

ITEM NO:		
<u>Location:</u>		Land for Footpath between The Greenway and Stotfold Road, Hitchin
<u>Applicant:</u>		Letchworth Garden City Heritage Foundation
<u>Proposal:</u>		Creation of footpath/cycleway between Stotfold Road, Hitchin and The Green Way, Letchworth Garden City.
<u>Ref. No:</u>		22/00303/FP
<u>Officer:</u>		Sarah Kasparian

Date of expiry of statutory period: 29 March 2022

Extension of statutory period: 31 August 2023

Reason for Delay

Due to the integral consideration to application ref. 18/01154/OP as Strategic Housing Site ref. HT1 which was delayed for detailed negotiations and adoption of the Local Plan and was deferred from PCC on 6 July 2023.

Reason for Referral to Committee

Site area.

1.0 Relevant History

- 1.1 There is no planning history for the application site.
- 1.2 This planning application is considered along site application for outline planning permission ref. 18/01154/OP for a Strategic Housing Site ref. HT1.

2.0 Policies

- 2.1 North Hertfordshire District Local Plan 2011-2031 adopted 8th November 2022

Policy SP5: Countryside and Green Belt
 Policy SP6: Sustainable transport
 Policy SP7: Infrastructure requirements and developer contributions
 Policy SP9: Design and sustainability
 Policy SP10: Healthy communities
 Policy SP11: Natural resources and sustainability
 Policy SP12: Green infrastructure, biodiversity and landscape
 Policy T1: Assessment of transport matters
 Policy NE1: Strategic green infrastructure
 Policy NE2: Landscape
 Policy NE4: Biodiversity and geological sites
 Policy NE6: New and improved open space

The application site is associated with the Strategic Housing Site under Policy SP17: Site HT1 'Highover Farm, Hitchin' in the NHDC Submission Local Plan 2011-2031.

2.2 **Supplementary Planning Documents**

North Hertfordshire and Stevenage Landscape Character Assessment

2.3 **National Planning Policy Framework (NPPF) (2021)**

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 12: Achieving well-designed places

Section 13: Protecting Green Belt land

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

2.4 **Hertfordshire County Council**

Local Transport Plan (LTP4 – adopted May 2018)

3.0 **Representations**

Statutory Consultees

3.1 **Hertfordshire Public Rights of Way** – See Hertfordshire Highways response

3.2 **Hertfordshire Highways** – No objection, noting that the application is associated with improving sustainable transport for the proposed development at land at Highover farm. *‘The Highway Authority note the submission with the application of drawings which detail the specification of the proposed route. The Highway Authority is content that such a specification is consistent with our Non-Motorised Route Guidance’.*

Neighbour and Local Residents

3.3 There are no adjacent properties to notify regarding the planning application. Two site notices were displayed at either end of the proposed footpath on The Greenway and on Stotfold Road.

3.4 No neighbour or resident representations were received in relation to the application.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.2 The application site sits between the western edge of Letchworth and Stotfold Road Hitchin. It runs along the north side of a hedgerow perpendicular to Stotfold Road. The application site is limited to the area required to install a footpath. The site currently comprises a field in arable production.

4.3 At present there are no footpaths along the eastern site of Stotfold Road and only on the western side as far as the existing building line extends.

4.4 The Letchworth Greenway is a non-motorised route around the perimeter of Letchworth Garden City and provides an almost continuous loop providing access to the countryside, improved accessibility around the town and opportunity for leisure.

4.5 **Proposal**

- 4.6 The proposal is for a new footpath link between Stotfold Road and The Greenway around Letchworth as a link for non-motorised forms of sustainable transport. The new path would be suitable for pedestrians and cyclists and comprise an unsealed gravel path 3m wide with a 1m grass verge either side and 547.5m long. This equates to an area of approx. 2,700 sq.m agricultural land will be lost to enable the footpath.
- 4.7 There is already a permissive route along the hedgerow so this route will formalise it with a level surface, enabling both able bodied and those less able to access it.
- 4.8 This application for full planning permission was submitted by the Agent of the planning application for outline planning permission for Strategic Housing Site HT1 Highover Farm subject of ref 18/01154/OP. The Applicant is Letchworth Garden City Heritage Foundation, who are also the landowner of the application site.
- 4.9 A proposed planning obligation within the planning application for site HT1 Highover Farm ref 18/01154/OP, also considered at this Planning Control Committee, is for the financial contribution of £235,000 to enable the construction and implementation of a new footpath link which will provide access from the application site and Letchworth Garden City. Hertfordshire Highways will construct the path once monies have been received and the Heritage Foundation will maintain the footpath once completed. The contributions have been calculated to cover this work.
- 4.10 For information, associated with this footpath link, the Heads of Terms for application ref. 18/01154/OP also includes a new roundabout junction on Stotfold Road to serve the new development; an extension to the footpath on the western side of Stotfold Road into the development site; and a new toucan crossing over Stotfold Road between the development site and the Greenway extension.

5.0 **Key issues**

5.1 **Principle of Development**

- 5.2 The site is entirely within the Green Belt. The NPPF sets out the five purposes of the Green Belt which are *'to check unrestricted sprawl of large built-up areas', 'to prevent neighbouring towns from merging' together, 'to assist in safeguarding the countryside from encroachment', 'to preserve the setting and special character of historic towns', and 'to assist in urban regeneration...'* It also states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*.
- 5.3 NHP Policy SP5 on Countryside and Green Belt reflects this position stating *'We c) will only permit development proposals in the Green belt where they would not result in inappropriate development...'* Para 4.61 goes on to say that *'proposals for development within the Green Belt will be considered against national policy'*.
- 5.4 In NPPF para.150 there are *'certain forms of development [that] are...not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it'*. These include *'c) local transport infrastructure which can demonstrate a requirement for a Green Belt location'*.
- 5.5 The purpose of the footpath is to provide sustainable forms of active transport from Strategic Housing Site at Highover Farm. From the first occupation of the site residents will be encouraged to use active travel and sustainable transport through a range of ways through planning application ref. 18/01154/OP. The Greenway link from Stotfold Road to

Letchworth town centre or railway station will reduce the journey by foot or cycle from what is currently a longer route by road.

- 5.6 The proposed path is considered to constitute local transport infrastructure. The path is of minimal construction and design, providing an unsealed and unlit path, and will not result in a significant change to the character of the site.
- 5.7 The route is required to be in this location, would be suitable due to the short distance between the towns, and would not conflict with any of the purposes of the Green Belt.
- 5.8 The site will result in the loss of some agricultural land. A total strip width of 5m along one side will continue to enable the rest of the field to remain in its current use. The loss, 0.2ha, is considered to be very small in the context of this field and the rest of agricultural land in North Hertfordshire.
- 5.9 There will be no impact on the wider landscape or landscaping, as the hedgerow is retained, and the path sits alongside it. There will be no change to the levels.

Conclusions on Principle of Development

- 5.10 In conclusion, the proposed path will be of minor construction, unsealed and unlit. It is proposed 'local transport infrastructure', which is not 'inappropriate development' in the Green Belt as defined by the NPPF 2021. The path will not conflict with the purposes of the Green Belt, and add to the active and sustainable transport offer to future residents of the development site at Highover Farm as well as existing residents of Hitchin and Letchworth.

5.11 Highways

- 5.12 NHLP Policy SP6 on 'Sustainable transport' requires a range of elements towards accessibility and promoting sustainable transport, including working with the county council *'to ensure that a range of sustainable transport options are available to all potential occupants and users. This may involve new or improved pedestrian, cycle and passenger transport...links and routes...'*
- 5.13 NHLP Policy T1 sets out how to assess applications in relation to transport. These include highway safety and *'mechanisms to secure any necessary sustainable transport measured and/or improvements to the existing highway network...'*
- 5.14 Officers have been working with the Hertfordshire Highways and the highway authority to promote the proposals as part of the development of site ref. HT1 at Highover Farm. The Highway Authority has subsequently raised no objection to the proposals within this planning application. Highway Officers support the encouragement of active and sustainable forms of travel, and also the design and construction detail of the proposed path in accordance with their guidance on non-motorised routes.
- 5.15 The highway authority require no conditions should the application be approved due to the level of good detail provided in the plans. The proposals are therefore considered to be in accordance with NHLP Policies SP6 and T1.

5.16 Design

- 5.17 NHLP SP9 requires development to be *'well designed and located and responds positively to its local context'* which is reiterated in Policy D1 on Sustainable Design. Relevant elements in Policy D1 also require proposals to *'take all reasonable opportunities, consistent with the nature and scale of the scheme, to: i) create or enhance*

public realm...iv) retain existing vegetation and propose appropriate new planting; v) maximise accessibility, legibility and physical and social connectivity...

- 5.18 The path will be of minimal construction, unsealed gravel with no lighting and timber edging if required to prevent slipping. There will be a grass verge either side for a small buffer between the path and the existing hedgerow and the field. The path will enhance the public realm and connectivity between Hitchin and Letchworth through sustainable transport options. Officers have no objections to the design which is considered suitable and appropriate to the location and purpose.

5.19 **Other material considerations**

- 5.20 The development is associated with planning application ref. 18/01154/OP for the Strategic Housing Site reference HT1 for up to 700 new homes and associated infrastructure. Policy SP7 on 'Infrastructure requirements and developer contributions' *'requires developers to provide, finance and/or contribution towards provision which is fairly and reasonably related in scale and kind the development...'* The agent for the development of Highover Farm have arranged for this planning application with full details and plans to be submitted alongside the main application for HT1. Through application ref. 18/01154/OP a financial contribution is being made towards implementation of this footpath by Hertfordshire Highways, and also includes monies towards the maintenance of the footpath to the landowner – Letchworth Garden City Heritage Foundation.

- 5.21 In accordance with the NPPF and NHLP, the contribution is considered to be fairly and reasonably related in scale and kind, to provide for the increase in population as a result of the development of 700 homes on site HT1. This application ref. 22/00303/FP helps to facilitate that part of the wider development.

- 5.22 In relation to the time limit for development to have commenced, this is wholly reliant on the development of site reference HT1. The financial contribution will be received before commencement of development of that site. According to the conditions of 18/01154/OP and the S106, the first application for reserved matters should be made within 5 years of the decision being issued. This does not correlate with development commencing or approval being given for any reserved matters. To enable sufficient time for the financial contribution and for work to commence 7 years will be provided to ensure the financial contribution is made and Hertfordshire Highways have enough time to commence the work.

6.0 **Conclusions**

- 6.1 The proposed development is not inappropriate development in the Green Belt. The new path will result in 'local transport infrastructure' which is not 'inappropriate development' as defined by the NPPF 2021 but encouraging active and sustainable forms of transport. The path associated with the development of Highover farm will help facilitate more sustainable forms of travel for existing and future residents between Hitchin and Letchworth.

- 6.2 There are no concerns regarding highway safety and the path will be constructed by Hertfordshire Highways in accordance with their guidance. The design of the path is minimal and suitable given its setting and purpose. The proposals are in accordance with the NPPF 2021 and NHLP Policies SP6, SP7, SP9, D1 and T1.

7.0 **Alternative options**

- 7.1 No alternative options applicable.

8.0 **Pre-commencement conditions**

8.1 No pre-commencement conditions are proposed.

9.0 **Legal Implications**

9.1 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.

10.0 **Recommendation**

10.1 That full planning permission is resolved to the **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 7 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

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

Proactive Statement:

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