCIS All in TPI)	Provision towards the new Severe Learning Difficulty school in the east of the county.

Waste Provision	Based on delivery (index linked to 3Q2020 – BCIS All in TPI)	Provision towards Recycling Centre provision serving the development
Monitoring Fees	£340 (adjusted for inflation against RPI July 2021)	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. For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions
Sustainable Transport (HCC)	Based on final delivery. Note: £186,692 to be deducted as improvements will have wider community benefit (subject to indexation)	towards:  Package 11 of the North Central Hertfordshire Growth and Transport Plan To increase active transport provision between the centre of Letchworth Garden City and the Industrial Estate by providing a signposted and connected active transport network.  Package 12 of the North Central Hertfordshire and Transport Plan ....
Leisure (NHDC)	£29,852 (subject to indexation)	towards refurbishment of gymnasium and changing facilities to provide the dual use of the facilities within Fearnhill School
Open Space (NHDC)	£15,348.80 (subject to indexation)	towards repairs to footpaths, formalisation of BMX trails and improved interpretation/signage at Norton Common
Community Centre (NHDC)	£38,670 (subject to indexation)	towards the community hall improvements at Norton Methodist Church, including new boiler and lighting system
Play Space (NHDC)	£28,395 (subject to indexation)	towards play space provision at Howard Park play area to refurbish and replace equipment in Letchworth
Sports Pitch (NHDC)	£14,005 (subject to indexation)	towards the on-going maintenance of sports pitch provision at Baldock Road sports pitches, Letchworth
Waste and Recycling	£2,622 (subject to indexation)	towards the cost of providing waste collection and recycling facilities serving the Development

Table 5

## **Overall Planning Balance and Conclusion**

- 4.3.59 The site is an allocated housing site in the recently adopted Local Plan – policy HS1 site LG10. The residential use of the site is therefore acceptable in principle. There are no technical matters identified in the foregoing sections of this report that cannot be mitigated or controlled by appropriately worded conditions. The proposals would be a sustainable form of development and would comply with national and local planning policy and guidance.
- 4.3.60 The application is in outline form with all matters reserved for future consideration. Future reserved matters application will therefore address issues relating to means of access, layout, design, scale and landscaping. Other technical matters that require further consideration or details to be submitted are recommended to be dealt with by conditions.
- 4.3.61 Subject to the completion of the S106 legal agreement and the schedule of conditions set out below, the application is recommended for permission.

## **5.0 Legal Implications**

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

## **6.0 Pre-commencement conditions**

- 6.1 It is confirmed that the applicant agrees to the pre-commencement conditions that are proposed.

## **7.0 Recommendation**

- 7.1 That planning permission be **GRANTED** subject to the completion of a satisfactory S106 agreement delivering the infrastructure requirements detailed within this report and the applicant agreeing to extend the statutory period in order to complete the agreement if required and the following conditions:
1. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting, approved documents and plans, 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.

2. **Before the development hereby permitted is commenced, approval of the details of the internal access, appearance, scale, layout and landscaping (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 2015 as amended.**

3. 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.

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

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

**Reason: To ensure the satisfactory preservation of any subterranean heritage assets which may exist within the site, in line with section 15 of the NPPF and policy HE4 of the ELP.**

5. The development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 4.

Reason: To ensure the satisfactory preservation of any subterranean heritage assets which may exist within the site, in line with section 15 of the NPPF and policy HE4 of the Local Plan.

6. 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 4 and the provision made for analysis and publication where appropriate.

Reason: To ensure the satisfactory preservation of any subterranean heritage assets which may exist within the site, in line with section 15 of the NPPF and policy HE4 of the Local Plan.

7. **Prior to the commencement of the permission hereby approved, a Site Waste Management Plan must be submitted to and approved in writing by the Local Planning Authority in conjunction with the Spatial and Land Planning Team at Hertfordshire County Council. The Site Waste Management Plan approved pursuant to this condition shall thereby be followed and implemented throughout the construction of the development hereby approved.**

**Reason: To promote the sustainable management of waste in the county and minimise waste generated by development.**

8. The development permitted by this planning permission shall be carried out in accordance with the principles of the approved drainage strategy indicated on Drawing ST-2571-05-B revision B dated 5 March 2021 and the information submitted in support of this application and the following mitigation measures;

1. Limiting the surface water runoff rates to maximum of 5l/s for all rainfall events up to and including the 1 in 100 year plus 40% allowance for climate change event with discharge into the surface water sewer.
2. Provide attenuation to ensure no increase in surface water runoff volumes for all rainfall events up to and including the 1 in 100 year including 40% for climate change event.
3. Implement drainage strategy as indicated on the proposed drainage strategy drawing utilising lined permeable paving, swales and basins.

The mitigation measures shall be fully implemented prior to occupation and subsequently 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.

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

9. **No development shall take place until a detailed surface water drainage scheme for the site based on the principles of the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

The scheme shall include:

1. **An assessment with an appropriate evidence to discharge surface water runoff from the development site into the ground via infiltration or into a public surface water sewer. If discharge into the sewer will be considered, an evidence will have to be provided why infiltration into the ground cannot be achieved.**
2. **If the drainage proposals for the access road are to infiltrate, then evidence of permeability should be provided, and test must be conducted in accordance with BRE Digest 365. Tests will have to be undertaken at the exact locations and depth of the proposed infiltration features.**
3. **If a pumped discharge into a wider drainage on site will be considered, any potential to promote more sustainable design and to limit the pumped network length should be considered. An appropriate evidence should be provided.**
4. **Final, detailed drainage layout plan showing all piped networks and SuDS features, identified invert levels, as well as a final discharge point into a public sewer.**
5. **Details in relation to the proposed conveyance swales.**
6. **Full assessment of the final proposed treatment train for any proposed access roads or driveways.**
7. **Final network modelling based on an appropriate discharge mechanism for all rainfall events up to and including the 1 in 100 year rainfall including 40% for climate change allowance. As the final discharge into a public sewer rate of 5 l/s should be considered.**
8. **Detailed engineered drawings of the proposed SuDS (lined permeable paving, swales, basins) and drainage features including cross and long section drawings, size, volume, depth and any inlet and outlet features details including any connecting pipe runs. For the proposed attenuation basins cross section drawings identifying ground levels of the neighbourhood properties should also**



be provided. This is to minimise any negative impact on the existing neighbourhood residential properties.

9. Details regarding any areas of informal flooding to be shown on a plan with estimated extent areas, flooding volumes and depths based on the proposed layout and topography of the site.

10. An assessment of any surface water runoff flows exceeding the designed 1 in 100 year event including 40% for climate change allowance.

11. Maintenance and management plan to include the final land ownership plan, arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

10. 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 also include:
1. Final confirmation of management and maintenance requirements
  2. Provision of complete set of as built drawings for the site drainage

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

11. Prior to occupation of any of the dwellings hereby approved, a scheme identifying a substantial number, as well as the distribution of, EV charging points shall be submitted and agreed in writing by the Local Planning Authority. The EV charging points agreed by way of this condition shall be implemented prior to the occupation of any dwelling hereby approved.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

12. **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:**

**(ii) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**

**(iii) The results from the application of an appropriate risk assessment methodology.**

**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.**

13. **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 13, above; has been submitted to and approved by the Local Planning Authority.**

**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.**

14. 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 14 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.

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

15. Any contamination, other than that reported by virtue of condition 13 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.

16. Prior to the first occupation of the development, new and improved footways at the junction of Croft Lane / Norton Road, which link to a new footway provision along the northern side of the Norton Road carriageway shall be provided to the satisfaction of the Local Planning Authority. The new footway should itself link to a new signalised pedestrian crossing over Norton Road to the north of the Norton Road / Croft Lane junction. Detailed engineering drawings of these works shall be submitted and agreed as part of the s278 works.

Reason: So that all users of the development can conveniently, safely and sustainably access the closest primary school, in compliance with paragraphs 110 and 112 of the NPPF, and policy 1 of HCC's LTP4, and in the interest of sustainable travel for all users.

17. Prior to the first occupation of the development, improvements to the two closest bus stops along Norton Road (which may require relocation of the northbound stop), to include raised Kassel kerbing at each, better access to the waiting area to the front of the southbound stop, and a pedestrian dropped kerb / tactile paved crossing point between the two stop shall be provided to the satisfaction of the Local Planning Authority. Detailed engineering drawings of these works shall be submitted and agreed as part of the s278 works.

Reason: So that all users of the development can conveniently, safely and sustainably access the nearest bus stops, in compliance with paragraphs 110 and 112 of the NPPF, and policy 1 of HCC's LTP4, and in the interest of sustainable travel for all users.

18. At least three months prior to the first occupation of the development, a revised Travel Plan Statement in line with Hertfordshire County Council's Travel Plan Guidance 2020 shall be submitted to and approved in writing by the Local Planning Authority. Implementation of the Travel Plan Statement shall follow the approved details thereafter.

Reason: To encourage, regulate, and promote sustainable travel measures for owners, occupiers, and visitors to the Development in accordance with the provisions of the County Council's 'Travel Plan Guidance for Business and Residential Development 2020'.

19. Prior to the commencement of the development, a 'Construction Traffic Management Plan' shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' shall identify details of:
- the phasing of construction and proposed construction programme.
  - the methods for accessing the site, including wider construction vehicle routing.
  - the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
  - the hours of operation and construction vehicle movements.
  - details of any highway works necessary to enable construction to take place.
  - details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
  - details of any hoardings.
  - details of how the safety of existing public highway users and existing public right of way users will be maintained.
  - management of traffic to reduce congestion.

- control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels, and how it will be ensured dirty surface water does not runoff and discharge onto the highway.
- the provision for addressing any abnormal wear and tear to the highway.
- the details of consultation with local businesses or neighbours.
- the details of any other Construction Sites in the local area.
- waste management proposals.
- signage

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with the Hertfordshire's Local Transport Plan.

20. The detailed plans submitted in connection with approval of reserved matters shall show, to the satisfaction of the Local Planning Authority:
- (i) The details of all vehicle and pedestrian/cycle access points into and out of the site directly, and all supporting works necessary upon approach to these accesses along Cashio Lane and Croft Lane. This should include a report documenting the consideration of a range of access and approach options, to establish the most suitable designs in this respect.
  - (ii) The details of all hardsurfaced areas within the site. This includes, but is not limited to, all roads, footways, forecourts, driveways, parking and turning areas, and foul and surface water drainage.
  - (iii) The level of footway and carriageway visibility from each individual vehicle access, and the level of visibility from and around each main junction within the site, within which there shall be no obstruction to visibility between 600mm and 2 m above the carriageway level.
  - (iv) That service vehicles, including refuse and emergency vehicles, can safely and conveniently access and route through the site, to include the provision of sufficient turning and operating areas.
  - (v) The provision of sufficient facilities for secure cycle storage in accordance with adopted standards.

All these feature as approved shall be provided before first occupation and maintained in perpetuity.

Reason: To provide adequate visibility for drivers within the site, to promote alternative modes of travel, and for the overall free and safe flow of all site users.

21. **No development shall commence until a Construction Management Plan (or Construction Method Statement) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan / Statement shall include details of:**
- a. Construction vehicle numbers, type, routing;**
  - b. Access arrangements to the site;**

- c. **Traffic management requirements**
- d. **Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
- e. **Siting and details of wheel washing facilities;**
- f. **Cleaning of site entrances, site tracks and the adjacent public highway;**
- g. **Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;**
- h. **Provision of sufficient on-site parking prior to commencement of construction activities;**
- i. **Post construction restoration/reinstatement of the working areas and temporary access to the public highway;**
- j. **where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.**

**Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).**

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

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

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

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

24. **Prior to the commencement of the development, 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.**

25. 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.

26. 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 and hedges to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

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

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

28. Prior to the commencement of development, 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.

29. 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.

30. No development shall commence 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 bat boxes as recommended in the supporting Ecological Appraisal.

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.

31. The reserved matters application shall include the provision of at least one 3, 4 or 5 bedroom M4(3) wheelchair accessible standard bungalow or house to meet identified housing need.

Reason: To ensure compliance with *Policy HS5: Accessible and adaptable housing* in the adopted Local Plan.

**Proactive Statement:**

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

**Informatives:**

1. AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
2. AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network



becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

3. AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
4. AN4) Construction standards for works within the highway. 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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
5. AN5) Highway to remain private: The applicant is advised that all new highway routes within the development site are likely to remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
6. AN6) Section 106 Agreement: Planning permission granted subject to the completion of a Section 106 Agreement between the applicants, North Herts District Council, and Hertfordshire County Council to secure a Sustainable Transport & Highway Accessibility Contribution of £100,000, index linked by SPONS to January 2019 towards measures and schemes outlined in the North-Central Growth & Transport Plan under packages 11 and 12, with the intention of increasing sustainable travel opportunities and/or improving accessibility for all users of the highway and right of way

7. Within any future reserved matters applications detailing the layout and access details, further details of the circulation route for refuse collection vehicles need to be included. 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.
8. In the interests of clarity, please note that the freighter used for any analysis informing future reserved matters applications in respect to bin collections are -
  - (i) Width: 2,500mm (without mirrors)
  - (ii) Height: 3,400mm (without hazard beacons)
  - (iii) Turning circle: 22,800mm
  - (iv) Overall length: 12,100mm (from front to rear of bin lift)
9. The applicant is hereby notified of the following informative to inform any future reserved matters applications in these respects -

Flats:

- (i) Doors to bin stores should be sufficient in widths to allow the movement of bins at their widest and prevent entrapment of limbs. This is likely to be a minimum of 20cm in addition to the widest bin contained in the bin store.
- (ii) Walls and doors should have protection strips to prevent damage and a mechanism for holding doors open should be available.
- (iii) Doors should ideally be keypad entry or standard fire brigade keys. We do not support the use of electronic key fobs.
- (iv) Roller shutters on bin stores can be considered to save space however the additional noise impacts should be considered.
- (v) Dropped kerbs should be provided to allow for ease of movement of bins to the collection vehicle and the pathway should be 1.5m in width taking the most direct route avoiding passing parked cars.
- (vi) We do not advise the use of bin compactors, as they often cause excessive damage to bins or cause waste to get stuck inside bins. If bin compactors are used on site you should advise your waste collection contractor.
- (vii) Bins in communal bin stores should be manoeuvrable to the refuse collection vehicle without the need to move other bins.
- (viii) The surface to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins this should be 1 metre for four-wheeled bins this should be 1.5 metres wide (including doorways), with a maximum gradient of 1:12.

- (ix) Consideration should be given to parking arrangements alongside or opposite the access to individual streets. If car parking is likely in the vicinity of junctions then parking restrictions may be required to ensure access is not inhibited.
- (x) For flats, bins should be ordered direct from the Council's contractor 10 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.

General:

- (i) Separate internal storage provision for waste should be provided in kitchen areas to support the recycling of different waste streams to support the National Planning Policy for Waste's requirements to support driving waste up the waste hierarchy.
- (ii) Storage areas should be conveniently located with easy access for residents -residents should not have to take their waste and recycling more than 30metres to a bin storage area, or take their waste receptacles more than 25metres to a collection point, (usually kerbside) in accordance with Building Regulations Approved Document H Guidance.
- (iii) Consideration should be given to parking arrangements alongside or opposite the access to individual streets. If car parking is likely in the vicinity of junctions then parking restrictions may be required to ensure access is not inhibited.
- (iv) For infill applications consideration should be given to parking arrangements alongside or opposite the access to the site. If car parking is currently permitted the consideration of parking restrictions may be required to ensure access is not inhibited.
- (v) For houses, bins should be ordered direct from the Council's contractor 2 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.
- (vi) Pull distances from the storage point to the collection point should not be within close proximity to parked cars.
- (vii) The gravel drive makes pulling bins difficult and consideration should be given to whether this surface is the most suitable or whether bins stored closer to the collection point would be more preferable.
- (viii) The applicant should note that collections occur from the kerbside and residents will be required to present their bins in this location on collection day.

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

- 10. Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost sites. It should follow guidance from the Bat Conservation Trust and CIE 150:2003. Warm-white (long wavelength) lights with UV filters should be fitted as close to the ground as possible.

Lighting units should be angled below 70° and equipped with movement sensors, baffles, hoods, louvres and horizontal cut off units at 90°

11. Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.
12. To avoid killing or injuring of hedgehogs it is best practice for any brash piles to be cleared by hand. It is also possible to provide enhancements for hedgehogs by making small holes (13cm x 13cm) within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site but will be too small for most pets.
13. Keep any areas of grass as short as possible up to, and including, the time when the works take place so that it remains unsuitable for amphibians (including Great Crested Newts) to cross cleared areas should be maintained to prevent re-colonisation prior to works commencing; and potential hibernacula or refugia such as loose stones or dead wood should be removed by hand.

Stored building materials (that might act as temporary resting places) are raised off the ground e.g. on pallets or batons away from hedgerows on site. Caution should be taken when moving debris piles or building materials as any sheltering animals could be impacted on and if an amphibian (with exception of a Great crested newt) is found, then it should be moved carefully out of harm's way.

Any excavations are backfilled before nightfall or a ramp left to allow trapped animals to escape easily / provided with a means of escape for any animals that may have become trapped - this is particularly important if holes fill with water.

In the unlikely event that a Great crested newt is encountered during works, works must stop immediately and ecological advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist.

14. Any vegetation clearance should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest
15. Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. Good

practice templates for producing SWMPs can be found at: <http://www.smartwaste.co.uk/> or <http://www.wrap.org.uk/category/sector/waste-management>.

16. It is expected that the scheme to be submitted in line with condition 10 of this permission will provide a significant number of EV charging points. The Council will consider any details submitted on its merits, however, are of the mind that at least one EV charging point should be provided for each dwelling.

17. EV Charging Point Specification:

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

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

- A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.

- The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).

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

- A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>.

18. Any reserved matters applications should consider how means of access(es) impact on existing trees outside the application site on the adjacent highway. Where trees are affected, details of appropriate construction methods, methodology and protection

measures in accordance with *BS5837: Trees in relation to construction* should be considered to ensure the protection of trees within Croft Lane Conservation Area. Details of works should be set out and specified as part of any S278 highway works in consultation with North Herts Council's Tree Officer.

## 8.0 **Appendices**

8.1 Appeal decision letter relating to 19/00520/OP.