

<u>Location:</u>	Land West Of Ryefield Stevenage Road St Ippolyts Hertfordshire
<u>Applicant:</u>	Valais Ltd
<u>Proposal:</u>	Erection of 14 dwellings including new vehicular access off Sperberry Hill (serving 4 dwellings) and new vehicular accesses off Stevenage Road (serving 10 dwellings) (amended plans received 12/01/2023 and 15/08/23)
<u>Ref. No:</u>	19/01669/FP
<u>Officer:</u>	Andrew Hunter

Date of expiry of statutory period:

9 October 2019

Extension of statutory period:

31 March 2020

Reason for referral to Committee:

The application is to be determined by Planning Control Committee by reason of the development being residential development with a site area of 0.5 hectares or greater, as set out in 8.4.5 of the Council's Scheme of Delegation.

1.0 **Relevant Site History**

1.1 01/00348/1 - 5 Detached dwelling houses (Outline Application - All matters reserved) - Refused 31/05/01 for:

1. The proposed dwellings are in an area that is designated in the approved County Structure Plan Review 1991-2011 and the North Hertfordshire District Local Plan No 2 with Alterations as Green Belt. Within that area there exists a general presumption against new housing development. In the view of the Local Planning Authority the nature of the proposal does not justify that strong presumption being overridden. Additionally, the proposal would be viewed as encroaching into the surrounding countryside, thereby having an adverse impact from the visual amenities and landscape of this part of the Green Belt contrary to paragraph 1.5 of Planning Guidance Note 2 (Green Belts).

Appeal dismissed 26/10/01.

1.2 90/01554/1 - Outline Application for three detached dwellings – Refused 09/07/91.

Appeal dismissed.

2.0 **Policies**

2.1 **North Herts Local Plan 2011 - 2031**

Policy SP1: Sustainable development in North Hertfordshire
Policy SP2: Settlement Hierarchy and Spatial Distribution
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, landscape and biodiversity
Policy SP13: Historic Environment

Policy T1: Assessment of Transport matters
Policy T2: Parking
Policy HS1: Local Housing Allocations
Policy HS2: Affordable housing
Policy HS3: Housing mix
Policy HS5: Accessible and adaptable housing
Policy D1: Sustainable Design
Policy D3: Protecting living conditions
Policy D4: Air Quality
Policy NE2: Landscape
Policy NE4: Biodiversity and geological sites
Policy NE6: New and improved open space
Policy NE7: Reducing flood risk
Policy NE8: Sustainable drainage systems
Policy NE11: Contaminated land
Policy HE1: Designated heritage assets
Policy HE4: Archaeology
Policy SI2: Land south of Stevenage Road

2.2 **National Planning Policy Framework**

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

2.3 **Supplementary Planning Documents**

Developer Contributions SPD (2023)

3.0 **Representations**

3.1 **Neighbouring Properties:**

The application has been advertised via neighbour notification letters, the display of a site Notice, and a press notice. At the time of finalising this report, 20 objections in total had been received, for the original and later amended plans. The objections received were on the following grounds:

- Providing vehicular access from Stevenage Road. It's a single track road with no pavement, busy at peak times.
- Stevenage Road can't support more traffic. Has a school and children using it.
- It would make most sense for all vehicular access to be via Sperberry Hill.
- Pedestrian walkways for the whole area need attention.
- Stevenage Road access onto Sperberry Hill closed in 1976 due to increased traffic and safety issues.
- All construction traffic should be via Sperberry Hill. Disruption elsewhere in the village from other building work.
- Sperberry Hill is a rat run and would need to be widened. Potential damage.
- Height of dwelling overlooking Lannacombe.
- Double storey garages should be single level.
- Predict our fences will be damaged.
- Would like new planting to conceal the dwellings.
- Plans don't show right of way to Lannacombe and other houses.
- Local schools all oversubscribed.
- No indication that the houses would be energy efficient.
- Amendments not satisfactory due to traffic and safety concerns.
- Notification letter inadequate.
- No objection in principle.

Consultees

3.2 **Parish Council**

There is a need to consider the installation of rooftop solar, speed limit lowered to 30mph on Sperberry Hill and tree planting to adjacent property for privacy.

It is noted all the dwellings will be heated by air source heat pumps.

3.3 **HCC Growth and Infrastructure**

Based on the information to date for the development of 14 dwellings we would seek financial contributions towards the following projects:

Primary Education towards the expansion of St Ippolyts Primary School and/or provision serving the development (£161,066 index linked to BCIS 1Q2022)

Secondary Education towards the expansion of The Priory Secondary School and/or provision serving the development (£214,533 index linked to BCIS 1Q2022)

Childcare Service towards St Ippolyts Primary School and/or provision serving the development (£228 index linked to BCIS 1Q2022)

Special Educational Needs and Disabilities (SEND) towards the new East Severe Learning Difficulty school and/or provision serving the development (£19,681 index linked to BCIS 1Q2022)

Library Service towards increasing the capacity of Hitchin Library and/or provision serving the development (£3,718 index linked to BCIS 1Q2022)

Youth Service towards the delivery of a new centre serving Hitchin and the surrounding area and/or provision serving the development (£6,218 index linked to BCIS 1Q2022)

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.

3.4 Herts County Council highways officer

(E-mail 27 June 2024)

I've reviewed the revised tracking and they're satisfactory.

I'll look to put together the approval with conditions.

(Comments 14 November 2023)

Full comments are in Appendix 1 to this report.

Recommends that permission be refused.

3.5 Waste Officer

No objections.

3.6 Housing Supply Officer

The affordable housing requirement is 25% on sites which will provide between 11 and 14 dwellings, in accordance with the Local Plan.

Based on the provision of 14 dwellings, 25% affordable housing equates to 4 affordable dwellings. Within the overall affordable housing the council requires a 65% rented / 35%

intermediate affordable housing tenure split, in accordance with the and the council's Developer Contributions SPD, supported by the 2016 Stevenage and North Hertfordshire Strategic Housing Market Assessment (SHMA) Update. So three affordable units for rent and one for intermediate affordable tenure/ shared ownership.

A rural Housing Needs Survey (HNS) was undertaken in St Ippolyts in 2012. We consider that HNSs have a 5-year life span, so this could now be considered very out of date.

The HNS identified a need for 18 units over a five year period; including a mix of mainly one bedroom and two bedroom homes and one x three bedroom house predominately for rent. The HNS concluded that a scheme of 9 dwellings: 3 x 1 bedroom; 5 x 2 bedroom and 1 x 3 bedroom homes could be considered to meet immediate housing need.

Following my advice of 18th May 2023 the applicant is proposing the affordable housing provision of 2 x 2 bed houses, 1 x 2 bed bungalow and 1 x 3 bed house, with access to all 4 dwellings from Stevenage Road (not Sperberry Hill as indicated above).

3.7 Hertfordshire Ecology

No objections. Full comments are in Appendix 1 to this report.

3.8 Lead Local Flood Authority

A Flood Risk and Drainage Technical Note was submitted to respond to comments, which includes an updated drainage layout that incorporates an infiltration basin to provide additional storage, amenity and biodiversity benefits. The LLFA is satisfied that the drainage strategy proposed is suitable and recommend conditions if the application were to be approved.

3.9 NHC Grounds Maintenance Green Spaces

NHC does not undertake any maintenance of the greenspace within the village of St Ippolyts except on behalf of Settle Housing. Therefore, it is assumed that the open spaces, trees, and woodland would be adopted by the Parish Council who maintain the play area etc locally.

Suggests that the Parish Council also seek an off-site contribution towards the upgrading of their local play area due to the increased demand this development will bring to the locality.

With regards the woodland, trees and other habitats expect Biodiversity Net Gain targets to be met on site and that these obligations are going to be clarified within a suitable management plan and will have financial provision to cover estimated costs for the next 30 years - again anticipate that the Parish Council would be adopting responsibilities for maintaining these areas.

3.10 Environmental Health Noise

No objection.

3.11 Herts County Council Archaeology

No objections. Full comments are in Appendix 1 to this report.

3.12 Environmental Health Land Contamination

No objection.

3.13 Herts CC Minerals and Waste

No objection.

3.14 Environmental Health Air Quality

No objection.

3.15 Anglian Water

No objection.

3.16 Sport England

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case.

3.17 HCC Fire and Rescue

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit.

3.18 Urban Designer and Landscape Architect Planning Policy NHDC

Full comments are in Appendix 1 to this report.

3.19 Herts and Middx Wildlife Trust

Objection. Full comments are in Appendix 1 to this report.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is approx. 1.2 ha in size, in the south-east of St Ippolyts. The site is not in use for any purpose, was former nursery land (stated in the appeal decision of 01/00348/1) and is largely overgrown (it was also the case when 01/00348/1 was under consideration). Ground levels fall gradually from west to east. The south and east boundaries are comprised of continuous trees and vegetation. The north and west boundaries are comprised of smaller numbers of trees, 1.8m close-boarded fencing, and lower vegetation.

- 4.1.2 The site lies between two public highways to its north and south (Stevenage Road, and Sperberry Hill, respectively). A public footpath runs along the east side of the site and connects the two above public highways. Stevenage Road is narrow for much of its length, with pedestrian footways approx. 330m to the NW. Vehicular access from Stevenage Road to Sperberry Hill is closed by barriers near dwelling Ryefield to the east.
- 4.1.3 The site is adjacent to two storey dwellings to the east, west and north. To the NE is the Wymondley Electrical sub-station. To the south is an agricultural field. The site is allocated Housing Site SI2 within the settlement boundary of St Ippolyts and Gosmore, which is a Category A village in the Local Plan.

4.2 **Proposal**

- 4.2.1 Planning permission is sought for:

Erection of 14 dwellings including one new vehicular access off Sperberry Hill (serving 10 dwellings) and one new vehicular access off Stevenage Road (serving 4 dwellings).

- 4.2.2 The development would be wholly within the area of Local Plan housing site allocation SI2. It would have one vehicular entrance off Sperberry Hill, allowing access to 10 of the dwellings. One vehicular entrance is proposed off Stevenage Road to access the other 4 dwellings. Internally, the dwellings would be largely arranged around an area of public open space and SuDS drainage basin in a central area of the site, with the outer 5 dwellings nearer the footpath and Stevenage Road. The five southern dwellings would be accessed by internal roads branching off the main road.
- 4.2.3 The dwellings would all be two storeys, apart from Plot 14 which would be a bungalow. All dwellings would have pitched roofs. Ten of the dwellings would have detached double garages with pitched roofs, with the garage for Plot 4 including first floor workspace accommodation with two front dormers. Four of the dwellings would have sheds in their rear gardens.
- 4.2.4 The dwelling mix is proposed to be 10 market units, and 4 affordable units. The 10 market units would comprise nine 4 bed units, and one 5 bed unit. The affordable units would comprise two 2 bed houses, one 2 bed bungalow, and one 3 bed house. Three of the affordable units would be for rent, and one for intermediate affordable tenure/shared ownership.
- 4.2.5 The dwellings and garages would all have pitched gabled roofs. External materials are proposed to be a mix of red bricks and buff stock bricks, with the red brick dwellings having brown tiles, and the buff brick dwellings having grey tiles.
- 4.2.6 The development would include new hard and soft landscaping, with new trees and other planting throughout the site. Some trees and vegetation at the front and rear of the site would be removed to build the accesses and provide visibility. An area of public open space including a Local Area for Play (LAP) and SuDS infiltration basin would be located centrally within the site. Smaller strips of landscaping and planting would be spread around the site. The public footpath will be re-aligned and upgraded to provide an improved surface and new external lighting. A fenced pedestrian access route to dwelling Lannacombe would be provided in the northern part of the site.

4.3 Key Issues

4.3.1 The key issues for consideration are as follows:

- The principle of the proposed development in this location.
- The design of the proposed development and its resultant impact on the character and appearance of the area;
- The effect upon archaeology;
- The effect upon living conditions of occupiers of neighbouring properties;
- Whether the proposal would provide an acceptable standard of accommodation for future occupiers of the dwellings;
- The acceptability of the proposed development with regards to parking, sustainable transport, and impacts on the public highway
- The quality of landscaping proposed and the impact the proposed development would have on trees.
- The impact that the proposed development would have on ecology and protected species.
- The impact of the proposal on drainage and flood risk; and
- The appropriateness of the planning obligations proposed.

Principle of Development:

4.3.2 The site lies within the settlement boundaries of St. Ippolyts as defined by the Local Plan and is allocated for residential development. Local Plan (LP) Policy SI2 allocates the site for an estimated of 12 homes and sets out the following criteria:

- Archaeological survey to be completed prior to development;
- Trees should be incorporated into the design of the development;
- Maintain the existing right of way through the site; and
- Appropriate noise mitigation measures, to potentially include insulation and appropriate orientation of living [accommodation].

In addition, Policy SP2 of the Local Plan designates St Ippolyts is a Category A village, where general development will be allowed within village boundaries. On this basis, the development that is proposed is acceptable in principle as it complies with LP Policy SP2 of the recently adopted Local Plan. LP Policy SI2 sets out several criteria and these are considered under several of the subject headings below.

Character and appearance, layout, size, scale and design, and archaeology:

4.3.3 The proposal would result in new residential development on undeveloped land, which would change its character and appearance significantly through urbanisation. However, the application site is allocated for housing and is within the settlement boundary of St Ippolyts, where new housing development is permitted by the relevant LP policies and is also required to deliver new housing by Policy SP8. The urbanisation of the site is therefore considered acceptable due to these policies.

4.3.4 The application proposes 14 dwellings, which is 2 dwellings more than the dwelling estimate of 12 homes for Policy SI2 and is a 16.6% increase on that figure. Policy HS1 a) states that development on allocated housing sites such as SI1 should broadly accord with the indicative number of homes shown. 'Broadly' is not defined in the Local Plan,

therefore the number of dwellings for an allocated site could be more or less than a dwelling estimate. Para. 8.3 (supporting text of HS1) of the Local Plan states, “*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*”.

- 4.3.5 Therefore, whilst the proposed number of dwellings is slightly higher than the estimate for the site in LP Policy SI2, this does not render the proposed development unacceptable or result in conflict with LP Policies HS1 and SI2.
- 4.3.6 The density of the proposed development would be 11.6 dwellings per hectare within the site, and slightly higher if the undeveloped strips on the south and east of the site are excluded. This is a low density for a new housing scheme. However, the density of the dwellings to the north and west of the site between Stevenage Road and Sperberry Hill (with Churchfields and Gaddesden used as the westernmost of these dwellings) is approx. 6.6/ha, which is a very low density and inefficient density. This density would increase to 9.4/ha if the three dwellings west of the site were excluded and would be higher still if only counting Nos. 1 to 6 The Glebe Stevenage Road north of the site. The density of the proposal is overall considered contextually appropriate in St Ippolyts and is acceptable.
- 4.3.7 The overall layout of the proposed development would be like that of a cul-de-sac, not dissimilar to nearby cul-de-sac East View a short distance to the NW of the site. Plot 14 would follow the line of the front of Nos. 1 to 6 The Glebe with a similarly sized plot, with Plots 11 to 14 considered to be of a pattern and grain similar to nearby dwellings on Stevenage Road to the NW.
- 4.3.8 The layout of the development would relate well to the shape of the site and maintain the trees and footpath on its south and east sides. All of the proposed dwellings apart from three would be detached, and they would be spaced out within the site such that the spacious character of the of this part of St Ippolyts.
- 4.3.9 The proposed SuDS infiltration area and the main area of public open space are in acceptable locations which will enable the built form of the development to be largely built around them. The location, design, and integration of these areas into the development will also help to provide a sense of place. The proposed dwellings would be located a sufficient distance from the boundaries of the site to avoid appearing cramped, to provide space for soft landscaping, which would minimise the visual impacts of the development when viewed from Sperberry Hill.
- 4.3.10 The sizes of the individual plots would vary; however, it is considered that they would be comparable to plots of dwellings to the north and NW, which also vary. The dwellings are not considered to appear cramped in their individual plots due to the amount of spacing proposed around and between them.
- 4.3.11 The dwellings would all be detached, apart from Plots 11 to 13, which is considered in keeping with the character of the locality where there are primarily a mix of detached and semi-detached nearest the site, albeit there are some terraced dwellings in East View further away to the north. The dwellings would all be two storeys, apart from Plot 14 which would be a bungalow, which is also considered in keeping with the locality which is primarily of two storey dwellings with a few bungalows. The dwelling mix would be 21%

smaller units (1 or 2 beds) and 79% larger units (3+ beds), which is considered acceptable in this location, reflecting the rural character of the locality, where there are numerous larger detached dwellings nearby.

- 4.3.12 The footprints and floor spaces of the dwellings are considered comparable to other nearby dwellings and are acceptable. The bungalow would have a height of approx. 5.3m, the two storey dwellings would vary in height from 8.5m to 9.9m (of these, only Plot 4 would be 9.9m, Plots 1 and 5 would be 9.2m, and the other dwellings would be between 8.5m and 8.7m high), and the detached garages would be 4.7m (with the garage for Plot 4 being 7.4m high).
- 4.3.13 The Plot 14 bungalow will be the closest of the proposed dwellings to Stevenage Road and will have the most immediate impacts on that street scene due to their proximity and visibility from the public highway. The bungalow would have a pitched roof with a front gable end and open pitched-roof porch, which are features of other dwellings nearby in Stevenage Road, and would be of a height that would appear comparable to other bungalows nearby and which appears reasonable and not excessive for such a dwelling type. The detailed design approach and use of red bricks and brown tiles would be similar to others in the street scene and is acceptable.
- 4.3.14 Plots 11 to 13 would be set further back from Stevenage Road than Plot 14 and would also be more obscure by trees, and therefore will have less impacts on the street scene. The design approach, size, and external materials will however be similar to Nos. 1 to 6 The Glebe nearby to the NW, therefore Plots 11 to 13 are considered of an acceptable design in relation to the street scene of Stevenage Road and the wider locality. The other 10 dwellings would be considered to have more limited and acceptable impacts on the street scene of Stevenage Road as they will be set back further into the site and obscured more by buildings and trees.
- 4.3.15 Dwelling Lannacombe adjacent to the west boundary of the site has a height of approx. 8.5m, dwelling West Orchard west of Lannacombe has a height of approx. 7.2m, and dwelling Churchfields west of West Orchard is considered to have a height of 9m. The heights of 8 of the two storey dwellings will vary from 8.5m to 8.7m, with the second highest being 9.2m, which are all considered of an acceptable height given the heights of the three existing dwellings to the west. The Plot 4 dwelling that would be adjacent to Lannacombe would be higher than all nearby dwellings at just under 10m high to the ridge. However, it is considered that this dwelling would not appear unduly tall within its context given its location at the head of the cul-de-sac and screening by trees and buildings.
- 4.3.16 The proposal to use one vehicular access from Sperberry Hill, setting the development behind existing and new planting, will help to minimise the visibility and visual impacts of the development in the wider locality as it will be extensively obscured. The ten dwellings that would be accessed from Sperberry Hill would be of a traditional appearance, would be an acceptable approach in this location. Buff brick walls and grey roof tiles would be the predominant external materials and would reflect Ryefield to the east, and contextually appropriate. The proposed garages would be of an acceptable size and design.

- 4.3.17 Policy SI2 states that an archaeological survey should be completed prior to development. Such a survey was submitted with the application, which revealed archaeological remains across much of the site. The County Council Archaeologist has considered the methodology and findings of the survey acceptable, concluding that the quality and density of those remains indicate any part of the site requires preservation in situ. The impact of the development may then be mitigated by a programme of archaeological excavation prior to development. Such a programme can then be specified by appropriate conditions requiring an Archaeological Written Scheme of Investigation to be submitted to the LPA and agreed in writing, to then be implemented. This is therefore considered to comply with Policy SI2.
- 4.3.18 It is considered that permitted development rights relating to roof extensions and alterations should be removed by condition in the interests of maintaining control over the appearance of the development, potential impacts on dwellings outside the site, and on future occupiers of the development. The amount, size, scale, layout and design of the proposed development is considered acceptable. The proposal is considered acceptable with regards to archaeological assets. The proposal complies with Policies SP9, SP13, D1, HE1 and HE4 of the Local Plan; and Sections 12 and 16 of the NPPF.

Impacts on Residential Amenity:

- 4.3.19 There is one dwelling to the east that adjoins the site, known as Ryefield. The proposed dwelling on Plot 10 would be the closest at a distance of approx. 15.5m from the curtilage of Ryefield, with Plot 11 being the next closest at 21.2m away. At these distances, and due to existing trees to be retained, it is considered that the proposed dwellings would not result in harm to the living conditions of occupiers of Ryefield. The public footpath would be upgraded with new lighting, however due to the number of trees and amount of vegetation between it and Ryefield it is not considered that the lighting will result in harm. Details of lighting will also be controlled by condition.
- 4.3.20 There are no dwellings to the south that will be affected by the development. Dwelling Lannacombe and its curtilage adjoins the west boundary of the site. The Plot 1 dwelling will be approx. 13.8m from the boundary with Lannacombe, and due to this distance and as it would be substantially obscured by trees, Plot 1 would not harm the amenity of Lannacombe. The garage outbuilding for Plot 1 will be closer to Lannacombe than the main Plot 1 dwelling, however as the outbuilding would be smaller, and would also be set away from the boundary and obscured by trees, the outbuilding will not harm the amenity of that dwelling.
- 4.3.21 Plot 4 would be the most visible to Lannacombe, more so as it would be on higher ground and there are less trees to the rear. The two-storey part of Plot 4 would be approx. 7m from the boundary and would then taper away from Lannacombe and its curtilage, such that it is not considered that it would appear overbearing or cause loss of light. A single storey rear projection of Plot 4 would be 4.7m from the boundary and substantially obscured by an outbuilding in the curtilage of Lannacombe, and as such would not cause unacceptable loss of amenity. A first-floor side window of Plot 4 could cause loss of privacy and amenity to Lannacombe. However, as this would be a secondary bedroom window it can be required by condition to be obscure glazed.

- 4.3.22 The garage outbuilding for Plot 4 would be approx. 6.3m from the boundary with Lanacombe, which as it would also be substantially obscured by trees, and would not have any rear openings, is not considered harmful to the amenity of that dwelling. Some concerns have been raised by Lanacombe that a right of way isn't shown. This is not a public right of way, and it is not clear from the comments precisely where the claimed right of way is. From a site visit there didn't appear to be any signs of a right of way onto Stevenage Road and Sperberry Hill apart from the public footpath and given the overgrown condition of the site and its boundaries near Lanacombe it does not appear that any such right of way is in use or would serve any purpose. It is considered that impacts on this right of way can be dealt with outside of the planning process as this is essentially a private civil matter between Lanacombe and the applicant.
- 4.3.23 The other closest dwellings to the site are on Stevenage Road that adjoin the site boundary or are near the site. The development would be largely obscured from dwelling Wainwood and its rear garden to the NW by trees, with the closest proposed dwelling being approx. 24.6m away, therefore the amenity of Wainwood would not be harmed.
- 4.3.24 The two closest proposed dwellings to dwelling The Vicarage east of Wainwood would be approx. 14m and 18.5m from the rear boundary of The Vicarage and would also be obscured by trees. Therefore, it is not considered that harm to the amenity of The Vicarage would occur.
- 4.3.25 The other closest dwellings on Stevenage Road to the site are 1 to 6 The Glebe, three pairs of semi-detached dwellings. The curtilage of No. 1 is approx. 15m from the site and further from the proposed buildings and will not be affected. The curtilage of No. 2 is approx. 1.5m from the site however it faces trees that will provide screening and the proposed buildings will be at oblique angles and set away from the boundary, therefore the amenity of No. 2 will not be harmed.
- 4.3.26 No. 3 partially shares its rear boundary with the site. The rear of No. 3 is approx. 14.8m from its rear boundary, with a proposed double garage and Plot 5 being 3.1m and 14m further away respectively from the boundary and at oblique angles, which is considered sufficient to avoid harm to No. 3. The rear garden of No. 4 is shorter than No. 3 at approx. 11m in depth at its shortest, however the two closest dwellings Plots 5 and 6 would be sited sufficiently far from the boundary and would be at oblique angles and designed such that they would not cause loss of amenity to No. 4. The closest proposed building is a detached double garage for Plot 5 but is not considered harmful to No. 4 as it would be single storey and 3.1m from the boundary. Impacts on the amenity of No. 4 are considered acceptable.
- 4.3.27 No. 5 is closer to the boundary at a minimum distance of approx. 9.2m. The proposed Plot 6 dwelling would be approx. 10.3m from this boundary and at an oblique angle, with no first-floor rear openings on its rear projection, therefore that dwelling will not harm the amenity of No. 5. The detached garages for Plots 5 and 6 will have limited visibility and impacts on No. 5 and are not considered harmful. Impacts on the amenity of No. 5 are considered acceptable.

- 4.3.28 No. 6 The Glebe is close to the boundary of the site, at a minimum of approx. 4.2m from the boundary. The closest proposed building to the rear of No. 6 is a detached double garage for Plot 6, however as it would be approx. 2.9m from the boundary, obscured by vegetation and single storey, this garage building is not considered harmful. The Plot 6 dwelling would be a minimum of 10.8m from the rear boundary with No. 6 and at an oblique angle and is not considered harmful to No. 6.
- 4.3.29 The Plot 7 dwelling would be a minimum of approx. 14.3m from the boundary with No. 6 and would not have rear upper floor openings in its two-storey rear projection, therefore it is not considered that Plot 7 will harm the amenity of No. 6. The other closest proposed dwelling to No. 6 is Plot 14, a bungalow. This dwelling will be approx. 8m from the boundary, and will be partially obscured by a tree, vegetation, and fencing. Due to the lower single storey height of the bungalow, and it being to the side of the curtilage of No. 6, it is not considered that the amenity of No. 6 would be harmed.
- 4.3.30 It is considered that most of the objections and concerns from neighbours have been addressed elsewhere in this report. It should be noted that most objections were to the original plans, with the latest amended plans receiving only three objections. The main original concerns related to traffic impacts on Stevenage Road, which would now be much reduced as most dwellings would be accessed via Sperberry Hill. Any damage to fences would be a civil matter to be resolved between the relevant parties. The proposal is not considered harmful to residential amenity. The proposal complies with Policy D3 of the Local Plan.

Amenity of Future Occupiers:

- 4.3.31 Paragraph 130 (f) of the NPPF states that “*decisions should ensure that developments... create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity of future and existing users*”. This is largely reflected in Policies D1 and SP9 of the Local Plan. A criterion of Policy SI2 is that appropriate noise mitigation measures, to potentially include insulation and appropriate orientation of living spaces, should be provided. The main noise generating development in the vicinity of the application site is Wymondley Substation, located approximately 140m to the east of the site at its closest point. A Noise Assessment Report submitted with the application proposes double glazing, and mechanical ventilation for first floor bedrooms where external noise levels exceed 30 dB at night. The Council’s Environmental Health Officer considers this acceptable, which is given significant weight, and on that basis that part of LP Policy SI2 is considered complied with.
- 4.3.32 Policy D1 of the Local Plan states that residential development should meet or exceed the nationally described space standards. The individual rooms and overall living space of the dwellings accord with or exceed these standards. Therefore, the internal living space proposed is considered acceptable. A condition requiring obscure glazing of some first floor side windows of some of the dwellings will ensure no harmful overlooking within the site (this will apply to Plot 5 – west side window, Plot 6 – west Bed 2 window and east Dressing room window, Plot 7 – west Dressing room window, Plot 13 – west side window, Plot 8 – south elevation dressing room window, Plot 1 – east elevation Bathroom window).

- 4.3.33 Each dwelling would have its own private garden. The Local Plan does not specify minimum private and communal garden sizes; however, it is considered that these gardens would be of an acceptable size and quality for potential occupants of the dwellings.
- 4.3.34 Due to the siting of the proposed dwellings, it is considered that future occupants would not be adversely affected by uses, buildings, structures, trees and vegetation outside the site. It is also not considered that the new dwellings proposed would adversely affect each other in terms of visual impacts, being overbearing, loss of light, noise, and privacy.
- 4.3.35 The development includes one main area of public open space in the central area. There are also smaller landscaping strips around and near the open space, public footpath and SW site boundary. Policy NE6 of the Local Plan relates to new and improved open space, which refers to Fields in Trust (FT) guidance.
- 4.3.36 Under the FT guidance, a new development of the scale proposed is recommended to provide a Local Area for Play (LAP), and a Locally Equipped Area for Play (LEAP). A LAP is provided in the site on its west side with further open space around it as a buffer and meets the FT guidance in this respect. A LEAP is not included in the development, however due to the amount of public open space proposed in the site (approx. the size of two LAP's), the smaller size and scale of the development and the site itself, maintaining the public footpath and more significant areas of trees near the SW and SE boundaries, and an existing play area with equipment in a larger area of open space a short distance to the NW up Stevenage Road, it is considered that the provision of a LEAP is not necessary in this case.
- 4.3.37 The amount and quality of public open space for the development is considered acceptable and would be accessible within the site to residents. The open space will be maintained and managed in accordance with a submitted Landscape Management Plan to be managed by a Management Company as part of a S106 legal agreement, which complies with Local Plan Policy NE6. Living conditions for future occupants are considered acceptable. The proposal complies with Policies D1, NE6 and SI2 of the Local Plan, and Section 12 of the NPPF.

Parking, Sustainable Transport, and Highways:

- 4.3.38 The Council's residential parking standards are for dwellings with 1 bedroom to have one space minimum, and for dwellings with 2 or more bedrooms to have a minimum of two parking spaces. All dwellings would have two or more bedrooms and would have at least two parking spaces (with additional space in the proposed garages).
- 4.3.39 Council minimum cycle parking standards are for 1 secure covered space per dwelling, with none if a garage or secure area is provided within the curtilage of each dwelling. The dwellings would have cycle parking in sheds or their own garages, which is acceptable. Cycle parking is therefore acceptable.
- 4.3.40 Visitor parking provision requirements in the Local Plan are between 0.25 and 0.75 spaces per dwelling (rounded up to nearest whole number) with the higher standard being applied where there are no garages in the schemes and the lower standard applied where every dwelling in the scheme is to be provided with a garage.

- 4.3.41 The total number of visitor parking spaces proposed is 6. The development proposes 10 dwellings with garages, and 4 dwellings without garages, which combined is a minimum requirement of 5.5 spaces. The amount of visitor spaces proposed would therefore be acceptable. The location of the visitor spaces is considered acceptable, as they would be spread around the site and within walking distance of the dwellings.
- 4.3.42 The proposed internal road and driveway arrangement is considered satisfactory, on the basis of the absence of objections from the highways officer, which means that large refuse vehicles would be able to access all parts of the site required to reach refuse collection points. The application also includes a Refuse Plan that is considered demonstrates that the proposed dwellings would be able to store refuse bins within or near their curtilages and that they would be within reasonable distances of refuse collection vehicles.
- 4.3.43 Pedestrian connectivity within the site would be via shared surface driveways, and the existing public footpath with a new footpath link in front of Plots 9 and 10. No pedestrian footways are proposed adjacent and alongside the driveways, however this is not considered unacceptable as the shared driveways are short, would have lower traffic flows, and areas of grass would provide additional areas for pedestrians if necessary.
- 4.3.44 The public footpath within the site would remain but would be re-surfaced and widened to approx. 2.1m to also allow for more pedestrian and cycle access to and through the site. The altered footpath would have landscaped strips, planting, and existing trees alongside it, and would also include wider more open entrances on Stevenage Road and Sperberry Hill. The proposed alterations to the footpath remain under consideration, however recent correspondence from the highways officer does not suggest there are objections to this and is considered acceptable.
- 4.3.45 Vehicular access to the development would be via new accesses to be created onto Stevenage Road and Sperberry Hill. The last formal comments from the highways officer (dated 14 November 2023) recommended refusal on the basis that further information of a speed survey carried out by the applicant should be provided.
- 4.3.46 The applicant has since then provided further information as requested, which is considered acceptable to the highways officer on the basis of recent correspondence from 27 June. Formal comments confirming this have not been received at the time of writing this report, therefore there is some uncertainty relating to potential conditions and planning obligations that could be requested. On this basis, approval is recommended subject to these highway matters being resolved to the satisfaction of the LPA with the imposition of additional heads of terms, planning conditions and/or amendment of recommended planning conditions as necessary.
- 4.3.47 Details of construction can be required by a Condition requiring a Construction Management Plan. The proposed development is considered acceptable regarding parking provision, layout, and impacts on the public highway network. The proposal complies with Policies SI2, T1 and T2 of the Local Plan, and Section 9 of the NPPF.

Trees and Landscaping:

- 4.3.48 The site is primarily open but overgrown, with more notable vegetation including mature trees on or near its east, SW and SE boundaries. None of the trees are protected by Tree Preservation Orders or by virtue of being in a Conservation Area.
- 4.3.49 The majority of the proposed development would be outside the root protection areas (RPA's) of the trees and would be considered to be sufficiently far from them to not affect their canopies or result in future pressures for their removal. Part of the driveway for proposed dwellings 11 to 14 would project into the RPA of one tree near the NE boundary, however the extent of this projection would be small and is not considered harmful.
- 4.3.50 The most significant tree removal is proposed at the SW of the site, primarily in association with the proposed Sperberry Hill access and its visibility splays. Some trees near the north boundary are also proposed to be removed, however they are small and make only a limited contribution to the character of the locality, therefore there are no objections to their removal. The trees to be removed near the SW boundary are not considered individually significant, although they contribute to the character of this part of Sperberry Hill by being part of a continuous row of trees that is more like a hedge. It is considered that the loss of these trees will be compensated by new tree planting near the SW boundary and within the site as a whole, therefore the proposed loss of these trees is considered acceptable.
- 4.3.51 The development includes comprehensive hard and soft landscaping throughout the site. The amount of hard landscaping is not considered excessive given the amount of development. Details of the materials of the various hard surfaces have not been specified, however it is considered that they can be required to be so by condition. Proposed boundaries comprising of walls and railings are considered acceptable.
- 4.3.52 The proposed soft landscaping and planting details have been fully specified and are considered acceptable. The proposal would also allow the development to comply with one of the objectives of Policy SI2 in incorporating trees into the design of the development. The proposal is considered to comply with Local Plan Policies SP9, SP12, D1, SI2 and NE2; and Sections 12 and 15 of the NPPF.

Ecology:

- 4.3.53 The application was submitted with a Preliminary Ecological Appraisal (PEA) report with biodiversity net gain calculation, and existing and proposed plans showing biodiversity enhancements.
- 4.3.54 The PEA did not find protected species in the site, with no significant impacts on biodiversity. This is supported by Herts Ecology, which is given significant weight. The site has the potential to support breeding birds, and a pre-development search before the removal of trees/vegetation can be advised to be undertaken by an informative.

- 4.3.55 Hedgerows in the site are to be mostly retained. The most important of these should be protected from construction activities, therefore prior to such works, all relevant protection measures should be in place. It is considered that tree protection plan drawing WHK21863-03 shows this would be achieved through protective fencing and will be required to be adhered to by condition.
- 4.3.56 Given the known presence of bats nearby and suspected use of the proposed development site, it is likely that a reasonable population of bats utilise the land within and beyond the red line boundary for foraging, commuting and potentially roosting. All will be potentially vulnerable to insensitive lighting, and it is imperative this does not reduce the ability of the site and boundary features to maintain their ecological function. Similarly, it should ensure the ability of the proposed bat boxes is not restricted. The production and implementation of a sensitive lighting strategy will therefore be required and secured by condition. Bird and bat boxes will be required on each dwelling by condition.
- 4.3.57 The development should deliver a biodiversity net gain as required by Policy NE4 of the Local Plan. The Policy does not specify a minimum % required, and due to the age of the application it is exempt from being required to provide a mandatory 10% BNG under the provisions of the Environment Act 2021.
- 4.3.58 The application was submitted with a biodiversity net gain calculation that states there would be an overall gain of 26.5% for habitat units and a 32.72% gain for hedgerows/linear features. This has not been disputed by Herts Ecology, therefore the biodiversity net gain put forwards is considered accurate and would deliver a net gain in excess of the 10% requirements. These gains should then be delivered by a Biodiversity Net Gain Management Plan condition. Impacts on ecology are considered acceptable. The proposal complies with Policies SP12 and NE4 of the Local Plan, and Section 15 of the NPPF.

Drainage and flood risk

- 4.3.59 The site is in Flood Zone 1, therefore the proposed development is not considered to be at risk of flooding from waterways. The key material consideration is therefore whether the development would be able to provide acceptable drainage that would not result in detrimental surface water flooding inside and outside the site.
- 4.3.60 The application was submitted with a Flood Risk Assessment and Drainage Strategy. The Lead Local Flood Authority (LLFA) had not objected to the application on 17 January 2024, and have recommended four conditions be attached to any planning permission granted.
- 4.3.61 Since the 17 January comments from the LLFA, the applicant has provided amended plans and further details relating to drainage. The LLFA have been re-consulted on them and maintain their position of having no objections. It is therefore considered that the proposed development is acceptable regarding flood risk and drainage, subject to the conditions recommended by the LLFA. The proposal therefore complies with Policy NE8 of the Local Plan and Section 14 of the NPPF.

Planning obligations

4.3.62 The recommendation is subject to several planning obligations, which have been agreed with the applicant. As set out in paragraph 57 of the NPPF and Regulation 122 of the Community Infrastructure Regulations (CIL Regs.), planning obligations must only be sought where they meet all the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Therefore, such contributions should only seek to address the impacts of the proposed development upon infrastructure, services and facilities and not address an existing need or impact by existing or other future housing development.

Following detailed negotiations with the applicant, agreement has been reached on a range of matters that are included in a draft S106. All the S106 obligations are listed in the following table:

Element	Detail and Justification
Affordable Housing (NHDC)	On site provision of 4 affordable dwellings based on 65% rented tenure (3 x 2 bed houses), and 35% intermediate affordable housing tenure (1 x 3 bed house) NHDC Planning Obligations Supplementary Planning Document Local Plan Policy HS2 'Affordable Housing'
Open space/ SUDS management and maintenance arrangements (NHDC)	Open Space Management Company and SUDS Management Scheme to secure the provision and long-term management and maintenance of the open space, play space and SUDS on-site
Primary education (HCC)	Contribution of £161,066 (index-linked) towards the expansion of St Ippolyts Primary School and/or provision serving the development Local Plan Policy SP7 'Infrastructure requirements and developer contributions' NHDC Planning Obligations Supplementary Planning Document
Secondary education (HCC)	Contribution of £214,533 (index-linked) towards the expansion of the Priory Secondary School and/or provision serving the development

	<p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions'</p> <p>NHDC Planning Obligations Supplementary Planning Document</p>
Childcare Service (HCC)	<p>Contribution of £228 (index-linked) towards St Ippolyts Primary School and/or provision serving the development</p> <p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions'</p> <p>NHDC Planning Obligations Supplementary Planning Document</p>
Special Educational Needs and Disabilities (HCC)	<p>Contribution of £19,681 (index-linked) towards the new East Severe Learning Difficulty school and/or provision serving the development</p> <p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions'</p> <p>NHDC Planning Obligations Supplementary Planning Document</p>
Library Services (HCC)	<p>Contribution of £3,718 (index-linked) towards increasing the capacity of Hitchin Library and/or provision serving the development</p> <p>Local Plan Policy SP7 'Infrastructure requirements and developer contributions'</p> <p>NHDC Planning Obligations Supplementary Planning Document</p>
Youth Services (HCC)	<p>Contribution of £6,218 (index-linked) the delivery of a new centre serving Hitchin and the surrounding area and/or provision serving the development</p> <p>Policy SP7 'Infrastructure requirements and developer contributions'</p> <p>NHDC Planning Obligations Supplementary Planning Document</p>
Fire Hydrants (HCC)	<p>Provision of fire hydrants for the development</p>
Monitoring Fees (HCC)	<p>Monitoring Fees – HCC will charge monitoring fees.</p> <p>These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £340 (before adjusting for inflation).</p>

	HCC Guide to Developer Infrastructure Contributions (July 2021)
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(Indexation is to BCIS 1Q2022 unless otherwise stated)

- 4.3.63 These obligations have been agreed by the applicant and all relevant parties, and a draft S106 has been submitted to the LPA. These obligations are considered to meet the relevant tests in 4.3.60 and make the development acceptable in planning terms through acceptable mitigation of its impacts on relevant infrastructure.

Climate Change Mitigation:

- 4.3.64 The NPPF supports the transition to a low carbon future and the increased use of renewable energy sources. North Hertfordshire District Council has declared itself a Climate Emergency authority and its recently adopted Council Plan (2020 – 2025) seeks to achieve a Council target of net zero carbon emissions by 2030 and protect the natural and built environment through its planning policies. Local Plan Policy D1 seeks to reduce energy consumption and waste. To assist in achieving these aims, Electric Vehicle Charging points will be required by condition to be installed on each of the proposed new dwellings. The application was also submitted with an Energy and Climate Statement setting out various energy saving measures that will mean each dwelling as a minimum would achieve a 52% reduction in expected carbon emissions while also complying with the latest Building Regulations requirements, therefore further helping to minimise climate change.

4.4 Balance and Conclusion

- 4.4.1 This application was submitted before December 2023. Therefore, under the provisions of the NPPF the exemption from the requirement to identify a 5-year supply of deliverable housing sites does not apply to this application. It is estimated that the current housing supply is about 4 years and consequently in this case the tilted balance set out at paragraph 11 (d) of the Framework applies. It is considered that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of providing 14 new dwellings on an allocated housing site in a sustainable location, when assessed against the policies of the NPPF as a whole.

- 4.4.2 The proposed development is considered acceptable and is considered to comply with the necessary provisions of both the adopted Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 Alternative Options

- 4.5.1 None applicable

4.6 Pre-Commencement Conditions

- 4.6.1 Pre-commencement conditions as below are recommended, which have the agreement of the applicant.

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 is resolved to be **GRANTED** subject to the following:

- A) The completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and
- B) The resolution of the highway matters to the satisfaction of the Local Planning Authority with the imposition of additional heads of terms, planning conditions or amendment of planning conditions as necessary; and
- C) Conditions and Informatives as set out below:

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. To comply with Policy D1 of the Local Plan.

3. Details and/or samples of materials to be used on all external elevations and the roofs of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced above ground 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. 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; 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. 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. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to 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.

7. Works to trees and protection of existing trees shall be in accordance with the submitted Arboricultural Impact Assessment & Method Statement (Revision B:25/04/2024) and drawing WHK21863-03 Rev B (both received 03/06/24), unless otherwise agreed in writing with the LPA.

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.

8. Prior to the occupation of each dwelling hereby permitted, the car parking spaces shown for that dwelling on the approved plans shall be marked out and made available and shall thereafter be kept available solely for the parking of motor vehicles.

Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development and to comply with Policy T2 of the North Hertfordshire Local Plan 2011 to 2031.

9. The use of the garages hereby permitted shall remain at all times incidental to the enjoyment of the dwellinghouses to which they relate and shall not be used in connection with any form of trade, business or commercial activity (aside from the temporary sales suite).

Reason: To safeguard the residential character of the locality and the amenities of nearby residents, both of which would be prejudiced by the activities and visual intrusion likely to be associated with a commercial activity on the site and to comply with Policy D1 and/or Policy D3 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 Class B 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, neighbouring dwellings and future occupiers and to comply with Policy D1 and Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

11. Land Contamination Condition:

(a) 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 has been submitted to and approved by the Local Planning Authority.

(b) 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 (a) 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.

(c) Any contamination, other than that reported in the Paddock Geo Engineering Reports dated March 2019 (P18-184pra & P18-184gi), 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. To comply with Policy NE11 of the Local Plan.

12. Prior to occupation, each approved new dwelling shall incorporate an Electric Vehicle (EV) ready domestic charging point.

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. To comply with Policy D4 of the Local Plan.

13. No development shall 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.

Reason: In the interests of assessing impacts on assets of archaeological interest. To comply with Policy HE4 of the Local Plan.

14. The development shall be carried out in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 13.

Reason: In the interests of assessing impacts on assets of archaeological interest. To comply with Policy HE4 of the Local Plan.

15. 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 13 and the provision made for analysis and publication where appropriate.

Reason: In the interests of assessing impacts on assets of archaeological interest. To comply with Policy HE4 of the Local Plan.

16. Prior to first occupation of the development a scheme of external lighting shall be submitted to the Local Planning Authority. The scheme shall be designed to ensure public safety and to minimise the potential effects upon the ecology of the site and its surroundings. The scheme shall include details of external lighting of the Public Right of Way No. 17 within the site. The strategy shall be designed to minimise the potential adverse effects of external lighting on the amenity and biodiversity of the site and its immediate surroundings. The scheme shall be implemented as approved and in accordance with an agreed programme/strategy, and the arrangements shall be maintained and retained thereafter.

Reason: In the interests of biodiversity and local amenity. To comply with Policies D1 and NE4 of the Local Plan.

17. Prior to the commencement of these parts of the development, full details shall be provided of sheds as shown on drawing 18142-1006 Rev G. These details shall then be approved, and the sheds erected and completed before occupation of each dwelling they would be in association with.

Reason: In the interests of providing adequate cycle storage and sustainable transport. To comply with Policies T1 and T2 of the Local Plan.

18. These first floor openings of the approved dwellings shall be obscure glazed: Plot 4 – SW side window, Plot 5 – west side window, Plot 6 – west Bed 2 window and east Dressing room window, Plot 7 – west Dressing room window, Plot 13 – west side window, Plot 8 – south elevation dressing room window, Plot 1 – east elevation Bathroom window.

Reason: In the interests of privacy and amenity. To comply with Policies D1 and D3 of the Local Plan.

19. Development shall not commence until a biodiversity net gain management plan (BNGMP) has been submitted to, and approved in writing by, the local planning authority. The content of the BNGMP shall ensure the delivery of the agreed number of habitat and hedgerow units as a minimum (+0.69 net habitat units 3.31 units total; +0.41 net hedgerow units, 1.65 units total) to achieve a net gain in biodiversity and include the following.
- a) Description and evaluation of habitat parcels to be managed, cross referenced to individual lines in the metric.
 - b) Maps of all habitat parcels, cross referenced to corresponding lines in the metric.
 - c) Appropriate management options for achieving target condition for habitats as described in the approved metric.
 - d) Preparation of an annual work schedule for each habitat parcel (including a 30 year work plan capable of being rolled forward in perpetuity).
 - e) Details of the body or organisation responsible for implementation of the plan.
 - f) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.
 - g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.
 - h) Reporting plan and schedule for informing LPA of condition of habitat parcels for 30 years.

The BNGMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BNGMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: To enhance biodiversity in accordance with the NPPF and the North Hertfordshire Local Plan Policy NE4.

20. No above ground development shall commence until details of 2 integrated bird boxes per dwelling and 2 integrated bat boxes per dwelling have been submitted and approved by the LPA. These devices shall be fully installed prior to occupation and retained as such thereafter.

Reason: To enhance biodiversity in accordance with the NPPF and the North Hertfordshire Local Plan Policy NE4.

21. During the construction 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.

Reason: To protect the residential amenity of existing residents. To comply with Policy D3 of the Local Plan.

22. Mechanical ventilation shall be installed in first floor bedrooms as detailed in Section 6 and Figure 4B of “Proposed Residential Development at Stevenage Road /Sperbery Hill St Ippolyts, Noise Assessment” Report reference 2019-05-31a dated 31 May 2019 by Auracle Acoustic.

Reason: To protect the residential amenity of future residents. To comply with Policies D1 and SI2 of the Local Plan.

23. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the buildings 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.

24. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.

The Construction Management Plan shall consist of:

- (a) Construction vehicle numbers, type, routing;
- (b) Access arrangements to the site;
- (c) Traffic management requirements
- (d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- (e) Siting and details of wheel washing facilities;
- (f) Cleaning of site entrances, site tracks and the adjacent public highway;
- (g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- (h) Provision of sufficient on-site parking prior to commencement of construction activities;
- (i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- (j) 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, pedestrian routes and remaining road width for vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire’s Local Transport Plan (adopted 2018). To comply with Policy T1 of the Local Plan.

25. Prior to the commencement of the hard landscaping works, details of all hard surfacing to be used in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and completed in accordance with the approved details.

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.

26. 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. The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (Revision B, August 2023), Flood Risk and Drainage Technical Note (November 2023) considering additional requirements below (I, II) 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. The Drainage Strategy shall include;
- i. Additional infiltration testing (to BRE 365 standards and at the depth of all the proposed infiltration features) should be carried out to clarify the rates across the site in the strata which will be utilised for discharge.
 - ii. Updated hydraulic calculations (following the updated infiltration testing results) to ensure the scheme can cater for all events up to and including the 1% AEP (plus appropriate climate change event).

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF Policies of North Herts Council. To comply with Policy NE8 of the Local Plan and Section 14 of the NPPF.

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 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. To comply with Policy NE8 of the Local Plan and Section 14 of the NPPF.

28. 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 1. 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. To comply with Policy NE8 of the Local Plan and Section 14 of the NPPF.

29. 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. To comply with Policy NE8 of the Local Plan and Section 14 of the NPPF.

Pro-active Statement

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

Informatives:

Any vegetation clearance should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.