

<u>Location:</u>	Land East Rhee Spring and Orwell View Royston Road Baldock Hertfordshire
<u>Applicant:</u>	Chalkdene Developments LLP
<u>Proposal:</u>	Proposed residential development for 42 dwellings, access, parking, landscaping and associated works, including provision of an electrical sub-station (as amended by plans and documents received 23.08.2022, 29.09.2022, 20.12.2023 and 27/02/24).
<u>Ref. No:</u>	21/01882/FP
<u>Officer:</u>	Anne McDonald

Date of expiry of statutory period: 16.09.2021

Reason for delay

The application was initially delayed due to consideration of the site BA1, which lies to the north of this application site. At that time it was considered by the (then case officer of this application and the application for site BA1) that both applications should be considered together. However, the application for BA1 was withdrawn and this application has progressed to recommendation.

Regarding this application, there has been delays due to the assessment of the viability of the development and the negotiations of the S106 Heads of Terms. An extension to the statutory determination date has been agreed.

Reason for referral to committee

The application is recommended to planning control committee in accordance with the Council's Constitution on the basis that the application is for residential development with a site area greater than 0.5 ha. The site area is 1.84 ha.

Plan numbers

Due to the number of plans these are attached as a list in Appendix 1.

Supporting documents

1. Design and Access Statement – original document and addendum.
2. Planning Statement.
3. Statement of Community Involvement.
4. Heritage Statement.
5. Schedule of Accommodation.
6. FRA Report and appendices A, B, C, D, E, F, G, H, I and J.
7. Drainage Strategy Report.
8. Drainage Operations and Maintenance Manual.
9. Drainage Construction Notes and typical details sheets 1, 2 and 3.
10. Air Quality Assessment.
11. Transport Statement and Transport Note.

12. Landscape and Visual Impact Appraisal.
13. Phase II Site Investigation Report parts 1 and 2.
14. Noise Impact Assessment.
15. Biodiversity Impact Assessment.
16. Preliminary Ecology Appraisal.
17. Reptile Mitigation Strategy.
18. Tree Survey and Arboricultural Impact Assessment.
19. Topographical Survey.
20. Chalkdene Viability Report. This report is attached in full at Appendix 2.

1.0 Policies

1.1 National Planning Policy Framework December 2023:

1.2 In general and with regard to:

- Section 2 – Achieving sustainable development;
- Section 5 – Delivering a sufficient supply of homes;
- Section 9 – Promoting sustainable transport;
- Section 11 – Making effective use of land;
- Section 12 – Achieving well-designed and beautiful places;
- Section 15 – Conserving and enhancing the natural environment.;

1.3 North Hertfordshire District Local Plan 2011-2031

- SP1 - Sustainable development in North Hertfordshire;
- SP2 - Settlement Hierarchy;
- SP6 – Sustainable transport;
- SP7 – Infrastructure requirements and developer contributions;
- SP8 – Housing;
- SP9 - Design and Sustainability;
- SP10 - Healthy Communities;
- SP11 - Natural resources and sustainability;
- SP12 - Green infrastructure, biodiversity and landscape;
- T1 – Assessment of transport matters;
- T2 – Parking;
- HS2 – Affordable housing
- HS3 - Housing mix;
- HS5 – Accessible and adaptable housing
- D1 - Sustainable design;
- D3 - Protecting living conditions;
- D4 - Air quality;
- NE2 – Landscape;
- NE4 – Bio-diversity and geological sites;
- NE5 – Protecting open space
- NE7 - Reducing flood risk;
- NE8 - Sustainable drainage systems;
- HE4 - Archaeology.

1.4 Supplementary Planning Document.

- SPD – Vehicle Parking at New Developments;
- SPD – Planning Obligations.

1.5 Baldock, Bygrave and Clothall Neighbourhood Plan.

- G3 – Creating well-designed places;
- G4 – Sustainable design;
- E1 – Transport and air quality;
- E2 – Green Infrastructure and outdoor recreation;
- E3 – Managing construction impacts;
- E4 – Building strong communities;
- E6 – Royston Road;

2.0 **Site History**

2.1 Application 18/00097/OP proposed up to 47 dwellings with a new access on to Royston Road and was withdrawn due to highways objecting to the access off Royston Road.

2.2 Application 20/02708/PRE sought a view on the residential development of the land for up to 46 dwellings. This proposed the vehicle access off Constantine Place and Aley Way. This concluded that the proposed was acceptable in principle.

3.0 **Representations**

3.1 **HCC Highways** – no objection subject to conditions, informatives and a S106 contribution towards local sustainable transport measures.

3.2 **HCC LLFA** – no objection subject to conditions.

3.3 **HCC Growth and Infrastructure** – S106 contributions are required toward childcare services, special education needs, library, youth and waste services.

3.4 **HCC Archaeology** - The site was subject to an archaeological trial trench evaluation in 2004 (Albion Archaeology 2004). No heritage assets which were likely to be a constraint on development were identified, although the report notes that archaeological features dating to the post-medieval period were found and Roman and medieval finds were recovered. The report concludes that there is a high potential for post-medieval archaeological remains. As a result we consider the imposition of an archaeology condition is justified.

3.5 **HCC Ecology** – No response on the updated information at the time of writing.

3.6 **HCC Mineral and Waste Services** – no comment.

3.7 **HCC Rights of Way** – the proposed cycle way on the northern boundary is supported. There is no clear provision for movement of people of the development at the southern end to the east and therefore a clearer route to the Green Way is needed. Officer note – these comments are based on the original plans. No response at the time of writing on the amended plans.

3.8 **NHDC Housing Officer** – a 40% affordable housing provision is required with a 65% (rented) / 35% (other intermediate tenure including affordable home ownership) split.

Based on 42 dwellings the affordable housing requirement is 17 dwellings, 11 being rented and 6 intermediate affordable housing with the following breakdown:

Within the 65% rented affordable housing element the following tenure mix best meets housing needs, as identified in the 2016 SHMA:

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

Within the 35% intermediate affordable housing element the following tenure mix best meets housing needs as identified in the 2016 SHMA:

8% x 1 bed flats (<1)
8% x 2 bed flats (<1)
20% x 2 bed houses (1)
54% x 3 bed houses (3)
10% x 4+ bed houses (1)

- 3.9 **NHDC Environmental Health** – no objection subject to conditions regarding land contamination, a construction phasing and environmental management (CPEM) and EV charging. Officer note – the EH officer has requested a condition regarding construction hours. This is not recommended due to the construction hours being stated within the CPEM Plan which is secured by condition. An informative regarding the construction hours is recommended for clarity.
- 3.10 **NHDC Ecology** – no objection subject to condition.
- 3.11 **NHDC Waste Services** – no objection.
- 3.12 **NHDC Greenspace** – NHDC already maintains the green space adjacent to this site and therefore it would be appropriate for NHDC to adopt the open spaces within the proposed development. As this development is likely to increase demand on local play space and off site contribution towards maintenance is needed. Officer note – a S106 contribution is sought for play space maintenance.
- 3.13 **Sport England** – no comment.
- 3.14 **Anglian Water** – no comment other than requesting that informatives are added to the decision. Officer note – these are recommended.
- 3.15 **Historic England** – no comment.
- 3.16 **NHS East and North Hertfordshire** – a S106 contribution of £54,264.00 is required to fund extension of local GP services and £7,645.00 to community health care costs.
- 3.17 **Hertfordshire Constabulary** – objection on the basis that the application does not set out that the development will be built to the police preferred minimum security standard.
- 3.18 **Baldock, Bygrave and Clothall Planning Group** – (comments received in July 2021) the site is an allocated site BA4 in the Local Plan and is recognised as such in the Baldock, Bygrave and Clothall Neighbour Plan. We therefore have no objection to the principle of housing on the land but we do have objections to:

1. the landscaping around the edge of the site;
2. the Design Guidelines of the Neighbourhood Plan require for buildings to face outwards where they form an urban edge;
3. no objection to the modern design but we do not consider the way buildings turn corners is in keeping with the Design Guidelines and a palette of materials that relate more to Baldock should be used;
4. we consider the access should be from Royston Road with a new roundabout junction;
5. the access road is too narrow for a refuse or emergency services vehicle;
6. we do not consider the application is consistent in its assessment of the watercourses in the area meaning there is the potential of for flood risk and / or drainage issues. We also questions the use of soakaways in a chalk aera within 20m of a building.

3.19 Response submitted by David Local Associated on behalf of Urban & Civic who are the appointed development partner for the BA1, BA2 and BA5 sites.

1. Urban and Civic have been in dialogue with the applicant Chalkdene to form a collaborative approach for the development of these areas north of Baldock.
2. We support the proposal and welcome the design measures to allow future integration with the wider development site.
3. This proposal aligns with the historic settlement boundary of Baldock and the Green Belt boundary.
4. The area that encroached onto the BA3 allocation are the rear gardens and the re-aligned ditch.
5. This site is considered to have an immediate relationship with the existing built extent of the town and can be integrated effectively in isolation from the wider development.
6. This is re-in forced physically by the ditch and green corridor which acts as a natural minor separation (and connecting green corridor) between the two development areas.
7. The wider development site would require a separate consideration on accessed and this application proposal does not preclude or inhibit any future access considerations on the wider site.

3.20 The application has been advertised with site and press notices and neighbour notification letters. Replies have been received from 17 households, 14 object and 3 are neutral. All the comments were submitted on the original plans. Comments raised include:

1. The access must be via Royston Road. Car parking in front of houses on the road or half on the road and pavement narrows the road in Constantine Place and Aleyn Way blocking access for large vehicles and extra traffic along here will be problematic.
2. This will then allow for a route out of Clothall Common to the Royston Road which would be better for all.
3. The bund built due to the by-pass cannot built on.
4. There has been a huge increase in traffic since the Clothall Common houses were built in the 1980s so the traffic considerations from the 1980s are not relevant today.
5. Aleyn Way is a long road servicing a high number of homes already and provides access to Constantine Place and Merchants Walk. These junctions are already difficult due to the number of parked cars and the volume of traffic.
6. As Aleyn Way narrows, there is less on road parking here so cars tend to use this route. This will make Aleyn Way the main route of Clothall Common when the infrastructure does not support this and will make the road very dangerous.
7. Constantine Place is not a straight road so this should not be used.

8. There is space to run the road rear of Rhee Spring parallel to Royston Road. The access should be in this location.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is open land lying in the north-western corner of Clothall Common south of the B656 Royston Road. The land lies to the east of Rhee Spring and Orwell View and north of Constantine Place and Aleyn Way. The land is relatively flat, with informal footpaths crossing the land prior to it being fenced off. There are some trees along the northern boundary with the Royston Road, and along the site's west boundary rear of Orwell View. The land rises to the east, outside of the application site area. The land is within the settlement boundary area of Baldock and is allocated as housing land allocation BA4 within the Local Plan 2011 – 2031. It is not within a Conservation Area and does not contain or neighbour any listed buildings. The site is also within Flood Zone 1 although an ordinary watercourse runs along the east boundary of the site.

4.2.1 The surrounding houses were all built as part of the Clothall Common development in the 1980s and are all two storey, with single storey garages. All have front and rear gardens. The houses on Aleyn Way tend to have off street parking in the frontage of the houses, whilst the houses in Constantine Place, Rhee Spring and Orwell View have some with on plot parking in the frontage and some homes with no on plot parking with parking in grouped parking courts.

4.2 **Proposal**

4.2.1 This is a full application for the residential development of the site with 42 dwellings with access roads, parking, gardens and landscaping and a new sub-station. Every house is two storeys in height and there are 11 pairs of semi-detached houses (22 dwellings) and 22 detached houses.

4.2.2 In terms of house size there are 14 x 2-bed houses (5 pairs of semi-detached (10) and 4 detached); 21 x 3-bed houses (6 pairs of semi-detached (12) and 9 detached) and 7 x 4-bed houses which are all detached. Six of the 4-bed houses have a single garage and two of these houses have two on plot parking spaces whilst the others have one on plot parking space. All the other houses (regardless of bedroom size) have two on plot parking spaces. Each house has a private rear garden, a bin store in the rear garden and each house without a garage also has a cycle parking in the rear garden. 11 visitor parking spaces are also proposed.

4.2.3 The layout plan shows a pedestrian and cycle route connecting to / off Rhee Spring with car / vehicle access on the south side of the site off both Constantine Place and Aleyn Way. The layout of the development a long loop, with most of the houses being sited along two 'streets' with three houses continuing the Rhee Spring Street frontage and six houses outlooking towards Royston Road.

4.2.4 The layout plan shows three areas of 'green corridors' across the site. These are one along the north boundary, immediately south of Royston Road, forming the continuation of a cycle path with trees planted either side of the path. Another is along the south boundary forming a landscaped area between the north side of the existing homes in Constantine Place and Aleyn Way, again with trees planted in this area. The third is along the east boundary rear of proposed plots 27 and 35-42 forming a green planted area along the existing watercourse / ditch.

4.2.5 The design of the houses is contemporary, with the houses having brick work detail to break up the mass of the elevations and 23 houses are to be buff red brick and 19 are to be sand yellow brick. All the houses are to have a dark grey concrete roof tile, grey windows and doors and black rainwater goods. Most houses have a ridge height of 8.2m whilst the semi-detached 3-bed houses have ridge height of 8.8m.

4.2.6 As set out above, documents have been submitted in support of this application. All these documents can be viewed in full on the Council's website. Key points from some documents include:

Planning Statement

1. The application site, approximately 1.834ha, is situated on the north eastern edge of Baldock to the south of Royston Road.
2. The site currently forms part of Hertfordshire County Council's Rural Estate. The land was originally reserved to provide a small (1FE) primary school when the Clothall Common residential development area was developed.
3. The site is no longer required for educational purposes because it is too small to accommodate a 2FE primary school (the usual minimum size for new primary schools in Hertfordshire).
4. The scheme has a density of 23d/ha. It therefore forms a low-density development in response to the site's location on the edge of the settlement of Baldock.
5. Access to the site is taken from two existing residential roads from the southern boundary of the site, these are known as Constantine Place and Aleyn Way.
6. Pedestrian and cycle access to the site is proposed from Rhee Spring on the western boundary of the site and through the proposed green spaces and cycle routes proposed along the northern boundary of the scheme.
7. There is the provision of 99 car parking spaces comprising 7 garages, 81 private parking spaces and 11 visitor spaces
8. Connections for future development to the east have been considered. Future vehicular access could be taken from the southeastern corner of the site with pedestrian and cycle access provided from the north eastern corner of the site.
9. The scheme is bounded on three sides by landscaped edges and green space. These seek to continue the existing pattern of landscaping in the surrounding area.
10. The following revisions were made to the development in response to comments raised by the Council:
 - Revised plans added slightly curved roads, variation in house types, and set back dwellings.
 - The green corridor has been widened to provide a more usable green space and more prominent connection to the green spaces either side of the site.
 - The dwellings along Royston Road have been turned around to face out over the road to build a relationship with the green spaces to the north as well as the roadway beyond.
 - The access from Rhee Spring has been removed, leaving the remaining access points from Aleyn Way and Constantine Place.
 - The revised plans indicate a reduction in the use of garages from 26 down to only 6.
 - The revised scheme included a change in mix to incorporate more 2 bed units.
11. The scheme has been designed with consideration of the outlook and privacy provided to new residents in the context of neighbouring residential buildings within Clothall Common estate.
12. The proposal has been designed so that it would not bring about any unacceptable impacts on these nearest residential occupiers in terms of overshadowing.

- 13 The scheme has also been designed to ensure that there will be no unacceptable degree of visual impact on the visual amenities of existing residential occupiers and to minimise potential for overlooking.
- 14 The new all-mode accesses have been discussed with Hertfordshire County Council Highways. To aid pedestrian movement the accesses to/ from Aley Way and Constantine Place are proposed to be Copenhagen style crossings which encourage vehicles to give way to pedestrians crossing the road / are designed to slow down vehicles when entering or exiting side roads.
- 15 The width of the new site accesses and internal roads within the site will be 6m which facilitates simultaneous two-way vehicular movement.
- 16 Pedestrians and cyclists will also be able access the site via Rhee Spring where a non-vehicular access will be provided.
- 17 The site is expected to generate approximately 21 two-way trips during the morning peak hour and 18 two-way trips during the evening peak hour. This number of additional vehicle trips is low and the development is considered to have a material impact on the local highway network.
- 18 The application is accompanied by a Heritage Statement stating that the trial trench evaluation of the Site in 2004 revealed principally post-medieval features of quarrying and field boundaries. A single undated possible hedge line could be earlier due to its different alignment from the other boundaries, though this is an isolated feature. An assemblage of finds was recovered, included Roman and medieval material, though these were either unstratified or residual amongst the post-medieval assemblages. There is no evidence to suggest these finds represent buried remains and may be related to casual losses by those travelling the Icknield Way or manuring of fields. Variations in the geology and modern disturbance were also identified.
- 19 Despite sitting within a very rich archaeological landscape, the assessment has identified the site has negligible potential for significant remains earlier than the post-medieval period and those remains identified during the trial trenching are of no more than low local significance.
- 20 The landscape design is the reinstatement of trees to the northern boundary of the new swale and green corridor to the south.
- 21 The design of the hard landscaping has been driven by the wish to minimise the extent of impermeable surfaces and create an informal pedestrian friendly street scene.
- 22 A two-colour combination of permeable block paving combined with flush kerbs (for visual guidance) creates a visually structured yet informal street scene within the public realm. Each house has been designed with a block paved footpath to the front door and hardstanding for their on-plot parking. Paving to the rear of each house connects to the front of the houses via a side gate or garage to ensure a robust access for bins and cycle storage.
- 23 Low maintenance evergreen shrubs have been selected to ensure year-round interest and display.
- 24 Significant tree planting is proposed across the development site, both within green spaces and adjacent to the residential roads and within rear gardens. Given that the existing site has no notable existing landscape feature and comprises rough grassland and scrub with no significant tree planting, the proposed development seeks to make a significant contribution to the provision of green infrastructure.
- 25 The application is also accompanied by a Reptile Survey Report and Reptile Mitigation Strategy. The report was commissioned to determine the extent of reptile populations at the site. The survey has identified a peak count of 22 adult common lizards per hectare and that 73% of all the reptiles recorded were juvenile common lizards. No other reptile species were recorded. The proposed development stands to result in removal of common lizard habitat. The report recommends that translocation is likely to be required to mitigate potential impacts on common lizards and details of the proposed translocation are included within the Reptile Mitigation Strategy and Translocation Method Statement.

- 26 The application also includes a Biodiversity Impact Assessment. The proposal will result in a net loss of 5.63 biodiversity units associated with area-based habitats compared with pre-development value. This corresponds to a total net loss of 55.73%.

Design and Access Statement

1. Clothall Common and the immediate surrounding context contains a variety of open spaces with different functions.
2. The scheme aims to embrace this by celebrating the importance of maintaining a sense of openness while also providing a strong connection and continuity with the existing green spaces.
3. Planting and landscape treatment is used throughout to soften the edges of the new development.
4. The proposal is aiming to establish a strong sense of place.
5. Residential units have been designed to be sympathetic in scale to the context while achieving a variety of mix and size.
6. The position of the houses aims to provide setbacks and variations wherever possible reflecting the street patterns of Clothall Common.
7. Building frontages create an active street scene and provide overlooking by facing the street, while rear gardens are designed to be secured and placed away from the street.
8. Shared surfaces are used throughout the scheme creating spaces that integrate pedestrian and cycle movement.
9. At the vehicular entrances to the site at the crossing of the Clothall Common Greenway the roads and pavements are raised level with the adjoining green space forming 'Copenhagen Crossing' to prioritise the east-west pedestrian movement through the site.
10. This proposed extension to the Clothall Common development, built in the 1980's, looks to complete the original masterplan. The design continues the meandering road layouts and respond to the simple two storey form and massing of the houses and how they address the streets
11. Two-storey houses with pitched roof are located within the proposed development site responding to the existing similar houses immediately beyond the site boundary. Gables have been used to help create visual interest, focal points and frame views along the site. The positioning of narrow and wide fronted houses enables a variety of roof forms to bring articulation to the roof line.
12. The design of the houses are characterised by clean lines, pared back detailing and well proportioned windows apertures. Strong rectangular forms are complemented by the gable elevations of the narrow-fronted houses. Clipped eaves and considered downpipe locations reduce visual clutter whilst the recessed entrance avoids any 'bolt on' canopies and conceals the service entry boxes that would otherwise detract from the appearance. Tall windows have been incorporated to deliver naturally well-lit rooms as well as balanced elevations.
13. The external appearance of the affordable housing will be indistinguishable from the market sale housing, sharing the same materials.

Design and Access Addendum Statement:

1. During the early design iterations of the site vehicular access/egress via Rhee Spring was considered.

2. These iterations initially proposed 3 access points, Constantine Place, Aley Way and Rhee Spring, before being deemed too many points of access by Highways.
3. In assessing the options, it was considered that a circular route through the site was more consistent with the wider estate plan providing greater legibility to both the proposed development as well as resolving the existing Constantine Place and Aley Way dead ends.
4. In discounting Rhee Spring as a vehicular route, the design team have been able to establish a hierarchy to the public spaces within the site and establishing the shared surface area to the north.
5. This proposed character area works by serving as a backdrop and gateway to the town, formalised by cycleway, footpaths and structured planting, whilst also providing a family friendly, pedestrian priority area for the new residents as well as those wishing to walk east-west parallel with Royston.
6. The proposals include two new all-mode accesses to / from Aley Way and Constantine Place, which will provide access to the new residential dwellings.
7. The new all-mode accesses were agreed as the most suitable option with Hertfordshire County Council Highways prior to submission.
8. It is also pertinent to note that Aley Way was designed to act as the access for the previous school proposal on the site.
9. The existing layout/design of Aley Way and Constantine Place facilitate movements to and from the proposed development site even with cars parked on-street, on Aley Way and Constantine Place.
10. An additional benefit of using two accesses is any traffic generated would be split so as to further lessen vehicle numbers that are already considered to be very minimal whilst at the same time this would avoid the need to provide unsightly turning space.
11. One of the benefits of two new all-mode accesses to / from Aley Way and Constantine place is that refuse vehicles and other larger servicing vehicles would no longer need to reverse as the vehicle would be able to use the site.
12. It is important to note that the Highways Authority confirmed that they would not be supportive of three accesses into this site as the size of the development does not necessitate this.
13. A review of whether vehicular access can be achieved to / from the north of the site from Yeomanry Drive has been undertaken. It was consequently concluded that there is not sufficient width at the pinch point to create a two-way access with appropriate footway/cycle provision and drainage.

4.3 Key Issues

Principle

- 4.3.1 Local Plan Policy SP1 sets out that the Local Plan supports the principles of sustainable development within North Hertfordshire and that we will maintain the role of key settlements within the District as the main focus for housing, employment and new development. Policy SP2 supports this aim by setting out that the Local Plan makes provision for 13,000 new homes over the plan period with new homes 'allocated' to the towns and villages in the District. Baldock has an allocation of 2,198 new homes on land allocations BA1, BA2, BA3, BA4, BA5, BA6, BA7 and BA11. This application site is land allocation BA4 and therefore there is no objection to the principle of new residential development on this land.
- 4.3.2 Local Plan Policy BA4 sets out that the land east of Clothall Common is allocated for 50 homes with the following criteria:
 - Provision of suitable vehicle, cycle and pedestrian links to ensure integration with adjoining site BA3.

- Consideration of the most appropriate routes and movements for all modes between the allocation site, the existing Clothall Common estate and the wider transport network.
- Site layout to take account of existing wastewater infrastructure.
- Incorporate ordinary watercourses (and any appropriate measures) within comprehensive green infrastructure and / or SUDs approach.
- Proposal to be informed by a site-specific landscape assessment.
- Address existing surface water flood risk issues, including any run-off through SUDs or other appropriate solution. And
- Archaeological survey to be completely prior to development.

4.3.3 This proposal is for 42 dwellings which is under the site allocation target of 50. Local Plan Policy HS1 sets out planning permission for residential development and associated infrastructure on the allocated housing sites will be granted provided that the development broadly accords with the indicative number of homes allocated. Paragraph 8.3 of the Local Plans states that:

“An indicative number of homes is shown for each site based on our evidence. We will take a design-led approach to each site as schemes are brought forward. This may result in housing numbers changing in response to the pre-application and planning application process and our policy approach allows for development to fall within a reasonable range of our initial expectations”.

4.3.4 Due to the space on site on the northern and southern end being allocated as green corridors, this has reduced the number of dwellings being accommodated on the site from the allocation of 50 to 42. There is no objection to this, as the green areas are supported and, as set out below, there is no objection to the layout of the proposal.

4.3.5 With regards to the specific criteria of Policy BA4 it can be concluded:

- Pedestrian and cycle links are provided on the north and south side of the site which allows for future connection with the neighbouring allocation site BA3.
- Highways raise no objection to the proposed road layout.
- The watercourse is retained and protected along the eastern side of the site with access for maintenance within the site layout plan.
- A comprehensive landscape plan is proposed and is secured by condition.
- The LLFA raise no objection subject to conditions which are recommended.
- The archaeological survey has been undertaken and the site is considered to be of low importance. Nevertheless, an archaeology condition is recommended.

4.3.6 For these reasons, the application is considered to comply with the criteria of allocation policy BA4 and with the aims of Local Plan Policies SP1, SP2 and HS1 and no objection is raised to the principle of this proposal.

Tilted balance

4.3.7 The latest version of the NPPF, published in December 2023, protects the position of the allocated housing site in Districts that have a current Local Plan with at least five years left of the time plan period. Whilst North Herts is within the current Local Plan 2011 - 2031 period with more than five years left, the protection afforded by the NPPF in

paragraph 76 only applies to applications registered from the 16th December 2023 when the NPPF was published. This application was registered as a valid application on 17th June 2021, and therefore has to be considered under the provisions of the ‘tilted balance’ as set out in paragraph 11d of the NPPF. This advises that for decision taking this means that planning permission is granted unless the adverse impacts of doing so would ‘significantly and demonstrably’ outweigh the benefits.

- 4.3.8 For this proposal, this means that the benefit of the delivery of 42 new homes, which is a material contribution to the District’s housing delivery is a strong material consideration to be balanced against any conflicts that are identified. There is one area of concern regarding the height of the dwellings, and this is addressed in more detail below.

Sustainability

- 4.3.9 The NPPF December 2023 version, like the versions before, sets out that the purpose of the planning system is to contribute to the achievement of sustainable development and that to achieve this the planning system has three overarching objectives. These are that development must have an economic, social and environmental objective. These core aims are reflected within the Local Plan Policies SP1 and D1.

- 4.3.10 With regards to this development, the site has been through the Local Plan site section and allocation process, where due to its location adjoining and being part of the Clothall Common estate, there is no objection to its location as the facilities of Baldock are a short distance away and are accessible in terms of walking and cycling in addition to the private car. The build process will provide for local jobs and will contribute to the local economy and in the longer term new residents will be there to support the town and its facilities. Socially friendships may form between new neighbours and residents can join in with local clubs and activities if they wish. The new houses will have to meet the high environmental code of current building regulations with regards to insulation, double glazing, low energy light fittings, low flow water fittings and an energy efficient boiler and each house will be provided with EV parking provision secured by condition. Solar panels and ground source heat pumps are not included on the plans. Therefore, a condition is recommended to ensure that a scheme of sustainability measures to address the climate change emergency is agreed and implemented on site. On this basis, the development is considered to be sustainable and comply with the aims of the NPPF and Policies SP1 and D1.

Layout and design

- 4.3.11 Local Plan Policy SP9 states that the Council considers good design to be a key aspect of sustainable development and that we will support new development where it is well designed and located and responds positively to its local context. These aims are supported by Policy D1 which requires for new development to ‘respond positively to a site’s local context’.

- 4.3.12 There are no objections to the layout or design of the proposal. The layout reflects the grain of development of the neighbouring roads, and the two storey houses are reflective of, and complementary to, the scale and pattern of the existing neighbouring houses in terms of house and garden size. The design of the houses is also considered to be acceptable. Whilst they are of their own design, the external brick choice is similar to existing neighbours, so the development will appear as an integrated part of the Clothall Common estate.

- 4.3.13 It is noted that neighbours object to the use of Constantine Place and Aleyn Way for the vehicle access for the houses. The Construction Management Plan sets out that a temporary construction access will be formed on the Royston Road frontage, so construction traffic will not use Constantine Place or Aleyn Way. Highways do not object to the proposed road layout. With the new traffic being dispersed over two roads from the development and given the fact that the roads of Constantine Place and Aleyn Way were designed originally in the knowledge that this site was reserved for a school, which would also generate traffic, there is no objection to the use of these roads for the new houses to link off. The additional vehicle trips are not considered to be of such high numbers that the traffic flows would be significant or noticeable in the locality. The concern of neighbours with regards to the existing houses not having sufficient parking spaces so that cars are parked on the road, narrowing the road and blocking access for larger vehicles is noted. However, as existing vehicles do use and pass through these roads so those parking must have due regard to the flow of traffic on the road. The new layout will allow for a refuse vehicle to loop round the road, resulting in better access for the refuse vehicle, and other larger vehicles, as these will no longer have to reverse long distances up both Constantine Place and Aleyn Way due to the inability of the vehicle being able to turn in these roads.
- 4.3.14 Each house has on plot parking, bin and bike storage and a private rear garden. 139 new trees are shown to be planted in the development, with a belt of trees along the north and south boundaries, a row of trees along the west boundary with the existing neighbours in Orwell View and garden trees along the east boundary with the water ditch. A wide amenity land strip on the south boundary provides good spacing between the new houses and the existing neighbours as well as an informal play space. All these factors combined are supported and considered to result in a high quality development that will result in good quality and positive place making. On this basis no objection is raised to the layout or design of the development which is considered to be in accordance with the aims of Local Plan Polies SP9 and D1.

Accessible housing requirements

- 4.3.15 Local Plan Policy HS5 requires for major residential housing development, such as this, to ensure that at least 50% of new homes can be built to M4(2) Accessible and Adaptable standards and when at least 10 affordable units are provided, 10% of these are built to the M4(3) wheelchair user standard.
- 4.3.16 As shown on the plans, all the houses are proposed to meet the M4(2) standard. However, the LLFA have responded no objection subject to conditions. One of these conditions requires:
- “Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and includes all new residential dwellings to have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground level be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, FRA (reference: RRISS-XX-XX-RP-C-3010 revision P09 dated 24 November 2024) & Drainage Strategy (reference: RR-ISS-XX-XX-RP-C-3000 revision P07 dated 24 November 2024) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority”.*
- 4.3.17 This condition requires for the houses to have a raised finished floor level, which results in the homes then not complying with Policy HS5 as a step entrance may be required and the proximity of the houses to the access roadway means that a ramped entrance

cannot be installed as the gradient of this will be too steep. A condition clarifying the finished floor level levels is recommended.

- 4.3.18 In response to the LLFA condition, the agent has confirmed that they will only be able to deliver some of the houses to M4(2) standard with the rest achieving M4(1). This is a policy conflict although the extent of the conflict is unclear as the policy requires for 50% of the homes to achieve the standard and at this time, due to the late reply of the LLFA response which was received at the time of writing this report, it is not known how many houses will achieve it. It is therefore considered prudent to impose a condition requiring compliance with 50% policy requirement and no objection is lodged against the application on this basis. In the event that the agent is able to provide further information on this point prior to the Committee meeting, this point will be updated.
- 4.3.19 The second part of Policy HS2 requires for 10% of the affordable housing provision to be M4(3) wheelchair standard. This application has a viability issue, which is set out below, and only two units of affordable housing are being provided. Whilst this policy requires for these units to be wheelchair accessible, as it is important the homes do not flood. Therefore, the non-compliance of this policy with a condition requiring for the two affordable homes to be M4(2) standard, rather than M4(3) standard, is recommended. This conflict with policy is considered to be a minor conflict given the overall planning benefit of delivering 42 new homes to the District's housing requirement and given that the application has to be assessed under the provisions of the 'tilted balance' no objection is lodged against the application on this basis despite the overall non-compliance with Policy HS5.

Amenity

- 4.3.20 Local Plan Policy D1 also requires for new development to meet or exceed the National Described Space standards. The houses all meet this requirement and have built in storage. This, along with private rear gardens, on plot parking, bin and bike storage means that these houses can be considered to represent a good standard of amenity for future occupiers, and Policy D1 is considered to be met in this regard.
- 4.3.21 Local Plan Policy D3 seeks to protect the living conditions of existing and future occupiers. The existing neighbours closest to the proposal that would be directly affected are those in Orwell View and Rhee Spring which neighbour the western boundary of the site. Plots 19, 20 and 21 have been designed as a continuation of the Rhee Spring Street scene. There is no objection to this as the house in plot 19 will sit alongside the side flank wall of the neighbour in Rhee Spring and will not have direct harm on the outlook or amenities of this house.
- 4.3.22 Plots 1 – 10 back onto the western boundary. These houses have rear garden depths of 10m – 12m and the houses on plots 2 – 9 are pairs of semi-detached houses with wide gaps between the side flank walls to allow for parking at the sides of the houses.

The existing neighbours, 1 – 4 Orwell View, are two pairs of semi-detached houses also with 10m deep rear gardens giving the proposed houses to the existing houses a back to back distance of 20m – 22m. Clearly these existing neighbours will see these houses, but with a 20m back to back distance, the wide gaps of the parking areas to separate the visual bulk between the side flank walls and the proposed row of trees along the west site boundary, which in time will mature and provide a degree of screening, it cannot be concluded that the harm on the residential amenities of these neighbours from bulk or overlooking would be so adverse to justify the refusal of the application for this reason given the overall planning benefit of delivering 42 new homes on an allocated housing site.

- 4.3.23 The LLFA condition, requiring for the finished floor levels to be raised, does affect the relationship of the new houses to the existing neighbours in Rhee Spring and Orwell View. The application sets out that the house in plot 19 neighbouring Rhee Spring will have a ridge height 1.5m higher. No objection is raised to this, due to the gap between the side flank walls of these two neighbours and the fact that the bulk of this house is alongside the side flank of the neighbour in Rhee Spring. It is not uncommon for there to be variations in the ridge height of neighbours, and whilst this difference will be noticeable, it will not be harmful. Especially given that this is a new development in its own right and whilst the design of it is seeking to be complementary to the locality, it is aiming to have its own sense of place and not mimic the existing residential development already there.
- 4.3.24 Regarding the proposed homes in plots 1 – 10 along the western boundary of the site, the application sets out that the proposed homes in plots 2 – 9 will be 1.8m taller than the existing homes 1 – 4 in Orwell View. As set out above, due to the spacing and proposed and existing trees, no objection is raised to this relationship. The plans indicate that the eaves line of the proposed homes to the existing neighbours is roughly the same, with the proposed housing having a taller and steeper pitched roof, compared to the houses in Orwell View. Given that the bulk of the roof will be pitching away from the existing neighbours, on balance, no objection is raised to this proposed relationship. Whilst it would be preferable that the new homes are not raised by 150mm to protect the amenity of the existing neighbours, given that the neighbours now outlook onto open space any new building will be visually apparent to these homes and thus it cannot be concluded that that additional 15cm of height in itself would be so harmful on existing residential amenity by way of adverse bulk to justify the refusal of this application for this reason, given that the tilted balance applies to this application. Therefore, on balance, no objection is raised to this relationship.
- 4.3.25 Within the development plots 11 – 16 are back to back with plots 28 – 34. All these houses have proposed rear gardens of 10m in depth resulting in a back to back distance of 20m. The occupiers of the new homes will clearly see the other buildings from their rear gardens, but again, this distance, combined with the tree planting which in time will mature and provide for a degree of screening, results in no objection being raised to this layout.
- 4.3.26 Due to the green amenity area and tree belt on the south boundary, it is not considered that the proposed houses will have any direct adverse harm on the outlook or amenities of the neighbours in Constantine Place or Aley Way.
- 4.3.27 The application is therefore, on balance, considered to represent a good degree of amenity and is in accordance with the provisions of Policy D3.

Heritage and archaeology

- 4.3.28 Local Plan Policy HE1 seeks to protect designated heritage assets whilst Policy HE4 seeks to protect heritage assets with an archaeological interest. There are no designated heritage assets (listed buildings or Conservation Area) that are affected by this proposal. With regards to archaeology, Baldock is an area of known high archaeological value, but a trial trench survey undertaken on the site in 2004 did not result in any significant finds. As a result, there is no objection to this application subject to an archaeological condition being imposed on the decision.

Parking and transport

- 4.3.29 A requirement of Local Plan Policy T1 is that the development does not result in highway safety problems or to cause unacceptable impacts on the highway network, whilst Policy T2 requires for new development to meet the car parking requirements. Regarding parking, the parking standards require for each new house of two or more bedrooms to have two parking spaces and between 0.25 – 0.75 visitor parking with the higher number where there are no garages and the lower number where garages are provided. Secure cycle parking is also a requirement. Therefore, this proposal requires for 84 parking spaces for the houses, and 28.5 visitor spaces.
- 4.3.30 Each house would have two on plot parking spaces, with two houses having a third space in the garage and four houses have one of the spaces being the garage. Each house without a garage will have bike storage in the garden and those with a garage can store bikes within it. Therefore, in this regard the application is considered to meet the parking, and Policy T2, requirements.
- 4.3.31 However, the scheme only provides for 11 visitor spaces and the shortfall results in a policy conflict with regards to visitor parking. On balance, no objection is raised to this. Additional visitor parking could be created in the south area of the site, where there is an attractive green amenity area and belt of trees, and in my view, it is better for the locality to have this area as greenery rather than additional visitor parking which may be used infrequently. Furthermore, many of the plots will be able to accommodate a third / visitor car parked rear of their own parking spaces. Whilst this is an informal arrangement it will make provision for additional visitor parking within the development. Therefore, on this basis, applying the tilted balance, the under provision of visitor parking does not outweigh the benefits of delivering housing in this location.
- 4.3.32 As discussed above under the layout comments, it is acknowledged that the use of Constantine Place and Aley Way for the vehicle route is objected to by existing neighbours. The Transport Statement submitted with the application forecasts that there will be an additional 21 trips (in and out) in the morning peak hour and 18 (in and out) in the evening peak hour and that this number of additional vehicle trips is low, at less than 1 extra vehicle every two minutes which would not have a material impact on the local highway network. The Highways Authority recommends no objection to the layout and the application is recommended for approval on this basis with the inclusion of the recommended highways conditions.

Landscaping and wildlife / bio-diversity

- 4.3.33 Local Plan Policy NE2 seeks to protect landscape character and NE4 seeks to ensure that there is a net gain in bio-diversity on site. The proposed landscape strategy on drawing number DR-A-00110-PL10 shows that four trees are to be removed within the site to allow the site layout. However, the mature belt of trees at the southern end of the west boundary would be retained and the mature belt of trees along the Royston Road are to the north of, and outside of, the application site, so are unaffected by this proposal and are retained.
- 4.3.34 Within the development 139 new trees are to be planted. These are in two 'belts' of trees along the north and south boundaries and with a row of trees planted along the east and west boundaries and then more trees along the street frontages and within the rear

gardens. The tree and shrub species to be planted are detailed on drawing numbers L002(D), L003(E); L004(E) and L005(E). This landscape strategy is considered to be appropriate in this context and the combination of the layout, design and landscaping will not cause unacceptable harm to the character and appearance of the surrounding area or current landscape context which the development is sited in. The proposed landscape strategy is secured by condition and the proposal is considered to be in accordance with the aims of Policy NE2.

- 4.3.35 With regards to bio-diversity, as a greenfield site, this has a high degree of bio-diversity as existing, including a high reptile population. The proposed development would not achieve a net gain increase in bio-diversity and an off-site payment has been sought to mitigate this. The funds will be directed towards a planting and habitat improvement programme at the Weston Hill nature reserve. Furthermore, an Environmental Management Plan condition is recommended to ensure the protection of as much bio-diversity as possible. This approach is considered to be in accordance with the aims of Policy NE4 and no objection is raised against the application with regards to bio-diversity. As this application was submitted before 12 February 2024, the requirement of the Environment Act 2021 to achieve 10% BNG.

Drainage

- 4.3.36 Policies NE7 and NE8 seek to reduce flood risk and ensure that a sustainable drainage system solution is incorporated in the development. Due to the location of the existing water course on the east boundary of the site, the drainage considerations on the site have been extensive. However, the LLFA is now in a position to conclude no objection subject to the imposition of conditions, which are recommended. As a result, there is no objection to the application with regards to drainage.

Viability and S106 Heads of Terms

- 4.3.37 Policy SP7 requires that development proposals make provision for the infrastructure that is necessary in order to accommodate the additional demands resulting from a development. Policy HS2 sets out that planning permission for new homes will be granted provide that an affordable housing provision of 40% is provided on schemes of 25 or more dwellings and that this should be delivered on site unless robustly justified.

- 4.3.38 For this proposal S106 contributions are requested from Hertfordshire County Council, North Herts Council and the NHS. It should be noted that the applicant has, eventually, agreed to the requested contributions in principle. The highways contribution was a source of debate due to HCC changing their basis of contributions to the new 'Guide to developer infrastructure contributions' in July 2021 from the previous 'Toolkit' which resulted in a significant increase in the contributions sought in particular for highways from £67,000 to the discounted figure of £202,635.00. The requested and agreed in principle contributions are:

HCC contributions:

Childcare Service towards the expansion of Merry Go Round Under 5s in Baldock or its future re-provision (£34,632 index linked to BCIS 1Q2022)

Special Educational Needs and Disabilities (SEND) towards the new East Severe Learning difficulty school (£59,043 index linked to BCIS 1Q2022)

Library Service towards increasing the capacity of Baldock Library or its future re-provision (£4,389 index linked to BCIS 1Q2022)

Youth Service towards increasing the capacity of youth facilities in Letchworth or its future re-provision (£7,589 index linked to BCIS 1Q2022)

Waste Service Transfer Station towards the new North Transfer Station at Baldock or provision to serve the development (£7,212 index linked to BCIS 3Q2022)

Waste Service Recycling Centre towards increasing capacity at Letchworth Recycling Centre or provision to serve the development (£7,644 index linked to BCIS 1Q2022)

HCC Highways - £202,635.00 for pooling towards package 13 of the North Central Growth and Transport Plan in particular scheme PR73 Baldock rail station cycle parking provision and scheme PR75 – bus service development.

Monitoring Fees – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions. The CIL Regulations discourage the use of formulae to calculate contribution

NHDC Contributions:

Waste - £2,982.00

Play Space - £10,000 to upkeep / maintenance of the play area of the playground at Avenue Park, Baldock.

BNG - £72,000.00 - to be split between Weston Hills and Ivel Springs Nature Reserves for tree planting / landscape works / habitat improvement.

Affordable Housing – 17 dwellings – 11 rented and 6 intermediate affordable housing tenure.

Monitoring fee - 2.5% of the value of the contributions being monitoring with a minimum of £750 and a cap of £25,000.

Other:

NHS - £54,264.00 for GP services and £7,645.00 for community services

4.3.39 The applicant has submitted a Viability Study, dated February 2022, which is attached at Appendix 2. This document concludes that there is a viability problem for this development and that the applicant could not deliver the affordable housing requirement of 40%. This document was independently assessed by the company DSP on behalf of the LPA. This document is attached at Appendix 3. Key points from this document are:

1. This review and its findings are intended purely for the purposes of providing North Hertfordshire District Council (NHDC) with an independent check of, and opinion on, the planning applicant's viability information and stated position in this case.
2. NHDC requires our opinion as to whether the viability figures and position put forward by the applicant are reasonable.

3. The overall approach to assessing the viability of the proposed development appears to be appropriate in our opinion.
4. We consider that the scheme without any affordable housing is likely to reach a reasonable/proceedable level of profit, but at this point in time does not indicate any scope above that to provide any contribution to affordable housing.
5. Overall, therefore, it would appear that the proposed scheme would be unlikely to support the provision of affordable housing based on the current costs and values as submitted and reviewed.
6. We note however that (as has been demonstrated by the changing positions throughout the process of viability review) relatively small changes in value/cost assumptions can result in a significant swing in the viability position.
7. The site is a relatively straightforward greenfield site which despite some abnormal costs (piled foundations and S278 works) ordinarily could be expected to support a contribution to affordable housing.
8. Whilst we agree that at present day values the scheme is not showing a surplus for affordable housing, the viability is marginal and we recommend including a mechanism for viability review at a later stage when actual values and costs are known, so that the Council can capture any improvement in the values/cost relationship (up to the level of policy compliance).

4.3.40 These reports demonstrate there is a viability issue, and both the applicant's viability report and the Council's independent assessment have concluded that the development cannot provide for any affordable housing, but that there is ability to pay the other contributions within the S106 draft Heads of Terms.

4.3.41 During the progression of the application, the applicant offered to meet the requirements of the HCC, NHS and NHC contributions with the exception of affordable housing, with no affordable housing being offered / provided. Given that the applicant is HCC / Chalkdene, in the opinion of the case officer it is unacceptable for the applicant to pay its own S106 contributions and not provide for any affordable housing. The agent on behalf of the applicant has therefore agreed to pay £0 to HCC, £0 to the NHS but will pay the NHC contributions waste, play space, BNG and will provide for 2 units of affordable housing for affordable rent on site as well as meeting the monitoring costs of the S106. Members of the Planning Control Committee are therefore being asked to determine the application on this basis.

4.3.42 As set out above in the comments from DSP, viability can change. At the time the viability report was assessed, it was in a constricting market where house prices were falling and interest rates rising. However, now in 2024 interests have been lowered since the new year and house prices have stabilised.

Therefore, a 'claw-back clause' in the S106 is mandatory. The agent on behalf of the applicant has agreed to this. This 'claw-back clause' will require for the viability of the site to be re-assessed at the point of construction starting on site. At this time the cost of the land, building materials and other construction costs will be known as well as how interest rates have changed (if at all) and whether house prices have risen. In the event that this viability re-assessment concludes that more of the S106 contributions can be met then the following shall be paid in this order:

- 1 – additional units or full affordable housing provision on site;
- 2 – part or full payment to the NHS;
- 3 – part or full payment to HCC.

4.3.43 The Growth and Infrastructure and Highways teams at HCC are aware of this viability issue and have been asked to provide details on how they would like any monies divided

between their service requests if part payment is able. At the time of writing HCC is still considering this which can be clarified in the S106 details.

- 4.3.44 This application therefore does not meet the requirements of Policies SP7 and HS2. However, information and been submitted and assessed to address the viability issue and no objection is lodged against the application on this basis.

Neighbourhood Plan

- 4.3.45 The Baldock, Bygrave and Clothall Neighbour Plan (BBCNP) became a 'made' plan on 29th June 2021 and therefore forms part of the Development Plan for North Hertfordshire. This proposal can be broadly considered to be in accordance with the aims of these policies:

G3 – Creating well-designed places;
G4 – Sustainable design;
E1 – Transport and air quality;
E2 – Green Infrastructure and outdoor recreation;
E3 – Managing construction impacts;
E4 – Building strong communities;
E6 – Royston Road;

- 4.3.46 There is some conflict with the BBCNP on the basis that Policy E6 requires for this allocation, BA4, along with site BA3 and BA10 to create a high quality and distinctive entrance to the town on the Royston Road. However, as the access for the site is from the south, no entrance on Royston Road is being proposed as part of the development. Policy G3, which applies to sites BA1, BA3 and BA4, requires for an independent design review process with community input. The applicant undertook community consultation at the start of the planning process but a design review process involving the community has not been undertaken as part of this application. Allocation BA4 is significantly smaller than sites BA1 and BA3 and therefore this requirement is not considered to be so relevant for the size of this proposal. Furthermore, as set out above, the layout and design of this developed is supported and no objection to the scheme is raised with regards to the BBCNP. Finally, the Local Plan 2011 – 2031 was adopted after the BBCNP, and therefore more weight has to be given to the policies contained in NHC Local Plan over and above the BBCNP. Given the policy support for new residential development on this site, a refusal of this application on the basis of the community not being involved in the design of the houses is not considered to be a supportable objection to this recommendation.

Sub-station

- 4.3.47 A new sub-station is proposed in the north-western part of the south, south of Royston Road and east of Yeomanry Drive in an area of greenery. This structure is 3m by 3m and 2.5m tall and is not considered to be harmful to the locality and no objection is raised to it. A condition is recommended requiring for landscaping to be included around it to help it visually blend into its location.

Other Matters

- 4.3.48 Given the uniform and attractive design of the houses, and the close relationship of the houses along the western side of the site in plots in 1 - 10, it is considered appropriate to restrict permitted development rights. This is to prevent extensions such as dormer windows, which could result in adverse over-looking or loss of privacy to neighbours or have harm on the uniform design of the development without a planning consideration.

4.3.49 Environmental Health have requested a condition requiring a scheme to be submitted setting out that the houses will be protected from traffic noise and any mitigation measures required to be installed. The houses will be fitted with modern double-glazed windows and this is considered to be sufficient. Therefore, this condition is not being recommended.

4.3.50 The objection from Hertfordshire Constabulary is not supported due to no objection raised to the layout of the development and each house will have fencing for rear gardens and a side garden gate to provide on plot security.

4.4 Conclusion

4.4.1 This is a full application for housing development on an allocated housing site within the Local Plan. The layout and design of the houses is considered to be acceptable and there are no technical objections against the proposal. The application is therefore considered to comply with the aims of the relevant Local Plan Policies listed above. The application is therefore recommended for conditional permission.

4.5 Alternative Options

4.5.1 None applicable

4.6 Pre-Commencement Conditions

4.6.1 I can confirm that the applicant agrees to the pre-commencement conditions that are proposed.

5.0 Legal Implications

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

6.0 Recommendation

6.1 That planning permission be resolved to be **GRANTED** subject to the completion of the S106 Agreement and the conditions and informatives as set out below, and the applicant agreeing to an extension of time for the S106 agreement to be finalised and the decision notice issued.

1. The development hereby permitted shall be begun before the expiration of 3 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.

3. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

4. Details and/or samples of all:

- hard surfacing materials to be used in the development; and
- the location and type of any new walls, fences or other means of enclosure

shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

5. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

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

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

7. The landscaping details shown on drawing numbers L001/E; L002/D; L003/D; L004/E;

L005/E and L006/E are to be implemented on site unless otherwise agreed in writing by the LPA.

Reason: To ensure the development is landscaped. LP Policy NE2.

8. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

9. No gates shall be provided across the access to the site.

Reason: In the interests of local visual amenity and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

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

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area and to comply with Policy D1 and/or Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

11. Prior to occupation, each dwelling shall incorporate one Electric Vehicle (EV) ready domestic charging point and it shall thereafter be retained.

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 and to comply with Policy D4 of the North Hertfordshire Local Plan 2011 to 2031.

12. Prior to the first occupation of the development hereby permitted, the details of the bin stores and cycle parking for all the houses are to be submitted to and agreed in writing by the LPA, and the approved details are to be installed on site for each houses before its first occupation.

Reason: To ensure satisfactory details in the consideration of the development in accordance with LP Policy D1.

13. No development shall take place (including ground works or vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity), as informed by

recommendations made in the 13/12/23 Updated Ecological Walkover report, has been submitted to and approved in writing by the local planning authority. The CEMP (Bio-diversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "bio-diversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure on site bio-diversity is protected in accordance with LP Policy NE4.

14. Prior to the commencement of development the details of an ecology enhancement scheme are to be submitted to and approved in writing by the LPA and the agreed measures are to be implemented on site prior to the first occupation. The measure are to include:

- the provision of bird bricks / boxes;
- the provision of bat tubes / boxes;
- insect and bee bricks / habitats;
- the creation of a 'hedgehog highway' across the site.

Reason: To enhance bio-diversity on the site in accordance with LP Policy NE4.

15. Prior to the first occupation of the first dwelling a scheme of sustainability measures for all the dwellings is to be submitted to, and approved in writing by, the Local Planning Authority and be implemented on site prior to the first occupation of each dwelling.

Reason: To address the climate emergency in accordance with Local Plan Policy D1.

16. Prior to the first occupation a plan setting out which houses meeting the requirements of Local Plan Policy HS5 for the provision of 50% of the dwellings complying with standard M4(2), including all or 10 of the affordable housing units being within the 50% of dwellings, is to be submitted to and agreed in writing by the LPA. These details must then be provided on site.

Reason: To comply with the requirements of Policy HS5.

17. 1) Before first occupation of the development, additional plans must be 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 vehicle and pedestrian/cycle accesses onto Constantine Place, Aley Way, Rhee Spring, and the cyclepath network to the north of the site, as

shown indicatively on drawing numbers CA4397/TR001 (Transport Note Sept 2021) and RR-RTA-XX-XX-DR-A-00100 rev PL14. This includes the provision of suitable intervisibility splays between the public highway and internal access roads. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before first occupation of the development.

Reason: To ensure the provision of a vehicle access which is safe, suitable, and sustainable for all highway users.

18. Before the development hereby approved is first occupied, all on site vehicular areas shall be accessible, surfaced and marked in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

19. The gradient of the main access roads shall not be steeper than 1 in 20.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy 5, of Hertfordshire's Local Transport Plan 4.

20. Before commencement of the development, a 'Construction Traffic Management Plan' shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' must set out:

- o the phasing of construction and proposed construction programme.
- o the methods for accessing the site, including wider construction vehicle routing.
- o the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
- o the hours of operation and construction vehicle movements.
- o details of any highway works necessary to enable construction to take place.
- o details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
- o details of any hoardings.
- o details of how the safety of existing public highway users and existing public right of way users will be maintained.
- o management of traffic to reduce congestion.
- o control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels.
- o the provision for addressing any abnormal wear and tear to the highway.
- o the details of consultation with local businesses or neighbours.
- o the details of any other Construction Sites in the local area.
- o waste management proposals.

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

21. Any suspected contaminated material encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and

agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

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

22. Full details of a construction phasing and environmental management programme for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works or development (including any preconstruction or enabling works). The construction project shall thereafter be carried out in complete accordance with the approved phasing programme unless otherwise agreed in writing by the Local Planning Authority. The phasing programme shall include the following elements:

- i) hours of construction operations including times of deliveries and removal of waste;
- ii) measures to minimise dust, noise, machinery and traffic noise impacts during construction;
- iii) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- iv) the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- v) screening and hoarding details, to protect neighbouring residents;
- vi) end of day tidying procedures to ensure protection of the site outside the hours of construction. The construction activities shall be designed and undertaken in accordance with the code of best practice set out in British Standard 5228 1997 and with the agreed details unless otherwise agreed in writing by the Local Planning Authority;
- vii) wheel washing facilities for construction vehicles leaving the site;
- viii) storage and removal of building waste for disposal or recycling.

Reason: To ensure the correct phasing of development in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity. In accordance with Local Plan Policy D1.

23. Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and includes all new residential dwellings to have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground level be submitted and agreed in writing by the local planning authority.

The scheme shall then be constructed as per the agreed drawings, FRA (reference: RRISS-XX-XX-RP-C-3010 revision P09 dated 24 November 2024) & Drainage Strategy (reference: RR-ISS-XX-XX-RP-C-3000 revision P07 dated 24 November 2024) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF Policies of North Herts Council.

24. Prior to construction, a detailed design shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Lead Local Flood Authority for any proposed watercourse alteration that demonstrates the design is in strict accordance

with the Land Drainage Act 1991 (culverting shall only be acceptable for access purposes).

Details submitted for any proposed watercourse alteration must demonstrate there is adequate space for each watercourse to be naturalised and enhanced, that flood risk is suitably managed for all storms up to and include the 1% AEP (Annual Exceedance Probability) (1 in 100 year) plus climate change, that exceedance events of the channels do not impact the proposed development and that they are easily maintainable and accessible. In this case a maintenance strip shall be provided between the property boundaries and the watercourse. The details shall include long sections and cross sections of the proposed watercourses including details of any proposed crossings. The development shall be constructed in accordance with the approved plans.

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 NPPF and Policies of North Herts Council.

25. Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and 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, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority

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

26. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 23.

Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of North Herts Council.

27. 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 the 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:
- I. a timetable for its implementation.
 - II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.

III. a management and maintenance plan for the lifetime of the development, including all watercourses on site, 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. This will include the name and contact details of any appointed management company.

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 NPPF and Policies of North Herts Council.

28. 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: To ensure any archaeology is protected in accordance with Local Plan Policy HE4.

29. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding property. The development shall be carried out as approved.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to comply with Policy D1 of the Local Plan

30. Before any development commences on site, a Site Waste Management Plan (setting out the aims to reduce the amount of waste produced on site during the construction phase, the types of waste to be produced, how it is to be stored on site, how it will be removed from site and where it will be sent to) is to be submitted to and approved in writing by the Local Planning Authority. The development must then be operated in accordance with the agreed SWMP unless otherwise agreed in writing.

Reason: To reduce construction waste in accordance with the HCC Waste Policy 12.

31. Prior to the first occupation of the first dwellinghouse, a scheme of landscaping to visually screen the sub-station is to be submitted to and agreed in writing by the LPA and planted on site in the first available planting season.

Reason: In the interests of local visual amenity. Local Plan Policy D1.

Proactive Statement:

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

Informative/s:

1. Environmental Health Informative:

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

2. Environmental Health Informative:

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

3. EV CHARGING POINT SPECIFICATION INFORMATIVE:

Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification.

The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

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

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

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

o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted and may require

additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

4. External materials informative:

Further to condition 3 (external materials), with regards to submitting details to the Council when an application to discharge the condition is made, in the first instance please provide a website link / photographs / brochure details of the proposed material choice. If it is necessary to submit an actual sample, this Council will only accept a single brick or tile or sample panel without prior agreement. If you need to submit a sample larger than this, please contact the named case officer for your discharge of condition application to determine if the materials are to be viewed on site or if it / they can be delivered to the NHDC Council Offices. In the event that a larger sample is delivered to the Council Offices please ensure that you arrange collection / removal of the sample once the discharge of condition application is agreed.

5. Highways Informatives:

1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

2) 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) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the

development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

4) Construction standards for works within the highway. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain

their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.asp> or by telephoning 0300 1234047.

5) Estate Road Adoption: The applicant is advised that Hertfordshire County Council as Highway Authority no longer adopts new highway as maintainable at the public expense unless a wider public benefit can be demonstrated. The developer should put in place a permanent arrangement for long term maintenance, and at the entrance of any such residential estates, a road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.asp> or by telephoning 0300 1234047.

6. LLFA Informative:

1. Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the appropriate authority, which in this instance is Hertfordshire Lead Local Flood Authority and the Local Council (if they have specific land drainage bylaws). It is advised to discuss proposals for any works at an early stage of proposals.

2. 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)). Both FEH 2013 and 2022 are currently accepted. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded and therefore, use in rainfall simulations are not accepted.

7. Anglian Water Informatives:

1. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

2. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

3. Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

4. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

5. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be

designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

7.0 Appendices

1 – Plan list.

2 – Applicant's viability statement.

3 – DSP Viability Review report.