

<u>Location:</u>	Land On The South Of Oughtonhead Lane Hitchin Hertfordshire SG5 2NA
<u>Applicant:</u>	Cala Homes
<u>Proposal:</u>	Erection of 43 dwellings, access from Lower Innings, associated internal roads, parking, landscaping, amenity space and open space.
<u>Ref. No:</u>	23/00563/FP
<u>Officer:</u>	Ben Glover

Date of expiry of statutory period: 07/06/2023

Extension of statutory period: 21/02/2023

Reason for Delay: In order to present the application to an available committee meeting.

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

1.0 **Site History**

23/00555/FP - Creation of access from Lower Innings to Land south of Oughtonhead Lane – Granted Conditional Permission on 02/08/2023.

2.0 **Policies**

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

Spatial Strategy and Strategic Policies

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy

Policy SP6: Sustainable transport

Policy SP7: Infrastructure requirements and developer contributions

Policy SP8: Housing

Policy SP9: Design and sustainability

Policy SP10: Healthy communities

Policy SP11: Natural resources and sustainability

Policy SP12: Green infrastructure, biodiversity and landscape

Policy SP13: Historic Environment

Development Management Policies

Policy HT6: Local Housing Allocations and site specific policy criteria – Land at junction of Grays Lane and Lucas Lane

Policy HS1: Local Housing Allocations

Policy HS2: Affordable Housing

Policy HS3: Housing Mix
Policy HS5: Accessible and adaptable housing
Policy T1: Assessment of transport matters
Policy T2: Parking
Policy D1: Sustainable design
Policy D3: Protecting living conditions
Policy D4: Air quality
Policy NE1: Strategic green infrastructure
Policy NE2: Landscape
Policy NE3: The Chilterns Area of Outstanding Natural Beauty (AONB)
Policy NE4: Biodiversity and geological sites
Policy NE6: New and improved open space
Policy NE7: Reducing flood risk
Policy NE8: Sustainable drainage systems
Policy NE9: Water quality and environment
Policy NE10: Water conservation and wastewater infrastructure

2.2 **Supplementary Planning Documents**

Design SPD
Developer Contributions SPD 2023
Vehicle Parking Provision at New Development SPD (2011)
North Hertfordshire and Stevenage Landscape Character Assessment

2.3 **National Planning Policy Framework (2023)**

Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
Section 6: Building a strong competitive economy
Section 8: Promoting healthy and safe communities
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

2.4 **Hertfordshire County Council**

Local Transport Plan (LTP4 – adopted May 2018)
Hertfordshire Waste Core Strategy and Development Management Policies
Development Plan Document 2012

2.5 **National Planning Practice Guidance**

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

3.0 **Representations**

3.1 **Site Notice:**

Start Date: 29/03/2023

Expiry Date: 21/04/2023

3.2 **Press Notice:**

Start Date: 23/03/2023

Expiry Date: 15/04/2023

3.3 Neighbouring Notifications:

97 neighbouring representations have been received, including 92 objections and 1 in support. The representations are shown in full on the NHC website and have been summarised below:

Objections:

- No safe access to the land.
- The access proposed is inappropriate.
- The development would increase existing traffic problems along Redhill Road, Westbury Close, Spellbrooke, Friday Furlong, and Lower Innings.
- Development would result in risk to the public and highway safety.
- Increase in traffic would result in risk to users of the Oughtonhead restricted byway. The proposed development would not enhance the public rights of way as per P.100 of the NPPF.
- Ecological impact of the development through the loss of land and wildlife corridor provided on the existing site.
- No biodiversity net gain.
- Loss of hedgerows, trees, and wildlife habitats.
- Existing highways network is unsuitable for construction traffic.
- Loss of Green Belt land.
- Development would harm local integrity and distinctiveness of Lower Innings and Oughtonhead Lane.
- Increase to pollution in area including noise.
- Increase demand on schools, doctors surgeries, and other facilities and services.
- Need for more affordable homes.
- Request the inclusion of one integrated swift brick per dwelling.
- Development in the area has caused damage that has yet to be repaired.
- Hitchin train station is already overcrowded. The site is not in walking distance to the station resulting in more car journeys to the station.
- The development would be constructed on what is in effect part of Oughton Head Common.
- Site is included within the Hertfordshire Ecological Network for restoration of neutral grassland.
- Lack of public consultation by Cala prior to submission.
- Development of this land is not required as the number of new houses required within the district has been reduced.
- Any new development should be on brownfield sites.
- Public were not consulted about the change of access from Bowlers End to Lower Innings.
- Construction traffic cannot enter the site safely and in a non-disruptive manner from any access point.

Neutral:

- Inclusion of Swift Bricks is welcome. Each dwelling should include a Swift Brick.

Support:

- Hope that trees over hanging Oughton Close will be trimmed over boundary fences.

3.4 **Parish Council / Statutory Consultees:**

HCC Highways – No objection subject to conditions and informatives.

Environmental Health (Contaminated Land) – No objection subject to inclusion of land contamination condition.

Environmental Health (Noise) – No objection subject to informatives.

Environmental Health (Air Quality) – No objection subject to conditions

Affinity Water – No comments received.

Anglian Water – No objection subject to informatives.

Archaeology – No objection subject to conditions.

CPRE Hertfordshire – No comments received.

Environment Agency – No comments received.

HCC Rights of Way – No comments received.

Forward Planning Unit – No comments received.

HCC Growth & Infrastructure – No objection, subject to securing financial contributions via a S106 legal agreement.

Housing Development Officer – No objection subject to the provision of a 40% overall affordable housing contribution. 65% rented affordable housing and 35% intermediate affordable housing.

HCC Planning Obligations Manager – No comments received.

HCC Minerals and Waste – No objection subject to a site waste management condition.

Herts Fire and Rescue – No objection subject to the provision of on-site fire hydrants

Hitchin Forum – No objection. Concerns raised. Comments in full on the NHC website.

Herts & Middlesex Wildlife Trust – Objection. Biodiversity net gain not demonstrated.

The Water Officer – No comments received.

Lead Local Flood Authority – No objection subject to conditions and informatives.

Natural England – No objection.

National Grid – No objection.

Thames Water – No comments received.

UK Power Networks – No comments received.

Transport Policy Officer – No comments received.

Ecology – No comments received.

NHDC Principle Planning Officer – No comments received.

NHDC Planning Policy Officer – No comments received.

Strategic Housing Manager – No comments received.

Hitchin Priory Councillor Chris Lucas – No comments received.

Hitchin Priory Councillor Richard Thake – No comments received.

Hitchin Oughton Councillor Claire Billing – Objection. Please see appendix 1.

Hitchin Oughton Councillor Nigel Mason – Objection. Please see appendix 2.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is a large rectangular field bound by mature vegetation, approximately 1.8ha and is situated on the west side of Hitchin approximately 0.6 miles from the Hitchin Town Centre. The site sits to the south of Oughtonhead Lane, Oughton Close is located to the east, and Hitchin Cricket Club is to the south and west of the site.

4.1.2 The application site is not situated within a Conservation Area and is not situated within the Green Belt. Approximately 1 mile to the west of the site is the Chilterns Area of Outstanding Natural Beauty (AONB).

4.2 **Proposal**

4.2.1 Planning permission is sought for the erection of 43 dwellings with access from Lower Innings, associated internal roads, parking, amenity space and open space including play area.

4.2.2 The proposals have been previously amended to include changes to visitor car parking spaces and the inclusion of solar panels to most properties where appropriate.

4.2.3 The application site is an allocated site under Policy HT3 of the North Hertfordshire Local Plan 2011-2031.

4.3 **Key Issues**

4.3.1 The key issues for consideration include:

- The principle of development.
- The impact of the development on the wider landscape and visual setting.
- The design and appearance of the proposal and the impact on the character and appearance of the area.
- Standard of accommodation for future occupiers of the development.
- The impact of the development on the amenity of adjoining properties.
- The impact of the development upon local highways, access, and parking.
- Flood risk and drainage.
- Ecological, landscape and greenspace considerations.
- Environmental health considerations.
- Planning obligations.

Principle of the Proposed Development:

4.3.2 The North Hertfordshire Local Plan 2011-2031 (NHLP) was adopted by the Council in November 2022

4.3.3 NHLP Policy SP1 on sustainable development in the district is the backbone for considering proposals. It requires the main role of key settlements, such as Hitchin, to be the main focus for new development. Proposals should ‘deliver an appropriate mix of homes, jobs and facilities that contribute towards the targets and aspirations of this Plan’, ‘provide the necessary infrastructure...’, ‘protect [the] environment’, and ‘secure any necessary mitigation measures that reduce the impact of development...’

4.3.4 The proposal is considered consistent with Policy SP1. The development is appropriately located on the edge of Hitchin and will help maintain the role of Hitchin as a key settlement.

4.3.5 The development would also contribute to delivering an appropriate mix of 43 homes within the district including:

	Affordable	Market	Total
2-bed	11	0	11
3-bed	6	4	10
4-bed	0	22	22
Total	17	26	43

4.3.6 Policy SP2 identifies a significant housing need in the district which is for ‘at least 13,000 new homes’ over the plan period. Hitchin is planned to accommodate around 1,800 in total between this Strategic Housing Site, other smaller site allocations for housing, sites within the existing urban area and any other ‘windfall sites’.

4.3.7 The application site reflects site allocation reference HT3 (Land South of Oughtonhead Lane) for 46 homes. The application proposes the erection of 43 dwellings within the allocated site.

4.3.8 Given that the application site is an allocated site for housing within the North Hertfordshire Local Plan, is not situated within the Green Belt, and would maintain the role of Hitchin as a key settlement, the proposed development is considered to be acceptable in principle.

Impact on Landscape Character:

- 4.3.9 Paragraph 180 of the National Planning Policy Framework (NPPF) sets out that planning decisions should contribute and enhance the natural and local environment, including by protecting and enhancing valued landscaped.
- 4.3.10 Paragraph 182 of the NPPF goes on to set out that development within the setting of valued landscapes, such as an AONB, should be sensitively located and designed to avoid or minimise adverse impacts on designated areas.
- 4.3.11 Policy NE2 of the North Hertfordshire Local Plan sets out that planning permission will be granted for development proposal that respect the sensitivities of the relevant landscape character, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this, ensure the health and future retention of important landscape features and have considered the long-term management and maintenance of any existing and proposed landscaping.
- 4.3.12 Site specific policy for HT3 sets out that development on land south of Oughtonhead Lane should incorporate sensitive design to minimise impacts upon landscapes to the west, including longer views from the Chilterns AONB.
- 4.3.13 Following consultation with Natural England, no objection has been raised to the impact of the development upon the setting of the AONB.
- 4.3.14 The site itself is currently an open field with existing residential development on three sides and a cricket pitch to the west. The application site itself is not considered to be a valued landscape.
- 4.3.15 The proposal would retain and incorporate an appropriate landscaped buffer along the western boundary of the application site in the direction of the AONB. This landscape buffer includes the retention of the existing boundary vegetation and the infilling of additional vegetation through native tree shrubs and wildflower planting.
- 4.3.16 Furthermore, the application is accompanied by a Landscape and Visual Impact Assessment document. This document has identified several receptors in the area from which the site would potentially be visible. All viewpoints of the site are situated in publicly accessible places.
- 4.3.17 The document found that the development would have a negligible visual effect on most of the viewpoints identified, with the largest impact upon Oughton Head Lane, which is situated directly to the north of the site. There would be a minor visual effect for users of the Hitchin 003 and Hitchin 005 public rights of way, and the Hitchin 006 public right of way.
- 4.3.18 It is considered that the proposed development would not significantly affect the local or wider visual environment. The development is considered to be sensitively designed and would incorporate appropriate landscaped boundaries to mitigate any potential visual impact to the surrounding landscape. The proposed development is in compliance with both local and national planning policies.

Design, Appearance, and Impact on the Character of the Area:

- 4.3.19 The NPPF sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 131 of the NPPF goes on to set out that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 4.3.20 Paragraph 135 of the NPPF sets out that planning decisions should ensure that development will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, be sympathetic to local character and history, establish or maintain a strong sense of place, optimise the site to accommodate and sustain an appropriate amount and mix of development, and to create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users.
- 4.3.21 Policy SP9 of the Local Plan sets out that the Council will '*support new development where it is well design and located and responds positively to its local context*'. This is repeated in Policy D1 of the Local Plan. Both Policy SP9 and D1 reflect the principles set out within the NPPF.
- 4.3.22 The proposed development is for 43 dwellings that would sit on the western edge of Hitchin. The site is neighboured to the north, east, and south by existing residential development. The wider area broadly consists of planned residential estates with a mixture of semi-detached and detached dwellings. Further to the south of the application site are two other allocated sites, HT5 and HT6.
- 4.3.23 The proposed development would consist of 43 dwellings that front a U-shaped access road. The site would be bound by a footpath and landscaping forming a wide buffer between existing development and the proposed development. To the north of the site would be a play area.
- 4.3.24 The site would be accessed from the north via Lower Innings. A separate application for the access has been granted planning permission under application reference number 23/00555/FP. The access arrangements to the site and its design are considered acceptable.
- 4.3.25 The proposal would broadly reflect the planned nature of the existing residential development close to the site. The layout of the site would allow for a range of property styles and types, as well as mix and tenure.
- 4.3.26 The density of the development is low at approximately 23 dwellings per hectare. However, this is considered appropriate for this edge of settlement location.
- 4.3.27 There would be a range of two storey dwellings incorporating a variety of materials, roof forms (hipped and gabled), and design features. Materials would include brown and red tone brick, buff brick, red brick, slate, plain, and brindle plain roof tiles. It is considered appropriate to include a sample of materials condition to ensure the quality of materials is appropriate and to comply with Policy D1 of the Local Plan

4.3.28 The design of the properties would be acceptable. There would be an appropriate mix and variety to give interest to the site. However, in order to retain the design and appearance of the site and its cohesion, it is considered appropriate to restrict some permitted development rights including Class A, Class B, and Class C of Part 1 to Schedule 2 of the General Permitted Development Order

4.3.29 Given the above, it is considered that the proposed development would result in a well-designed housing development on the edge of Hitchin, which protects the character and appearance of the area using landscaping and a suitable layout. The proposed development would be in compliance with both local and national planning policies.

Standard of Amenity for Future Occupiers:

4.3.30 Policy D1 of the Local Plan sets out that residential schemes should meet or exceed the nationally described space standards. All proposed dwellings on the site comply with the space standards as a minimum.

4.3.31 The Design SPD requires '*adequate private space to meet the needs of occupants...the council encourages a mix of garden sizes*' and should have enough space for '*outdoor living requirements such as children's play, lawn/shrub area for leisure and recreation, recycling bins and storage facilities*'. The development would provide adequate private amenity space for each dwelling.

4.3.32 With regards to overlooking and privacy for future occupiers, properties that are back-to-back would have a gap of least 21m. Plots 24 and 25 would have a back to side distance of approximately 17m with Plot 23. With Plot 23 being side on to Plots 24 and 25, it is considered this reduced distance would not result in any unacceptable harm to privacy or amenity of future occupiers.

4.3.33 It is considered that the proposed development would provide an acceptable standard of amenity and privacy for future occupiers of the development. Each dwelling would benefit from a well-designed internal space and adequate garden and storage space.

Impact on Neighbouring Properties:

4.3.34 Policy D3 of the Local Plan sets out that planning permission will be granted for development proposal which do not cause unacceptable harm to living conditions.

4.3.35 The application site is neighboured on three sides by existing residential development. This consists of Lower Innings and Westbury Close to the north, Oughton Close to the west, and Bowlers End to the southeast corner of the site. Along most of the southern boundary and to the west are cricket pitches.

4.3.36 The site currently features vegetation along all four boundaries of the site. From within the site, there are views of some properties within Oughton Close, Bowlers End, and Westbury Close. The proposed development would reinforce planting along the boundaries of the site through the addition of trees, shrubs, and other soft landscaping.

4.3.37 The development would be separated from properties along Lower Innings and Westbury Close by a landscaped buffer. This buffer would create a significant gap between the proposed dwellings to the north of the site and existing properties to the north. The front

elevation of Plot 23 would be set approximately 15.5m from the side elevation of No. 32 Westbury Close. The side elevation of Plot 22 would be approximately 24m from the rear of No. 14 Lower Innings. Furthermore, the development and the existing properties to the north are separated by Oughtonhead Lane which features mature vegetation that would be retained as part of the development.

- 4.3.38 To the southeast corner of the site is Bowlers End. The rear elevations of Plots 39 to 43 of the proposed development would be set approximately 27m from the side elevation of the closest property on Bowlers End. Furthermore, the development would include the planting of trees and hedges along the southern boundary of the site. It is considered that this planting would mitigate any potential impact upon neighbouring amenity.
- 4.3.39 To the west of the application site is Oughton Close. Oughton Close contains single storey static caravan properties that sit close to the party boundary with the application site. Plots 24, 25, 32, 33, and 43 would be sited to the east side of the site. These five plots would feature first floor fenestration in the direction of properties within Oughton Close. These windows would serve bedrooms or ensuites. There would be a minimum of 9m between the elevations of the five plots and existing elevations of plots within Oughton Close.
- 4.3.40 Whilst there would be some impact upon the amenities of occupiers of neighbouring properties on Oughton Close compared to the existing situation, given the siting of the five plots to the west of Oughton Close and the landscaped buffer to the party boundary, it is considered that the proposed development would not result in any unacceptable harm to warrant a refusal of the application. Moreover, appropriate landscaping conditions could mitigate impact upon privacy.
- 4.3.41 Neighbouring concerns relating to the proposed development have been taken into consideration. Some concerns relate to traffic generated by both the construction of the site and long-term occupation of the site. The construction period of the site would be temporary.
- 4.3.42 Concerns relating to the access to the site from Lower Innings have been noted however, details of the access from Lower Innings have been previously approved.
- 4.3.43 Whilst the development would increase traffic along Lower Innings and the wider area, it is considered that the proposal has been appropriately designed to mitigate harm to neighbouring amenity.
- 4.3.44 Concerns have also been raised relating to noise and air pollution arising from the development. The environmental impacts of the development have been considered by Environmental Health and are considered later in this report.
- 4.3.45 In conclusion on this matter, the proposed development would not result in an unacceptable impact to the amenities of nearby neighbouring occupiers and would be in compliance with both local and national planning policies.

Impact on Highways:

- 4.3.46 The Highways Authority have been consulted on the proposed development and have raised no objection subject to the inclusion of conditions and informatives.

4.3.47 Furthermore, the proposed access to the site from Lower Innings has been previously granted planning permission under reference number 23/00555/FP.

4.3.48 The Highways Authority have determined that the proposed development and the 30 vehicle movements at peak times would have a minimal impact on the surrounding highway network.

4.3.49 Paragraph 115 states that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe*'. The NPPF therefore sets a high bar for refusal on highways grounds. Notwithstanding concerns relating to the development from neighbouring occupiers, given that the Highways Authority have no objection to the proposal, it is considered that the development would not have an unacceptable impact on the highways network and is in compliance with both local and national planning policies.

Parking Provision:

4.3.50 NHLP Policy T2 on Parking requires proposals to be in accordance with the minimum standards set out in Appendix 4 of the Local Plan. This requires that x1 space is required per 1 bedroom dwelling and that x2 spaces are required for any dwellings of 2 bedrooms or more. In addition, between 0.25 and 0.75 visitor parking spaces are required per dwelling, with 'the higher standard being applied where there are no garages in scheme and the lower standards applied where every dwelling in the scheme is to be provided with a garage'.

4.3.51 Given the housing mix proposed, the development would be required to provide 86 private spaces for dwellings and between 10 to 32 visitor parking spaces. The proposed development would provide all properties with at least two private car parking spaces. Furthermore, there would be 14 visitor car parking spaces.

4.3.52 A large number of properties within the site would benefit from access to a garage. 21 properties within the site would not benefit from a garage. Given that nearly half of properties would not benefit from garages and the sufficient number of off-street car parking spaces being provided to properties within the site, the number of visitor car parking spaces being provided is within the 0.25-0.75 per unit range.

4.3.53 In conclusion on this matter, the proposed development would comply with local car parking standards and relevant planning policy.

Flood Risk and Drainage:

4.3.54 NHLP Policy NE7 on Reducing Flood Risk sets out that a Flood Risk Assessment (FRA) is prepared to support applications for planning permission in accordance with national guidelines, and that development takes account of reducing flood risk, does not increase flood risk elsewhere, minimise residual flood risk, sensitively designed flood prevention and mitigation where applicable, and protection of overland flow routes and functional floodplain. The application is accompanied by a Flood Risk Assessment and Drainage layout plan.

4.3.55 The application site is located in Flood Zone 1, the zone with the lowest risk from flooding.

4.3.56 The Lead Local Flood Authority have raised not objection to the proposed development subject to the inclusion of conditions. Furthermore, Thames Water, Affinity Water, and Anglian Water have raised no objections to the proposed development.

4.3.57 The proposed development is considered to be in accordance with the NPPF and NHLP Policy NE7.

Landscaping, and Greenspace:

4.3.58 The existing site contains predominately scrub and boundary hedgerows along with occasional trees.

4.3.59 The proposed development has been designed to retain much of the existing boundary vegetation. Gaps in the existing vegetation along the party boundaries of the site would be filled-in with native trees and shrub species. The proposal would also manage the existing boundaries through the removal of ivy to enable natural regeneration and to offer additional biodiversity.

4.3.60 The proposed development would also include the provision of a play area to the north of the site which would be accessible to all future occupiers within the development and could be accessed by occupiers of existing neighbouring properties in the area.

4.3.61 The site would also incorporate a circular path around the edge of the site. This path would link at various points along Oughtonhead Lane.

4.3.62 A maintenance plan will be required by condition should the application be approved.

Biodiversity and Ecology:

4.3.63 Policy NE4 of the Local Plan sets out that planning permission will only be granted for development proposals that appropriately protect, enhance, and manage biodiversity. The policy also sets out that all development should deliver measurable net gains in biodiversity and geodiversity, contribute to ecological networks and the water environment.

4.3.64 The development would result in the loss of shrub and grassland within the site through its development. However, much of the existing boundary vegetation is proposed to be retained and improved through additional planting and maintenance.

4.3.65 A Biodiversity Net Gain Assessment document has been submitted to support the proposed development. The document states that the development would deliver a net gain in biodiversity on site. There would be a gain of 6.91% for area base habitats and a 57.04% gain for linear habitats. The document also sets out that there would be a deficit of 5.75 units of medium distinctiveness habitats.

4.3.66 The proposed development would avoid impacts on habitats and would retain what are considered to be important habitats within the site through the retention of boundary hedgerows. Furthermore, no irreplaceable habitats are being lost as part of the development.

4.3.67 As per the submitted Ecological Impact Assessment document, the development would also incorporate a large number and range of bird and bat boxes or bricks. This can be secured by condition.

4.3.68 It is considered that there would be a significant gain in the overall biodiversity of the site given the retention and enhancing of landscaping within the application site. Subject to the inclusion of appropriate landscape management and maintenance conditions, the proposal is considered to be in compliance with both local and national planning policies.

Environmental Health Considerations:

4.3.69 Environmental Health have been consulted in relation to the proposed developments impact on noise, air quality, and land contamination. No objections have been raised to the developments impact subject to the inclusion of appropriate conditions and informatives.

Sustainability and Climate Change:

4.3.70 Section 14 of the NPPF sets out that the planning system should support the transition to a low carbon future. This principle is echoed in Policy D1 of the Local Plan that encourages all reasonable opportunities to reduce energy consumption and waste.

4.3.71 The development would be constructed to high standards designed to reduce heat loss through the fabric of the building and thus reducing the amount of energy required to heat homes.

4.3.72 Electric vehicle charging points would be incorporated throughout the development as required by Building Control standards.

4.3.73 The application has been submitted alongside an Energy Strategy Statement. Within this statement, it is confirmed that all 43 dwellings will benefit from the provision of Air Source Heat Pumps that would reduce the requirement for heating provided by fossil fuel sources.

4.3.74 Furthermore, following negotiations with the applicant, the Council have secured solar panels to all but two properties. The two properties on which solar panels are not proposed would not fully benefit from a roof that would face in an appropriate direction in relation to the path of the sun throughout the day. Overall, the solar panels proposed would contribute to a reduction in carbon emission from the site over the lifetime of the development.

4.3.75 Given the above, it is considered that the development would successfully incorporate carbon reducing technologies that would provide future occupiers with a sustainable means of powering and heating their homes. The proposal would be in compliance with both local and national planning policies.

Planning Obligations:

4.3.76 In considering planning obligations in relation to this development NPPF para. 57 advises that: 'Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.'

- 4.3.77 NHLP Policy SP7 sets out infrastructure requirements and developer contributions that are 'necessary in order to accommodate additional demands resulting from the development'. This policy reflects the NPPF principles set out above. It also cites the recently adopted Development Contributions SPD adopted by the Council and the update to Development Contributions adopted by the County Council.
- 4.3.78 The proposed development would provide 17 affordable dwellings, which is a policy compliant 40% contribution made up of 11 affordable rent and 6 shared ownership properties. This mix meets the requirements set out by the Housing Supply Officer.
- 4.3.79 The development would include contributions to Hertfordshire County Council for the provision of primary, secondary, and SEND education. Contributions would also go towards the library service, youth service, Letchworth Recycling Centre, Waste Service Transfer Station, and HCC monitoring fees.
- 4.3.80 Details of the agreed planning obligations shall be provided at the time of the Planning Control Committee Meeting.
- 4.3.81 All the elements of these obligations are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. In the light of the evidence, all the elements of the obligation meet the policy in paragraph 256 of the NPPF and the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Policy HT3 Requirements:

- 4.3.82 Policy HT3 of the Local Plan sets out specific policy criteria for this allocated site. The site-specific criteria is as follows:
- Access from Westbury Close or Long Innings whilst maintaining the general integrity and character of Oughtonhead Lane (Restricted Byway Hitchin 003);
 - Consider and mitigate against potential adverse cumulative impacts of sites in this area on Oughtonhead Lane SSSI;
 - Retain and reinforce planting along western and southern boundaries to ensure integrity of revised Green Belt boundary;
 - Sensitive design to minimise impacts upon landscapes to the west, including longer views from the Chilterns AONB.
- 4.3.83 Following consultation with the relevant consultees and in consideration of the scheme submitted, the proposed development would comply with the site specific criteria set out within Policy HT3 of the Local Plan.

4.4 **Conclusion**

- 4.4.1 The application site is designated for residential development under Policy HT3 of the North Hertfordshire Local Plan. The development of the site would provide 43 new dwellings, 17 of which would be affordable homes. The proposal would therefore make a positive contribution to the delivery of homes within the district for the rest of the Local Plan period.

- 4.4.2 The site is not situated within the Green Belt and its not close to any Listed Building or Conservation Areas. The site would not result in any unacceptable harm to the setting of the Chilterns AONB.
- 4.4.3 No objections are raised to the design or layout of the development, or the developments impact on neighbouring amenity. Furthermore, the development would provide an acceptable standard of living for future occupiers of the site.
- 4.4.4 The Highways Authority have raised no objection to the proposed development. Furthermore, the access to the site from Lower Innings benefits from extant planning permission.
- 4.4.5 The application is accompanied with a set of planning obligations which are necessary to make the development acceptable, directly related to the development, and fairly and reasonably related in scale and kind.
- 4.4.6 In conclusion, the proposed development for 43 dwellings is considered to comply with the relevant planning policies set out within the North Hertfordshire Local Plan 2011-2031 and the National Planning Policy Framework 2023.

5.0 **Alternative Options**

- 5.1 None applicable

6.0 **Pre-Commencement Conditions**

- 6.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

7.0 **Legal Implications**

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

8.0 **Recommendation**

- 8.1 That planning permission be **GRANTED** subject to the following:

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

B) Conditions and Informatives as set out in this report.

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. 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, and C 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.

4. 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.

5. Prior to commencement full details of soft and hard landscaping will be submitted to and approved in writing by the Local Planning Authority. Details will include:

Soft Landscape:

- a) Details of trees, hedgerows, habitats, ponds and other natural features it is proposed to retain or remove and details of how they will be protected during the construction phase. Such details to include the tree protection measures in accordance with BS5837:2012.

- b) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;

- c) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds,

ditches and swales and proposed treatment of the edges and perimeters of each development phase;

d) The landscape treatment of roads;

e) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;

f) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate;

g) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;

Hard Landscape

h) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;

i) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways;

j) Details of all hard surfacing materials (size, type and colour).

No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development Phase shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings.

6. The development hereby approved shall incorporate at least 10 integral bat boxes, 10 swift bricks, 10 open fronted bird boxes, and 10 hole fronted boxes. Once installed, the boxes and bricks shall be maintained in perpetuity.

Reason: To ensure the proposal has regard for wildlife and contributes to net gains in biodiversity, in line with Policy NE4 of the Local Plan.

7. (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
- (ii) The results from the application of an appropriate risk assessment methodology

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(e) Any contamination, other than that reported by virtue of condition (a) and (b), 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.

8. No development shall commence until detailed technical plans are 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 access and associated highway works concerning the connectivity of the access road with Lower Innings, as shown in the Transport Statement. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before commencement of work of the development.

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

9. Prior to the first occupation/use of the development hereby permitted the vehicular access shall be installed in accordance with the approved detailed technical plans and thereafter retained and maintained at all times at the position shown. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

10. Prior to the first occupation/use of the development hereby permitted, a detailed audit of the local cycle and pedestrian network including PRow in proximity to the site shall be submitted to and approved in writing by the Local Planning Authority, in consultation

with the Highway Authority. This is to identify a scheme where potential improvements could be made and implemented to the walking, cycling, PRow connectivity or public transport network and funded by the applicant. The approved scheme shall be implemented prior occupation of any dwellings on site unless otherwise agreed in writing by the LPA.

Reason: In the interests of highway safety and to ensure vulnerable users have access to safer improved sustainable facilities that encourage active travel.

11. 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 and how visibility splays 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 waste management proposals.
- o Provision of sufficient on-site parking prior to commencement of construction activities;
- o Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- o where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding and remaining road width for vehicle movements.

Reason: To minimise the impact of the construction process on the on local environment and local highway network in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

12. The gradient of the vehicular access shall be level with the public highway (or not exceed 1:20) including internal footways.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

13. Prior to the occupation/use of the development hereby permitted, the details of the siting, type and specification of EVCPs shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

14. 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 pre-construction 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.

15. Prior to development a detailed travel plan shall be in place with reference to the Travel Plan Guidance' at www.hertsdirect.org .

- o The content of the travel plan shall be fully assessed prior to its approval in conjunction with local authority officers.
- o The agreed targets and objectives included in the travel plan are secured for implementation by mutual agreement of the local authority and the developer/applicant (normally by means of a Section 106 agreement).
- o The outputs of the travel plan (typically trip levels and mode split) are annually monitored against the agreed targets and objectives.
- o Should the travel plan not deliver the anticipated outputs or meet the targets and objectives further mitigation/alternative/compensation measures need to be identified and implemented.
- o A named co-ordinator is required for success of the travel plan.

The Travel Plan should include the following:

- o Agreed mechanisms for discouraging high emission vehicle use and

- o Encouraging modal shift (i.e. public transport, cycling and walking) as well as the uptake of low emission fuels and technologies
- o Improved pedestrian links to public transport stops
- o Provision of new bus stops infrastructure including shelters, raised kerbing, information displays
- o Provision of subsidised or free access to public transport
- o Site layout to include improved pedestrian pathways to encourage walking
- o Improved convenient and segregated cycle paths to link to any existing local cycle network

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.

16. Prior to occupation, the 43 dwellings within the proposed new development shall each incorporate an Electric Vehicle (EV) ready domestic charging point, located either on the property, or dedicated parking spaces associated with each property. Unallocated visitor parking spaces shall be allocated EV charging on a ratio of 1 charge point per 10 spaces.

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.

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

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 the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan Policy HE4 and Section 16 of the NPPF 2021

18. No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved SWMP.

Reason: This is a pre-commencement condition to promote sustainable development and to ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

19. No development apart from enabling and associated works shall take place until details of a scheme for the provision of fire hydrants to serve the relevant phases of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.

Reason: To ensure all proposed dwellings have adequate water supplies for in the event of an emergency.

20. Construction shall not begin until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

21. 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 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.

22. Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. This shall include cross and long section drawings of all proposed SuDS features. The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (AEQ-210/FRA Rev E 26 July 2023) 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.

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. 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.aspx> or by telephoning 0300 1234047.
5. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsofway/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.
6. Highway to remain private: The applicant is advised that all new highway routes within the development site are likely to remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047
7. A Travel Plan for the development consisting of a written agreement with the County Council which sets out a scheme to encourage, regulate, and promote green travel measures for owners, occupiers, and visitors to the Development in accordance with the provisions of the County Council's 'Travel Plan Guidance for Business and Residential Development', which is subject to an overall sum of £6,000 payable before occupation of the development. This 'evaluation and support contribution' is to cover the County Council's costs of administering and monitoring the objectives of the Travel Plan and engaging in any Travel Plan Review. Indexation of this figure will be based on the Consumer Price Index from the date planning is granted to the date the contribution is paid. The applicant's attention is drawn to Hertfordshire County Council's guidance on residential/commercial Travel Plans: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-developmentmanagement.aspx#DynamicJumpMenuManager_1_Anchor_5 Our Travel Plan team can provide further advice at travelplan@hertfordshire.gov.uk
8. 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.

9. 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.

10. 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.

11. 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

12. 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.

13. 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.

14. 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.
15. For further advice on what we expect to be contained within the FRA to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx> this link also includes HCC's policies on SuDS in Hertfordshire.

Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the appropriate 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.

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 2023 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.

Please note if, you the Local Planning Authority review the application and decide to grant planning permission, notify the us (the Lead Local Flood Authority), by email at FRMConsultations@hertfordshire.gov.uk.

9.0 **Appendices**

9.1 Cllr Claire Billing Objection:

"I would like to call in the planning application 23/00563/FP and also object to the proposal on the grounds that there is no suitable acceptable access to this site therefore I object to the building of the homes on Worbey's Field.

The application 23/00555/FP Creation of access from Lower Innings to Land south of Oughtonhead Lane associated with this application is poorly considered and is not appropriate for the community that lives in and around Lower Innings or for the people who regularly use Oughtonhead Lane.

The only other proposal that the developer had considered for access to the site was Oughtonhead Way and this was discounted as unsuitable due to the considerable opposition and the negative impact increased traffic has had on the neighbourhood following the completion of Bowlers End. It is inconceivable that building an access to Worbey's Field by tarmacking a section of the Restricted Byway, cutting down trees and hedgerows and also increasing traffic in a small Cul-de-Sac is in anyway and improvement on the original proposal of access via Oughtonhead Way.

Therefore, as there is no suitable access to Worbey's Field I object to the building of any dwellings."

9.2 Cllr Nigel Mason Objection:

"Just to confirm that further to previous correspondence I wish to 'call in' the above planning application (23/00563/FP - Land on the south of Oughtonhead Lane) and to object to the proposal. I have also objected to the related planning proposal 23/00555/FP

My objection is based on the fact there is quite clearly no viable safe and acceptable access route to the land in question, Worbey's Field. Having previously considered alternative access routes to this site (via Oughtonhead Way/Lavender Way/Bowlers End and via Westbury Close) and presumably recognising they were unsuitable; the applicant is now proposing access via Lower Innings.

This proposal is totally unacceptable as the siting and build of Lower Innings makes it unsuitable to through traffic, it would increase the existing traffic problems on Redhill Road, and mean the vehicular crossing of the busy and popular Oughtonhead Lane restricted byway, used by walkers, cyclists, horse riders, and people with small children, and a well-used route to two Primary Schools (Oughton and Samuel Lucas) and to Oughtonhead Common Nature Reserve. This presents a clear risk to public and highway safety.

As there is clearly no safe and acceptable access route to the land in question (known as Worbey's Field) then this application should be rejected.

Furthermore, there are significant concerns about the ecological impact of the loss of this land and of the valuable wildlife corridor that the field and the adjacent lane provide. I note that the ecology impact assessment survey appears to have been conducted at the wrong time of year for grasses, making it impossible to say whether or not there are protected species that would be adversely affected by the development. Also I note there appears to have been no attempt at quantifying biodiversity net impact."