

Location: **Land To The East Of Talbot Way, Kristiansand Way  
And Flint Road Allotments  
Letchworth Garden City  
Hertfordshire**

Applicant: **Mr David Ames**

Proposal: **Residential development comprising of up to 120 dwellings with vehicular access via Flint Road (all matters reserved except means of access.)**

Ref. No: 21/00504/OP

Officer: **Shaun Greaves**

### **Reason for Delay**

Revisions to the application, ongoing negotiations relating to the S106 legal agreement.

### **Reason for Referral to Committee**

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

## **1.0 Relevant History**

- 1.1 Pre-application enquiry for erection of 128 dwellings (outline) - 20/01141/PRE.
- 1.2 Screening opinion – a screening opinion was issued in August 2020 confirming that an Environmental Impact Assessment was not required for a development of 125 dwellings - 20/01698/SO.

## **2.0 Policies**

### **2.1 North Hertfordshire District Local Plan 2011 – 2031**

The Local Plan was adopted by Full Council on 8<sup>th</sup> November 2022.

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy

Policy SP6: Sustainable transport

Policy SP7: Infrastructure requirements and developer contributions

Policy SP8: Housing  
Policy SP9: Design and sustainability  
Policy SP10: Healthy communities  
Policy SP11: Natural resources and sustainability  
Policy SP12: Green infrastructure, biodiversity and landscape  
Policy SP13: Historic Environment  
Policy T1: Assessment of transport matters  
Policy T2: Parking  
Policy HS1: Local Housing Allocations  
Policy HS2: Affordable Housing  
Policy HS3: Housing Mix  
Policy HS5: Accessible and adaptable housing  
Policy D1: Sustainable design  
Policy D3: Protecting living conditions  
Policy D4: Air quality  
Policy HC1: Community facilities  
Policy NE1: Strategic green infrastructure  
Policy NE2: Landscape  
Policy NE4: Biodiversity and geological sites  
Policy NE6: New and improved open space  
Policy NE7: Reducing flood risk  
Policy NE8: Sustainable drainage systems  
Policy NE9: Water quality and environment  
Policy NE10: Water conservation and wastewater infrastructure  
Policy HE1: Designated heritage assets  
Policy HE4: Archaeology

The application site was previously Green Belt. The Local Plan has removed the site from the Green Belt and brought it within the defined settlement boundary of Letchworth Garden City.

Policy HS1 indicates that Local Housing Allocations are listed by parish and settlement as shown on the Policies Map and confirms that residential development and associated infrastructure on these sites will be granted provided that:

- (a) Development broadly accords with the indicative number of homes shown;
- (b) Proposals successfully address site specific policy considerations; and
- (c) Unless site specific policy considerations state otherwise, a variety of homes are provided in accordance with the general policy requirements of this plan.

The site is identified in the Local Plan as Local Housing Allocation LG3. Policy LG3 also contains detailed policy criteria for consideration in the determination of any applications for planning permission, which are set out below for ease of reference:

Policy LG3 – Land east of Kristiansand Way and Talbot Way – Dwelling Estimate 120 homes

- Structural planting to reinforce Green Belt boundary along the eastern perimeter of site

- Appropriate mitigation measures for noise associated with motorway and/or adjoining employment are to potentially include insulation and orientation of living spaces;
- Ensure appropriate residential amenity for any properties adjoining employment area, especially if access to the site is via Flint Road;
- Re-provision of allotments if access to the site is from the west. Re-provision prior to commencement of development, within the vicinity of the site of the same or better quality;
- Proposals to be informed by a site-specific landscape assessment;
- Retention of Public Right of Way Letchworth Garden City 026 and diversion if necessary;
- Sensitive design and/or lower density housing where the site affects the setting of Norton Conservation Area and nearby Grade II Listed Buildings on Church Lane and Norton Road; and
- Archaeological Survey to be completed prior to development.

## 2.2 National Planning Policy Framework

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

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

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

## 2.3 Supplementary Planning Documents

Design SPD (2011)

Letchworth Design Guide (2000)

Planning Obligations SPD (2023)

Vehicle Parking Provision at New Development SPD (2011)

North Hertfordshire and Stevenage Landscape Character Assessment

Norton Conservation Area Character Assessment

### Hertfordshire County Council

Local Transport Plan (LTP4 – adopted May 2018)

Hertfordshire Waste Core Strategy and Development Management Policies

Development Plan Document 2012

## 2.4 National Planning Practice Guidance

Provides a range of guidance on planning matters including flood risk, viability, design and planning obligations.

### 3.0 **Representations**

#### 3.1 **Hertfordshire County Council Highways**

**No objections** subject to conditions and S106 obligations relating to sustainable transport contributions and upgrading works to adjacent public footpath 026.

#### 3.2 **Lead Local Flood Authority**

Initially raised **objections** to the proposal, these were removed following further submissions by the applicant and **no objections** were eventually raised subject to conditions being imposed by the LPA.

#### 3.3 **Hertfordshire Ecology**

No response received.

#### 3.4 **Hertfordshire Historic Advisor (Archaeology)**

A geophysical survey and trial trenching has been undertaken as the site is in an area of very high archaeological potential as it is adjacent to a field within which there is a Neolithic henge at Norton Bury, late Bronze Age/Early Iron Age features were discovered at Cade Close to the west, and Saxon/Medieval remains were found at Green Lane/Kristiansand Way to the southwest.

Evaluation submitted with the application identifies archaeological assets of relatively low density, but potentially very high significance, divided roughly into three zones.

The development is likely to have an impact on heritage assets of archaeological interest and the following provisions are recommended:

- (a) The archaeological mitigation excavation of the proposed development area, prior to development taking place;
- (b) The analysis of results of the archaeological work; and
- (c) Such other provisions as may be necessary to protect the archaeological and historic interests of the site.

Conditions are recommended to address the above.

#### 3.5 **Herts and Middlesex Wildlife Trust**

No objections. The ecological information is acceptable and shows a biodiversity net gain. Conditions are recommended to secure the delivery of the identified net gain.

#### 3.6 **Environmental Health (Noise)**

No objections subject to conditions.

**3.7 Environmental Health (Air Quality)**

No response received.

**3.8 Environmental Health (Contaminated Land)**

No objection subject to a condition.

**3.9 HCC Fire and Rescue Services**

Recommend that fire hydrants are secured by planning condition.

**3.10 HCC Minerals and Waste Policy Team**

The County Council, as Waste Planning Authority, would expect commitment to producing a Site Waste Management Plan (SWMP) and for the SWMP to be implemented throughout the duration of the project. The SWMP must be prepared prior to commencement of the development and submitted to the Waste Planning Authority for comments.

**3.11 HCC Countryside and Rights of Way**

Hertfordshire County Council Rights of Way would stress that the existing public footpath (Letchworth 026) should be accessible for the duration of the project and that no hazards or dangers are presented by ongoing works to users of the footpath. Additionally, if closure or temporary diversion of a public right of way is necessary due to works, that an application is submitted, and proper authorisation is given before the work takes place.

HCC have discussed the proposed improvements to the existing footpath Letchworth 026 and would like to ensure that the upgraded path be at least 2m wide wherever possible, and as close to 2m wide in those areas that this width is not feasible, this guidance follows HCCs recommended specs on footpath and bridleway specifications.

Additionally, to secure good access for future residents and other users in perpetuity, the current permissive footpath that runs down the north-eastern boundary of the proposed area of development should be legally dedicated to bridleway status. This route to run from the junction with Footpath 026, where the current permissive path begins, along the development boundary to the end of Blackhorse Road and meeting National Cycle Network Route 12 at this point.

**3.12 Waste and Recycling Team (NHC)**

No comments at outline stage.

**3.13 Affinity Water**

The site is located within or near an Environment Agency defined groundwater Source Protection Zone. It is essential that appropriate conditions are imposed to protect the public water supply.

### 3.14 **Anglian Water**

No objection subject to a condition relating to the submission of a foul water drainage scheme.

### 3.15 **Sport England**

No comments received.

### 3.16 **Service Manager, Greenspace**

### 3.17 **Housing Supply Officer**

Based on 120 dwellings overall and a 40% affordable housing requirement, in accordance with the Proposed Submission Local Plan, this equates to the provision of 48 affordable dwellings.

Within the overall 40% affordable housing requirement a 65%/35% rented/ other intermediate tenure split is required, in accordance with the council's Planning Obligations SPD and the 2016 Strategic Housing Market Assessment (SHMA) Update. Thus, of the 48 affordable units: 31 rented units and 17 intermediate tenure units should be provided to meet housing need.

Within the 65% rented tenure the 2016 SHMA update indicates the following mix best meets housing need:

31 x 21% x 1 bed flats (6)  
31 x 12% x 2 bed flats (4)  
31 x 26% x 2 bed houses (8)  
31 x 35% x 3 bed houses (11)  
31 x 6% x 4 bed + houses. (2)

Within the 35% intermediate tenure the 2016 SHMA update indicates the following mix best meets housing need:

17 x 8% x 1 bed flats (1)  
17 x 8% x 2 bed flats (1)  
17 x 20% x 2 bed houses (4)  
17 x 54% x 3 bed houses (9)  
17 x 10% x 4 bed houses (2)

There is a growing need for three-, four- and five-bedroom wheelchair accessible bungalows/ houses for families with a child or other family member in a wheelchair and/ or with limited mobility. The provision of a three bed M4(3) wheelchair accessible house in addition to any ground floor affordable flats meeting M4(3) wheelchair accessible standards would help to meet some of the need for this accommodation, in accordance with Policy HS5: Accessible and adaptable housing.

The number of flats required is small, particularly for the intermediate tenure and I suggest for the intermediate affordable housing tenure the applicant provides either 2 x 1 bed or 2 x 2 bed flats with the external appearance of a dwelling house.

The Foundation commissioned a housing needs survey of Letchworth Garden City with Litchfield's in 2019. The conclusions of the survey identified a need for housing for newly forming households, housing suitable for older persons, including sheltered housing and those wishing to downsize, and people interested in self build and community led housing.

In June 2021 the Government introduced a policy requiring 25% of affordable housing provided to be First Homes. First Homes can be considered on merit where the overall proportion of affordable housing that can be achieved on site will not be adversely affected and the Local Plan requirement for 65% of affordable homes for rent is met. Twelve of the seventeen intermediate affordable housing units could be delivered as First Homes to meet this requirement.

### **3.18 HCC Growth and Infrastructure Team**

Whilst a contribution towards primary school education was initially required, further assessment has been carried out and it is concluded that there is currently sufficient primary education capacity within Letchworth Area to accommodate the likely impacts arising from this application and therefore a primary education contribution does not need to be sought from the development.

Based upon the development of 120 dwellings and identified housing mix the following contributions are sought

Special Educational Needs and Disabilities contribution of £119,434 index linked to BCIS 1Q2022 for (SEND) towards EAST Severe Learning Difficulty school.

Library Service contribution of £26,298 index linked to BCIS 1Q2022 towards Letchworth Library.

Youth Service contribution of £32,494 index linked to BCIS 1Q2022 towards increasing the capacity by sourcing a new exclusive or shared use young people's centre serving Letchworth and the surrounding area.

Waste Service contribution of £20,447 index linked to BCIS4Q2021 towards the expansion of or increasing capacity at Letchworth Recycling Centre.

Monitoring fees of £340 for each distinct trigger point (adjusted for inflation against RPI July 2021)

### **3.19 Policy Architectural Liaison Officer**

No response received.

### 3.20 **National Grid**

No response received.

### **Neighbours and Local Residents**

- 3.21 The application has been advertised by neighbour notification letters, the display of site notices and press notice. Consultations were carried out in February 2021 following receipt of the application then in November 2022 following receipt of amended plans and documents. These representations are available to view on the Council's website.

There are a total of 18 comments received, 13 objections and 4 comments, 1 letter of support. The objections and issues raised are summarised as follows:

#### Infrastructure/services

Concern relating to the provision of additional school and doctor places. Access to GP appointments is already very difficult.

#### Highways, access and parking

There is existing traffic congestion and Flint Road is an unsuitable access for the proposed development. It would be impractical and unsafe for works traffic and residential traffic to access the site whilst people continue to queue for the recycling centre on Blackhorse Road. The recycling centre should be relocated

Concern relating to traffic survey being undertaken on a Tuesday when the Recycling Centre is closed and the accuracy of the transport statement.

Footpath 26 is narrow and poorly maintained and permissive from the site to the very end of Church Lane. Improvements required to ensure adequacy of the link between the proposed development and Norton village.

Green Lane is already overcrowded.

#### Loss of Farmland

The site is farmland which the resident thought was being preserved.

#### Overlooking

The height of buildings is queried as the resident would not wish to be overlooked.

#### Foul and surface water drainage

The resident queries whether surveys have been carried out to ensure that there is acceptable foul drainage and surface water drainage of the site.

- 3.22 Of the comments received, two were sent following re-consultation in November 2022, and these relate to traffic congestion at certain times of the day, and the continued queuing for the recycling centre.

3.23 A representation in support of the proposal from a resident expressing frustration with the lack of quality housing and the continuing housing crisis. There is a lack of available housing in Letchworth which is a town where you do not need a car to live. The development should not be rejected due to the prospective idea of more cars on the roads, which could be resolved by improved bus frequency in the outer parts of Letchworth.

#### 4.0 **Planning Considerations**

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

4.1.1 The application site is located to the northeast of Letchworth and to the south of Norton. The site covers an area of approximately 5.5 hectares. It is roughly rectangular in shape, tapering at its northern end. There are residential properties to the north and beyond allotment gardens to the west. There is an industrial estate to the south through which vehicular access to the site is proposed. There are open fields within the Green Belt to the east, where there is a henge and ancient orchard.

4.1.2 There are no public footpaths crossing the site. However, there is a public footpath that runs beyond the northern boundary of the site. The applicant, Letchworth Heritage Foundation, has indicated that the footpath is owned by them.

4.1.3 The site is used for grazing as part of the Heritage Foundation's agricultural estate.

4.1.4 There is existing tree planting within the site towards the east and southern boundaries. The site rises from south to north.

4.1.5 There is an existing vehicular access to the south which serves the existing allotment gardens. There is a field gate/access to the northeast corner of the site.

##### 4.2 **The Proposal**

4.2.1 The application seeks outline planning permission for 120 dwellings. The number of proposed dwellings were reduced by the applicant from 128 following Strategic Masterplanning work. A Strategic Masterplan is required by Policy SP9 of the Local Plan for proposals of this scale. All matters are reserved except for access to the site, which is from Flint Road to the south. This is an outline application, with layout, scale, appearance, and landscaping reserved for later approval.

4.2.2 The application is supported by the following documents:

- Planning Application Drawings
- Design and Access Statement
- Surface Water Management Drainage Strategy by EPG Revision V2.0 dated 20/01/2023

- Supporting Letters from EPG dated 30 January 2023, 10 March 2023 and 25<sup>th</sup> April 2023.
- SuDS Management and Maintenance Plan revision V1.0 by EPG dated 26/11/21
- Biodiversity Impact Assessment Report by Ricardo Energy & Environment dated 01/02/2023
- Preliminary Ecological Appraisal Report
- Biodiversity Metric
- Strategic Masterplan Framework
- Access and Movement Framework Plan
- Biodiversity and Landscape Framework Plan
- Green Infrastructure Framework Plan
- Urban Design Framework Plan
- Parameter Plan
- Arboricultural Impact Assessment
- Transport Assessment
- Residential Travel Plan
- Transport Assessment Addendum
- Noise Impact Assessment
- Heritage Statement
- Planning Statement
- Archaeology Statement
- Topographical Survey
- Landscape and Visual Impact Assessment
- Letchworth Garden City Local Housing Needs Study March 2019

### 4.3 **Key Issues**

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

- Policy background and principle of the development
- Delivery of market and affordable housing
- Highway matters.
- Impacts of the proposed development on the local highway network, Impact of the development on the setting of nearby listed buildings and Norton Conservation Area and including an assessment of the proposed design, character and appearance.
- Archaeological impacts
- The impact of the development on the wider landscape setting.
- Environmental considerations -
  - Flood risk and drainage
  - Green Infrastructure and biodiversity
  - Impact on residential amenity
  - Loss of agricultural land
- 
- Planning Obligations.
- Planning balance and conclusion.

#### Policy background and the principle of development

- 4.3.2 The site is allocated for housing in the North Hertfordshire Local Plan 2011-2031 under Policy HS1 as LG3. Upon the adoption of the North Hertfordshire Local Plan on 8 November 2022, the site was removed from the Green Belt and placed within Letchworth Garden City. The NPPF at paragraph 11c confirms that development proposals that accord with an up-to-date development plan should be approved without delay.
- 4.3.3 Under Policy HS1 Site LG3 is allocated for the provision of an estimated 120 homes.

#### Site Allocation LG3

- 4.3.4 Policy LG3 sets out the following site-specific policy criteria:
- Structural planting to reinforce Green Belt boundary along the north-eastern perimeter of the site;
  - Appropriate mitigation measures for noise associated with motorway and/or adjoining employment are to potentially include orientation of living spaces
  - Re-provision of allotments if access to the site is from the west. Re-provision prior to commencement of development, within the vicinity of the site and the same or better quality;
  - Proposals to be informed by a site-specific landscape assessment;
  - Retention of Public Right of Way Letchworth Garden City 026 and diversion if necessary;
  - Sensitive design and/or lower density housing where the site affects setting of the Norton Conservation Area and nearby Grade II Listed Buildings on Church Lane and Norton Road; and
  - Archaeological survey to be completed prior to development
- 4.3.5 The above criteria will be addressed in detail in this report. However, in brief the application addresses the above in the following way:
- Landscaping is a reserved matter. However, this application is accompanied by a Strategic Masterplan and submitted Biodiversity and Landscape Plan shows new woodland planting to the north-eastern perimeter of the site;
  - The application is accompanied by a noise report. Layout and appearance are reserved matters and therefore the orientation of living spaces will be addressed at reserved matters stage.
  - Access is proposed from Flint Road to the south and therefore re-provision of allotments is not required.
  - The application has been the subject of landscape assessment and the proposal has been informed by this.
  - Public footpath 026 will be retained and upgrading and improvements to this footpath will be required by the S106 agreement.
  - Layout and appearance are reserved matters. However, the submitted Strategic Masterplan Urban Design Framework provides for open space

to the north of the site to address the setting of Norton Conservation Area and nearby listed buildings.

- An archaeological survey has been completed and this is addressed in detail later in this statement.

It is considered that the proposal adequately addresses the site-specific criteria of Policy LG3, where appropriate given the outline nature of the site, and the submitted Strategic Masterplan indicates that these matters can be met at reserved matters stage.

Policy SP9: Design and Sustainability (Strategic Masterplans)

- 4.3.6 A key policy consideration is Local Plan Policy SP9, which addresses design and sustainability, and in line with recent amendments to the NPPF requires a strategic masterplan for larger housing applications generally over 100 dwellings.
- 4.3.7 Policy SP9 supports new development where it is well designed and located and responds to its local context. Whilst a Strategic Masterplan and supporting framework plans were not submitted originally with the application, the applicant has worked positively with officers to both prepare and agree a Strategic Masterplan that meets the policy and design requirements of Policy SP9.
- 4.3.8 A Strategic Masterplan document was submitted in October 2022 and there was general re-consultation following their submission. Further minor amendments were made to the document following consultation, relating to the Biodiversity and Landscape Framework Plan, to address the comments of officers and the Herts and Middlesex Wildlife Trust. The Biodiversity Impact Assessment and Preliminary Ecological Appraisal and BNG Metric were also revised.
- 4.3.9 The Council's Principal Strategic Planning and Implementation Officer has considered the Strategic Masterplan Framework and confirms that the document demonstrates general conformity with Policy SP9.
- 4.3.10 The masterplan document sets out the following
- A clear and site-specific distinctive vision and place-making objectives based around a landscape-led design.
  - Contextual and character analysis to ensure proposals are in accordance with the National Design Guide and Policy SP9
  - Understanding of how the site can effectively integrate with the green infrastructure network and walking, cycling and public transport routes and hubs
  - Understanding of site constraints and opportunities which have informed the masterplan development
  - Robust set of framework plans which fix the structure of the masterplan in terms of land use, movement, green infrastructure, biodiversity and landscape and urban design parameters
  - Design Principles to inform the detailed design and any future reserved matters

- Illustrative Masterplan to provide an example of how the site could be developed within the parameters and principles set out in the Strategic Masterplan Framework to achieve design quality and SP9 compliance (detailed layouts will be assessed and determined through reserved matters)

The Strategic Masterplan Framework meets the following design objectives of SP9

- i) Create buildings, spaces and streets which positively reflect and respond to the local landscape, townscape and historic character;*

The masterplan has successfully integrated the Garden city character of neighbouring Letchworth with the more rural, historic and landscape character of Norton to create a contextually responsive development.

A comprehensive appraisal of the historic development of the site and surroundings and character study have been undertaken to inform the masterplan and ensure it responds to local character.

Key measures include

- Establishment of wide green corridor to the east to buffer the woodland protect ecology and create a rural fringe to the development
- Creation of green corridor to the west to buffer both the scrub habitat and allotments
- Generous buffering and additional planting at these landscaped boundaries to screen views into the development and create a landscape setting and woodland character for the built form
- Location of green space and additional planting to the north of the site in the most elevated and flattest position to protect setting of Conservation Area, help screen views into the site from the north PROW 26 and provide a transitional space and focal point for the community
- Location of new village green to the north of the site as a re-provision and re-interpretation of a historic but lost village green on the primary school site responding to historic character
- Re-establishing and reinforcing connections to St Nicholas Church and Church Fields (a significant historic space with cultural associations) green space and wider footpath network through improvements to PROW 26 and positioning of the village green
- Working with the topography to locate SUDs and the arrangement of buildings, streets and green spaces
- Structural planting to be provided in verges or front gardens along the primary street to create a green, semi-rural environment.
- Hedges to be provided in most front gardens and be the preferred boundary treatment reflecting local character
- Garden streets (secondary streets) to create east-west habitat continuity and landscape fingers extending the woodland character into the development and benefiting from solar gain
- Designing a rural lane to the east of the development to reflect rural edge and transitional area and draw on lane precedents in both Norton and Letchworth
- Integrating home with large front gardens to reflect local Letchworth character

- Tree specimens with large sizes at maturity to be planted in the open spaces (village and entry greens) and form part of the landscape design related to large buildings.
- Utilizing a cohesive design approach that includes a uniformity in terms of building line and the creation of street.
- Use of focal points, tree lined routes, vistas and group design and simple design approach (either contemporary or traditional) that reflects arts and crafts values
- Utilising special corner / marker buildings a common urban feature throughout Letchworth.
- Reflecting characteristics of the historic core of Norton in the rural eastern edge such as rural cottages (which follow an irregular building line and varied frontage), rural lanes, generous planting and green spaces
- Integrating a simple high-quality material palette influenced by early garden City Arts and Crafts design of Letchworth and rural vernacular of Norton
- Limiting the storey height to the north to limit impact of the development on the setting of the Conservation Area and limiting the storey height to 2.5 along the eastern rural edge to respect the rural character.

*ii) Create integrated, accessible and sustainable transport systems with walking, cycling and public transport designed to be the most attractive forms of transport and effectively linking into the surrounding areas;*

*iii) Provide a clear structure and hierarchy of pedestrian friendly streets and well-connected footpaths and cycle ways integrated with the wider environment and communities;*

4.3.11 The site has good connections via existing footpaths to allow access within 10 minutes' walk to most of Norton village, the community orchard, Norton Methodist Church and the Works Road industrial area. The site also has access to the Letchworth Greenway route via Blackhorse Road just to the south of the site. This gives access to Baldock to the east, Radwell Meadows to the north and Standalone Farm to the west.

4.3.12 Buses into Letchworth town centre run along Norton Road and Green Lane, both accessible from the footpath running east-west along the north of the site (PRoW 026).

4.3.13 Footpath 26 (PRoW 026) provides good access to Norton and Letchworth from the site.

4.3.14 The site is less than five minutes' walk to Norton St Nicholas Primary School and a safe route to school will be encouraged by further enhancing the footpath access and linkages directly to the school to encourage walking and cycling. The disposition of the village green and new playground on the desire line to school will also encourage active travel and social interaction. The National Cycle Route 12 passes very close to the southern edge of the site along Blackhorse Road. This gives good cycle access to Baldock, Radwell and Stotfold as well as Letchworth town centre:

- 4.3.15 The layout has been designed to provide a clear and simple street hierarchy well integrated with development blocks and green spaces to create permeability and legibility.
- 4.3.16 The Primary Street comprises 'The Avenue' which will act as the primary street terminating at the village green. This will curve gently working with the topography and be subject to structural tree planting in the verges.
- 4.3.17 East to west routes will function as secondary streets or garden streets generously landscaped to provide green fingers to the eastern woodland belt. Secondary streets connect to the primary street through staggered junctions to improve pedestrian safety, reinforce road hierarchy, and create opportunity for special corners to enhance townscape character.
- 4.3.18 The edge lane runs along the eastern edge of the site as a rural lane to better integrate the settlement with the woodland and greenbelt beyond. This route is partially curved and is narrower in section than the other streets on site, drawing on the character of the rural lanes found in Norton and Letchworth. The edge lane is single sided and has a more rural character, acting to enclose the village green. Its path follows a straight and defined edge while being composed of a shared surface.
- 4.3.19 The pedestrian routes will tie in the new development with the existing PROW 26 to the north and the permissive path to the east.
- 4.3.20 Informal paths will wind through the woodland to provide alternate, recreational paths to residents. Potential connections along the western edge to the allotments are possible but have been declined by current stakeholders.
- 4.3.21 The development facilitates improvements to PROW 26, through new surfacing from Green Lane to Church Lane, which will include low level lighting, ensuring that it will be far more usable. A design scheme for the upgrade will be agreed. It will also provide a new pedestrian access to the rear of Norton St Nicholas School meaning that LG3 residents and other nearby residents will have safer sustainable access.
- 4.3.22 A low-speed environment of 20 mph will support active travel. Clear street cross sections are provided in the masterplan document to illustrate the street character and should be used to inform more detailed design.

*iv) Plan for integrated and mixed-use communities with walkable locally accessible community, employment and retail facilities;*

- 4.3.23 The development is too small to require any community facilities but has been designed to maximise pedestrian connections to surrounding facilities within Norton and the wider ROW and cycle network. Enhancing pedestrian access directly from the site to the primary school will support active travel.

- v) *Positively integrate with adjacent rural and urban communities and positively contribute to their character and the way the area functions, including addressing cumulative, cross boundary planning and infrastructure matters;*

4.3.24 The Masterplan Framework proposes a development that will provide a sensitive eastern extension to Letchworth that reflects the prevailing character of Letchworth and Norton given its position at the interface between these two settlements. It will strengthen and connect to the wider green infrastructure network.

- vi) *Create an accessible multi-functional green infrastructure network that provides*

- *a key structuring and functional placemaking feature supporting healthy lifestyles, sport, play and recreation, linking into the wider Green Infrastructure Network*
- *A high-quality integrated network to support ecological connectivity, biodiversity net gain, climate adaptation and mitigation linking into the Ecological Network*

4.3.25 The GI network has been designed to retain and enhance existing site features and to link these to new green links and spaces within the development providing a landscape setting that draws on the woodland character and good quality access to multi-functional green space for residents. The proposed development will exceed the Council standards for open space. The key spaces comprise:

- The village green which is located at the flattest, northern-most portion of the site and is approximately 0.44ha in size. This space would be well enclosed by buildings and used for informal outdoor activities. It will include formal planting, seating, tree planting, amenity grass and grassland. It would also accommodate a local equipped area of play (LEAP) of approximately 0.07ha and a 30m buffer between the activity zone and the boundary of the nearest property.
- This primary open space affords some views towards open countryside to the east and will ensure separation between the proposed development and the Norton Conservation Area. Paths would provide direct access to Footpath 026 and the woodland to the east.
- A gateway green will provide a generous first impression of the neighbourhood in close proximity to the main vehicular access: comprising amenity grass, tree planting, seasonal pond, paths, suds and seating
- New semi-natural green space through new woodland extension to the east, scrub and hedgerow planting along the site boundaries
- Communal Gardens: comprising seating areas, doorstep play, tree and hedge planting
- Green streets: comprising tree planting, raised planters, food growing, doorstep play, benches

- Two attenuation basins integrated into the green space network in the south of the site
- 4.3.26 Allotment provision will be made by investment into the existing adjoining Flint Road site. This will be via a Section 106 obligation that will see improvements to the WC facilities and the central pathway.
- 4.3.27 On-site biodiversity gain will be delivered through a new woodland extension to the east boundary and along footpath 026 to the north; a native species-rich scrub strip to the western boundary adjacent to the allotment; species rich meadow grass in the green space to the north and water bodies in the form of SUDS along the woodland edge to the east. The masterplan reports an onsite net gain of 5.46%.
- 4.3.28 To mitigate the impact to notable and protected species such as bats, birds, badger, reptiles, GCN and hedgehog, new bird box, bat box, hedgehog passages, water bodies and edible vegetation  
*vii) Ensure the effective use of sustainable urban drainage and sustainable water management;*
- 4.3.29 The suds strategy comprises two basins to the south of the site integrated with green space, swales adjacent to highways, rain gardens and green roofs. Advice should be sought from the LLFA on the technical acceptability of the drainage strategy which is based on infiltration.
- 4.3.30 A maintenance and management plan for the water features that form the SUDs system will need to be generated and agreed prior to construction in order that good maintenance practices are followed for the lifetime of the development.  
*viii) Ensure a hierarchy of linked, high quality and attractive public spaces and public realm that is safe, attractive and supports social interaction for all age groups; and*
- 4.3.31 The proposed development incorporates a hierarchy of linked public spaces as described in the masterplan.
- 4.3.32 The Urban Design Framework sets out a series of place-making principles to support the high-quality design of public space and public realm. These include:
- The use of perimeter blocks to structure the layout. Each block conceals the rear of buildings within the block, ensuring that all streets are fronted by building frontages.
  - The Avenue will form the main street through the site. The frontage design will provide a consistent building line with, dwellings of a similar typology and size plotted the same distance apart to create rhythm and order with a consistent distance and setbacks from street edge to frontage

- Secondary streets will act as green streets to connect into the eastern woodland corridor.
- The rural frontage to the east will provide a more irregular and stepped frontage but still within a discernible building line. Dwellings will predominantly be formed of larger detached and semi-detached properties of varying size with unity of building scale, massing and composition and architectural treatment.
- A feathered edge carefully integrating the built form into the woodland character will be provided through generous plot, street and peripheral edge landscaping along the woodland edge.
- The village green frontages will need to positively frame and enclose the village green. Building design should be considered as a group with a distinctive and consistent frontage character through plot design and architectural treatment
- Apartment buildings are located on the lower half of the site and are positioned to form visual anchor points for the primary street and marker buildings for the adjacent streets; their main entrances, overall massing and orientation, roof silhouette, façade design, parking solutions, and ground level interface with the public realm must all be carefully considered and well designed.
- Marker buildings are buildings in visually prominent locations or on street corners addressing key routes. They anchor or terminate important views and so play an important role in wayfinding within the neighbourhood. The positioning and design expression of these buildings will be given particular consideration at reserved matters to ensure the appropriate treatment is provided.
- Streets that terminate at a development boundary should create green views at that boundary, to avoid abrupt change or hostile conditions at the edge.

*ix) Design to last with clear stewardship, management and maintenance plans*

- 4.3.33 The management and maintenance of green spaces, play areas, SUDs and other components of public realm will need to be agreed to support the lifetime of the development and that green space is sustainably managed to a suitable level of quality and condition for all residents. Further discussion on the most appropriate management organisation, financial requirements and community involvement is required.
- 4.3.34 The detailed design for the rural edge identified at Figure 35 should be subject to a design code to resolve outstanding layout issues and ensure the well-designed integration of the lane, including the swales proposed, highway treatment, new woodland planting, and unified composition of building frontage

4.3.35 Other policies relevant to this proposal are set out at Paragraph 2.1 of this report, these may be relevant to key issues raised later in this report. The proposed development has been considered against these policies and the development plan as a whole.

Conclusion on policy background

4.3.36 The proposal is in general accordance with the Local Plan, including the site allocation policies and Policy SP9 concerning design and sustainability and the requirement for Strategic Masterplans.

Delivery of market and affordable housing

4.3.37 The proposed development would provide a total of up to 120 residential units. The applicant has identified an indicative housing mix based upon housing type these are set out below:

|                | Houses |  |                | Flats |
|----------------|--------|--|----------------|-------|
| 2 bed 4 person | 2      |  | 1 bed 2 person | 12    |
| 3 bed 4 person | 58     |  | 2 bed 3person  | 13    |
| 5 bed 6 person | 13     |  | 2 bed 4 person | 18    |
| 5 bed 7 person | 4      |  |                |       |
| Total          | 77     |  |                | 43    |

|       |     |
|-------|-----|
| Total | 120 |
|-------|-----|

4.3.38 As the application seeks outline planning permission, with all matters except access to the site reserved, the housing mix may be subject to change, as matters relating to scale, appearance and layout are considered and assessed in detail.

4.3.39 The applicant is Letchworth Garden City Heritage Foundation and submitted with this application is the Letchworth Garden City Local Housing Needs Study March 2019, which they commissioned Litchfields to produce. This identified an affordability gap, a need for affordable housing, and housing for young families and older people.

### Affordable housing

4.3.40 The applicant has confirmed that 40% of the proposed homes, which equates to 48 homes would be affordable. The Council's Housing Policy Officer has indicated the housing mix that would be required to meet the Planning Obligations SPD and the 2016 Strategic Housing Market Assessment (SHMA) Update. The indicative housing mix proposed by the applicant, would meet the housing mix sought in relation to affordable units, apart from 2-bedroom houses. However, as this is an indicative mix, this matter can be addressed at reserved matters stage.

### Highway Matters

4.3.41 Several residents have raised concerns relating to the highway impacts of the development, and these relate to the existing nearby Recycling Centre and congestion that this causes along Blackhorse Road to the south of the site. Vehicular access to the site would be from Flint Road, which joins Blackhorse Road to the east of Ashfield Drive. The Recycling Centre is open 5 days each week from 10am to 6pm. It is closed on Tuesdays and Wednesdays. During the Covid 19 pandemic there were restrictions. This led to congestion along Blackhorse Lane.

4.3.42 A Transport Statement was submitted with the application, and this was followed up by a Technical Note in March 2021 that addressed the comments of residents relating to the Recycling Centre.

4.3.43 Regarding traffic surveys, the applicant confirms that whilst the 1-day manual count was undertaken on Tuesday 4 February 2020, a seven-day automated count was undertaken on Blackhorse Road to the west of Ashfield Drive, which captured traffic flow data in each direction from Tuesday 4 February to Monday 10 February 2020

- 4.3.44 An addendum to the Transport Statement was submitted to address changes to the application in terms of a reduction in number of units proposed from 128 to 120 and revised Strategic Masterplan.
- 4.3.45 In terms of on-site highway considerations, access to the site is not a reserved matter and the proposed access and movement framework sets out a street hierarchy of primary, secondary and tertiary streets, along with pedestrian routes within the site that would tie in the proposed development with public footpath 026 to the north, permissive footpath to the east and the footways along the sides of Flint Road to the south from which vehicular access would be gained.
- 4.3.46 The proposed primary street would run north-south from Flint Road, which would provide the only vehicular access to the site and would terminate at the proposed village green at the north end of the site. The primary street would have a carriageway width of 5.5m with 2m wide grass verges and 2m wide footways to either side.
- 4.3.47 In terms of active travel, there would be several footpath connections to the north connecting to public footpath 026, which provides a link to Green Lane where there are bus stops. It is proposed to upgrade public footpath 026 and this would be a planning obligation with the S106 agreement. The applicant owns the footpath and would carry out the upgrading works.
- 4.3.48 Following extensive discussions and negotiations with the Applicant and County Highway Officers, the Highway Authority has confirmed that they do not wish to restrict the grant of permission subject to conditions and a S106 agreement. Subject to some modest changes to the wording of some of the conditions, these are considered to meet the tests for conditions set out in the NPPF.
- 4.3.49 The S106 obligations sought relate to the upgrading of the adjacent public footpath 26, including access from it to St. Nicholas Primary School prior to the occupation of no more than 25% of the dwellings, as shown indicatively on drawing Nos. 23045814-STR-HGN-100-DR-D-01000 PO1 and 304814-STR-HGN-100-DR-D-01001 PO1, and as outlined in 'Footpath 26 Design Note 23/12/2022 and the provision of a headline Sustainable Transport & Highway Accessibility Contribution of £618,570 index linked by SPONS to January 2019, with a deduction to be applied to this figure based on the cost to the developer of delivering the off-site highway works under conditions recommended by the Highway Authority. The Final Contribution would be pooled towards Package 11 of the Hertfordshire County Council's North Central Growth and Transport plan, in particular scheme SM62 (Baldock to Letchworth Cycle Route) and the various schemes that form part of Package 12 – which ensures there are links between northern Letchworth and town centre by bike, as well as providing bike parking at Letchworth station.

4.3.50 . The Travel Plan is subject to an Evaluation and Support Contribution totalling £6,000 (index linked by RPI from March 2014), payable before first occupation

#### Heritage Impacts

4.3.51 The site lies within the setting of Norton Conservation Area and several listed buildings.

4.3.52 Section 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (The LBCA Act) stipulates that when considering whether to grant planning permission for development which affects a listed building, or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses. Effect upon listed buildings therefore should be given considerable importance and weight. Relevant factors include the extent of assessed harm and the heritage value of the heritage asset in question.

4.3.53 The LBCA Act also requires special attention to be made to the desirability of preserving or enhancing the character or appearance of the conservation area. There is no reference to their setting.

4.3.54 Paragraph 189 of the NPPF confirms that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Where a site has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and where necessary, a field evaluation.

4.3.55 Local Plan Policy SP13 confirms that the Council will balance the need for growth with the proper protection and enhancement of the historic environment. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset's conservation and the management of its setting. Regarding designated heritage assets, Local Plan Policy HE1 stipulates that planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they will, amongst other things, lead to less than substantial harm to the significance of the designated heritage asset and this harm will be outweighed by the public benefits of the development, including securing the asset's optimum viable use. This policy reflects paragraph 202 of the NPPF which confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 4.3.56 The NPPF defines the setting of a heritage asset as “the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”
- 4.3.57 Historic England published guidance on setting in 2017 (Good Practice Guidance Note 3) which confirms that the importance of setting is what it contributes to the significance of the heritage asset or the ability to appreciate that significance and sets out ways in which setting may contribute to the value of a heritage asset.
- 4.3.58 The application is accompanied by a Heritage Statement and an Archaeological Statement, that identify the designated heritage assets, potential archaeological interest within the site and the significance of these assets.
- 4.3.59 Norton Conservation Area is located immediately to the north of the application site beyond Public Footpath 026. Norton has Saxon origins and is mentioned in the Domesday Book of 1086. There are 11 Grade II listed buildings within the conservation area, mostly clustered around the Grade II listed St Nicholas Church, reflecting the original settlement. The closest listed buildings to the application site are Nos 90 and 92 Norton Road, about 130m to the north-west. 6 Church Lane is about 150m to the north of the site. The wider setting of the conservation area includes the adjoining residential areas of Letchworth which merge with Norton to the south and west. By contrast to the north and east is an expansive open agricultural landscape.
- 4.3.60 The conservation area was designated in 1969 and the boundaries amended in 1979. A conservation area review took place in 2020 and the Conservation Area Character Assessment includes a Statement of Special Interest which confirms that the historic core has remained largely intact with historic cottages, thick mature tree coverage and narrow country lanes.
- 4.3.61 The southern part of the conservation area is more urbanised comprised of an extensive 1980s development of retirement homes. A series of 20<sup>th</sup> century red brick properties are located on the opposite side of the road.

- 4.3.62 Several key views have been identified within Norton Conservation area in the Character Statement. None of these include the application site. There is limited intervisibility between the application site and listed buildings within the conservation area. Whilst the site is within the setting of the conservation area, there are trees and shrubs to the north of the site that limit intervisibility. Buildings built in the 1980s within the conservation area also screen views of listed buildings. The top of St. Nicholas Church tower can be glimpsed from the northern end of the site above buildings and through trees in winter. The site slopes downwards from the north which also limits intervisibility of a large portion of the site with the designated heritage assets.
- 4.3.63 There is no known historical relationship between the application site and designated heritage assets. The submitted Strategic Masterplan identifies open space in the form of a park and landscaping on the higher ground to the north of the site, to minimise impact of the proposed development upon the setting of the conservation area and the listed buildings within its historic core.
- 4.3.64 The site is in an area of archaeological interest. Local Plan Policy LG3 identifies this interest and requires an archaeological survey to be completed prior to development. In addition, Local Plan Policy HE4 addresses archaeology and confirms that permission for development proposals affecting heritage assets with archaeological interest will be granted provided three criteria are met. These are: (a) that an appropriate desk-based assessment and where justified, an archaeological field evaluation is submitted; and (b) it is demonstrated how archaeological remains will be preserved and incorporated into the layout of that development, if in situ preservation of important archaeological remains is considered preferable; and (c) where the loss of the whole or a material part of important archaeological remains is justified, appropriate conditions are applied to ensure that the archaeological recording, reporting, publication and archiving of the results of such archaeological work is undertaken before it is damaged or lost.
- 4.3.65 The applicant's consultants have completed geophysical investigations and intrusive investigations in consultation with Hertfordshire County Council, which has included a series of trial trenching.
- 4.3.66 Archaeological features were present in most trenches. This identifies activity on the site from Prehistoric, Neolithic and Early Bronze Age. Norton Bury 'henge' monument is located to the north-east of the site and the investigations indicate occupation activity below the plateau of the henge and on the slopes that surround it. There was a single Roman find which may be indicative of Roman activity to the north of the site.
- 4.3.67 The site is clearly of archaeological interest. The comments of the County Council's Historic Environment Advisor are reported earlier in this report and conditions are recommended.

### Conclusion on Heritage Impacts

- 4.3.68 The application site lies within the setting of Norton Conservation Area and listed buildings within its historic core. It is considered that the proposed development would result in less than substantial harm to the significance of designated heritage assets through development within their setting, at the bottom of the spectrum of less than substantial harm.
- 4.3.69 Paragraph 202 of the NPPF and LP Policy HE1 require less than substantial harm to the significance of heritage assets to be weighed against the public benefits of the proposal. This harm should be afforded great weight. The balancing of this harm against the identified public benefits will be carried out in the planning balance below along with conclusions on compliance with relevant planning policies and the LBCA Act.
- 4.3.70 Regarding the effect upon archaeology, officers consider that the impact of the proposed development can be adequately addressed by planning conditions.

### Landscape and Visual Impact

- 4.3.71 One of the requirements of Local Plan Policy LG3 is that the proposals are informed by a site-specific landscape assessment and structural planting to reinforce Green Belt boundary along the north-eastern perimeter of the site. In addition, Local Plan Policy NE2: Landscape requires development proposals to respect the sensitivities of the relevant landscape character and have regard to the guidelines identifies for built development and landscape management and not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this, amongst other things.
- 4.3.72 A Landscape and Visual Appraisal (LVA) by The Environment Partnership accompanies the application. This identifies landscape characteristics by reference to published landscape character assessments and provides an analysis of landscape and visual impacts.
- 4.3.73 The site lies within National Character Area 87: East Anglian Chalk and on a regional level in a zone of transition between the Lowland Village Chalklands and Lowland Village Farmlands Regional Landscape Character Types. The North Hertfordshire Landscape Study provides district level assessment, and the site lies within Landscape Character Area 216 Arlesey – Great Wymondley. The LCA identifies this as a rolling arable landscape characterised by large scale fields with occasional scattered plantations and copses.
- 4.3.74 The construction of housing on Greenfield sites will inevitably result in change to the character of the site and the immediately surrounding area. There are policies in place, including criteria set out in Policy LG3, site

allocation, that seek to minimise the impact of the proposed development on the surrounding area and wider landscape.

4.3.75 The LVA assesses the predicted effects of the proposed development on landscape, visual amenity, and views. The document concludes that the site is not located in a valued landscape and proposed development would result in limited change to landscape character and views. Officers agree with this assessment. Mitigating landscaping is proposed that would further screen and filter views from adjacent landscape. The allotment gardens to the west and woodland to the south limit views of the proposed development from nearby residential and commercial properties. It is considered that the proposal would comply with the aims of Local Plan Policies LG3 and NE2 in terms of impact upon landscape and visual amenity.

#### Flood Risk and Drainage

4.3.76 The site lies within flood risk zone 1, where there is a low probability of flooding. However, given the size of the application site and that residential development is proposed, the application is accompanied by a Flood Risk Assessment (FRA).

4.3.77 The submitted FRA considers all potential sources of flooding to the site including groundwater and considers that flood risk to the site is low, reasonable, and acceptable.

4.3.78 The surface water that would arise from the proposed development should, as far as practicable, mimic the surface water flows from the site prior to development. A Surface Water Management Drainage Strategy was submitted in support of the application based upon addressing the 1 in 100-year storm event plus 40% for climate change.

4.3.79 It is proposed that surface water is managed solely by infiltration, with surface water being able to infiltrate throughout the system within the porous paving, swales, raingardens, basins and SuDS planters, potentially green roofs, detention ponds and Polystorm infiltration tanks. Surface water would make its way through the surface water drainage system towards the detention ponds at the southern end of the site.

4.3.80 The Lead Local Flood Authority (LLFA) initially objected to the proposal and required additional information and clarification concerning several matters relating to infiltration, drainage, and sustainable drainage system (SuDS) management, maintenance and treatment.

4.3.81 The applicant provided additional detail and clarification including a Management and Maintenance Plan for the SuDS that has been designed for the proposed residential development. This confirms that the management and maintenance of the SuDS features shall be undertaken by a management company set up by the development. As the outline planning permission is sought at this point, details of the management company are not yet available. However, the Management and Maintenance Plan confirms that the management company will adopt the management and maintenance of the SuDS features for the lifetime of the development.

4.3.82 Following the provision of additional information, the LLFA were re-consulted and in January 2022 maintained their objection and required further information and clarification concerning several matters. The applicant's drainage consultants provided a response letter in February 2022 and the LLFA confirmed in May 2022 that they were in a position to remove their objection subject to conditions

4.3.83 However, following general re-consultation on the submitted Strategic Masterplan and Framework Plans, the LLFA responded in December 2022 indicating that there is insufficient detail in the FRA and Drainage Strategy to show that this development will be able to manage surface water runoff sustainably and without increasing the flood risk to the surrounding area. Concern was raised relating to the proposed use of below ground storage, amongst other things. The applicant's drainage consultant responded to the LLFA's comments, the LLFA were re-consulted and have now confirmed that the proposal is acceptable subject to conditions.

#### Green Infrastructure and Biodiversity

4.3.84 Whilst this application seeks outline permission with landscaping reserved for subsequent approval, the Green Infrastructure network is set out in the Strategic Masterplan and would retain and enhance existing site features and would link these to new green links and spaces with the development providing a landscape setting to the proposed development. The proposed development would exceed the Council's standard for open space. The key spaces comprise:

- A village green on the flattest northern-most portion of the site covering an area of about 0.44ha. This would be used for informal outdoor activities and include formal planting, seating, tree planting, amenity areas and grassland. It would also accommodate a local equipped area of plan (LEAP) with a 30m buffer zone to the boundary of the nearest residential property.
- The village green would afford some views towards the open countryside to the east and ensure separation between proposed built development and the Norton Conservation Area to the north. There would be direct access from the village green to public footpath 026 and the woodland to the east.
- To the south of the site a gateway green would provide amenity grass, tree planting, seasonal pond (detention basin) paths, SuDS and seating.

- New semi-natural green spaces would be provided through a woodland extension to the east. There would be scrub and hedgerow planting to the boundaries of the site.
- Communal gardens are proposed that would include seating areas, doorstep play opportunities, and planting;
- There would planting within the streets; and
- Two attenuation basins integrated into the green space network towards to the southern part of the site.

4.3.85 On-site biodiversity gain would be delivered through a new woodland extension to the east boundary and along public footpath 026 to the north, a native species rich scrub strip to the western boundary adjacent to the allotments, species rich meadow grass within the green space within the northern part of the site and water bodies along the woodland edge to the east. The Strategic Masterplan reports a proposed net gain of biodiversity of 2.88 units through the enhancement of maintained habitats within the site and that with the implementation of a rigorous management plan a biodiversity net gain of 15.89% would be achieved on site.

#### Impact upon residential amenity

4.3.86 The submitted Landscape and Visual Appraisal assesses the impact of the proposed development upon visual amenity and views. This confirms that residents of properties off Talbot Way (including Hartington Close, Cade Close and Kristiansand Way) will have clear views towards the proposed development from upper storey windows. In addition, residents of properties within Norton Hall Farm would experience limited views of the proposed development filtered through vegetation and residents of Church Lane may have some views from upper storey windows. This relates to receptors, that it points where the proposed development would be visible.

4.3.87 In terms of matters that relate to the effect upon the living conditions of occupiers of neighbouring dwellings, such as loss of outlook, privacy, daylight and sunlight, these matters will be considered at the reserved matters stage, when approval of scale and layout will be sought. However, considering the intervening allotments and vegetation, and the illustrative layout, there is no reason to believe that the effect upon the residential amenities of occupiers of nearby residential properties would not be able to be satisfactorily addressed. Therefore, it is considered that the proposal would comply with Local Plan Policy D3, which permits proposals that do not cause unacceptable harm to living conditions.

## Loss of Agricultural Land

4.3.88 The proposal would result in the loss of agricultural land. Paragraph 174(b) of the Framework states that decisions should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. land (defined as land in Grades 1, 2 and 3a). The harm arising from the loss of agricultural land is a further factor to be considered.

4.3.89 The Natural England classification maps show the land around Letchworth Garden City to fall within Grade 3 good-moderate category.

## Planning Obligations

4.3.90 The applicant has agreed to the following obligations and a draft S106 Legal Agreement is well progressed. It is recommended that should Members accept this recommendation and resolve to grant outline planning permission this should be subject to the completion of the S106 Agreement, with the following obligations:

| Element   | Details   | Justification  |
|---|---|--|
| Affordable housing                                    | 40% affordable housing, which should be 65% rented and 35% other intermediate tenure. | Policy HS2 of the Local Plan.<br>Planning Obligations SPD  |
| Waste collection and re-cycling                       | £20,447 index linked to BCIS 4Q2021   | Towards the expansion or increasing capacity at Letchworth Recycling Centre  |
| HCC Library Service                                   | £26,298 index linked to BCIS 1Q2022   | To make enhancement and improvements to the adult lending area.  |
| HCC Special Educational Needs and Disabilities (SEND) | £119,434 index linked to BCIS 1Q2022  | Towards the EAST Severe Learning Difficulty school index linked to BCIS 1Q2022   |
| Youth Service   | £32,494 index linked to BCIS 1Q2022   | Increasing capacity by sourcing a new exclusive of shared use young people's centre serving Letchworth and the surrounding area. |

|   |   |  |
|---|---|--|
| HCC Highways<br>(Sustainable transport) | 618,570 index linked by SPONS to January 2019 with reductions relating to the cost of delivery of improvements to Footpath 026, Flint Road and Blackhorse Lane. | Policies SP9 and T1<br><br>Provide for sustainable transport measures and improvements                             |
| Allotment gardens                       | A scheme of improvements to the WC facilities and the central pathway.  | This scheme would improve facilities at the adjoining allotment site rather than make provision for new allotments |
| Monitoring Fees                         | £340 for each distinct trigger point  |  |

### **Planning Balance and Conclusion**

- 4.3.91 This site is allocated for residential development in the adopted Local Plan. The proposal meets the site-specific criteria for Site LG3, and the proposal is in general conformity with Policy SP9. It is considered that the application is acceptable in principle.
- 4.3.92 The proposal would deliver market and affordable housing as part of the local plan housing allocation. The proposal would boost the supply of housing in a sustainable location with access to services and facilities in Letchworth. It is considered that this is a social benefit to which substantial weight should be attributed. There would be economic benefits from the construction and fitting out of the development, to which moderate weight is given.
- 4.3.93 The proposal would result in an increase traffic on the local highway network. Provisions are made for sustainable transport and subject to the suggested conditions and S106 obligations the proposal is acceptable in terms of highway safety and transport considerations.
- 4.3.94 There would be low less than substantial harm to the significance of designated heritage assets. The proposed illustrative layout would minimise the impact of the proposed development on the setting of Norton Conservation Area and nearby listed buildings. The effect upon archaeology would be adequately addressed by the recommended condition. It is considered that the identified benefits of the proposal would outweigh the harm identified.

4.3.95 There would be impact upon the character and appearance of the area through the residential development of a green field site. However, based upon the submitted masterplan and supporting information accompanying the application, and subject to suggested conditions, it is considered that there would not be significant harm to the character and appearance of the area.

4.3.96 There should not be a significant adverse impact upon the living conditions of occupiers of nearby residential properties. Effects in terms of outlook, privacy and overshadowing would be considered at the reserved matters stage.

4.3.97 It is considered that the proposed drainage strategy is acceptable and that subject to conditions the proposal is acceptable from a drainage and flood risk viewpoint.

4.3.98 Taking into account all other matters set out in this report, it is considered that the proposed development would be sustainable and that the proposal would accord with the development plan taken as a whole and there are no material considerations that indicated that the application should be determined otherwise than in accordance with the development plan.

## **5.0 Climate Change Mitigation Measures**

5.1 The Application is accompanied by a Masterplan Framework. Conditions are recommended that require the submission of a Sustainability and Energy Statement and the provision of Electric Vehicle charging points.

5.2 A Travel Plan accompanies the application as Appendix B to the submitted Transport Assessment. This sets out several measures aimed at reducing private car journeys and encouraging more sustainable forms of transport.

## **6.0 Pre-commencement conditions**

6.1 The applicant has agreed to the proposed pre-commencement conditions.

## **7.0 Legal Implications**

7.1 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.

## 8.0 Recommendation

- 8.1 That planning permission is resolved to be GRANTED subject to the completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement, and the following conditions and informatives.

### Time Limit

1. Before the development hereby permitted is commenced, approval of the details of the siting, design and external appearance of the development, the means of access (other than main vehicular access to the site from Flint Road) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

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

2. 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.

### Drainage

3. Prior to commencement of development, in accordance with the submitted Surface Water Management Drainage Strategy by EPG (Revisions 2.0, January 2023, ref: EPG-9262-DS-01) and additional information prepared by EPG (dated 25<sup>th</sup> April 2023, ref: EPG-LGC-LTR-04), detailed designs of a surface water drainage scheme, incorporating the following measures shall be submitted to and approved by the Local Planning Authority:
  - (a) Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) OR if infiltration is proven to be unfavourable, then surface water runoff rates will be attenuated and restricted to greenfield rates (no greater than 8l/s) and will discharge to the Anglian Water sewer in Flint Road;
  - (b) Detailed designs, modelling calculations and plans of the drainage conveyance network (including engineering drawings of all SuDS elements) in the:
    - 50% annual probability critical rainfall event to show no surcharging of the drainage network;
    - 3.33% annual probability critical rainfall event plus climate change to show no above ground flooding on any part of the site;

- 1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

- (c) Half drain down times for any infiltration SuDS features to demonstrate that they are able to half drain within 24 hours. Attenuation features should be able to half drain in 24-48 hours.
- (d) Details of all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015 or any subsequent updates), including appropriate treatment stages for water quality prior to discharge.
- (e) Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding or 150mm above ground level, whichever is the more precautionary.
- (f) A plan showing exceedance flow routes within and off site above the 1% AEP (plus climate change) storm event.

The approved scheme shall be implemented prior to the first occupation of the development

Reason: To ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF Paragraphs 167 and 169 and Policy NE7 of the North Hertfordshire Local Plan 2011-2031.

4. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- (a) A timetable for its implementation;
- (b) Details of SuDS features and connecting drainage structures and maintenance requirement for each aspect;
- (c) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with Policies NE7 and NE8 of the North Hertfordshire Local Plan 2011-2031.

5. The development hereby permitted shall not commence until details and a method statement for interim and temporary drainage measures during the construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, not any pollution, debris and sediment to any receiving watercourse or sewer system. Where temporary discharges to a sewer are proposed, written confirmation from the sewer owner that these have been accepted shall be provided. The site works and construction phase shall thereafter be carried out in accordance with the approved method statement, unless alternative measures have been subsequently approved by the Local Planning Authority.

Reason: To prevent flooding and pollution offsite in accordance with the NPPF.

6. No works involving excavations that penetrate into the chalk aquifer below the groundwater table (for example, piling or the installation of a geothermal open/closed loop system) shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority:
  - (i) An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.
  - (ii) A risk assessment identifying both the aquifer and the abstraction points as potential receptors of contamination.
  - (iii) A method statement detailing the depth and type of excavations (eg piling) to be undertaken including mitigation measures (e.g. appropriate piling design) to prevent and/or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

Reason: To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction.

#### Contamination during construction

If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until a Remediation Strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

Reason: To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water and in accordance with Policy NE11 of the North Hertfordshire Local Plan 2011-2031.

### Foul drainage

7. Prior to construction above damp-proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network, shall be submitted to and approved in writing by the Local Planning Authority.

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

### Archaeology

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

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

C 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 (A) and the provision made for analysis and publication where appropriate.

Reason: The site lies within an area where there is significant potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permission and to comply with Policy HE4 of the North Hertfordshire Local Plan 2011-2031.

## Highways

9. The development hereby approved shall not be occupied until additional plans have been submitted to and approved in writing by the Local Planning Authority, which show the detailed engineering designs and construction of the vehicle access and associated highway works, as shown indicatively on drawing number D7906.001 Landscape GA plan. These works shall be constructed in accordance with the approved details and the development shall not be occupied until they are fully completed.

Reason: To ensure the provision of a vehicle access which is safe, suitable and sustainable for all highway users and in accordance with Policy T1 of the North Hertfordshire Local Plan 2011-2031.

10. The development hereby approved shall not be occupied until additional plans have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of the highway improvement works to Flint Road and Blackhorse Road, as shown indicatively on drawing number 23045815-STR-HGN-100-DR-D-00101 Rev P0. This includes pedestrian dropped kerbs and tactile paving at side roads along the route and widening of the existing footway to 2 metres unless otherwise agreed in writing. These works shall be constructed in full and in accordance with the approved details prior to the occupation of the development.

Reason to ensure users of the development can travel safely, freely and sustainably to key destinations and to comply with Policies T1, SP6 and SP9 of the North Hertfordshire Local Plan.

11. Prior to commencement of above ground works, a detailed scheme for the upgrading of the two existing bus stops closest to the site along Green Lane (just to the north of the junction with Blackhorse Road), to include raised Kassel kerbing and shelters shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include timing of implementation of the works.

Reason: To encourage users of the development to use sustainable modes of transport in accordance with Policy SP6 of the North Hertfordshire Local Plan 2011-2031

12. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan of:
  - a. the phasing of construction and proposed construction programme;
  - b. the methods for accessing the site, including wider construction vehicle routing
  - c. the numbers of daily construction vehicles including details of their sizes, at each phase of the development;
  - d. the hours of operation and construction vehicle movements;
  - e. details of any highway works necessary to enable construction to take place;

- f. details of construction vehicles parking, turning and loading/unloading arrangements clear of the public highway;
- g. details of any hoardings;
- h. details of how the safety of existing public highway users and existing public right of way users will be maintained;
- i. management of traffic to reduce congestion;
- j. control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicles;
- k. the provision for addressing any abnormal wear and tear to the highway;
- l. the details of consultation with local businesses or neighbours;
- m. the details of any other Construction Sites in the local area; and waste management proposals.

Reason: To minimise the impact of the construction process on the local environment and local highway network.

13. The detailed plans submitted for the approval of reserved matters shall show:
- a. the details of all hardsurfaced areas within the site. This includes, but is not limited to, all roads, footways (including pedestrian dropped kerbs and tactile paving where relevant), forecourts, driveways, parking and turning areas, and foul surface water drainage;
  - b. 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 2m above carriageway level;
  - c. 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;
  - d. The provision of sufficient facilities for cycle storage.

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 uses and in accordance with Policies SP6, SP8 and T1 of the North Hertfordshire Local Plan 2011-2031.

#### Biodiversity

14. No development above ground levels shall take place until a biodiversity net gain management plan (BNGMP) has been submitted to, and approved in writing by, the local planning authority. The content of the BNGMP shall ensure the delivery of the agreed number of habitat and hedgerow units as a minimum (19.96 habitat units, 1.84 hedgerow units) to achieve a net gain in biodiversity and include the following.
- a) Description and evaluation of habitat parcels to be managed, cross referenced to individual lines in the metric.
  - b) Maps of all habitat parcels, cross referenced to corresponding lines in the metric.

- c) Appropriate management options for achieving target condition for habitats as described in the approved metric.
- d) Preparation of an annual work schedule for each habitat parcel (including a 30 year work plan capable of being rolled forward in perpetuity).
- e) Details of the body or organisation responsible for implementation of the plan.
- f) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.
- g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.
- h) Reporting plan and schedule for informing LPA of condition of habitat parcels for 30 years.

The BNGMP 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 BNGMP 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: To deliver a measurable biodiversity net gain in accordance with NHDCLP Policy NE4

- 15. No development above ground level shall take place until details of the make, model and location of 40 integrated swift boxes and 40 integrated bat boxes has been supplied to and approved by the LPA. These should be incorporated into the brickwork of the buildings, fully installed prior to occupation and retained as such thereafter.

Reason: To achieve a measurable net gain for biodiversity in accordance with NHDCLP Policy NE4.

Design Code

- 16. Prior to or concurrent with the submission of any reserved matters application a Design Code for the rural edge lane and adjacent block design as indicated on Figure 35 shall be submitted to and approved in writing by the Local Planning authority to build upon the submitted Masterplan Framework.. The Design Code shall include details of the following

Cross sections and long sections for:

- Building line
- Building typologies and heights
- Setbacks and gardens
- Spaces between buildings
- Building alignment
- Architectural principles and materials palette
- Boundary treatments
- Parking typologies and design
- Parcel edge landscaping
- Sustainable urban drainage details
- Carriageway and shared surfacing treatment/design
- Details of intersections with secondary streets
- Location and species of plot and street tree planting/landscaping
- Peripheral edge planting
- New woodland planting
- Lighting design

Reason: To ensure good quality design in accordance with Policies SP9 and D1 of the North Hertfordshire Local Plan 2011-2031 and in accordance with the Section 12 of the National Planning Policy Framework.

#### Land Contamination

17. Any suspected contamination encountered during the development of this site, shall be brought to the attention of the Local Planning Authority as soon as practically possible; in such a case, a scheme to render this contamination harmless, shall be submitted to, and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters in accordance with Policy NE11 of the North Hertfordshire Local Plan 2011-2031.

#### Noise

18. No development shall take place before a scheme of noise mitigation measures, based on the findings in the noise assessment by Spectrum Acoustic Consultants dated 28 January 2021, has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out as approved prior to the occupation of any residential dwellings and the scheme of measures shall be maintained in accordance with the approved details.

Reason: To protect the residential amenity of future occupants in accordance with the aims of Policy D3 of the North Hertfordshire Local Plan 2011-2031.

### Energy and Sustainability

19. Prior to the commencement of works above ground, a pre-construction energy and sustainability statement shall be submitted and to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved measures, which shall be retained thereafter.

Reason: To ensure that the development is energy efficient and minimises carbon emissions in accordance with policies SP9 and D1 of the North Hertfordshire Local Plan 2011-2031.

### EV Charging Points

20. Prior to occupation, each of the proposed new dwellings shall incorporate an Electric Vehicle (EV) charging point. Details of which shall be submitted to and approved in writing by the Local Planning Authority. Proposals should also be made for the provision of EV charging within other public parking areas of the proposed development. The charging points shall be retained thereafter.

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 in accordance with Strategic Objective ENV4 and Policy SP9 of the North Hertfordshire Local Plan 2011-2031.

### Fire Hydrants

21. No development shall take place above ground level until details of a scheme for the provision of fire hydrants has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter. The provision and installation of fire hydrants shall be at no cost to the County Council or Fire and Rescue Service.

Reason: To ensure all proposed dwelling shave adequate water supplies in the event of an emergency.

### Waste and Recycling Storage

22. No dwelling shall be occupied until a scheme setting out details of all on-site household refuse and recycling storage and collection facilities (and including details of any enclosures or screening) to serve each dwelling have been submitted to and approved in writing by the local planning authority. The scheme shall also include arrangements for management of any other waste generated by the development. All such facilities shall be provided in accordance with the approved details prior to the first occupation of the corresponding dwellings and shall be maintained and retained thereafter.

Reason: To facilitate refuse and recycling collection. To protect the amenities of nearby residents and occupiers in the interests of visual amenity and to comply with Policies D1 and D3 of the North Hertfordshire Local Plan 2011-2031.

#### Lighting

23. No dwelling hereby permitted shall be occupied unless and until an external lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be designed to minimise the potential adverse effects of external lighting on the amenity and biodiversity of the site and its immediate surroundings. The development shall be carried out in accordance with the approved details.

Reason: In the interests of biodiversity and local amenity.

#### Site Waste Management

24. No dwelling shall be occupied until a scheme setting out details of all on-site household refuse and recycling storage and collection facilities (and including details of any enclosures or screening) to serve each dwelling have been submitted to and approved in writing by the local planning authority. The scheme shall also include arrangements for management of any other waste generated by the development. All such facilities shall be provided in accordance with the approved details prior to the first occupation of the corresponding dwellings and shall be maintained and retained thereafter.

Reason: To facilitate refuse and recycling collection. To protect the amenities of nearby residents and occupiers in the interests of visual amenity and to comply with Policies D1 and D3 of the North Hertfordshire Local Plan 2011-2031.”

25. No development shall take place until a Site Waste Management plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved plan.

Reason: To ensure that waste is minimised during the construction of the development in accordance with Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document 2012

## **Proactive Statement**

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

## **Informatives**

HIGHWAY INFORMATIVES - HCC recommends inclusion of the following highway informative to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

1. 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. 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. 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. 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.aspx> or by telephoning 0300 1234047.
5. 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://hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

#### DRAINAGE INFORMATIVE

In December 2022 it was announced FEH rainfall data has been updated to account for additional long term rainfall statistics and new data. As a consequence, the rainfall statistics used for surface water modelling and drainage design has changed. In some areas there is a reduction in comparison to FEH2013 and some places an increase (see FEH22 – User Guide ([hydrosolutions.co.uk](http://hydrosolutions.co.uk))). Any new planning applications that have not already commissioned an FRA or drainage strategy to be completed, should use the most up to date FEH22 data. Other planning applications using FEH2013 rainfall, will be accepted in the transition period up to 1 April 2023. This includes those application that are currently at an advanced stage or have already been submitted to the Local Planning Authority. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded by FEH 2013 and 2022 and therefore, use in rainfall simulations are not accepted.

#### EV Charging Point Specification:

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

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

- A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
- If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.
  
- A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>
  
- UK Government is intending to issue legislation in 2021 to require domestic EV charge points to be smart, thus we recommend that all charge points will be capable of smart charging, as detailed in UK Gov consultation response.