

## **19/01669/FP – Appendix 1**

### **Hertfordshire County Council Highways Officer**

Recommends that permission be refused for the following reasons:

We need the applicant to provide further information about the speed survey to demonstrate compliance with CA 185 Vehicle speed measurement requirements, in order to demonstrate that the proposed 2.4m x 50m visibility splay in each direction will be sufficiently safe. Sperberry Hill is currently subject to a 60mph National Speed Limit. The Design Speed may therefore be up to 100kph (~60mph). For reference DMRB CD 109 states the desirable minimum safe stopping distance (SSD) is 215 metres for a 100kph design speed. The proposed 50 metres visibility splay is one step below desirable minimum where the design speed is 50kph (~30mph).

The applicant is required to provide information to satisfy the Local Highway Authority that CA 185 Vehicle speed measurement requirements have been followed. These requirements include “All speed measurements (spot and journey speed) shall be undertaken in free flow conditions where vehicles are unlikely to be accelerating or braking, unless the measurements are to be taken in connection with changes to an existing feature that naturally impacts the free flow of traffic. All speed measurements should be taken in dry weather conditions. A minimum of 200 vehicles speeds shall be recorded during each individual speed measurement period. Spot speed and journey speed measurements shall comprise a minimum of two individual speed measurement periods, undertaken on different days of the week, and at different times of the day.

On two-way roads, the individual speed measurement periods shall include separate measurements taken for both directions of traffic flow. The minimum two individual speed measurement periods should be undertaken in different months and at least one month apart from each other, or in a neutral month if the former is not feasible. Speed measurements should be undertaken outside of peak traffic flow periods. Speed measurements shall not be undertaken during a local event that can result in traffic flows and speeds that are atypical for the road in question. Speed measurements shall not be undertaken at weekends.

Speed measurements on rural roads shall not be undertaken on bank holidays. Where there is a difference in the 85th percentile speeds derived from the individual speed measurements periods, the higher value shall be used in the subsequent design. Speed measurements shall be undertaken using either manual or automatic methods.” Please note some of the above are absolute requirements (e.g. all, shall be etc) and some are advised methods (e.g. should etc). Perhaps the applicant may provide a summary table to demonstrate that each above requirement was met with the existing speed survey data collection?

If the applicant cannot satisfactorily demonstrate that the 85th percentile speed and therefore the Design Speed is below 50kph then it follows that as this is a safety critical matter, either new survey data collection or revised proposed visibility splays that provide for minimum safe stopping distance (SSD) are provided at the proposed access on to Sperberry Hill. It may also be possible to consider the case for a speed limit change, however this would need to meet the requirements of Hertfordshire’s Speed Strategy and Speed Management Group requirements and this can be a lengthy process.

In the meantime we are consulting our Public Rights of Way (PROW) team for further advice on the proposed realignment of PROW 16 and the potential for improvements to PROW 17

to the North of Stevenage Road. Please see attached the latest revised layout proposed and the published guidance for ease of reference.

## **Hertfordshire Ecology Comments**

Overall Recommendation:

The application can be determined with no ecological objections (subject to the addition of the recommended conditions to any consent).

Summary of Advice:

- A condition should be attached to any consent to secure the installation of two bird boxes and two bat boxes/tubes/tiles in each dwelling
- A condition should be attached to any consent to secure the production and implementation of a lighting strategy
- A condition should be attached to any consent to secure the production and implementation of a Biodiversity Net Gain Management Plan

Comments:

The Hertfordshire Environmental Records Centre holds no ecological records of notable significance from this site or the area that may be affected by this development, suggesting a site of restricted ecological interest.

These characteristics are largely confirmed by the PEA which accompanies this application which described a site of modest ecological value though the boundary hedgerows were considered to be (species-poor) examples of a priority habitat (although it is not certain which hedgerows or all were considered to be important).

Overall, though, the PEA is taken to suggest that although threats were apparent, there would be no significant impacts on biodiversity. I have no reason to disagree with this even with the proposed loss of part of hedgerow H1 to provide a new access.

However, this positive outcome was dependent on a series of avoidance, mitigation and enhancement measures suggested in s5.1 of the PEA. However, these were poorly described and little weight can be attached to them. Consequently, I consider the following measures are considered necessary and should be attached to any consent as conditions.

**Biodiversity net gain**

Although not yet mandatory, the delivery of a net gain is required by local planning policy. Accordingly, the applicant has submitted extracts from a biodiversity metric. These are acceptable and predict a net gain of 26.5% and 32.72% in habitat and hedgerow units, respectively. Whilst I have no reason to doubt this is achievable, there is, again, no detail and no guarantee the measures required will be delivered. Consequently, the production of a Biodiversity Net Gain Management Plan (BNGMP) should be secured by condition. This should follow best practice and must show as a minimum how the predicted net gain will be achieved and maintained for a minimum period of 30 years. Given the apparent intention to deliver this within the red line boundary, the BNGMP could also fulfil the role of a Landscape and Ecological Management Plan (LEMP). If not, a LEMP should also be secured by condition.

## **Hertfordshire County Council Archaeologist**

I can confirm that the archaeological geophysical survey and trial trenching evaluation requested in my advice letter of 1 August 2019 have now been carried out. I have received and reviewed the evaluation report (Archaeology South-East 2020).

The report is broadly of a satisfactory standard, and the evaluation was of an appropriate scope to provide sufficient information on the likely archaeological implications of the proposed development.

The evaluation has revealed archaeological remains across most of the site, as expected. A concentration of ditches and pits containing Middle Iron Age pottery in the south/south west of the site is of particular interest, as Middle Iron Age remains are very rare in Hertfordshire. Pottery of this date was recovered from several features, and was in 'fresh' or very good condition, suggesting that the site was in or adjacent to a Middle Iron Age settlement. This fits with the geophysical survey results from the former proposed solar farm development to the south of the site on Sperberry Hill. A small quantity of blacksmithing waste was recovered from a Middle Iron Age feature, which is of note. The Middle Iron Age pottery should be retained for further analysis.

A large east-west ditch containing very large quantities of Late Iron Age/Roman pottery appears to mark the northern extent of the Middle Iron Age settlement activity. The majority of finds, however, on the site were Late Iron Age or Romano British, with pottery and other material recovered from ditches/pits across the site, including in the north west and north east. It appears as if some kind of Late Iron Age/Romano-British enclosure abuts the large settlement enclosure (which itself may have continued in use until the Romano-British period) to the north.

The archaeological remains are significant, particularly those in the south/southwestern parts of the site. The quality and density of those remains is, however, not high enough that, given presently-available information, we would recommend that 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.

I believe that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend that the following provisions be made, should you be minded to grant consent:

1. The archaeological open area excavation of the proposed development area, prior to development commencing. This should include a contingency for preservation in situ of any remains of unexpected significance encountered;
2. a programme of archaeological public outreach, to include open day(s), school visit(s), public talks etc. as appropriate;
3. the analysis of the results of the archaeological work with provision for the subsequent production of a report and an archive, and the publication of the results. This should include further analysis of the Middle Iron Age pottery recovered during the predetermination evaluation;
4. such other provisions as may be necessary to protect the archaeological interests of the site;

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow the policies included within Policy 16 (para. 199, etc.) of the National Planning Policy Framework. In this case three appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants.

## **Urban Designer and Landscape Architect Planning Policy NHDC**

(Comments dated 5 August 2020)

1. This proposal is for site allocation SI2 in the emerging Local Plan which is located on the south-east edge of St Ippolyts village and lies within the village settlement boundary. It is located between Sperberry Hill, a through route and Stevenage Road which is a cul-de-sac. The site is bounded by two detached residential properties set in large gardens, 'Ryefield' and 'Lannacombe' and which run the full length of the east and west boundaries respectively. The northern boundary is enclosed by the rear gardens of properties fronting onto Stevenage Road together with a short section of the road itself while the southern boundary fronts onto Sperberry Hill and overlooks agricultural fields with potential longer views out across the rolling landscape.

2. The allocation has a dwelling estimate of 12 houses and the site specific criteria include:

- Archaeological survey to be completed prior to development;
- Trees should be incorporated into the design of the development; and
- Maintain the existing right of way through the site.

3. This application is for 14 detached properties, nine accessed off Stevenage Road and five accessed off Sperberry Hill with no access between the two apart from the public right of way PRow St Ippolyts 17 which runs north-south across the eastern part of the site between the two roads and connects into the wider footpath network. The proposal leaves the area to the east of the PRow undeveloped and provides a buffer between 'Ryefield' and the proposed development. Who will be responsible for maintaining this area? Will it be public open space?

4. The five detached properties along Sperberry Hill will be accessed off a new shared entrance and set well back from the road behind an access road and landscape buffer which will help screen the development from views from the south and west. The houses are slightly forward of the loose building line running along Sperberry Hill but generally follow the character of detached properties fronting onto Sperberry Hill.

5. The remaining nine properties will be accessed via two entrances on Stevenage Road. Seven of the properties accessed off Stevenage Road are grouped along a cul-de sac with the remaining two accessed off a separate shared drive. Apart from one pair of semi-detached houses all the properties are detached and two storeys high.

6. I am of the opinion that 14 dwellings is overdevelopment of this site. Whilst I feel that five dwellings along the Sperberry Hill frontage is acceptable, erecting nine properties within a similar area in the northern half of the site creates a poor layout. Reducing the number of dwellings in the northern half to seven will allow a better layout and all the dwellings can be accessed off a single entrance. This will help to minimise the impact on the semi-rural character of Stevenage Road.

7. The Tree Report and Tree Reference Plan (WHK21863-01) assess most of the existing 49 trees as category B (30) while the remaining are classed as Category C (17) or U (2). They are all located around the periphery of the site and can be retained as part of the proposal. There are no existing trees or shrubs within the centre of the site and this should be addressed by the landscape proposals scheme to help assimilate the development into its surroundings. Existing vegetation along the sites boundaries with residential properties should be strengthened to ensure a suitable buffer between the development and existing residential properties.

8. There is no indication of which trees are to be removed along the Sperberry Hill frontage to accommodate the vehicular sightlines for the new access. However, the DAS on p27 states that 5 x grade B trees will be removed in the south of the site near Sperberry Hill presumably to create the access but they are not indicated on any drawings.

9. The new trees proposed along the Sperberry Hill frontage are welcomed to supplement the existing vegetation and strengthen the buffer planting. However, out of the 21 trees proposed for this scheme only 3 trees are located within the site itself rather than around the periphery. A structural planting scheme is needed to create a distinctive character for the development which should include more trees.

10. Who will be responsible for the maintenance of the green space not contained within private gardens such as the land along Sperberry Hill frontage and the land to the east of the PRow next to 'Ryefield'?

11. I would query why out of the five visitor parking spaces provided on site only one visitor space is available in the northern half of the site for properties accessed off Stevenage road whereas four visitor spaces are available in the southern half accessed off Sperberry Hill.

12. The number of dwellings should be reduced in the northern half to create a better layout and the landscape scheme should incorporate more trees within the development itself to create a structural landscape and high quality environment.

### **Herts and Middx Wildlife Trust**

Objection: Biodiversity net gain not demonstrated, ecological survey out of date and only a preliminary survey. Not compliant with North Herts Local Plan or NPPF.

The ecological survey was conducted over 4 years ago and is now out of date. It was also a preliminary survey not a full survey. The CIEEM EclA guidelines state:

'1.5 Under normal circumstances it is not appropriate to submit a PEA in support of a planning application.'

The North Herts Local Plan and NPPF requires that applications must demonstrate a biodiversity net gain.

The NHDLP states:

'NE4 All development should deliver measurable net gains for biodiversity and geodiversity, contribute to ecological networks and the water environment, and/or restore degraded or isolated habitats where possible. Applicants should, having regard to the status of any affected site(s) or feature(s):

d. Integrate appropriate buffers of complimentary habitat for designated sites and other connective features, wildlife habitats, priority habitats and species into the ecological mitigation and design. The appropriateness of any buffers will be considered having regard to the status of the relevant habitat. 12 metres of complimentary habitat should be provided around wildlife sites (locally designated sites and above), trees and hedgerows

11.18 Ecological surveys will be expected to involve an objective assessment of ecological value and identify any priority habitat, protected or priority species on site with survey data and site assessment to establish the potential impact. Surveys should be consistent with BS42020 Biodiversity- Code of Practice for Planning and Development, or as superseded, and use the DEFRA Biodiversity Metric , or as superseded, or any statutorily prescribed alternative to assess ecological value and deliver measurable net gain.'

The NPPF para 174 states that development must demonstrate a net gain.

This application should not be determined until a biodiversity metric has been submitted that demonstrates a net gain e.g. an increase in habitat units and hedgerow units of 10%. The application must also demonstrate that it is consistent with local plan policy NE4d.

This information is required before this application can be determined.