

20/02412/FP – Land Between 53 And 81 And Land Rear Of 7-53 Waterdell Lane, St Ippolyts

Report updates:

The report contains the following errors:

- Para. 4.3.61 should also state Policy S11 is complied with as the drainage strategy is considered acceptable, subject to the conditions recommended by the LLFA.
- Para. 4.3.55 should also state Policy S11 is complied with due to the planting proposed around the south-west of the site.
- In para. 4.3.31, in the last sentence, change “that” to “for”. This further sentence should then be added at the end of that paragraph: “In this case, no specific noise mitigation measures are considered necessary, and S11 is complied with.”
- Condition 27 is to be amended so that the drawing number is Rev E, not Rev D.
- Paragraph 4.3.62 in the affordable housing part of the table is to be updated to change 5 x 2 bed houses to 3 x 2 bed houses, and to add 2 x 2 bed houses as part of the 35% intermediate affordable housing tenure
- In paragraph 3.24 the report states the comments from the Transport Officer requesting upgrading works to two bus stops to be sought under a s.278 Agreement. However, these works should be sought in the S106 Agreement as a ‘Sustainable Transport’ contribution. I can confirm the applicant is in agreement for these items to be added to the S106 Heads of Terms.

Other matters

The officer report does not address the request from the Parish Council that they are seeking a contribution towards a public footpath between the NW of Gosmore and the south of Hitchin. The case officer has taken the view during the application that this request does not meet the S106 Obligation tests on the basis that there is an existing continuous, paved, lit, footpath along London Road from the site entrance to Hitchin and thus a contribution towards the investigation / financing of a new footpath to link not adjacent to the application site is not a reasonable request. Furthermore, there are uncertainties about whether such a footpath can be delivered and about the land ownership where the footpath would need to go.

However, clarification from HCC Highways has been sought regarding how it is determined if a new footpath in a locality is needed and how this would be delivered on site. Until further clarification from HCC Highways is received it is considered appropriate to amend the recommendation of the application from that set out under paragraph 6.1 of the report which states:

6.1 That planning permission is resolved to be GRANTED subject to the following:

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

B) Providing delegated powers to the Development and Conservation Manager to update conditions and informatives as set out in the report above; and

C) Conditions and Informatives as set out below:

To:

6.1 That planning permission is resolved to be GRANTED subject to the following:

A) Clarification from HCC Highways regarding local sustainable transport. The response will be shared with the applicant; Parish Council and Chair of Planning Control Committee. If this results in a change to the sustainable transport S106 Contribution for this to be agreed by the Chair of Planning Control Committee;

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

C) Providing delegated powers to the Development and Conservation Manager to update conditions and informatives as set out in the report above; and

D) Conditions and Informatives as set out below: