

<u>Location:</u>	<b>Land To The East of Foxholes and Gainsford House and On the West Side of Crow Furlong, Hitchin</b>
<u>Applicant:</u>	<b>Hill Residential</b>
<u>Proposal:</u>	<b>Variation of condition 2 (revised plans) and condition 10 (Flood Risk Assessment) of planning permission 22/03092/FP granted 15.03.2024 for Residential development of 47 dwellings and associated car parking, open space, landscaping and creation of access off Gray's Lane (as amended)</b>
<u>Ref. No:</u>	<b>25/01745/S73</b>
<u>Officer:</u>	<b>Sarah Kasparian</b>

**Date of expiry of statutory period:** 15 October 2025

**Extension of statutory period:** 10 November 2025

#### **Reason for Delay**

Following re-consultation on amended documents

#### **Reason for Referral to Committee**

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

#### **1.0 Site History**

- 1.1 The site has been subject of housing proposals for several years through submission of site representations during the preparation of the adopted North Hertfordshire Local Plan 2011-2031. The site is a Local Housing Allocation ref. HT6 in the now adopted Local Plan for 53 homes (Local Plan para 13.128).
- 1.2 In 2021 an application for outline planning permission was submitted ref. 21/01562/OP for 58 dwellings. At the time this application was premature to the adoption of the Local Plan, but feedback was given by Officers following public consultation, including advice for the preference for an application for full planning permission rather than outline, requiring more detail than previously submitted given the scale and sensitivities of the site. This application was withdrawn by the applicant on 14 December 2021.

- 1.3 Full planning permission was given in March 2024 ref 22/03092/FP for 47 homes and associated parking, open space, landscaping and access.
- 1.4 Full planning permission was also given for the adjacent site reference HT5 (22/00516/FP) for nine units. There is overlap in the site boundaries in relation to the highway access, where the proposals have been coordinated together. It is understood that Hill Residential are the owners and developers of both sites, which will be developed at the same time. Work has commenced on HT5.

## 2.0 **Policies**

### 2.1 **North Hertfordshire District Local Plan 2011 – 2031** (adopted 8 November 2022)

#### **Spatial Strategy and Strategic Policies**

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy

Policy SP6: Sustainable transport

Policy SP7: Infrastructure requirements and developer contributions

Policy SP8: Housing

Policy SP9: Design and sustainability

Policy SP10: Healthy communities

Policy SP11: Natural resources and sustainability

Policy SP12: Green infrastructure, biodiversity and landscape

Policy SP13: Historic Environment

#### **Development Management Policies**

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

Policy HS1: Local Housing Allocations

Policy HS2: Affordable Housing

Policy HS3: Housing Mix

Policy HS5: Accessible and adaptable housing

Policy T1: Assessment of transport matters

Policy T2: Parking

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy D4: Air quality

Policy NE1: Strategic green infrastructure

Policy NE2: Landscape

Policy NE4: Biodiversity and geological sites

Policy NE6: New and improved open space

Policy NE7: Reducing flood risk

Policy NE8: Sustainable drainage systems

Policy NE9: Water quality and environment

Policy NE10: Water conservation and wastewater infrastructure

Policy HE4: Archaeology

## 2.2 **Supplementary Planning Documents**

Design SPD

Developer Contributions SPD 2023

Vehicle Parking Provision at New Development SPD (2011)

North Hertfordshire and Stevenage Landscape Character Assessment

## 2.3 **National Planning Policy Framework (February 2019)**

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 13: Protecting Green Belt land

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

## 2.4 **Hertfordshire County Council**

Local Transport Plan (LTP4 – adopted May 2018)

Hertfordshire Waste Core Strategy and Development Management Policies

Development Plan Document 2012

## 2.5 **National Planning Practice Guidance**

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

## 3.0 **Representations**

### **Statutory Consultees**

3.1 **NHDC Environmental Health (Noise, Contaminated Land, Air Quality)** – No objection, subject to continuation of previous conditions and informatives. Subsequent re-consultation has resulted in agreement of Phase II assessment and elements of the CEMP details secured by condition.

3.2 **NHDC Housing Supply Officer** – No objection given no changes proposed to affordable housing.

3.3 **HCC Highways** – No objection to proposed s73 changes and subsequent re-consultation has resulted in agreement to details secured by condition.

3.4 **HCC Rights of Way** – No objection subject to informatives.

3.5 **HCC Ecology** – Objection to some parts of discharge of conditions related to ecology.

3.6 **HCC Lead Local Flood Authority (LLFA)** – Initial objection has been addressed. No objection to s73 changes but suggested amended wording of previous conditions 10 and 11.

- 3.7 **HCC Historic Environment (Archaeology)** – No objection to s73 changes. Separate discharge of Part A of condition 19 related to WSI ref 25/01880/DOC.
- 3.8 **Herts Gardens Trust** – No objection subject to retention of hedgerows, inclusion of new trees and use of native species suitable for the terrains and locale.
- 3.9 **NHC Greenspaces** – No objection, subject to clarification on management and maintenance requirements. Following confirmation and updated document this is now resolved.
- 3.10 No comments have been received from HCC Growth and Infrastructure, Affinity Water or NHS, which are not considered as necessary for the subject of this application.

### **Neighbour and Local Resident Representations**

- 3.11 The application has been advertised via neighbour notification letters, the display of site notices and a press notice. At the time of finalising this report, a total of 14 comments have been received of which 13 were objections and 1 comment.
- 3.12 The issues raised are summarised as follows:
- Objection to overdevelopment of the site
  - Impact on local road network
  - Lack of active travel routes along Upper Tilehouse Street
  - Highway safety of Crow Furlong with reference to the footpath link from the site
  - Impact on local services and infrastructure
  - Objection to removal of hedgerow for privacy, light pollution and visual amenity
  - Note that protected trees on site are not shown
  - Concern about surface water management from existing site and impact of development on that.
  - No access rights onto private, unadopted road of Crow Furlong
  - Opportunity to address problem of significant through traffic through Hitchin
- 3.13 There were no comments on the proposed substation or changes to the design of the homes on site. Many of the objections relate to 'in principle' matters. This application merely seeks to amend previously approved plans. The extant permission ref 22/03092/FP secured contributions towards local services and infrastructure, and highway improvements including active and sustainable travel projects.
- 3.14 Many comments referred to the introduction of a footpath link from the site into Crow Furlong, which was part of an amended plan during the course of the approved application ref 22/03092/FP. Officers note comments made regarding the privately owned road and lack of rights to install a footpath. This application does not make changes to the footpath, it already has planning permission, and it would be carried forward should this application be approved. However, this application is seeking amendments to an existing planning permission only, there may be other reasons that prevent the footpath from being constructed, including land ownership. Officers made enquiries with the Highway Authority for clarity and received no reply.

## 4.0 **Planning Considerations**

### 4.1 **Site and Surroundings**

- 4.1.1 The site is located on the western side of Hitchin, less than 1km due west from the town centre. The site currently comprises an approximately square plot of land of about 2 hectares at the end of Gray's Lane, previously used as pastureland.
- 4.1.2 There is another square plot of land adjoining to the south comprising woodland, and a small square plot of land to the north which is allocated for housing development (ref. HT5). To the east of the site is the existing urban area of Hitchin comprising established residential area with mainly detached housing of single and two storey buildings. To the west of the site is open arable fields which slope down away from the site and the Foxholes Care Home and Gainsford House.
- 4.1.3 The sites entrance is taken from the northeast corner of the site at the end of Gray's Lane. The junction at the end of Gray's Lane is informal and serves the site, the byway to the west, a limited extent of Crow Furlong and Lucas Lane.
- 4.1.4 The site is currently vacant having previously been used for pasture and now comprises rough grassland with hedgerow and trees around the perimeter. Two trees within the site are protected by Tree Preservation Order (TPO).

### 4.2 **Proposal**

- 4.2.1 This is an application to amend the details of the full planning permission for 47 homes and associated car parking, open space with play area, landscaping and new access off Gray's Lane ref 22/03092/FP. This application relates to the amendment of plans and a new substation to be included on site.
- 4.2.2 This application also includes information in order to discharge conditions attached to the previous planning permission.
- 4.2.3 The application is supported by the following plans and supporting documents, which supersede approved versions as shown in the table below:

<b>Approved plan 22/03092/FP</b>	<b>Updated version 25/01745/S73</b>
Location Plan EX100	Location plan 181-PS-2-100
Proposed Site Plan PL100 Rev R	Proposed Site Plan 181-PS-2-101
Proposed Parking Plan PL110 Rev D	Proposed Parking Plan 181-PS-2-102
Proposed Materials Plan PL120 Rev E	Proposed Materials Plan 181-PS-2-203
Proposed Housing Mix PL130 Rev D	Proposed Housing Mix 181-PS-2-104
Proposed Tenure Plan PL140 Rev D	Proposed Tenure Plan 181-PS-2-105
Proposed Boundary Plan PL150 Rev D	Proposed Boundary Plan 181-PS-2-106
Proposed Waste and Recycling Plan PL160 Rev E	Waste and Recycling Plan 181-PS-2-107
House Type A PL170 Rev A House Type B PL180 Rev A House Type C PL190 Rev A House Type D PL200 Rev A	Housetype A Detached 181-PS-2-200 Housetype A Semi 181-PS-2-201 Housetype B 181-PS-2-210 Housetype C 181-PS-2-220

House Type E PL210 Rev A House Type F PL220 Rev B House Type G PL230 Rev A House Type H PL240 House Type I PL250 Rev A House Type J PL260 House Type K PL270 Rev A House Type L PL280 Rev B House Type M PL185	Housetype D 181-PS-2-230 Housetype E 181-PS-2-240 Housetype F Detached 181-PS-2-250 Housetype F Semi 181-PS-2-251 Housetype G 181-PS-2-260 Housetype H 181-PS-2-270 Housetype H with Garage 181-PS-2-271 Housetype I 181-PS-2-280 Housetype I with Garage 181-PS-2-281 Housetype J 181-PS-2-290 Housetype K Detached 181-PS-2-300 Housetype K Semi 181-PS-2-301 Housetype L Detached 181-PS-2-310 Housetype L Semi 181-PS-2-311 Housetype M 181-PS-2-320 Housetype N Detached 181-PS-2-330 Housetype N Semi 181-PS-2-331 Housetype O 181-PS-2-340 Housetype P 181-PS-2-350
Street scenes (Plots 16-21) PL290 Rev A	Street Scene 1 (Plots 17-23) 181-PS-2-500
Street scenes (Plots 11-15 and 44-47) PL295 Rev A	Street Scene 2 (Plots 38-47) 181-PS-2-501
Street scenes (Plots 1, 8-10) PL300 Rev A	Street Scene 3 (Plots 1,8-10) 181-PS-2-502
Street scenes (Plots 7-32) PL305 Rev A	Street Scenes 4 (Plots 2-7) & Street Scene 5 (Plots 26-29, 34/35) 181-PS-2-503
Section AA PL310 Rev A	Site Sections A-A 181-PS-2-510
Section BB PL320 Rev A	Site Sections B-B 181-PS-2-511
Section CC PL330 Rev A	Site Sections C-C 181-PS-2-512
Proposed Private and Public Areas PL340 Rev E	Proposed Private and Public Areas 181-PS-2-108
Proposed House Type Plan PL350 Rev A	Proposed Housetype Plan 181-PS-2-109
A1622 PL360 Garage plans	Garages 181-PS-2-400
Landscape Strategy Plan 6089/ASP4/LSP Rev M	Landscape Overview Plan JBA 24 555 14
Infiltration Basin – cross sectional 188-FRA 107	-
	Proposed Sections 181-PS-2-124
	Proposed Ground Floor Layout 181-PS-2-110
	Proposed Hydrant Locations 181-PS-2-130
	Temporary Run-off Plan 181-PS-2-140
	GIA vs Space Standards 181-PS-2-610
	Substation 181-PS-2-410
	Bin & Bike Store 181-PS-2-420
	Shed 181-PS-2-430
	Proposed Access Drawing 188-TA50D
	Hard & Soft Landscape Proposals for Plots & POS JBA 24 555 02 JBA 24 555 03 JBA 24 555 04 JBA 24 555 05

	JBA 24 555 06 JBA 24 555 07 JBA 24 555 08 JBA 24 555 09 JBA 24 555 10 JBA 24 555 11 JBA 24 555 12 JBA 24 555 13
	Proposed Hardscaping Plan 181-PS-2-120 Proposed Hardscaping Plan 181-PS-2-121 Proposed Hardscaping Plan 181-PS-2-122 Proposed Hardscaping Plan 181-PS-2-123
Air Quality Assessment 2023	-
Arboricultural Impact Assessment 2022	Arboricultural Impact Assessment June 2025
Archaeological Assessment (including geophysical survey and trial trenching report)	-
Design and Access Statement updated 2023	Design and Access Statement (July 2025) ref 181-PS-2-600 181-PS-2-601 181-PS-2-602 181-PS-2-603
Updated Ecological Appraisal (including Biodiversity net Gain Assessment) 2022	Updated Ecological Appraisal (June 2025)
-	Biodiversity Net gain Calculation Statement (June 2025)
Flood risk and Drainage Assessment (April 2023)	Drainage Strategy Update (July 2025)
Ground Investigation Report 2020	-
Landscape and Visual Impact Assessment 2023	-
Sustainability Statement 2022	Sustainability and Carbon Statement (June 2025)
Technical Note on Access 2022	-
Transport Assessment 2022	-
Travel Plan 2022	-
Planning Statement 2022	Addendum Planning Statement (July 2025)
	Biodiversity Net Gain – Landscape and Ecological Management and Maintenance Plan (July 2025)
	Construction Phasing & Environmental Management Plan (July 2025)
	Phase II Ground Investigation Report (September 2023)
	Site Waste Management Plan (July 2025)
	Lighting Strategy (July 2025)
	'External finishes specification – houses' schedule (received 8 October 2025)

### **4.3 Legal basis of determining the Planning application**

- 4.3.1 Members will be familiar with the standard legal advice that is set out at the end of each planning Control Committee report which advises that legislation requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. This approach was developed within Section 54A of the Town and Country Planning Act 1990 (as amended). It is also re-emphasised within Section 38(6) of the Planning and Compensation Act 2004, which reads as follows:

*'if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise'.*

### **5.0 Key Issues**

- 5.1 The key issues for consideration of this planning application are as follows:

- a. Variation of Condition 2 – approved plans
  - i. Design of the proposals and impact on the character and appearance of the area
  - ii. Standard of proposed accommodation for future occupiers
  - iii. Impact on the amenity of adjoining properties
- b. Variation of Condition 10 – drainage
- c. Consideration of details submitted to address conditions
- d. Conclusions

### **5.2 Variation of Condition 2 – Approved plans**

- 5.2.1 The North Hertfordshire Local Plan 2011-2031 (NHLP) was adopted by the Council in November 2022. NHLP Policy SP9 on Design and Sustainability *'support[s] new development where it is well designed and located and responds positively to its local context'*. The Design SPD 2011 sets out 8 'key urban design principles' which are: character, continuity and enclosure, quality of public realm, ease of movement, legibility, adaptability, diversity and quality of private space.
- 5.2.2 The changes proposed in the amended plans include a new substation close to the entrance of the site and changes to detailed design including:
- Replacement of all house types with Hill house types
  - Reorientation of some plots within their plots
  - Alteration of position of garages
  - Removal of footpath on both sides of the main road and along 'secondary roads'
  - Relocation of two affordable homes
  - Redistribution of visitor parking spaces to improve amount of play area, loss of one visitor space

- 5.2.3 The inclusion of a new substation is a necessary addition to meet the electricity needs of future homes. The building will be dual pitched in materials to match the homes and measuring about 4.2m square and 4.5m to the top of the pitch. It needs to be close to the access, and without making significant changes to the existing layout the potential location is limited to where it is proposed. The building is relatively small and would not be dominant in the streetscene. Landscaping is proposed between the road and footpath and the substation to help screen it from Gray's Lane. Parking for one vehicle is a requirement to be adjacent to the substation, and in pre-application discussions the applicant agreed to use a grass with a reinforced 'turfguard' surface to help it blend in as landscaping while it's not in use for parking.
- 5.2.4 Officers see many of these changes to the detailed arrangement to be an improvement to the layout, including reduction of garages protruding into rear garden amenity space, and relocation of parking spaces from along one side of the play area to elsewhere on the site, which will improve the amount and quality of the play area. The reduction of footpaths within the site also makes best use of the land, in accordance with highway advice on a site which will have low traffic movements.
- 5.2.5 All house types will change, but the housing mix and tenures all remain the same. Features change such as form and pitch of roofs, gable features, fenestration, porch detail and form and size of rear projections. It is not as straight forward on the proposed plans to translate one house type on the approved plans on one plot to another house type on the proposed plan. However, overall, officers consider that the changes proposed are acceptable and have no objection to the alterations.
- 5.2.6 The material palette will be simpler than previously approved, rather than a mix of multi red, render, half render and half brick with timber, elevations will comprise either multi red brick or multi red with half black horizontal cladding. Roof materials will remain either grey or red roof tiles. Materials proposed in this variation provide a more logical layout and distribution across the site to signpost around the site and create a readable sense of place. Boundary treatment remains a mix of brick wall and close board fence, with sensitive and/or publicly visible elevations being in brick, but due to units changing orientation within plots, some of the locations of boundaries will change.
- 5.2.7 On review of the waste and recycling strategy, generally the site will be well served by kerbside collection. There will be a few units that will need to use a bin collection point and an acceptable drag distance for operatives. There is capacity in all gardens to provide individual units with space to store bins including for flatted units 44-47. Submitted details are acceptable.
- 5.2.8 It is noted that the Arboricultural Impact Assessment has also been reviewed, given that the previous assessment is now 3 years old. The review has led to the proposal for less trees to be removed, namely T8, T9 and T10 to the west, which will be within the complementary habitat and buffer. This area will form greenspace which will be adopted by the council. It is noted that more hedgerows would be removed to facilitate the new substation on site and footpath onto Crow Furlong, which was approved under 22/03092/FP. It is noted that residents have objected to the footpath onto Crow Furlong, however this was approved in the previous application. Regardless of the planning permission granted for the footpath, officers are not clear on the legal ability for the developer to implement the footpath onto 'a highway which is not maintainable at public

expense'. However, the implementation of a footpath is desirable from a planning perspective to encourage integration and permeability of the site. The play area and other greenspace will be maintained and managed by the District Council and so encouraging an open boundary will also help the communities access to those new facilities.

- 5.2.9 Back to the AIA, there will be two improvements noted in the updated version, where there is to be no encroachment at all into the root protection area of T5 on the northern boundary where the garage has been relocated; and to T15 (TPO 129:T1), which would be within the central area of greenspace where the LAP is to be located, the kerb where the greenspace meets the road is extended further north away from the tree, still noting that the road will be constructed above the soil level.
- 5.2.10 Officers previously considered that the proposed development would result in a well-designed housing development on the edge of Hitchin, which protects the character and appearance of the area using landscaping and a suitable layout. The internal design of the site and dwellings was considered appropriate, and the amended plans offer a suitable alternative to the approved plans, whilst maintaining the approved appearance, character, housing mix and layout of the site. The proposed variation of condition 2 and amended plans are therefore considered to be in accordance with the NPPF, the NHLP Policies SP9 and HT6, and with the Design SPD.

### **5.3 Variation of Condition 10 – Drainage Strategy**

- 5.3.1 Referring to the details submitted with this application; approval is sought for the '*Drainage Strategy Update*' (July 2025) for the site relating to Condition 10 of the planning permission reference number 22/03092/FP. The updated information shows full calculations which make provision for 40% climate change allowance, and under the principle that all surface water drainage from the site will be managed and disposed of within the site boundary, to ensure that there would be no adverse effects on flood risk or the existing drainage infrastructure.
- 5.3.2 The LLFA have been consulted and there is no objection to the updated information and recommends the variation of condition 10 to exclude the previously requested calculations and amend as follows:

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 and Drainage Strategy Update (1318-FRA-01-B, Martin Andrews Consulting Ltd, 1 July 2025), remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority. Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF Policies of North Herts Council.

## **5.4 Consideration of details submitted to address conditions**

### *Discharge of Condition 5 soft and hard landscaping*

- 5.4.1 Referring to the details submitted with this application; approval is sought for the 'Landscape Overview plan' (ref JBA 24 555 14) and 'Hard and Soft landscape Proposals for Plots and POS' (ref. JBA 24 555 02-13) for the site pursuant to Condition 5 of the planning permission reference number 22/03092/FP.
- 5.4.2 Following consultation with the NHC Greenspaces, Officers confirm that the above referenced plans received 8 July 2025 are considered acceptable thereby amending the condition.

### *Discharge of Condition 6 Phase II site investigation*

- 5.4.3 Referring to the details submitted with this application; approval is sought for the 'Phase II Ground Investigation Report' dated September 2023 (ref R-GI-26671-01-00) for the site pursuant to Condition 6 of the planning permission reference number 22/03092/FP.
- 5.4.4 Following consultation with the NHC Environmental Health, Officers confirm that the above referenced plans received 8 July 2025 are considered acceptable thereby amending the condition.

### *Discharge of Condition 7 Biodiversity Net Gain Management Plan*

- 5.4.5 Referring to the details submitted with this application; approval is sought for the discharge of Condition 7 of the planning permission reference number 22/03092/FP. Following consultation with HCC Ecology, Officers confirm that the details received 8 July 2025 are not considered sufficient and/or acceptable. The condition will therefore remain.
- 5.4.6 Since receiving comments from HCC Ecology (15 October 2025) updated information has been received, to confirm the BNG metric, information about hedge cutting and wildflower mix. Officers have reconsulted HCC Ecology and will update Members at committee on whether this condition and condition 21 could be discharged.

### *Discharge of Condition 8 Swift and bat boxes*

- 5.4.7 Referring to the details submitted with this application; approval is sought for the discharge of Condition 8 of the planning permission reference number 22/03092/FP.
- 5.4.8 Following consultation with HCC Ecology, Officers confirm that the details received 8 July 2025 are not considered sufficient. Further detail of swift and bat boxes is required. The condition will therefore remain but with amended wording to allow submission after development above ground level.

### *Discharge of Condition 9 Fire hydrants*

5.4.9 Referring to the details submitted with this application; approval is sought for the '*Proposed Hydrant Locations*' (ref. 181-PS-2-130) for the site pursuant to Condition 9 of the planning permission reference number 22/03092/FP.

5.4.10 Following consultation with the HCC Water Officer, Officers confirm that the above referenced plans received 8 July 2025 are considered acceptable thereby amending the condition.

*Discharge of Condition 11 Temporary drainage*

5.4.11 Referring to the details submitted with this application; approval is sought for the '*Temporary Run-off Plan*' (ref. 181-PS-2-140) for the site pursuant to Condition 11 of the planning permission reference number 22/03092/FP.

5.4.12 Following consultation with the Lead Local Flood Authority, Officers confirm that the above referenced plans received 8 July 2025 are considered acceptable thereby amending the condition.

*Discharge of Condition 13 Construction Traffic Management Plan*

5.4.13 Referring to the details submitted with this application; approval is sought for the '*Construction Traffic Management Plan*' (received 8 October 2025) for the site pursuant to Condition 13 of the planning permission reference number 22/03092/FP.

5.4.14 Following consultation with the Highway Authority and NHC Environmental Health on amended versions of the CEMP, there is now no objection to the content of the document. Officers therefore confirm that the above referenced document received 8 October 2025 is considered acceptable thereby amending the condition.

*Discharge of Condition 18 Site Waste Management Plan*

5.4.15 Referring to the details submitted with this application; approval is sought for the '*Site Waste Management Plan*' (July 2025) for the site pursuant to Condition 18 of the planning permission reference number 22/03092/FP.

5.4.16 Following consultation with HCC Minerals and Waste, Officers confirm that the above referenced document received 8 July 2025 is considered acceptable thereby amending the condition.

*Discharge of Condition 21 Open space management and maintenance plan*

5.4.17 Referring to the details submitted with this application; approval is sought for the '*Biodiversity Net gain – Landscape and Ecological management and Maintenance Plan (July 2025) James Blake Associates*' for the site pursuant to Condition 21 of the planning permission reference number 22/03092/FP.

- 5.4.18 There is no objection to the management plan from NHC Greenspaces who would manage the greenspace when complete, however this plan is based on BNG calculations and proposals that are not complete and able to be discharged by HCC Ecology. Following consultation with HCC Ecology, the above referenced details are not considered acceptable, and the condition cannot be discharged. However, officers note an erroneous trigger which can be corrected through the approval of this s73 application.

*Discharge of Condition 22 Materials of external elevations and roofs*

- 5.4.19 Referring to the details submitted with this application; approval is sought for the materials specified on drawings and within the updated Design and Access Statement pursuant to Condition 22 of the planning permission reference number 22/03092/FP.
- 5.4.20 The materials strategy is set out on plan 181-PS-2-103 and detail on the 'External finishes specification – houses' schedule (received 8 October 2025). The strategy is logical, and the applicant followed pre-application advice to simplify the material palette and use materials to help reinforce the sense of place that is created on this site. The details specified in the schedule provides sufficient detail on the finish and quality of materials proposed for the buildings. As set out in the variation of condition 2 above this is supported and will create a logical pattern across the site and assist with way finding.
- 5.4.21 Officers confirm that the above referenced details received 8 July and 8 October 2025 are considered acceptable thereby amending the condition.

*Discharge of Condition 25 Site wide sustainability strategy*

- 5.4.22 Referring to the details submitted with this application; approval is sought for the materials specified on drawings and within the Sustainability and Carbon Statement June 2025 Sol Environment pursuant to Condition 25 of the planning permission reference number 22/03092/FP.
- 5.4.23 Officers confirm that the above referenced document received 8 July 2025 are considered acceptable thereby amending the condition.

*Discharge of Condition 26 Cycle parking*

- 5.4.24 Referring to the details submitted with this application; approval is sought for the location of bike storage on plans 181-PS-2-102; details of the sheds 181-PS-2-430; and garages on other plans recommended for approval. These details are pursuant to Condition 26 of the planning permission reference number 22/03092/FP.
- 5.4.25 Sheds are proposed for all units within rear gardens, and where a garage is proposed it will be long enough to accommodate cycle parking at the end. Officers confirm that the above referenced plans received 8 July and 3 October 2025 are considered acceptable thereby amending the condition.

*Discharge of Condition 27 Footpath details*

- 5.4.26 Referring to the details submitted with this application; approval is sought for the construction of the footpath onto Crow Furlong shown on plans 181-PS-1-120, 181-PS-2-122 and 181-PS-2-124 for the site pursuant to Condition 27 of the planning permission reference number 22/03092/FP. The footpath would be tarmac and remove a small section of hedgerow. The path would slope down from the site down to Crow Furlong.
- 5.4.27 Officers confirm that the above referenced plans received 8 July and 14 October 2025 are considered acceptable thereby amending the condition.

#### *Discharge of Condition 28 Lighting Strategy*

- 5.4.28 Referring to the details submitted with this application; approval is sought for the '*Lighting Strategy*' by DW Windsor (July 2025) for the site pursuant to Condition 28 of the planning permission reference number 22/03092/FP.
- 5.4.29 Following consultation with the HCC Ecology, Officers confirm that the above referenced plan received 8 July 2025 is considered acceptable thereby amending the condition.

### **5.5 Summary and Conclusion**

- 5.5.1 The application site at the end of Gray's Lane, to the east of Foxholes and Gainsford House, Hitchin, under Site Allocation and Policy HT6 was removed from the Green Belt on adoption of the North Hertfordshire Local Plan in November 2022 to enable to development of the site. The site received full planning permission under application ref. 22/03092/FP and this application seeks to vary the detailed design of house types, include a new electricity substation, and discharge various pre-commencement conditions.
- 5.5.2 The inclusion of a substation is necessary and has been located and designed well as far as possible, to set it back from the access, screen it and provide parking sensitively. The change to the proposed design of house types represents a high standard of urban design, green infrastructure and would be in keeping with the context of the site. The proposals continue to be in accordance with Policies SP9 and HT6 of the NHLP 2022. There are no changes to the housing mix or tenure on the site, and the housing delivery remains the same.
- 5.5.3 The applicant has also sought to discharge pre-commencement conditions set out on the previous planning permission, most of which the details have been agreed with relevant consultees and therefore the wording of those conditions have been reviewed with amended wording at the end of this report.
- 5.5.4 Overall, the proposed development is in accordance with the NPPF 2021 and the NHLP 2022 as a whole.

### **6.0 Alternative Options**

- 6.1 None applicable (see 'Key issues' section of this report above)

## **7.0 Pre-Commencement Conditions**

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

## **8.0 Legal Implications**

- 8.1 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.

## **9.0 Recommendation**

- 9.1 That outline planning permission is resolved to be **GRANTED** subject the following:
- A) Providing delegated powers to the Development and Conservation Manager to update conditions and informatives as set out in the report above; and
  - B) Conditions as set out below:

### **1. Time Limit (C001)**

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. Development in Accordance with the Approved Plans (C002)**

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:

Infiltration Basin – cross sectional 188-FRA 107  
Air Quality Assessment 2023  
Archaeological Assessment (including geophysical survey and trial trenching report)  
Ground Investigation Report 2020  
Landscape and Visual Impact Assessment 2023  
Technical Note on Access 2022  
Transport Assessment 2022  
Travel Plan 2022  
Location plan 181-PS-2-100  
Proposed Site Plan 181-PS-2-101  
Proposed Parking Plan 181-PS-2-102  
Proposed Materials Plan 181-PS-2-103  
Proposed Housing Mix 181-PS-2-104  
Proposed Tenure Plan 181-PS-2-105  
Proposed Boundary Plan 181-PS-2-106  
Waste and Recycling Plan 181-PS-2-107  
Housetype A Detached 181-PS-2-200

Housetype A Semi 181-PS-2-201  
Housetype B 181-PS-2-210  
Housetype C 181-PS-2-220  
Housetype D 181-PS-2-230  
Housetype E 181-PS-2-240  
Housetype F Detached 181-PS-2-250  
Housetype F Semi 181-PS-2-251  
Housetype G 181-PS-2-260  
Housetype H 181-PS-2-270  
Housetype H with Garage 181-PS-2-271  
Housetype I 181-PS-2-280  
Housetype I with Garage 181-PS-2-281  
Housetype J 181-PS-2-290  
Housetype K Detached 181-PS-2-300A  
Housetype K Semi 181-PS-2-301  
Housetype L Detached 181-PS-2-310  
Housetype L Semi 181-PS-2-311  
Housetype M 181-PS-2-320  
Housetype N Detached 181-PS-2-330  
Housetype N Semi 181-PS-2-331  
Housetype O 181-PS-2-340  
Housetype P 181-PS-2-350  
Proposed Private and Public Areas 181-PS-2-108  
Proposed Housetype Plan 181-PS-2-109  
Proposed Ground Floor Layout 181-PS-2-110  
Proposed Sections 181-PS-2-124  
Proposed Hydrant Locations 181-PS-2-130  
Temporary Run-off Plan 181-PS-2-140  
Garages 181-PS-2-400  
Substation 181-PS-2-410  
Bin & Bike Store 181-PS-2-420  
Shed 181-PS-2-430  
Proposed Access Drawing 188-TA50D  
Hard & Soft Landscape Proposals for Plots & POS JBA 24 555 02A  
JBA 24 555 03A  
JBA 24 555 04A  
JBA 24 555 05A  
JBA 24 555 06A  
JBA 24 555 07A  
JBA 24 555 08A  
JBA 24 555 09A  
JBA 24 555 10A  
JBA 24 555 11A  
JBA 24 555 12A  
JBA 24 555 13A  
Landscape Overview Plan JBA 24 555 14  
Proposed Hardscaping Plan 181-PS-2-120  
Proposed Hardscaping Plan 181-PS-2-121  
Proposed Hardscaping Plan 181-PS-2-122  
Proposed Hardscaping Plan 181-PS-2-123  
Proposed footpath section 181-PS-2-124

External works construction details Sheet 5 ROS-GRA-XX-D-C 01404 P01  
Arboricultural Impact Assessment June 2025  
Design and Access Statement (July 2025) ref 181-PS-2-600, 181-PS-2-601, 181-PS-2-602, 181-PS-2-603  
External Finishes Specifications – Houses Rev A  
Drainage Strategy Update (July 2025)  
Sustainability and Carbon Statement (June 2025)  
Addendum Planning Statement (July 2025)  
Construction Phasing and Environmental Management Plan (October 2025)  
Phase II Ground Investigation Report (September 2023)  
Site Waste Management Plan (July 2025)  
Lighting Strategy (July 2025)

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

### **3. Removal of PD rights**

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

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

### **4. Standard Landscape completion condition C017**

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

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

### **5. Landscape Scheme**

The development shall be carried out in accordance with the approved hard and soft landscaping details unless otherwise agreed in writing with the Local Planning Authority.

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

## **6. Land Contamination Condition**

The development shall be carried out in accordance with the approved Site Investigation (Phase II environmental risk assessment) Report unless otherwise agreed in writing with the Local Planning Authority.

In the event that any contamination is encountered during the development of this site, this 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.

## **7. BNG Management Plan**

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 (+0.47 habitat units, +0.64 hedgerow units) 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

## **8. Bird and bat boxes**

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

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

## **9. Fire Hydrants**

The development shall be carried out in accordance with the approved fire hydrant details unless otherwise agreed in writing with the Local Planning Authority. The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.

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

## **10. FRA**

Prior to the commencement of development above ground level, 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 and Drainage Strategy Update (1318-FRA-01-B, Martin Andrews Consulting Ltd, 1 July 2025), remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants, and to ensure that the development achieves a high standard of sustainability and to comply with NPPF Policies of North Herts Council.

## **11. Drainage Method Statement**

The site works and construction phase shall be carried out in accordance with approved method statement for interim and temporary drainage measures during the demolition and construction phases unless alternative measures have been subsequently approved by the Planning Authority.

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

## **12. Drainage Management and Maintenance Scheme**

Prior to the occupation of the first unit, details shall be provided in respect to the management, inspection and maintenance of any non-adopted drainage features. The details shall identify the responsible parties and set out how these will be funded and managed and provide a schedule of the proposed inspections and annual maintenance for the lifetime of the development. The plan shall be submitted to and approved in writing with the Local Planning Authority prior to first occupation and the development shall thereafter be maintained at all times in accordance with the approved details.

Reason: To ensure the drainage system is adequately maintained in order to function effectively for its lifetime.

## **13. Construction phasing and environmental management plan**

The construction of the development shall be carried out in accordance with the approved Construction phasing and environmental Management Plan (dated 8 October 2025) unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, and in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts and amenity in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

#### **14. Highway Improvements**

A) Design Approval Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing number 188-TA50 Rev D have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction Prior to the first occupation of the development hereby permitted the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

#### **15. Access Design**

Prior to use the gradient of the main vehicular access road shall be constructed not be steeper than 1 in 20.

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

#### **16. Electric Vehicle (EV) Charging Point**

Prior to occupation, each of the proposed new dwellings shall incorporate an Electric Vehicle (EV) ready charging point. Proposals should also be made for the provision of EV charging within other public parking areas of the proposed development.

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 in accordance with Building Regulations Part S and Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

#### **17. Hours of working**

During the change of use 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

#### **18. Site Waste Management Plan**

The development shall be carried out in accordance with the approved Site Waste Management Plan (SWMP) unless otherwise agreed in writing with the Local Planning Authority.

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

### **19. Archaeology**

The development shall be carried out in accordance with the approved Archaeological Written Scheme of Investigations unless otherwise agreed in writing by the Local Planning Authority. The development shall not be occupied 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 25/01880/DOC and the provision made for analysis and publication where appropriate.

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

### **20. Tree protection**

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

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

### **21. Open Space Management and Maintenance**

Prior to development above ground level a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with an agreed timetable and phasing strategy approved under condition 6. Details to be submitted shall include:

- a) Management organisation;
- b) Details of landscape management and maintenance plans;
- c) Details of planting, grass cutting, weeding and pruning;
- d) Management of sustainable urban drainage features;
- e) Inspection, repair and maintenance of all hard landscaping and structures;
- f) Management, monitoring and operational restrictions; and
- g) Maintenance and planting replacement programme for the establishment period of landscaping

The open spaces provided shall be retained for their intended purpose and in accordance with the approved management plan unless otherwise agreed in writing by the local planning authority.

Reason: To ensure adequate open space and amenity provision as per NHLP Policy NE6

## **22. Standard materials condition**

The development shall be carried out in accordance with the approved materials to be used on all external elevations and roofs unless otherwise agreed in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

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

## **23. Standard parking provision (Residential)**

Before the occupation of any of the dwellings hereby permitted, the car parking facilities shown on the approved plan 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.

## **24. Standard Tree Retention C018**

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.

## **25. Energy Statement**

The development shall be carried out in accordance with the approved site-wide sustainability strategy set out in the Sustainability and Carbon Statement (July 0245) prepared by Sol Environmental unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with Policies SP9 and D1 in the local plan.

## **26. Scheme of cycle parking**

The development shall be carried out in accordance with the approved cycle parking details unless otherwise agreed in writing by the Local Planning Authority. The approved details shall be implemented on site and shall thereafter be kept available for the parking of bicycles.

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

**27. Details and surfacing of new footpath links**

The development shall be carried out in accordance with the approved details for the route and surfacing of the two footpath links from the site to Bridleway 004 and Crow Furlong and thereafter retained.

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.

**28. Lighting Strategy**

The development shall be carried out in accordance with the approved lighting strategy unless other agreed in writing by the Local Planning Authority.

Reason: To ensure the protection, enhancement and management of biodiversity, and to comply with Policy NE4 of the North Hertfordshire Local Plan 2011 to 2031.

**Proactive Statement:**

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

**Informatives:****Environmental Health Noise**

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

**HCC Minerals and Waste**

The county council, as the Minerals Planning Authority, would like to encourage the opportunistic use of these deposits within the developments, should they be found when creating the foundations/footings. Opportunistic use of minerals will reduce the need to transport sand and gravel to the site and make sustainable use of these valuable resources.

**Highways:**

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN4) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

AN5) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

**LLFA:**

In December 2022 it was announced FEH rainfall data has been updated to account for additional long term rainfall statistics and new data. As a consequence, the rainfall statistics used for surface water modelling and drainage design has changed. In some [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk) areas there is a reduction in comparison to FEH2013 and some places an increase (see FEH22 - User Guide ([hydrosolutions.co.uk](http://hydrosolutions.co.uk))). Any new planning applications that have not already commissioned an FRA or drainage strategy to be completed, should use the most up to date FEH22 data. Other planning applications using FEH2013 rainfall, will be accepted in the transition period up to 1 April 2023. This includes those applications that are currently at and advanced stage or have already been submitted to the Local Planning Authority. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded by FEH 2013 and 2022 and therefore, use in rainfall simulations are not accepted.

**EV Charging Point Specification:**

A charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

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

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

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

If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

UK Government is intending to issue legislation in 2021 to require domestic EV charge points to be smart, thus we recommend that all charge points will be capable of smart charging, as detailed in UK Gov consultation response.

**Crime Prevention Design Advisor**

The applicant may seek to achieve accreditation to the preferred minimum security standard that is Secured By Design (SBD) by way of contact the Hertfordshire Constabulary CPDS. It appears that doors and windows are to be certified to PAS 24:2016 or a suitable equivalent. This will assist with demonstrate the discharge of obligations under Approved Document 'Q' – Security of Building Regulations.