

Location: Land Surrounding Burloes Cottages, Newmarket Road.
Royston

Applicant: Countryside Properties (UK) Limited and Sir Francis Newman

Proposal: Hybrid application for residential development of up to 325 dwellings comprising (a) full planning application for Phase 1 comprising 106 dwellings and associated infrastructure including access from Newmarket Road, emergency and pedestrian/cycle access from Burloes Hall Drive, internal highways, public open space, landscaping and drainage and b) outline application for up to 219 dwellings and associated infrastructure with all matters reserved apart from primary means of access and emergency and pedestrian/cycle access from Burloes Hall Drive.

Ref. No: 24/01013/HYA

Officer: Sarah Kasparian

Date of expiry of statutory period: 20 August 2024

Extension of statutory period: 20 March 2026

Reason for Delay

Following in application preparation of a masterplan for the site, together with detailed negotiations and drafting of the s106 heads of terms.

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 is allocated for housing development in the adopted Local Plan 2011-2031 under reference RY10 for a 'dwelling estimate' of 300 homes.

1.2 An application for a screening opinion was submitted in 2016 ref. 16/03246/1SO, resulting in the view that an Environmental Statement would not be required.

1.3 In 2017 outline application ref. 17/00110/1 was submitted and subsequently approved in 2020, with applications for reserved matters on phase 1 and various applications

discharge of conditions. Outline permission referenced 17/00110/1 was granted for up to 325 dwellings including main site access onto Newmarket Road with one emergency and temporary construction access, with all other matters reserved including landscaping (including open space, and pedestrian links), appearance, layout and scale. The determination was supported by a S106 agreement setting out infrastructure contributions and affordable housing required to make the development acceptable in planning terms. In respect to affordable housing, 22% was secured subject to a viability appraisal, of which, 44% were to be social rented units, 36% affordable rented units, and 20% shared ownership units.

- 1.4 A full application ref. 19/03032/FP was submitted and approved for the main road through the site.
- 1.5 All these permission expiry dates have now lapsed and cannot be implemented. No evidence has been provided that the permissions have been implemented in a suitable format (a certificate of lawful development).

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan 2011-2031 (NHLP) adopted 2022**

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy

Policy SP5: Countryside and Green Belt

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

Policy T1: Assessment of transport matters

Policy T2: Parking

Policy HS1: Local Housing Allocations

Policy HS2: Affordable Housing

Policy HS3: Housing Mix

Policy HS4: Supported, sheltered and older persons housing

Policy HS5: Accessible and adaptable housing

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 NE11: Contaminated Land

Policy NE12: Renewable and low carbon energy development

Policy HE4: Archaeology

The application site is identified in the NHLP as an allocated housing site under Policy RY10 'Land South of Newmarket Road'.

2.2 **Supplementary Planning Documents**

Design SPD 2011

Developer Contributions SPD 2023

Vehicle Parking Provision at New Development SPD (2011)

North Hertfordshire and Stevenage Landscape Character Assessment

Therfield Heath SSSI Mitigation Strategy (November 2022)

2.3 **National Planning Policy Framework (December 2024)**

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**

Consultees

3.1 **Royston Town Council** – No objection, 'provided that:

- There is a minimum of 40% of affordable homes on the site...;
- Solar panels are installed on all of the houses;
- Bat boxes, bird boxes and hedgehog highways are installed...;
- A cycle route is installed from the development into the town centre;
- A pedestrian crossing is installed to ensure a safe crossing over Newmarket Road;
- Due to the proximity of schools to the area, construction traffic should be prohibited between 8am to 9.15am and 3pm to 3.45pm. Construction traffic should also be restricted to accessing the site from the A505 into Newmarket Road and be prohibited from the town centre.'

No further response received on amended plans.

3.2 **Royston Meridian Ward Councillors** – Comments provided over two representations and summary of issues raised as follows:

- The principle of development is accepted due to planning history and site allocation for housing
- Errors in the Travel Plan related to traffic flows and incorrect references to food shopping locations which underestimate the traffic generated by the development
- Question about the Transport Assessment to ensure accuracy of analysis and proposed mitigation
- Clarification regarding the proposed main vehicular access and proposed mitigation measures
- Concern over safety of the Newmarket Road and A505 junction
- Concern over integration with the existing foot and cycleways alongside the speed limit of Newmarket Road
- Support for the connection to Aintree Road
- Question regarding how the overhead power line will be resolved
- Support for the protection of surrounding plantations and existing copse on site, but concern for the reduction of complimentary habitat in places from 12m to 6m
- Concern over low proportion of affordable housing delivery
- Questions compliance of the proposals with the sustainability strategy
- Concern regarding provision of sports provision with particular reference to cricket and hockey provision
- Noting the matter of open space provision, play space provision and Therfield Heath SSI mitigation and delivery of infrastructure off site or through financial contributions, if not provided on site. Questions the over-reliance of the development on existing infrastructure
- Noting the need for the NHS to respond to consultation and review contributions required

3.3 **NHDC Waste and Recycling** – No response.

3.4 **NHDC Environmental Health** – No objection, subject to all land, noise and air quality conditions from 17/00110/1 to be brought forward.

3.5 **NHDC Housing Development Officer** – Objection to non-policy compliant scheme for affordable housing provision. Officer accepts there is a viability issue and recommends that if 25% of new homes would be affordable the tenure should remain with at least 65% social and 35% intermediate tenures, with a specified mix of size units set out in the SHMA.

3.6 **NHDC Greenspace Manager** – No objection in principle but identifies a lack of on-site play space and the potential for the council to adopt the green and open spaces on the site. There is recognition for the subject to a contribution toward the provision of a NEAP off site at Newmarket Road recreation ground as an alternative to onsite provision.

3.7 **NHC Ecologist** – No objection, subject to conditions and suitable legal agreement regarding BNG. Particular comments are noted regarding phasing of the development in the context of delivering biodiversity; ensuring the baseline of the matrix is correct; and the protection of the area around the copse

- 3.8 **NHDC Urban Design Officer** – No objection following discussion on the masterplan for the site and detailed discussion and negotiation on the full part of the application. Particular comments related to sections of the site to show the change of levels and need for several shallower retaining walls rather than fewer deep retaining walls; discussion and negotiation on detached garages, parking provision and quality of garden space.
- 3.9 **HCC Highways** – No objection following discussion on the masterplan and detailed aspects of the proposals including on and off-site highways works, subject to conditions, informatives and delivery of and financial contributions toward transport infrastructure.
- 3.10 **HCC Growth and Infrastructure** – No objection in principle subject to contributions toward education, childcare, youth, library and waste services. The county council have been notified of a viability constraint on the site and have agreed a proportionate reduction to their contributions.
- 3.11 **Lead Local Flood Authority (LLFA)** – No objection, subject to conditions.
- 3.12 **HCC Historic Environment (Archaeology)** – No objection.
- 3.13 **HCC Minerals and Waste** – No objection in principle and supports to submitted Site Waste Management Plan.
- 3.14 **HCC Fire and Rescue Services** – No objection, subject to a suitable condition.
- 3.15 **HCC Countryside and Rights of Way Officer** – No response.
- 3.16 **Environment Agency** – No site-specific advice given, standing advice provided.
- 3.17 **The Conservators of Therfield Heath** – Acknowledge provision of 3ha of on-site SANG and a 2.69km permissive footpath. No objection, subject to contributions toward management measures based on £1,000 per unit (to be indexed linked to Q1 2025) for 'management measures' to mitigate the impact on the SSSI from new homes, plus a contribution toward a visitor/education facilities and related infrastructure. Total requested contribution £525,350 to be paid pre-commencement.
- 3.18 **Natural England** – No objection subject to suitable mitigation to Therfield Heath SSSI. The provision of on-site SANG and an off-site footpath is welcomed and suggests a financial contribution toward on-site mitigation for Therfield Heath.
- 3.19 **Historic England** – No advice given.
- 3.20 **Highways England** – No response.
- 3.21 **NHS Clinical Commissioning Group** – No objection, subject to the provision of a financial contribution toward a new build primary care facility in Royston.
- 3.22 **Herts Constabulary (Crime Prevention Design Advisor)** – No objection, subject to an informative regarding Secured By Design accreditation.

- 3.23 **Sport England** – Initial objection to the lack of on-site sport facilities. Objection removed on the agreement to make financial contributions toward the provision of off-site sports facilities including football, rugby, cricket, hockey, swimming pools and tennis.
- 3.24 **Anglian Water** – No objection, subject to informatives.
- 3.25 **National Grid (Asset Protection Team)** – No response received.

Neighbour and Local Resident Representations

- 3.26 The application has been advertised via 362 neighbour notification letters, the display of site notices and a press notice. At the time of finalising this report, a total of 52 comments has been received including 48 objections and 4 neutral comments. There were two rounds of public consultation on this planning application: the second round was regarding an updated masterplan and updated full details on phase 1.
- 3.27 The objections and the issues raised are summarised as follows:

In principle:

- Royston has experienced significant housing development in recent years and further development is not justified
- Distance of the site from shops and services mean people will use their cars to get around
- Increased spread into the countryside
- Lack of consideration of brownfield sites for development rather than greenfield
- Impact on the landscape
- The number of dwellings is excessive for the site
- The need to provide sufficient sustainable drainage with long term maintenance
- Impact of the development on the quiet character of the area related to increased noise, air and light pollution
- Loss of privacy to existing residents
- Impact of the development on zero carbon targets
- Viability should be based on up-to-date evidence, not relying on the previous application
- The previous applications for outline permission and phase 1 reserved matters are lapsed and do not relate spatially to the current application
- Question regarding how the overhead power lines will be dealt with and lack of consideration of the impact of underground electricity cables
- Objection to multi storey flats which would be out of keeping with the area
- Loss of agricultural use
- Lack of 'affordable' homes

Highways:

- Cumulative negative impact on existing traffic in Royston
- This will be a housing site reliant on the use of the car due to the distance to the town's services and facilities
- Increased housing in the area is not sustainable with the impact of cars on the roads
- Lack of parking in the town
- Newmarket Road is very busy during school pick up and drop off times, and is not safe to cross
- Inadequate access and visibility up and down the hill of Newmarket Road
- Junction of Newmarket Road to the A505 with no-right turn

- To have a footpath on the south side of Newmarket Road would result in felling of many mature trees
- Impact on Icknield Way
- Lack of public transport
- Ambiguity regarding the footpaths through the plantation
- Recommendation for lower parking rations, car club bays, EV charging and a travel plan

Infrastructure:

- Dentists and doctors are under too much pressure already
- Impact on the water supply and foul water systems
- Lack of school sites and places, poor standard of the buildings at King James school
- Lack of social facilities
- Significant negative impact on local services and infrastructure including schools, nursery and sixth forms
- Other large developments in Royston have not mitigated their impact, and those sites full impact is not yet known as they near completion

Ecology, trees and landscape:

- The need for continued protection of the woodland buffer around the site for wildlife, privacy and character of the area
- There should be a requirement that no trees are removed from the plantation which is outside of the applicant's control
- Displaced habitats, birds and wildlife
- Loss of open countryside
- Loss of ease of access to countryside
- Loss of trees and existing hedgerow
- Recommendation to include swift bird bricks into new homes

Construction phase:

- Objection to the construction phase causing traffic, noise and dust
- The need to control construction traffic to appropriate hours, away from residential streets and to manage environmental impact
- The need to phase the development in line with delivery of infrastructure

Other considerations:

- Impact on the wellbeing and mental health of existing residents

4.0 **Planning Considerations**

4.1.1 **Site and Surroundings**

4.1.2 The application site comprises a large area of arable farmland to the east of the Valley Rise residential area. The site is about 1km from the town centre and 1.7km to Royston railway station.

4.1.3 The site is to the south of the Newmarket Road and is surrounded by woodland to the south, east and west and a tree belt to the north along Newmarket Road. The site rises by about 30m from Newmarket Road traversing south with a dip in the central area. There is a small copse of trees in the southeastern corner of the site. An existing pair of semi-detached cottages off Newmarket Road to be retained create a 'notch' out of the red line.

4.1.4 There are arable fields, some pockets of woodland, and Burloes Hall to the south and east of the site. Directly to the north of Newmarket Road lies the Newmarket Road Recreation Ground on the left and the housing site of Meridian Gate which is nearing completion on the right.

4.2 Policy Background

4.2.1 The application site has been allocated in the NHLP as housing site RY10. Allocation RY10 has a dwelling estimate of 300 homes with the following requirements:

- *Provide a site-specific landscape assessment and tree survey. Retention of trees and hedgerows where possible*
- *Design and layout to respond to topography*
- *Address potential surface water flood risk through SUDs or other appropriate solution*
- *Archaeological survey to be completed prior to development*
- *Detailed drainage strategy identifying water infrastructure required and mechanism(s) for delivery*

4.3 Proposal

4.3.1 Hybrid application for residential development of up to 325 dwellings comprising two parts:

- a) Outline application for up to 219 dwellings and associated infrastructure with all matters reserved apart from primary means of access and emergency and pedestrian/cycle access from Burloes Hall Drive.
- b) Full planning application for Phase 1 comprising 106 dwellings and associated infrastructure including access from Newmarket Road, emergency and pedestrian/cycle access from Burloes Hall Drive, internal highways, public open space, landscaping and drainage.

4.3.2 The application is supported by the following supporting documents and plans:

Outline plans:

- ROY01-MCB-ZZ-ZZ-DR-A-0205-D5-P2 Location Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0206-D5-P1 Site Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0150-D5-P3 Developable Area Parameter Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0151-D5-P4 Access Parameter Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0153-D5-P1 Green and Blue Framework Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0154-D5-P1 Play Framework Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0155-D5-P1 Built Form Framework Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0156-D5-P2 Movement Framework Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0157-D5-P1 Phasing Framework Plan

Full plans:

- ROY01-MCB-ZZ-ZZ-DR-A-0210-D5-P2-Site Location Plan Phase 1
- ROY01-MCB-ZZ-ZZ-DR-A-0230-D5-P5-Site Layout Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0231-D5-P3-External Materials and Boundaries Plan

- ROY01-MCB-ZZ-ZZ-DR-A-0232-D5-P3-Surfacing Material Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0233-D5-P6-Affordable Tenure Plan 22%
- ROY01-MCB-ZZ-ZZ-DR-A-0234-D5-P3-Refuse Strategy Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0235-D5-P3-Parking Strategy Plan
- 23324-MA-XX-XX-DR-C-0103 P05 General Arrangement proposed site access
- 23324-MA-XX-XX-DR-C-0130 P04 Visibility splays
- 23324-MA-XX-XX-DR-C-7003 P02 Swept Path Analysis – single decker bus
- 23324-MA-XX-XX-DR-C-7002 P02 Swept Path Analysis – refuse vehicle
- ROY01-LLA-P1-GF-DR-L-(0101) P04 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0102) P04 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0103) P04 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0104) P04 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0105) P04 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0106) P05 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0201) P03 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-(0202) P03 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-(0203) P03 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-(0204) P03 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-(0205) P03 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-(0206) P04 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-0301_P01 Landscape Specification and Details
- ROY01-LLA-P1-XX-RP-L-0601_P02 Landscape Management Plan
- ROY01-LLA-ZZ-ZZ-DR-L-0001_P04 Landscape Masterplan
- 2307-831-ST100D DRAINAGE STRATEGY PHASE 1
- 2307-831-ST101D EXCEEDANCE FLOW PHASE 1
- 2307-831-ST110D LEVEL STRATEGY Sheet 1
- 2307-831-ST111F LEVEL STRATEGY Sheet 2
- 2307-831-ST112D LEVEL STRATEGY Sheet 3
- 2307-831-ST130D ROAD SETTING OUT PHASE 1
- 2307-831-ST138D SECTION 38 LAYOUT PHASE 1
- 2307-831-ST139D SECTION 38 LINE MARKINGS PHASE 1
- 2307-831-ST200 RESTING PLACES RESTING PLACES
- 2307-831-ST100 SPINE ROAD RESTING PLACES
- ROY01-MCB-ZZ-ZZ-DR-A-0300-D5-P01-234_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0301-D5-P01-234 Side Patio_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0302-D5-P01-242_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0303-D5-P01-341_V1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0304-D5-P01-341_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0305-D5-P01-351_V1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0306-D5-P01-351_V2 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0307-D5-P01-351_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0308-D5-P01-354_V1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0309-D5-P01-354_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0310-D5-P01-461_K1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0311-D5-P01-461_V1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0312-D5-P01-461_V2 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0313-D5-P01-461_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0314-D5-P01-462_K2 House type

- ROY01-MCB-ZZ-ZZ-DR-A-0315-D5-P01-462_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0316-D5-P01-466_K2 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0317-D5-P01-466_V1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0318-D5-P01-466_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0319-D5-P01-467_K1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0320-D5-P01-467_K2 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0321-D5-P01-467_V2 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0322-D5-P01-467_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0323-D5-P01-581_K1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0324-D5-P01-581_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0325-D5-P01-AF1+AF2 Maisonettes_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0330-D5-P01-Garages
- ROY01-MCB-ZZ-ZZ-DR-A-0331-D5-P01-Sales garage
- ROY01-MCB-ZZ-ZZ-DR-A-0332-D5-P01-Hipped Garages

Illustrative and supporting plans and documents:

- Planning Statement Addendum July 2025 V1
- BNG PDF Version Biodiversity Metric 11.08.25 H
- Ecological Appraisal FPCR October 2025 D
- 24414-MA-XX-TN-D-TN-01 Technical Note TN01
- APPENDIX B - ISOCHRONES Appendix B Isochrones
- ROY01-MCB-XX-XX-DA-A-0020-D5-P2_Design and Access Statement (Parts 1 to 4)
- ROY01-MCB-XX-XX-DA-A-0030-D5-P3_SMF design parameters and principles
- 2025.07.21 Royston Flood Risk Assessment Rev B
- ROY01-MCB-ZZ-ZZ-DR-A-0233-D5-P5-Affordable Tenure Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0140-D5-P8 Illustrative Framework
- ROY01-MCB-ZZ-ZZ-DR-A-0275-D5-P2 Site Sections 1, 2, 3, 4
- ROY01-MCB-ZZ-ZZ-DR-A-0277-D5-P1 Illustrative Sections
- ROY01-MCB-ZZ-ZZ-DR-A-0270-D5-P3-Illustrative Streetscene AA
- ROY01-MCB-ZZ-ZZ-DR-A-0271-D5-P3-Illustrative Streetscenes BB-CC-DD
- ROY01-MCB-ZZ-ZZ-DR-A-0276-D5-P1-Site Sections (Plots)

4.4 Legal basis of determining the Planning application

- 4.4.1 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:
- 4.4.2 *'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'.*

4.5 Environmental Impact Assessment

- 4.5.1 For certain types of development proposals, a screening opinion is necessary to determine if it is likely to result in significant environmental effects and, consequently, require an Environmental Impact Assessment (EIA). This screening process is undertaken by the local planning authority.
- 4.5.2 As part of the previous outline application, a screening opinion request was made to the local planning authority for the proposed development (ref. 16/03246/1SO). The council's response, provided in January 2017, confirmed that the development falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and that as it does not exceed the threshold it was not considered likely to have a significant effect on the environment by virtue of factors such as its nature, size or location. On this basis, officers concluded that the proposed development is not 'EIA development' within the meaning of the 2011 Regulations, which officers consider still applies in the context of the updated 2017 Regulations (as amended).
- 4.5.3 For the avoidance of doubt, this decision is relevant only for the purpose of a screening opinion pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The screening opinion, dated January 2017, was reviewed on submission of this application, and no changes to circumstances were identified to justify an alternative decision, so the determination of the application progresses as not 'EIA development'.

5.1 Key Issues

- 5.1.1 The key issues for consideration of this planning application are as follows:
- a) Principle of development and housing delivery
 - b) Masterplanning and site-specific requirements
 - c) Impact of the development on the landscape and visual setting
 - d) Impact of the development on trees
 - e) Impact of the development on heritage assets including archaeology
 - f) Impact on the local highway network, access and parking
 - g) Flood risk and drainage
 - h) Ecology and Biodiversity Net Gain (BNG)
 - i) Open Space Provision
 - j) Sport Facility Impacts
 - k) Primary Healthcare
 - l) Environmental Health considerations
 - m) Impact on the residential amenity
 - n) Sustainability assessment
 - o) Planning Obligations
 - p) Planning Balance

5.2 *Principle of development and Housing Delivery*

- 5.2.1 The North Hertfordshire Local Plan 2011-2031 (NHLP) was adopted by the Council in November 2022 after it was found sound following Examination in Public between 2017 and 2022. This planning application made in 2024, follows on from a previous outline

application approved ref 17/00110/1 and phase 1 ref 20/01138/RM, which have now expired. Weight was given to the emerging NHLP in consideration of the previous application as the preparation of the Local Plan was at advanced stage. The site allocation remained in the Local Plan ref RY10.

- 5.2.2 NHLP Policy SP1 on sustainable development in the district is the backbone for considering proposals. It requires the main role of key settlement, such as Hitchin to be the main focus for new development. Proposals should *'deliver an appropriate mix of homes, jobs and facilities that contribute towards the targets and aspirations of this Plan', 'provide the necessary infrastructure...'*, *'protect [the] environment'*, and *'secure any necessary mitigation measures that reduce the impact of development...'*
- 5.2.3 The site is allocated as a Local Housing Allocation through Policy RY10 land south of Newmarket Road in NHLP para. 13.299 for an estimated 300 homes. The applicant has been working through this planning application to produce an acceptable 'comprehensive and deliverable Strategic Masterplan' in accordance with Policy SP9. The detailed requirements of these policies will be assessed in the following sections of this report.
- 5.2.4 Policy SP2 identifies a significant housing need in the district which for Royston equates to *'at least 1,899 new homes'* (total allocated, completed and permitted at 2022) over the plan period, of which RY10 contributes 300 homes towards the 478 allocated sites.
- 5.2.5 As set out in the Council's most recent Housing Land Supply Update (November 2025), the total requirement for housing delivery in the District from 1 April 2025 to 31 March 2030 is 3,629 dwellings. The Council therefore can only demonstrate a five-year land position of 2.6 years against our objectively assessed housing need of 1,120 homes per annum, annual shortfall and 5% buffer. This figure falls below the five-year figure as required in the NPPF.
- 5.2.6 Paragraph 11 of the NPPF states that: *'Plans and decisions should apply a presumption in favour of sustainable development... For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay'*.
- 5.2.7 Where a five-year supply of deliverable housing sites cannot be demonstrated, para. 11 (d) of the NPPF confirms that where *'the policies which are most important for determining the application are out-of-date'* [including the housing land supply]...unless (i) there are protected areas or assets of particular importance (i.e. Green Belt and heritage assets) which provide a strong reason for refusing the development proposed or (ii) *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination'*, permission should be granted. This process is known as the *'tilted balance'*.
- 5.2.8 For the application site, as the development plan is out of date, the proposals should *'be approved without delay'*. Officers note the position on the Council's 5-year housing land supply, meaning that the tilted balance is engaged and the remainder of this report will balance up the issues for consideration and conclusion at the end. The need for this housing is evident. The delivery of this site is realistic in the short-term (next 5 years)

especially given the hybrid nature of this application, which would give full permission for phase 1.

- 5.2.9 This matter of housing delivery comprising provision of 254 market homes out of 325 units, weighs significantly in favour of the proposal in the planning balance.

Provision of Affordable Housing

- 5.2.10 NHLP Policy HS2 requires certain levels of affordable housing to be delivered on development sites in relation to the size of the site. This site is required to deliver 40% affordable housing, which is split at 65% rented and 35% other tenures, and the housing mix to reflect the needs of the housing register. Policy HS2 part a)i recognises that these targets are ‘*subject to viability*’. Affordable housing provision is to be secured by legal agreement.

- 5.2.11 The applicant recognises that affordable housing needs to be delivered on site and proposed 15% of housing on site to be affordable. The applicant submitted a viability appraisal which has been independently assessed. Through prolonged examination of the viability appraisal and detailed negotiations on S106 contributions, the applicant has agreed to a level of 22% affordable housing that would be compliant on the division of tenures in both phases of development, together with a package of contributions, which is set out in the following sections of this report. The applicant, at the time of writing this report, has agreed to a conditional ‘viability review mechanism’ trigger based on the time that lapses before implementation meaning that the proportion of affordable homes could increase should a review mechanism be triggered. This will be discussed again in more detail in the Planning Obligations section of this report.

- 5.2.12 Following an email from the applicant on 28th November 2025, the affordable housing phased proportion would be as follows:

	Market	Affordable		Total
		Rent	SO	
Phase 1	83	15	8	106
Phase 2	171	31	17	219
	254	46	25	325

- 5.2.13 The housing mix and tenure for the outline part of the application (phase 2) would be subject of an affordable housing scheme secured by S106. In the same email identified above, the applicant proposes the affordable housing mix and tenure for Phase 1 would be as follows:

	Phase 1	
	Rent	SO
1B maisonette	2	0
1B Flat	0	0
2b maisonette	2	0
2B FOG	0	0
2B flat	0	0

2b bungalow	4	0
2B house	4	6
3B house	3	2
4B house	0	0
Totals	15	8

5.2.14 Officers are content that the affordable housing proportions, with a policy compliant mix of tenures is maximised according to the viability of developing this site, subject to re-consultation with NHC Housing Strategy on the housing mix and tenure in phase 1. This will be secured by a legal agreement. Affordable housing should be spread across the site in small clusters rather than be situated on one or two parts of the site and should be physically indistinguishable from the market housing. Details of location and housing design for phase 1 are set out in the plans.

5.2.15 The Local Plan has been adopted by the Council since the previous outline was given planning permission. The site is allocated for approximately 300 homes. The site will make a significant contribution to the delivery of homes in North Hertfordshire for the rest of the Plan period. The principle of development for this Local Housing Allocation is therefore acceptable in accordance with NHLP Policies SP1, SP2 and SP5, and noting the NPPF para 11.d) ii which emphasises regard to ‘providing affordable homes’.

5.2.16 This matter of affordable housing delivery, despite the under provision according to the Local Plan, weighs very significantly in favour of the proposal in the planning balance.

5.3 Masterplanning and site-specific requirements

5.3.1 NHLP Policy SP9 allows for masterplans to be agreed “...*prior to or as part of the grant of planning permission*”. This current application was submitted in 2024 which included a draft masterplan. The applicant has therefore been working with the Council to address its requirements as part of the application with a view to the masterplan comprising the basis for the outline part of the application.

5.3.2 The Council’s accompanying Policy SP9 Approval Process procedural guidance, at para.1.21-1.25, sets out how masterplans can be approved by virtue of granting planning permission through an application. Para 1.25 of the guidance states that Strategic Masterplans that will be approved as part of the grant of planning permission will be presented to the [Strategic Planning Project] Board for information and on an advisory basis only. The masterplan was presented to the Board in November 2025. The Board have been kept updated on progress with the application through the Strategic Sites Tracker.

5.3.3 Policy RY10 is the site-specific policy for the site and has site-specific requirements to be read alongside Policy SP9 on Masterplanning. The submitted masterplan has been assessed under Policy RY10 as follows:

5.3.4 A principal requirement is that there is a ‘*comprehensive and deliverable Strategic Masterplan for the entire allocation and agreed between the developer and the Council*’. This planning application is for outline permission and comprises the SMP that meets this requirement. Applications for reserved matters will follow to build on the foundations of

this strategic masterplan. Conditions to this permission would also build on the framework agreed through this application. As per Policy RY10 all subsequent applications will be assessed against this masterplan.

5.3.5 The site is allocated for an estimated 300 homes, and this planning application is for development of 'up to 325 homes'. This will be made up through phases of development with the first phase included in this hybrid application for 106 homes. This will be examined in more detail later in the report.

a) *Provide a site-specific landscape assessment and tree survey. Retention of trees and hedgerows where possible:*

The application is supported by a landscape assessment and an arboricultural assessment, which extends beyond the red line of the site into adjacent plantations. It is noted that objections relate to the removal of trees from the plantation. The plantations will generally not be affected, except for the new footpath link through to the end of Aintree Road, the new vehicular access onto Newmarket Road and the new emergency access from the lane to Burloes Hall.

b) *Design and layout to respond to topography:*

The masterplan has been through a series of workshops between the council and the applicant, in order to understand the constraints and opportunities for the site. Due to the constraints (topography, location of potential vehicular access, existing cottages, and plantations around the site) there are limited options for how the site can be laid out. However, together with advice on ecology, highways and drainage an appropriate and achievable masterplan has been worked up. The layout of the main road will inform how secondary roads sit and the houses around them. Generally, the road pattern follows the curve of the bowl shape of the site.

c) *Address potential surface water flood risk through SUDS or other appropriate solution:*
This has been addressed in the floor risk and drainage section of the report below.

d) *Archaeological survey to be completed prior to development:*

This has been addressed in the heritage assets section of the report below.

e) *Detailed drainage strategy identifying water infrastructure required and mechanism(s) for delivery:*

This has been addressed in the flood risk and drainage section of the report below.

5.3.6 The proposals therefore comply with all requirements of Policy RY10.

5.3.7 The application has been assessed under Policy SP9 on masterplanning as follows:

i. *create buildings, spaces and streets which positively reflect and respond to the local landscape, townscape and historic character*

The masterplan has been designed specifically for this site, in order to respond to the particular topography, adjacent residential development and respond to the plantations surrounding. Addressing topography is reflective of the character of this area and Royston. Much of Royston is characterised by hilly surrounds. Leaving a buffer to the plantations around all sides of the development helps the development settle into the edge of town setting and respond to the countryside beyond. New and/or reinforced footpath

connections will help to establish the network around the edge of the town and from the site into existing residential areas. The site will include quality greenspaces within the middle of the site in the form of a green corridor, play area and several SUDS features. The copse comprising existing good quality trees will form an established green space connecting the countryside to the site. There will be a good viewpoint from this corner over the development and there will be two focal points for residents within the site at the copse and at the bottom of the green corridor with the new play area.

- ii. *create integrated, accessible and sustainable transport systems with walking, cycling and public transport designed to be the most attractive forms of transport and effectively linking into the surrounding areas;*

The masterplan process has enabled the applicant to look at the site again and build in from the beginning of the design of the site active and sustainable transport, by considering utility and leisure routes and designing it as a backbone to the development of the site. This is an improvement compared to the previously approved outline application (17/00110/1) in the collaborative consideration of how residents will access the site by foot and cycle. The highway authority have carefully considered the best ways that the developer can contribute towards active and sustainable travel in the vicinity of the site as well. The Access parameter plan shows the main site access will also be the best active travel route to and from the site onto Newmarket Road. There will also be a footpath connection into Aintree Road to connect to the existing residential area, and a leisure route south into the countryside. The 'access and movement' framework plan shows how the Icknield Way route which run along Newmarket Road on the north side and then switches to the south side of the road to the east of the application site. The application site has made provision for an alternative route, rather than having to cross Newmarket Road without a crossing on a faster part of that road, the alternative runs roughly parallel to Newmarket Road and would exit the site at Aintree Road.

- iii. *provide a clear structure and hierarchy of pedestrian friendly streets and well-connected footpaths and cycleways integrate with the wider built and natural environment and communities;*

The masterplan sets out a clear hierarchy for how the street is structured with the main road running through the site, 'secondary' streets off the main streets, and 'tertiary' streets and private drives towards the edges of the site, defining a good sense of place and providing legibility through the site.

- iv. *plan for integrated and mixed-use communities with walkable locally accessible community, employment and retail facilities;*

The development will have green and open space of a range of types including play space which will be attractive for residents' social cohesion. The site will integrate physically using footpaths into Aintree Road and Newmarket Road and beyond into the recreation ground. The site will be walkable for the recreation ground, play space, skatepark and grass playing pitch. The developer will provide the highway infrastructure for safe highway access and beyond to enable easy active travel access into the town centre and railway station. The site will provide a mix of housing size and tenure. The provision of affordable housing is lower than the policy requirement, so there is a conflict with this element of providing an integrated community. Of the affordable housing provided the tenure split provided is policy compliant.

- v. *positively integrate with adjacent rural and urban communities and positively contribute to their character and the way the area functions, including addressing cumulative, cross boundary planning and infrastructure matters;*

The site will integrate with the existing community physically with foot and cycle links. The site benefits from a substantial and established plantation around all sides and so provides an existing boundary to the rural area, and so providing links on the north and west edges is logical. The developer will also provide a new permissive footpath around the field to the south of the site for leisure walking (rather than utility) and provides future and existing residents with further opportunity to enjoy the countryside, which will contribute towards all residents' wellbeing. The new footpath will integrate into the existing rights of way network in the area and help connect the rural edges all the way around Royston.

- vi. *create an accessible multi-functional green infrastructure network that provides:*
- *a key structuring and functional place-making feature supporting healthy lifestyles, sport, play and recreation linking into the wider Green Infrastructure Network; and a high-quality integrated network to support ecological connectivity, biodiversity net gain, climate adaptation and mitigation linking into the wider Ecological Network*
 - *ensure the effective use of sustainable urban drainage and sustainable water management;*
 - *ensure a hierarchy of linked, high quality and attractive public spaces and public realm that is safe, attractive and supports social interaction for all age groups; and*

The site has provided key structural green infrastructure through complimentary habitat and by utilising a green corridor for blue infrastructure as well. The drainage system will be multifunctional and provide a setting to the site and accommodate an area for play. Sports provision is not achievable on site due to the steep topography and the size of the site, however the developer agreed to contribute towards sports provision and existing needs of clubs in the town. The site delivers biodiversity net gain provision and protects and existing valuable source of biodiversity and habitat in the copse on site. The proposed public and green spaces on site will deliver high quality and attractive public realm which will support social interaction for all residents.

- vii. *design to last with a clear stewardship, management and maintenance strategy.*
The greenspaces and SUDS on this site will be managed by a management company. This will be robustly secured through the s106 legal agreement. This has been explored and will be address in more detail in the open space section of this report below.

Compliance of Full Details of Phase 1 with the Masterplan

- 5.3.8 Regarding detailed matters of Phase 1, where full planning permission is sought for the first 106 units on site, together with the main vehicular access, part of the main road, the bus turning circle, and main drainage feature for the site, this section will review the layout, scale, appearance and landscaping of this phase.
- 5.3.9 In relation to layout and access, the phase 1 site stems off the main road, which will run from the main access from Newmarket Road. Phase 1 will fill in the first third of the site adjacent to the existing residential area on the west side of the site. Phase 1 will also see the delivery of several key pieces of infrastructure (access, substation, drainage and bus facility) and a proportionate amount of open and green space. As this part of the site will

be delivered first, this will include active travel links towards Royston town centre, including leisure route out to the field to the south, footpath through to Aintree Road, and the foot and cycle links onto Newmarket Road, ready for onward connection. The block of development in phase 1 has been based on these transport corridors, to allow for easy legibility and permeability of the site. This layout creates five blocks of development where there is space for housing to be looking out of the block onto the main street and the edges of the development. Two blocks are large enough to accommodate a smaller mews type street within the block which can help accommodate different types and sizes of units, adding to the housing mix on site. These proposals are in accordance with the Access, Developable Area, Land Use parameter plans.

- 5.3.10 All plots on site will benefit from their own rear garden, which are logical areas and useable spaces. The smallest gardens would be about 38 sq.m which is acceptable for the two-bedroom homes proposed there. It is noted that some bin and cycle stores shown on the plans are in some awkward positions and Officers recommend a condition is imposed to ensure details of the bin and cycle stores are agreed prior to installation as well as their locations.
- 5.3.11 The substation is located to the rear of the existing Burloes Cottages. The substation building is set back to avoid it being overly visible in the entrance to the site. It is reasonably well located here, as it is out of the 'complimentary habitat buffer', however despite comments from the Urban Design Officer the apron provided to the front of the substation is excessive, with the need for only one parking space which will be used rarely. Landscaping is proposed to screen the substation, particularly from the entrance of the site and from the existing cottages, however Officers consider that further detail by condition is needed to help rationalise this hardstanding around it and determine an appropriate hard standing material for the apron and parking space.
- 5.3.12 For scale, Phase 1 delivers a third (106 units) of the housing number applied for (325 units) and relates to about 5.3ha out of a total site area of about 13.6ha. Phase 1 provides additional greenspace compared to the remainder of this site. Phase 1 would deliver a density of about 20dpha, which is on the low side, although the Local Plan does not define what lower and higher density is. Officers consider that 20dpha is deliverable on this site, given the significant topographical constraint, and an appropriate density on this edge of town location.
- 5.3.13 The Building Height parameter plan shows the majority of the site to be 'up to 2-2.5 storeys' except in the steepest parts of the site the levels can be used to have 3-3.5 storeys, where the ridgeline is no more than 15m and buildings could have a split level to help use the levels of the site. Phase 1 only relates to areas on this parameter plan noted as 2-2.5m and so phase 1 complies with this part.
- 5.3.14 In terms of appearance the developer has proposed a range of their standard house types and adapted them for this site to suit the Council's aspirations for urban design ahead of the publication of the District Design Code expected in 2026. There is a level of coordination and simplicity across the house types using roof forms and materials to help create a sense of place and enhance legibility of the site. This sets the bar for phase 2 and the applicant is aware of areas of phase 1 where there could be improvements to the design, such as use of garages, mid terrace properties using fenced corridors to access their rear gardens, bin storage, landscaping and parking space design. Details regarding

materials will need to be secured by condition, should this application be granted planning permission.

- 5.3.15 Regarding the use of retaining walls on site, this is understood due to the steep topography of the site. Whilst a levels strategy is submitted some of the proposed retaining walls are significant (for example a maximum height of 2.65m) plus a 2m high timber fence, this is thought to create an unpleasant environment for rear gardens and properties at the lower level. Given the site slopes down from the south, significant retaining walls would cause overshadowing particularly in the winter. A condition is therefore recommended whereby the applicant reconsiders the levels strategy and proposes a scheme of retaining walls to ensure that the height of these walls are kept to around 1m high and staggered so as to reduce the impact of particularly high retaining walls, the visual appearance and overshadowing.
- 5.3.16 Regarding landscaping, a detailed hard landscaping plans is included for phase 1 together with a planting plan. This shows how various areas of the site will be dealt with according to the purpose of the green or open space, such as shrub borders, highway verge, new trees, complimentary habitat buffer, and drainage areas. In principle officers support the proposed planting plans, however no response was received to the consultation request for landscaping advice. As such it is recommended that a condition is used to agree planting details at a later date. This may well tie into ecological plans and the open space management plan, which would be a requirement for the whole site in relation to the outline part of this planning application.
- 5.3.17 To conclude this section, as this site and the proposed development has been through the formal, collaborative masterplanning exercise which has been tied into extensive negotiations of this planning application. There have been improvements over the last year or so, and it is officers' view that the proposals represent a good standard of urban design, in keeping with its context and which would include high quality green infrastructure and multi-functional green spaces. The site was presented to Strategic Sites Project Board as an 'in-application' masterplan on 18 November 2025.
- 5.3.18 The full details submitted in relation to Phase 1 of the development are acceptable and in accordance with the masterplan and the parameter plans. The details submitted regarding layout, access, scale, appearance and landscaping are also acceptable.
- 5.3.19 The NPPF paragraph 139 states that '*significant weight should be given to: a) development which reflects local design policies and government guidance on design...*' As such, it is considered that an effective masterplan can be secured by condition which would comply with Policy SP9 and RY10. This matter weighs as a significant benefit in the planning balance.

Impact on the landscape and agricultural land

- 5.3.20 This is a large-scale housing development. Given its nature and scale there will inevitably be impact on the landscape. Within the context, national and development plan policies adopt an approach where development should only be approved where the harm would be outweighed by the benefits of the development.

Landscape Character

- 5.3.21 NPPG Para 174 indicates that the intrinsic character and beauty of the countryside should be recognised. The NPPF does not seek to protect the countryside for its own sake from development, rather it concentrates on seeking to protect valued landscapes. The site does not form part of any designated landscape.
- 5.3.22 The NPPF does not define what is a valued landscape, albeit most landscapes are valued in one form or another, but case law demonstrates that value lies in it being considered more than just open countryside. Residents have indicated that they value the countryside within an around the application site, however there is nothing in the comments that would result in elevating the application site to that of a NPPF 'valued landscape'.
- 5.3.23 NHLP Policy NE1 seeks to protect, conserve and enhance the strategic green infrastructure network. Policy NE2 confirms that planning permission will be granted for development proposals that respect the sensitivities of the relevant landscape character, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this, ensure the health and future retention of important landscape features and have considered the long-term management and maintenance of any existing and proposed landscaping.
- 5.3.24 Policy RY10 for the site requires an application to include a '*site-specific landscape assessment and tree survey. Retention of trees and hedgerows where possible; Design and layout to respond to topography...*'

Landscape Character Assessment

- 5.3.25 The application site is located in the far eastern end of National Character Area (NCA) 87 for East Anglian Chalk, which is described as comprising '*a visually simple and uninterrupted landscape of smooth, rolling chalkland hills with large regular fields enclosed by hawthorn hedges, with few trees and expansive views to the north*'.
- 5.3.26 The Council published the North Herts Landscape Study as part of the Local Development Framework in 2011 which is based on the Hertfordshire Landscape Character Assessment and subsequent sensitivity and capacity work. The site is within Region 3 The East Anglian Chalk, North Hertfordshire Ridge and detailed LCA 228 Scarp Slopes South of Royston. The key characteristics of this LCA are listed as: '*chalk scarp slope incised by dry water cut valleys. Undulating landform with steeper slopes towards the upper playeau edge. Large scale arable fields with ordered pattern of rectilinear field boundaries and lanes with straight boundaries. Occasional farmsteads. Small tree plantations set out in discrete coverts. Individual tree belts*'.
- 5.3.27 The LCA evaluates the visual and sensory perception of the area as '*expansive open area with long distance views to the north*', which is true of the application site, and notes on rarity and distinctiveness that '*chalk scarps are a rare landscape type within the region*'. On the condition and robustness of the LCA 228 the assessment states the condition to be poor and robustness to the strong.
- 5.3.28 For LCA 228 the overall strategy is summarised in the assessment as follows:

- *‘Maintain the general open character of the area and in particular the long distance views over the lowland landscape to the north;*
- *Promote management of woodland to encourage a diverse woodland flora;*
- *Promote the creation of buffer zones between intensive arable production and areas of semi-natural habitat and the creation of links between habitat areas; and*
- *Maintain and extend the rights of way network.’*

The submitted Landscape and Visual Impact Assessment (LVIA)

- 5.3.29 The application is accompanied by a LVIA prepared by Liz Lake Associates, which identifies the landscape and visual effects of the proposed development. In applying a standard methodology and professional judgement the LVIA sets out conclusions.
- 5.3.30 The LVIA sets out that the site is deemed to be of ‘medium sensitivity’ to accommodate the proposed development, which is a combination of medium value and medium susceptibility, ‘*since it is an established landscape where change of an appropriate nature could be absorbed without loss of key characteristics, individual elements or features and specific aesthetic or perceptual aspects or overall character*’. While the site does not detract from the local landscape character, it also does not contain any features or attributes of rarity and is not particularly tranquil due to the proximity to the A505.
- 5.3.31 The assessment finds that ‘*there will be a direct and permanent change to the resource of the land*’ from arable to residential with new built elements into an undeveloped part of the landscape. It states that there will be an adverse effect on the landscape, but which is mitigated by limiting the type, design, colour, sales, height, mass and footprint of the development, which will be comparable to adjacent existing residential development. The proposals include new planting and greenspace which will have a beneficial effect. Overall, it is assessed that the proposals would have a ‘slight adverse to negligible effect.
- 5.3.32 Regarding visual effects, the difference between temporary construction and permanent operational effects are noted, and will effect those closest to the site, albeit with the benefit of substantial landscaping between the application site and nearby residential properties, other than those at Burloes Cottages. The other most impacted viewpoints are from the Icknield Way, which is a public footpath in very close proximity to the northern boundary of the site.

Suitability of the site

- 5.3.33 In the previous outline application, it was not considered that the development would result in significant impacts on the landscape, but with the limit on the height of new buildings to mitigate the impact. There was no objection on this matter from Natural England, and this is maintained in this application.
- 5.3.34 Officers agree with the LVIA that the existing site, while not detracting from local landscape character does not offer any particular special character that add to the landscape. The site is very well contained on all sides by existing structural landscaping, which is mature, and described on site and on plan as ‘plantations’, some of which are in public ownership. This mature landscaping offers substantial screening and physical containment of the development to almost all visual receptors locally.

5.3.35 Officers agree that the development will have an adverse effect on the landscape by virtue that any development here would, but the layout, height, scale, massing and appearance of the site with built up elements and greenspaces will help the site 'blend' into the overall picture of the town. The work the applicant has done on reviewing the masterplan for the site helps to mitigate the harm as far as possible on this allocated housing site. The steep topography is challenging as the site will also be visible in the distance, however the applicant has indicated in the masterplan that development can be laid out to reduce the built form impact on the landscape, stepping plots and stepping buildings within plots to make efficient use of the land and mitigate the impact.

Phase 1 Full Details

5.3.36 A landscaping scheme is submitted as part of the full details submitted for phase 1. In accordance with the masterplan, it shows the complimentary habitat buffer to be a semi-natural grassland. The areas amongst the houses will be decorative, and suitable for the locations proposed. The main drainage basin close to the existing Burloes Cottages is included in phase 1 and shown to be a useable greenspace with planting and mown paths through it. During periods of heavy rain the basin is likely to be wet, but otherwise due to the underlying chalk the site drains well. Officers expect the proposed landscaping plans for phase 1 would blend in well to the subsequent phase of development. A range of species and types of planting is shown on the plans which in principle is supported, however it is noted that no landscape response was received. So, despite the detailed plans, if approved, a condition should be included for the details to be submitted and agreed before implemented. The proposed extent and nature of landscaping proposed is acceptable, in accordance with the masterplan, and will help the development settle into the landscape.

Conclusion

5.3.37 In conclusion on this matter, it is considered that the site is of medium sensitivity due to its existing landscape character and topography, and that the proposals would inevitably have some adverse landscape and visual impact. Through reviewing the masterplan, provision of green spaces and green buffers around the perimeter of the site, it is considered that the adverse effect would be localised and limited as far as possible. The site, which would form an urban extension to Royston will sit in context of existing urban development and in time blend into the established urban character. Overall, the proposals are considered to be in accordance with the NPPF and NHLP Policies RY10, NE1 and NE2. This matter of visual and landscape impact is considered to result in moderate harm in the planning balance, but which has been suitably mitigated for within this allocated site.

Agricultural Land

5.3.38 Regarding the loss of agricultural land para 174(b) of the NPPF states decisions should recognise the economic and other benefits of the best and most versatile agricultural land, however as this is an allocated site for housing in the adopted Local Plan officers have not considered this in the planning balance as the principle of development is accepted. This is neutral in the planning balance.

5.4 Impact of the development on trees

- 5.4.1 Chapter 15 of the NPPF confirms that proposals should protect and enhance the natural environment. NHLP Policy SP1 seeks to protect key elements of North Hertfordshire's environment. Policy NE2 seeks to ensure the health and future retention of important landscape features and their long-term management and maintenance.
- 5.4.2 The application is supported by an Arboricultural Impact Assessment and Tree condition Survey by Ruskins Tree Consultancy, which was updated in July 2025 to reflect amended plans. The Survey has been undertaken for the application site as well as the plantations around the site. The assessment identifies the plantations around the site, and the copse within the site. There are no trees protected by protection order, and the site is not within a conservation area.
- 5.4.3 The Assessment notes the quality of the trees around and within the site. Trees surveys within the plantations will not be permitted to be removed as intimated in ecological technical work, which has now been amended as land ownership prevents the removal of trees that may have been identified as Category U. There will be a need for tree removal to make way for the new main vehicular access into the site off Newmarket Road; the new construction and emergency access off Burloes Lane; the footpath on the northern side of Newmarket Road into the recreation ground; and the footpath through to Aintree Road. Detail of tree removal is provided for the first two vehicular accesses, and no detail of exact route of the footpaths including tree removal is proposed for either footpath, both of which are beyond the red line. Many of the trees to be removed for the vehicular accesses are category C, defined as 'low quality and value – currently in adequate condition...'
- 5.4.4 It is understood the Aintree Road footpath link would be on NHDC land through the plantation, and the Newmarket Road recreation ground path would be through highway land and onto NHDC land of the recreation ground. These details need to be secured by condition and/or s106 agreement together with the highway authority, however following site visits and discussion with officers there are gaps through the plantations that would be a logical route and with as limited tree removal as possible.
- 5.4.5 The copse within the site is formed of eight category B trees. The copse has been designed into the layout of the site, with green space around the copse to assist in its protection. It is envisaged this will provide a pleasant transition from countryside edge. Tree protection of phase 2 and especially the copse can be considered for relevant applications for reserved matters.

Phase 1 Full Details

- 5.4.6 With regard to the full details in phase 1, which includes the vehicular access, there will be the loss of trees in implementing the main access. Most of these trees are identified as low quality and is necessary to facilitate the development. The proposed planting plans show the planting of some new trees particularly in the buffer to the plantations. As mentioned above, this should be conditioned in order to receive formal advice on the landscaping proposals. It is also recommended that a scheme of tree protection is agreed before work commences.
- 5.4.7 To conclude, some low-quality trees will need to be removed to facilitate the development and to create new vehicular and active travel access points. More detail will be required for off-site accesses and associated tree removal which can be secured by condition

and/or s106 agreement. Otherwise, the category B trees within the copse will be protected and enhanced by being incorporated into the masterplan layout of the site. The proposals are therefore considered to be in accordance with the NPPF and NHLP Policy NE2. This matter weighs as neutral in the planning balance.

5.5 Impact of the development on heritage assets including archaeology

- 5.5.1 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act) stipulates that when considering whether to grant planning permission for development which affects a listed building, or its setting, and conservation area, special regard should be had to the desirability of preserving or enhancing those assets.
- 5.5.2 The NPPF 2021 requires the description of *'the significance of any heritage assets affected, including any contribution made by their setting'*. LPAs should then *'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) ...'* Para. 199 of the NPPF states that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'*. This approach is reflected in NHLP Policies SP13 and HE1.
- 5.5.3 The closest heritage assets are primarily in the town centre of Royston, with a Conservation Area and listed buildings focused on the historic core of the town, which is located to the west of the A10 roundabout and 750m from the application site. There is a range of Grade I, II* and II listed buildings and scheduled monuments. There is also a grade II listed building 'Eagle House' about 950m to the south on Barkway Road, and a scheduled monument off the A505 at Heath Farm 1.3km to the east of the application site.
- 5.5.4 A response from Historic England gave no advice on the proposals. The conservation officer was not consulted due to the lack of proximity to heritage assets.
- 5.5.5 A requirement of Policy RY10 is that an archaeological survey was undertaken prior to development. This has been done, and HCC Archaeology has confirmed that they are content with the report stating that no heritage assets of significance were revealed, concluding that development is unlikely to have a significant impact on heritage assets of archaeological interest. No further conditions were recommended.
- 5.5.6 Due to the lack of proximity from the application site, together with the substantial enclosure of the site by existing plantations, Officers consider that there will be no harm to heritage assets as a result of the proposed development. The proposals are therefore in accordance with the NPPF and NHLP policies the proposals are considered to be compliant regarding the impact on heritage assets. This matter weighs as neutral in the planning balance.

Impact on the local highway network, access and parking

Impact on local highway network

- 5.5.7 The issue of highway capacity is of concern to many local residents in terms of the additional traffic movements as a result of the development and that impact on the local

highway network. Of concern also is that the site is located on the far eastern side of the town, whereas many local services, facilities and infrastructure like the railway station is on the opposite side of the town, which is over a mile away from the site increasing reliance on the car for new residents. Another highlighted issue is the safety of the junction of Newmarket Road onto the A505. These points will be addressed in this section of the report.

- 5.5.8 NHLP Policy SP6 on Sustainable Transport requires, amongst other matters considered later in this report, to *'seek the earliest reasonable opportunity to implement sustainable travel infrastructure on Strategic housing Sites and other development sites in order to influence the behaviour of occupiers or users...'*
- 5.5.9 Paragraph 115 of the NPPF states that: *'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*
a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
b) safe and suitable access to the site can be achieved for all users;
c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code⁴⁸; and
d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.'
- 5.5.10 The NPPF also sets a high bar in terms of grounds to refuse an application on highway matters: Para 116 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios'*. The NPPF goes on to prioritise active and sustainable transport, creating places that are safe, secure and attractive, allow for delivery of goods, provide access for emergency services, and provide charging infrastructure. Travels plans are required where a development would *'generate significant amounts of movement'* (para 118).
- 5.5.11 NHLP Policy T1 on Assessment of Transport Matters states that *'Planning permissions will be granted provided that a) development would not lead to highway safety problems or cause unacceptable impacts upon the highway network'*.
- 5.5.12 This planning application has been submitted with a Transport Assessment (TA) with appendices, draft Travel Plan and associated drawings. Additional supporting information was submitted in September 2025 to address comments from the highway authority.
- 5.5.13 The 'access parameter plan' for the site features one main vehicular access point with main active travel paths onto Newmarket Road with a spine road through the site leading towards an additional emergency access to the lane to Burloes Hall. This emergency access would also be used for construction. There would be an additional footpath through the western boundary onto Aintree Road, and an informal unpaved path out from the south west corner into the countryside beyond. This reflects the proposal which previously secured outline planning permission in 2020. The proposals include a package of works related to vehicular access, passenger transport and active travel modes, which is set out

later in this section. These would either be secured by condition, s106 agreements and/or through a s38 and s278 highway agreements.

Sustainable Transport

5.5.14 The Highway Authority's LTP4 contains Policy 1 and 4 which set out that in this declared climate emergency the site needs to be 'unlocked' in a sustainable way, by prioritising active and sustainable travel. NHP Policy T1 also states that '*Planning permission will be granted provided that: ...b) mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network are secured in accordance with Policy SP7; and d) for major developments, applicants demonstrate (as far as is practicable) how: i. the proposed scheme would be served by public transport...*'

5.5.15 In accordance with the NPPF, the application includes detail of various measures and mitigation to encourage pedestrian and cycle modes of transport:

Strand 1 works:

- The following works are all off site and are necessary to make the application acceptable in planning terms. These works are normally undertaken by the developer at their own expense and the detail agreed with the highway authority through a s278 agreement. These works will enable residents easy and safe access to suitable routes around and out of the site by active and sustainable transport.
- Toucan crossing over Newmarket Road
- Widened footpath on the north side of Newmarket Road
- Link from Newmarket Road through the corner of the recreation ground to the cul de sac in front of 86 Newmarket Road
- Upgrade footway to a shared use path between Icknield Walk and Poplar Drive
- Upgrade crossings at the southern ends of Icknield Walk and Poplar Drive with raised tabled to prioritise pedestrian movements and facilitate cycle access
- New footpath from the western edge of the site into Aintree Road
- Additional footpath connections into the adjacent plantation for leisure purposes
- The main road through the site will have a parallel shared use path connecting with the Newmarket Road crossing

Strand 2:

- It is clear that the following interventions are necessary to make the application acceptable in planning terms but are included in Strand 2 because they offer wider benefits.
- The strand 2 contribution with indexation to March 2024 is £9,861 per unit. The applicant has committed to pay the full contribution, which would be used to deliver two projects that would make the site sustainable in transport terms, and provide benefit to existing residents: a continuous shared-use path along Newmarket Road to the west side of the A10, including new or upgraded crossings; and a shared-use path along Melbourn Road between Garden Walk and Stamford Avenue (parts of LCWIP schemes NH46 and NH45, respectively).
- The developer also has the option to complete the Newmarket Road project and pay a reduced financial contribution of £500,000 towards the Melbourn Road project.

- 5.5.16 The supporting plans to the application indicate broad acceptability for the off-site highways works but noted that this will need further work which will be identified as part of the S278 design process and a condition is recommended for this process.
- 5.5.17 The highway authority at HCC also requires the inclusion of a bus turning facility within the application site. Its provision reflects a proposal in the previous planning application where the bus can enter the site, stop on the edge of a small gyratory where there will be a bus stop (with Kassel kerbing and a shelter), and then exit the site. This ensure all residents will be within 400m walking distance of a bus stop. Detail will be agreed through s38 and s278 agreements with the highway authority.
- 5.5.18 A financial contribution is also requested towards the extension of an existing bus service to serve the site for the first 5 years, after which time the service will be reviewed accordingly.
- 5.5.19 Overall, the highway authority at HCC considers that *'the site can be unlocked sustainably in terms of appropriate pedestrian, cycle and bus access'* in accordance with the LTP4 Policies 1 and 4, the NPPF, and NHLP Policies SP6 and T1.

Road Safety

- 5.5.20 The TA assessed road traffic collisions (RTCs) in the vicinity of the site, of which there were two at the junction of Newmarket Road with the A505., This junction has been reviewed and found to be safe in terms of the existing road network, and therefore this does not present a reason to restrict the application. Furthermore, as the existing layout was found to be acceptable there are no projects identified for the applicant to address or contribute towards.
- 5.5.21 The highway authority comments on another RTC identified involving a pedestrian at the junction of Newmarket Road with the A10. The applicant is committed to either undertaking the project or paying the financial contribution towards this project for pedestrian and cycle access along Newmarket Road, which will improve road safety here and include a pedestrian crossing. The detail of this LCWIP project will need to be worked up with the highway authority through a s278 agreement.

Traffic Analysis

- 5.5.22 The traffic analysis undertaken by the applicant (prepared by Markides Associates in April 2024 and with supplementary Technical Note in September 2025), and with advice from the highway authority, four nearby junctions have been assessed for the development proposals impact on those junctions which are: A505/Newmarket Road, A505/A10 roundabout, A505/A1198 roundabout, and Newmarket Road/A10/Melbourn Road. The analysis has been extended to include the development proposals under application 21/00765/OP should there get planning permission. The highway authority has concluded there will be a 'negligible level of impact' on three of those junctions. There is more than negligible impact at the A505/A1198 roundabout, but which is still at an acceptable level of impact, and which would be mitigated by the sustainable transport and bus provision that would be secured with the proposals.
- 5.5.23 To conclude and in accordance with the NPPF, Officers are content that the development will not have a severe impact on the local highway network, which is reflected in the

summary of the TA relating to traffic analysis and in the context of mitigation works. Therefore, taking account of the lack of a severe impact as well as the package of sustainable transport measures, the residual cumulative impact of the proposals would be acceptable and in accordance with the requirements of the NPPF and NHLP Policies SP6 and T1.

Parking provision

- 5.5.24 The NHDC Vehicle Parking at New Developments Supplementary Planning Document ('Parking SPD') sets out the minimum parking requirements for this proposal. This outlines that x1 space is required per 1 bedroom dwelling and that x2 spaces are required for any dwellings of 2 bedrooms or more. In addition, between 0.25 and 0.75 visitors parking spaces are required per dwelling, with *'the higher standard applied where every dwelling in the scheme is to be provided with a garage'*.
- 5.5.25 Each phase of the development will be required to deliver the proportionate number of spaces for private and visitor use according to the particular mix in that phase. The illustrative masterplan has shown that parking has been designed into the layout and can be accommodated. The masterplan identifies that in order to create a distinctive neighbourhood parking needs to be integrated and designed in different ways across the site and often using innovative design where appropriate.
- 5.5.26 Officers have been in discussions with the applicant regarding the use of garages in addition to provision of parking spaces with the view that garages if provided should be of a sufficient size to accommodate a car and therefore be considered a parking space. The applicant has significantly reduced the number of garages on phase 1, particularly those that do not serve as a parking space, however some remain, and officers have advised that it is not appropriate to include garages, particularly those that are detached that do not serve as a parking space. Officers consider that detached garages between gardens do not create a pleasant sense of place or neighbourliness; they create excessive overshadowing in gardens; and add unnecessary substantial built form in the landscape. Especially with the steep topography of the site additional garages, particularly those that are detached will require significant retaining walls, further exacerbate the effect of overshadowing and increased built form in the landscape. The applicant is aware of these issues well in advance of designing phase 2 and Officers expect this problem to have been designed out for subsequent phases. This matter weighs against the proposal, countered by the overall provision of parking being neutral in the planning balance.
- 5.5.27 In terms of cycle parking and storage, the Parking SPD requires *'1 secure covered space per dwelling. None if garage or secure area provided within curtilage of dwelling'*. To ensure this is complied with and sufficient provision is provided on site, a schedule with details of cycle parking and storage across the site will be required with all applications for reserved matters on the site should planning permission be granted. A condition is also required for the full details part of the site to ensure sufficient cycle parking is provided and in suitable locations.
- 5.5.28 In light of the above observations, it is considered that both the outline part of the application as well as the full details of Phase 1 the development would include sufficient parking provision, which is in accordance with the requirements of the Parking SPD.

Construction and phasing

- 5.5.29 Regarding construction of the site, it is inevitable that there will be some disruption to the highway network and inconvenience to local residents as a result of construction activities, in particular creating the new access onto Newmarket Road and undertaking those works to provide a new crossing. Once the access is useable all construction activities will be retained within the site. The site benefits from an existing mature landscaped boundary to help contain construction noise and dust.
- 5.5.30 It is anticipated that the emergency access would also be used as a construction access particularly for phase 2 of the development, rather than using the main access for residential and construction use. The applicant will require detailed discussion and s278 agreement with the Highway Authority, and a Construction Traffic Management Plan is to be secured by condition.

Travel Plan

- 5.5.31 A Draft Travel Plan has also been submitted with the application which includes several short, medium and long-term actions to increase the use by residents of sustainable modes of travel and to reduce the use of the private car for the residential use on the site. It is acknowledged that some of the assumptions made in the draft plan are not accurate, and this has been examined by the highway authority who do not consider that updating it for this version would have an impact on the overall outcome.
- 5.5.32 The need for an updated Travel Plan is therefore to be included by condition and monitored by HCC with s106 financial contribution of £6,000. The primary target over a 5-year period is to increase the number of residents and visitors cycling, using public transport or being a car passenger to and from the development by 3% each, and increase walking by 1% compared to the current baseline for the area. The highway authority consider that traffic monitoring will be required associated with the travel plan, although the recommended condition does not meet the tests for conditions and has not been justified.

Conclusion

- 5.5.33 To conclude this section on highways, the application seeks outline permission for the access arrangement for the site, together with full details of the main vehicular access, a section of the main road, internal roads for phase 1 and the bus turning area. The highway authority at HCC have confirmed there is no objection to the principle of development on this site, as well as the full details shown for phase 1. Traffic impacts of the development will be mitigated through off-site highways works delivered by the developer (strand 1 works) and secured by either condition or S106. The developer has also agreed to contribute towards Strand 2 highways works, which is towards active and sustainable travel in the vicinity of the site. Further detail will be required by S278 agreement with the highway authority on off-site highways works, including the Aintree Road and Newmarket Road paths and Newmarket Road toucan crossing. A traffic regulation order will be needed for the speed limit change as required in the S106. An updated Travel Plan will also be needed, with a financial contribution and secured in the S106.

5.5.34 The NPPF aims to balance development needs with the need for sustainable transport and highway safety. It encourages early consideration of transport issues, focusing on mitigating impacts and promoting sustainable travel choices. Paragraph 116 confirms that *'development should only be prevented or refused on highway ground if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network following mitigation, would be severe, taking into account all reasonable future scenarios'*. The proposal will result in some highway harm in terms of increased traffic measured by impact on junctions around Royston, but which will be well mitigated by physical works and financial contributions towards active and sustainable travel and is therefore in accordance with the NPPF and NHLP Policy T1. The harm weighs as neutral in the planning balance.

5.6 Flood Risk and Drainage

5.6.1 National policy on issues relating to flooding is set out in the NPPF at para. 170-182. This emphasises the importance of considering the potential for flooding for new developments particularly in areas identified as high risk. It also requires the considerations of including sustainable drainage solutions where necessary and appropriate.

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

5.6.3 The application is accompanied by a Flood Risk Assessment (FRA) prepared by consultants Ingent together with associated technical appendix and Drainage Strategy for Phase 1. This considered the risk to flooding from fluvial, surface water, groundwater, sewers and artificial sources. The site is located within flood zone 1, signalling the site has the lowest probability of fluvial flooding. The development is also at low risk of flooding from groundwater and infrastructure failure. This application seeks outline planning permission for the whole site and full planning permission for phase 1 relating to the first 106 units on the west of the site, and so supporting information reflects that need for different evidence required accordingly.

5.6.4 The drainage strategy would mimic the existing natural drainage by infiltration by utilising infiltration basins, swales, permeable paving, tanks and rainwater harvesting across the site. Along the northern edge of the site, to the east of the existing cottage is the natural low point of the site and will be the main point for an infiltration drainage basin. This has been designed to be a dual purpose area for green space and ecological habitats as well as drainage. There are other areas of green space throughout the site and as detailed in phase 1 where surface water can infiltrate at that point as well. The copse area in the southeastern corner will be a larger area of greenspace able to take infiltration and a green 'corridor' from the copse down the hill to the main basin will enable inclusion of blue infrastructure into the site. As set out in the masterplan, there could be potential for some of this to be made into a play or place making feature when the detail of that phase comes forward.

- 5.6.5 Having assessed the submitted reports and information, the Lead Local Flood Authority (LLFA) now raises no objection, with concern previously on the calculations used to assess the drainage strategy for phase 1 and subsequent impact on the rest of the site when those phases are planned in more detail. The drainage strategy was updated to enable more infiltration in phase 1, which has been reflected in the layout for the site as a whole. The LLFA confirmed that their concerns had been addressed and recommends a series of conditions relating to phase 1: a detailed construction phase surface water management plan and a surface water drainage system and verification report; and for the rest of the site: detailed designs of surface water drainage scheme and a SUDS phasing plan.
- 5.6.6 The Council Ecologist has raised a concern about the proposed drainage feature close to the copse within the site. Depending on the character of this feature and engineering operations involved in installing and maintaining it with pipework and underground infrastructure, it could be quite an inappropriate feature, not just at the top of the hill, but within close proximity to the copse, where much design effort has been made to protect it from development and encroachment. When the detail for this phase comes forward for reserved matters the applicant will need to examine the detail of the drainage proposed and whether it is compatible to the objectives for this area.
- 5.6.7 To conclude, there is no objection from the LLFA subject to conditions, and no objection from Anglian Water subject to informatives about connecting to the existing sewers, protection of assets, building near an existing sewer and potential adoption of new infrastructure. The proposals are therefore in accordance with the NPPF and NHLP Policy NE7. This is neutral in the planning balance.

5.7 Ecology and Biodiversity Net Gain (BNG)

- 5.7.1 Chapter 15 of the NPPF requires decisions to contribute to and enhance the natural environment. NHLP policies SP1, SP12, NE4, NE6 and NE8 seek to protect, enhance and manage the natural environment. This application was submitted after the BNG requirements came into effect in February 2024.
- 5.7.2 The application is supported by an Ecological Appraisal (rev D updated in October 2025) prepared by FPCR Environment and Design Ltd. It is acknowledged that this site was principally characterised by intensively managed arable land. Other habitats identified include the plantation of broadleaved woodland, neutral semi-improved grassland, tall ruderal vegetation, amenity grassland and some hardstanding. By way of a summary, there was found to be low to moderate potential for bats in some trees around the application site, but no current presence of roosting bats. An outlier badger sett is also identified within the site. There will be impact on nesting and foraging birds of the arable land, which can be mitigated against by providing scrub and avoiding disturbance during nesting seasons. The presence of great crested newts is highly unlikely.
- 5.7.3 The masterplan recognises the copse within the site to be of habitat and ecological value. The plan makes provision for it to be retained with the development around it. The proximity to the plantations and countryside beyond it has been designed in so as to incorporate the copse as a link to the countryside, with a green corridor flowing from the copse through the development. The copse needs to be maintained well and protected during construction with a suitable offset from the copse to nearest houses and encourage

the existing habitat to continue. The copse sits broadly at the top of the hill and will be an attractive natural focal point for the site.

- 5.7.4 The masterplan was redesigned compared to the previous outline application to incorporate the NHLP policy NE4 requirement for 12m buffer of complimentary habitat to '*wildlife sites, trees and hedgerows*'. The 12m has been met around most perimeters of the site, which is surrounded by wooded plantations, however it has been agreed that the 12m would be compromised on some places but increased in others. This buffer also helps the site deliver some of the open space requirements and is a benefit to the proposal and quality of development.
- 5.7.5 The applicant has identified that it is not possible for the development to deliver 10% BNG onsite, but following the biodiversity hierarchy there is land within the same ownership and within the same LPA where habitat can be created to the required level. The land is located c.480m to the east of the application site. The offsite land is expected to deliver 0.51 woodland habitat units and 12.39 units of scrub units, which above the baseline level would deliver 8.89 units. Overall, taking into account on and off site units, there would be a net gain of 16.59%, which exceeds requirements.
- 5.7.6 Here is a summary of the district council's ecologist comments:
- 5.7.7 The April 2024 Ecological Appraisal (EA) considered the potential for some of the trees to be removed to be of interest for bats and advised further survey work to identify the presence/absence of roosting bats. A number of trees will need to be removed to facilitate proposed development were identified to present features suitable to support roosting bats. The updated October 2025 Ecological Appraisal informs further assessment of these trees did not identify the presence of roosting bats. As such, roosting bats have not been identified to pose a statutory constraint to proposed development.
- 5.7.8 A condition is recommended for a lighting strategy and an Ecological Enhancement Plan to be submitted. These will be required for both phases, but both could be the subject of a condition on the reserved matters for phase 2 when that time comes. A site wide Construction Environment Management Plan (Biodiversity) condition is also recommended.
- 5.7.9 The updated August 2025 Statutory Metric identifies a 12.6% loss of biodiversity units from the development site, and it is acknowledged that in order to meet the mandatory BNG requirements an element of off-site provision will be needed.
- 5.7.10 A Biodiversity Gain Plan will be required; this should be based on the latest layout and design. As some of the habitat gains are classified as off-site, these will need to be registered on the Natural England Biodiversity Net Gain (BNG) Site Register and secured via a s106.
- 5.7.11 Further clarification over the phasing and delivery of BNG as well as suitable management and maintenance for 30 years will be needed through a condition for a Habitat Management and Monitoring Plan (HMMP) is required to ensure the BNG is secured with monitoring charges secured via s106 in accordance with the fee calculator.

5.7.12 Ecology has been a key consideration of the masterplan in its early stages. The masterplan incorporated the complimentary buffer and sought to protect existing habitat on site. It is considered that given the proposed biodiversity net gain utilising off site units, together with the on-site enhancement and creation of habitats, that the overall impact of this proposal in the long term is a benefit to ecology in accordance with the NPPF and NHP Policies SP12, SP17, NE4, NE6 and NE8. This is a moderate benefit in the planning balance.

5.8 Open Space Provision

5.8.1 Chapter 8 of the NPPF confirms that development proposals should aim to achieve healthy, inclusive and safe places which: *'enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling'* (para.96).

5.8.2 NHP Policy NE1 encourages the protection, enhancement and creation of new strategic green infrastructure network, with appropriate long-term maintenance and management; and requires suitable mitigation to address adverse impacts on the strategic green infrastructure network.

5.8.3 NHP Policy NE6 ensures that development proposals *'make provision for new and/or improved open space which:*

- *Meets the needs of arising from the development having regard to the Council's open space standards and other relevant guidance;*
- *Contributes towards improving the provision, quality and accessibility of open space; and*
- *Incorporate any necessary open space buffer(s) for landscape, visual, ecological or air quality reasons...'*

5.8.4 The policy also covers requirements for long term management and maintenance arrangements; consideration to phasing; and requirements for financial contributions which meet an identified need.

5.8.5 The FiT standard would normally require 5.35ha of open space per 1,000 population. This should be made up of 1.6ha for outdoor sports and 0.55ha for play space, leaving a need for 3.2ha to be provided on site. In this case, sport provision will be provided off-site through financial contributions. No sports facilities will be provided on site however the applicant has committed to financial contribution toward a range of existing off-site facilities where projects have been identified (see section 5.9 below).

5.8.6 The site should mitigate the impact on Therfield Heath SSSI with 'suitable alternative natural greenspace' (SANG), defined as *'an area of land designated for recreational purposes that is designed to offset disturbance and pressures on sites that are protected for their habitat value under Conservation of Habitats and Species Regulations 2017 (as amended)'*. There is no nationally-set SANG standard, however, several solutions have been reached to mitigate recreational impacts on designated sites which require provision of SANG at 8ha per 1,000 population. Based on 325 homes on this application site, it is

estimated that the development will generate a population of about 900. This creates a need for 7.2ha of open space, which can overlap with FiT standards with dual purpose open space.

- 5.8.7 A total of 3ha of open space is proposed on this site, which is a little short of the required FiT standard and meeting less than half of the SANG requirement. The proposed onsite greenspace would comprise the complimentary habitat around the perimeter of the site, plus a buffer and protection of the copse of trees in the southeastern corner, the green corridor going northwards from the copse, and inclusion of SUDS basins (open space) and play area (play space) on the northern side close to the Cottages.
- 5.8.8 The complimentary habitat has been designed to be of a semi-natural condition, with as little hard standing encroachment and intervention as possible and will provide the plantations surrounding with a quality green space of ecological value. This green and open space will contribute towards SANG. The proposed SUDS basin will be green and useable at times of low rainfall and has the potential to contribute towards SANG. The green corridor will act as both a green and blue infrastructure corridor, with some play on the way. Officers estimate that the on-site SANG provision would amount to about 2.8ha.
- 5.8.9 The applicant is also proposing to reinstate and extend a permissive route in the field to the south of the site. The proposed circular route would be 2.3km and connect the application site with the wider rights of way network. It would also meet the aims and objectives of the Strategy. Whilst the provision of a permissive route to contribution towards wider RoW network, it is not possible to assign an area to the scale that this footpath would contribute in SANG terms. Nevertheless, the route is connected to the site, a good length and would make a valuable contribution to the network; it is also considered to be a reasonable requirement given the constraints of the application site and under-provision of on-site SANG.
- 5.8.10 In addition, the Therfield Heath Mitigation Strategy also seeks financial contributions towards mitigation measures at the Heath. The Therfield Heath Mitigation Strategy is a document that was produced to support the Local Plan. It is a material consideration in the determination of this planning application. It is not a detailed management strategy for Therfield Heath. Section 5 of the Strategy sets out mitigation measures to address a range of issues relating to Therfield Heath SSSI. The Strategy acknowledges that as common land the Heath will continue to be a major draw for residents of Royston. Developer contributions are one mitigation measure towards Therfield Heath. Other measures set out in the strategy are on-site mitigation measures relating to the provision of open space and recreational facilities, planning policies measures, and off-site avoidance and mitigation measures.
- 5.8.11 The Conservators of Therfield Heath have identified several potential projects at the Heath that require ongoing funding. They have requested £1,000 per dwelling and a contribution toward a visitor/education facilities and related infrastructure. Total requested contribution £525,350 to be paid pre-commencement. However, in order to be proportionate to the location of the site in the context of the Heath, which is about 1.5km away, together with the proposed footpath around the footpath to the south, a sum of £350 per dwelling has been agreed with the applicant which will support mitigation measures set out in the strategy.

- 5.8.12 Regarding play space, the developer is required to deliver a LEAP and NEAP to meet the needs of the development. However, only one LEAP has been accommodated on site, as well as some play on the way features along the green corridor and having been through the masterplanning process for the site this is a reasonable assumption given the site constraints. This is set out in the submitted Play Strategy within the masterplan and would provide about 0.2ha onsite, compared to the required 0.55ha. The Newmarket Road recreation ground is on the opposite side of the road to the application site, where there is an existing LEAP, NEAP and skatepark, which has recently been refurbished. The applicant will be providing the crossing and footpath links to the recreation ground which will provide easy access. It is proposed that a financial contribution of £120,000 will be made towards the extension and refurbishment of the play facilities at this recreation ground to mitigate the need for an on-site NEAP but meet the need for the site.
- 5.8.13 Regarding long term management and maintenance of greenspaces, the council's greenspaces team expressed interest, in accordance with the Greenspaces Management Strategy to adopt and maintain the greenspaces on site. However, the site would not deliver a substantial amount of greenspace and would likely only serve the residents of this development, rather than a wider need. Having also calculated the potential contribution in the context of the submitted viability appraisal it is considered that the site would be better managed by a management company in this instance.
- 5.8.14 To conclude, the development falls short of its onsite obligations to provide for open space in accordance with FiT and SANG requirements. However, this is being mitigated off site but in close proximity to the site, by providing a new 2.3km circular footpath round the field to the south, as well as a financial contribution towards sports provision in Royston, towards Therfield Heath mitigation measures and towards extension and refurbishment of play equipment at Newmarket Road recreation ground. Altogether this addresses this need in accordance with the NPPF, NHLP Policies NE1 and NE6 and the Therfield Heath Mitigation Strategy. This is neutral in the planning balance.

5.9 Sport Facility Impacts

- 5.9.1 Section 8 of the NPPF also requires planning decisions to aim to achieve healthy, inclusive and safe places. Para. 103 clarifies that *'access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and support efforts to address climate change...Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate'*.
- 5.9.2 NHLP Policy SP10 says that the council will provide and maintain healthy, inclusive communities for our residents by (i) supporting the retention...and (ii) require appropriate levels of new community, cultural, leisure and built sport and recreation facilities to be provided in new developments.
- 5.9.3 The masterplan confirms that the site will make provision for green corridors, active travel connections to and from the site, a play area, cycle access throughout the site, informal greenspaces, and access to the countryside from the site by foot. There is no on-site sports provision otherwise, particularly because of the steep topography of the site it

doesn't lend itself to pitch provision. The site is located sustainably within Royston and it is logical to contribute toward town-wide facilities given the scale of development.

- 5.9.4 The council adopted an updated Playing Pitch Strategy and Action Plan in October 2025. It provides an update on the 2018 document and plans for various sports, playing pitches, changing rooms, and leisure facilities for the town. Sports England applied their playing pitch calculator to the proposals, which identifies a need for natural and artificial grass pitches for football, rugby, cricket and hockey, as well as swimming pools and tennis. Although the calculator identifies demand for changing rooms, indoor bowls and sports halls, as there is no local need demonstrated, no contributions are being sought.
- 5.9.5 This, together with feedback from consultees, has resulted in the applicant committing to a package of contributions towards sports in Royston, to help mitigate the impact of the additional residents in the town. The council's adopted Developer Contributions SPD also sets out the broad framework for the provision of sports pitches and facilities in relation to new developments. Contributions were considered most suitable in this instance, due to the topography of the site, limited capacity given the housing numbers, and existing clubs and facilities that have the potential for upgrades. Capital sum contributions towards sports pitch and facilities needs are recommended on the basis that: there are current facility deficiencies; and there are identified projects that contributions could be used towards in order to ensure that the CIL Regulation 122 tests can be met.
- 5.9.6 These contributions are set out in the table at paragraph 5.13.7 below and sufficiently mitigates the need of the development on local sporting facilities. This is neutral in the planning balance.

5.10 Primary Healthcare

- 5.10.1 NHLP Policy SP7 sets out that development proposals will be required to make provision for infrastructure that is necessary in order to accommodate additional demands resulting from the development. It is further noted that developers may be required to provide, finance and/or contribute toward provision including on- and/or off-site. The Developer Contributions SPD 2023 establishes the requirement for primary healthcare contributions and that these should be based on a formulaic approach related to floorspace. The Infrastructure Delivery Plan (September 2016) demonstrates that in 2016 the practices in Royston had no spare capacity, and the NHS Cambridge and Peterborough ICB response highlights that there has also been significant housing growth in the last 9 years.
- 5.10.2 In the ICBs first response to the application, it was identified that a contribution would be needed, based on increased population for additional floorspace. Based on the required floorspace and a set price for extended properties for primary healthcare a contribution was suggested for extension of one or two GP surgeries close to the application site. Following the ICBs review a second response was submitted stating that there is a need to consider a new build primary healthcare facility, and so the contribution to recalculated to take into account the increased cost of new build compared to extension and refurbishment costs. It is requested that this contribution is paid pre-commencement of development, should planning permission be granted.
- 5.10.3 To conclude, the current primary care facilities do not have sufficient capacity to accommodate the additional population arising from the proposed development. This

would have a direct impact on local healthcare services and therefore requires mitigation. The applicant has agreed to make a financial contribution toward the development of new primary healthcare facilities as a preference, or extension and refurbishment of existing facilities. This is neutral in the planning balance.

5.11 Environmental Health considerations

Land contamination

- 5.11.1 The application is accompanied by a 'Preliminary risk assessment and geo-environmental Site Investigation report' (by RSK consultants). A Phase 1 report was considered appropriate during the Scoping of the proposals in line with EIA regulations. Having considered the submitted report, the NHDC Environmental Health Officer stated: '*I have no objection to the granting of permission. I recommend that further investigation of potential contamination on land be undertaken, as recommended in the Phase I environmental risk assessment report that was submitted with the application. To this end, I have recommended that the following condition is attached to any permission...*' The proposed condition relates to a Phase II environmental risk assessment being undertaken and appropriate remediation if required undertaken, all pre-commencement of development.

Air Quality

- 5.11.2 The local air quality management (LAQM) regime requires every local authority to regularly review and assess air quality in their areas, supported by the NPPF 2024. The site is not located within a designated Air Quality Management Area.
- 5.11.3 In this case, the application was not accompanied by an air quality impact assessment due to the scale of development and the planning history of the site. The Council's approach and guidance to matters on air quality is outlined in the 'North Herts Air Quality Planning Guidance (October 2018)' document. The Council's Environmental Health Officer advises that in accordance with NHDC guidance, there is no objection to the proposed development subject to conditions.
- 5.11.4 The Planning Statement submitted with the application acknowledged that appropriate mitigation will be needed to address emissions of pollutants where appropriate. The Environmental Health Officer recommends a condition requiring a 'Construction and Environmental Management Plan'.

Noise

- 5.11.5 The application is accompanied by a Noise Assessment by Ardent Consulting Engineers as per the previous outline application. It noted that the site benefits from being set back from Newmarket Road and separated by existing tree planting. The site is also 250m away from the A505, with landscaping in between, and so it is described as being 'relatively unconstrained in noise terms' and that external noise levels across the development are at least within the recommended external amenity space standards of 50-55db. It was not considered that there had been any material changes to noise since the assessment was done previously.

5.11.6 Having assessed the submitted information, the Council's Environmental Health Officer has not raised any objections and does not deem the need for a condition to be used for this matter. These matters on environmental health are neutral in the planning balance.

5.12 Sustainability Assessment

5.12.1 Section 2 of the NPPF requires the sustainability credentials of development proposals to be considered. Paragraph 8 sets out the three strands of economic, social and environmental, and in particular in point c) '*using natural resource prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy*'.

5.12.2 The Council declared a Climate Emergency in 2019 which pledged to do everything in the Council's power to achieve zero carbon emissions in North Hertfordshire by 2030. The Council adopted a Climate Change Strategy to promote carbon neutral policies. NHLP Policy D1 sets out criteria on sustainable design of proposals, which includes the need to reduce energy consumption and waste, improve water efficiency and future proof for changing in technology and lifestyle. Policy SP9 also on design seeks the inclusion of a broad range of sustainability measures in developments. Policy NE12 on renewable and low carbon energy development supports the principle of renewable energy subject to the assessment of impacts. The Sustainability SPD sets out an approach for assessing the compliance level of measures proposed. Measures can be categorised as bronze, silver and gold, where bronze is the basic level of compliance with building regulations, and gold is highest standard thinking about Future Homes standards, BREEAM, Passivehaus and LETI.

5.12.3 A range of sustainability measures have been assessed by the applicant's consultants in their Energy and Sustainability Statement (April 2024). Whilst it appears that accurate reference has been made to the proposals at Land at Burloes Cottages reference is made to other local planning authorities and their policies. The Statement also needs to be updated to reflect the Council's current position in the Sustainability SPD adopted in September 2024 and structure their energy and sustainability proposals in line with the structure of that document.

5.12.4 As the submitted statement references incorporate policies and pre-dates the SPD. Here are some general comments on the Themes set out in the Sustainability SPD:

- **Theme 1: Optimising passive design and fabric performance** – The cooling hierarchy has been considered and passive measures have been including such as a layout with greenspace around the perimeter and reduced tarmac areas; and consideration to glazing specification and thermal mass of construction materials.
- **Theme 2: Achieving low-carbon energy** – The development will seek to deliver a range of low-carbon energy generation solutions including solar panels and air source heat pumps. This has the potential to reach the silver category for residential development, demonstrating that 75% or more of dwellings energy demand is supplied from on-side renewable energy. This should be pushed for in an updated Statement to silver level and secured by condition.

- **Theme 3: Minimising carbon footprint** – The Statement shows how the proposed development would achieve a reduction in CO2 emissions compared to the Part L target. However, this needs to be assessed against the SPD standards.
- **Theme 4: Healthy placemaking** – As confirmed in the masterplan sections of this report, the development delivers appropriate green infrastructure, play space and open space.
- **Theme 5: Promoting biodiversity** – As confirmed in the ecology section of this report, the application is supported by necessary surveys and overall will result in a biodiversity net gain over 10%. This theme has the potential to reach the silver level in the SPD.
- **Theme 6: Sustainable travel** – As described in the highways section of this report, the proposals include integration of the wider foot and cycle path network into the structure of the site, and a package of improvement works to enhance connections directly into the site, and into the wider area to connect the site to the town centre. EV chargers are now required for all residential properties.
- **Theme 7: Conserving water** – The Statement in its current form supports reduced water use at 107 litres per person per day, which is supported and would be better than Bronze level, but not reduced enough to reach Silver.
- **Theme 8: Incorporating sustainable drainage** – As set out in the flood risk and drainage section of this report the proposals include several drainage features to deal with surface water. In particular the main drainage basin to the north of the site is designed to be large and shallow meaning that it should be dry much of the year and can be used for amenity and nature with quality planting and mown paths. This category has potential to meet the silver level but needs to be assessed in line with the SPD.

5.12.5 The proposal has the potential to exceed existing minimum standards over a few of these themes as set out in the Sustainability SPD. Where standards are exceeded, these are benefits which would weigh moderately in the planning balance. However full details of how each phase of development will deliver specific levels across all the themes will need to be confirmed via the submission of detailed, correctly reference and updated Energy and Sustainability Statement secured by condition. The updated Statements for all phases of development should focus on reaching the silver level of the themes covering: achieving low-carbon energy, promoting biodiversity, conserving water, and incorporating sustainable drainage in order for the benefit in the planning balance to be maintained.

5.13 Planning Obligations and Viability

- 5.13.1 In considering planning obligations in relation to this development NPPF para. 57 advises that: *‘Planning obligations should only be sought where they meet all of the following tests:*
- *necessary to make the development acceptable in planning terms;*
 - *directly related to the development; and*
 - *fairly and reasonably related in scale and kind to the development.’*
- 5.13.2 NHLP Policy SP7 sets out infrastructure requirements and developer contributions that are *‘necessary in order to accommodate additional demands resulting from the development’*. This policy reflects the NPPF principles set out above. It also cites the

recently adopted Development Contributions SPD 2023 and the update to Development Contributions adopted by the County Council.

5.13.3 The applicant has submitted a viability appraisal to accompany the planning application, which has been independently tested by Dixon Searle partnership (DSP) over the course of several months. The position taken on build costs, benchmark land values, development finance costs, professional fees and profit levels varies between the applicant's assumptions and estimates proposed by DSP. Between all these assumptions, the appraisal indicates that a wide range of financial contributions that could be supported but proposed a mid-point figure with two scenarios of either 22% or 25% affordable housing.

5.13.4 The conclusion was that with 22% affordable housing the scheme could support contributions of about £10.175m and with 25% affordable housing the scheme could support contributions of about £9.625m. To illustrate the range of potential scope for S106 contributions, depending on various assumptions and with those proportions of affordable housing, DSP used three scenarios for build costs, this is shown in the table below:

Build cost assumption	Level of S106 with 22% affordable housing	Level of S106 with 25% affordable housing
BCIS Median build cost	£6,900,000	£6,200,000
Submitted build costs	£10,175,000	£9,625,000
BCIS Lower Quartile	£14,050,000	£13,700,000

5.13.5 As a result of the high degree of potential change in viability because of changes in the estimated build costs, housing mix, and dwelling values, it was considered that a viability review mechanism is required together with a 'late stage review' to capture uplift in viability headroom as a result of greater certainty in these factors moving forwards. This aligns to the supporting text of viability in the Local Plan under policy HS2, and the further details provided in the Viability Review Mechanism section of the Developer Contributions SPD, which says:

The Council will consider using a viability review mechanism where obligations or covenants are agreed at lower than policy compliant levels on viability grounds. A viability review mechanism can trigger a review of the originally agreed contributions where there is an improvement in viability and/or broader economic conditions since the original viability appraisal was undertaken... (para. 2.4.1) ...Further developer contributions will only be required if a surplus is identified during the review over and above the returns necessary to be deemed viable. (para. 2.4.2)

5.13.6 The applicant previous did not support the inclusion of a Viability Review Mechanism and has submitted information by way of rationale and justification for not including the Mechanism in the heads of terms. In summary, the applicant's justification is that a Review Mechanism would represent a 'material risk to delivery' of the development. It would add delay to the delivery the scheme, which is showing to be not viable by circa £7m by their consultants. The applicant argued that a Review Mechanism would cause problems in securing joint venture partners to deliver the development due to 'programme misalignment' and 'contractual conflict'.

5.13.7 Officers were not convinced by the argument presented by that applicant that a Review Mechanism is not suitable. The argument is not supported by any evidence or detail on

how JV partners or the programme for delivery of the site would be affected by the imposition of a mechanism. The view of the applicant's viability consultant that the development is not viable by about £7m is not supported by DSP, who have reviewed the Viability Appraisal (see para. 5.13.4 above).

5.13.8 Moving back to what obligations are required to make the development acceptable in planning terms, Officers have held detailed negotiations with the applicant as well as consultees including HCC, Sports England, NHS, Natural England, NHC Housing and NHC Greenspaces, and agreement had been reached on a range of matters which are included in the draft s106. In order to secure an appropriate level of financial contributions to mitigate the impact of the scheme it is necessary to accept the lower level of affordable housing provision on the site, at 22%. Alongside this there have been some compromises on contributions, in particular HCC Growth and Infrastructure have significantly reduced their contributions towards education and other services; NHC have agreed not to adopt the greenspaces due to the level of contributions required for maintenance; and the Conservators of Therfield Health requested additional funds which cannot be justified in this instance.

5.13.9 Those contributions that are sought in full include the contributions towards NHS Primary Care, relating to the new build facilities in Royston, where there is a long-standing need and this site should contribute to help facilitate that. Sports provision has also been sought in full for capital projects identified, due to the lack of provision of any sports facilities on site, and the significant need for particular facilities in the town. A contribution to play facilities is also sought due to the under provision on the application site. A full contribution towards passenger transport and travel plans is also sought to ensure they can be delivered in full. The total contributions set out below amount to £9,858,031, which following indexation up to June 2024 when the viability work was undertaken, would be £10,418,235, which is over the viable position by £243,235 as set out above using their build costs. Despite being over this agreed with the applicant, subject to a 'conditional viability review'.

5.13.10 The provision of 22% affordable housing across the site will be delivered in two phases, at a policy compliant tenure split of 65% social and 35% intermediate tenures. The mix is set out in the table below and awaiting final agreement from the Housing Strategy team within the District Council.

5.13.11 All of the s106 obligations are listed in the following table as well as other heads of terms:

Element	Detail	Justification
Affordable Housing (NHDC)	22% affordable housing of which 65% social (affordable rent) and 35% intermediate (shared ownership) tenures <i>Proposal dated 28th November:</i> Phase 1 will deliver 106 units, 23 of which will be affordable (22%) with a tenure split of 65:35 Phase 2 will deliver up to 219 units, 48 of which will be affordable (22%) with a tenure split of 65:35.	NHDC Developer Contributions Supplementary Planning Document (SPD) Feb 2023

			Affordable			NHLP Policy HS2 Affordable Housing																					
	Market	Rent	SO	Total																							
Phase 1	83	15	8	106																							
Phase 2	171	31	17	219																							
	254	46	25	325																							
<p>This is the proposed housing mix of affordable housing in phase 1 (subject to re-consultation with NHC Housing Strategy):</p> <table border="1"> <thead> <tr> <th></th> <th>Rent</th> <th>Intermediate</th> </tr> </thead> <tbody> <tr> <td>1B maisonette</td> <td>2</td> <td></td> </tr> <tr> <td>2b maisonette</td> <td>2</td> <td></td> </tr> <tr> <td>2b bungalow</td> <td>4</td> <td></td> </tr> <tr> <td>2B house</td> <td>4</td> <td>6</td> </tr> <tr> <td>3B house</td> <td>3</td> <td>2</td> </tr> <tr> <td>Totals</td> <td>15</td> <td>8</td> </tr> </tbody> </table> <p>The housing mix of phase 2 would be subject to a scheme secured in the S106.</p>								Rent	Intermediate	1B maisonette	2		2b maisonette	2		2b bungalow	4		2B house	4	6	3B house	3	2	Totals	15	8
	Rent	Intermediate																									
1B maisonette	2																										
2b maisonette	2																										
2b bungalow	4																										
2B house	4	6																									
3B house	3	2																									
Totals	15	8																									
Education (joint pot) and SEND (HCC)	Indicative contribution of £4,434,892 (to be index linked) towards first education provision and/or middle education provision and/or upper education provision and/or Special Educational Needs and Disabilities (SEND) provision serving the development				Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022																						
Childcare Services (HCC)	Indicative contributions of £14,239 for 0-2 year old childcare facilities at Little Acorn Nursery and/or provision serving the development; and £2,390 for 5-11 year old childcare facilities at St Marys Primary School and/or provision serving the development (to be index linked)				As above																						
Library Services (HCC)	Indicative contribution of £43,781 (to be index linked) towards increasing the capacity of Royton Library and/or provision serving the development				As above																						

Youth Services (HCC)	Indicative contribution of £37,141 (to be index linked) towards increasing the capacity of the Young Peoples Centres and detached work in Royston and/or provision serving the development	As above
Waste Service (HCC)	Indicative contributions of £31,140 (to be index linked) towards the new provision at the Northern Transfer Station and/or provision serving the development	As above
Sustainable Transport contributions (HCC)	<p>Strand 1 – Contributions of £875,000 (to be indexed linked) towards bus diversion (£175k for 5 years) first payment to be received prior to occupation</p> <p>Contributions of £6,000 (to be indexed linked) towards Residential Travel Plan to be approved and monitored for 5 years</p> <p>Physical works to be implemented:</p> <ul style="list-style-type: none"> • Toucan crossing over Newmarket Road • Widened footpath on the north side of Newmarket Road • Link from Newmarket Road through the corner of the recreation ground to the cul de sac in front of 86 Newmarket Road • Upgrade footway to a shared use path between Ickniel Walk and Poplar Drive • Upgrade crossings at the southern ends of Ickniel Walk and Poplar Drive with raised tabled to prioritise pedestrian movements and facilitate cycle access • New 2m wide footpath from the western edge of the site into Aintree Road to be supported by a tree survey <p>Strand 2 – Contributions of approx. £3,204,825 based on £9,861 per unit (to be indexed linked) towards improving active and sustainable travel to and from the site. In particular the provision of a foot and cycleway from Poplar Drive to the A10 roundabout (LCWIP NH46) and improving crossing the A10 by foot or cycle from Garden Walk to Stamford Avenue as part of LCWIP NH45.</p>	<p>Policy SP7</p> <p>Policy SP17</p> <p>Policy D1</p> <p>Developer Contributions SPD</p> <p>HCC LTP4</p> <p>HCC 'Guide to Developer Infrastructure Contributions' 2022</p>
Monitoring Fees (HCC)	Contribution of £1,161 (to be index linked) towards the County Council's reasonable and proper	Policy SP7

	administrative costs of monitoring compliance with the provision in the S106 legal agreement	Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Health Services	Contribution of £466,013 to be indexed linked, towards primary care facilities in Royston	Policy SP7 Developer Contributions SPD
Sports Contributions (NHDC)	<p>Contribution of £33,407 to be index linked, towards cricket for practice nets and additional wickets at Royston Cricket Club</p> <p>Contribution of £36,480 to be index linked, towards hockey for a new hockey club site (sand based artificial grass pitch and clubhouse facilities) on a new sports hub site</p> <p>Contribution of £149,492 to be index linked, towards playing pitches for natural turf and 3G grass: provision of a new 3G artificial grass pitch that could be used for football match play as well as training at Royston Town FC, Roysia School, King James Academy or a new sports hub site</p> <p>Contribution of £67,328 to be index linked, towards playing pitches for Royston Rugby Club Heath sports club for pitch quality, changing facilities or social space, or towards the relocation of the rugby club to a new sports hub site</p> <p>Contribution of £11,880 to be index linked to provide new Padel or Pickleball courts, resurfacing work to existing courts, improved clubhouse facilities, gated access, floodlights at Royston Tennis Club, Priory Memorial Gardens, or Studlands Rise</p> <p>Contribution of £184,937 to be indexed linked, towards a new learner pool at Royston Leisure Centre</p>	<p>Policy SP7</p> <p>Developer Contributions SPD</p> <p>Play Pitch Strategy</p>
Open space provision and management/maintenance arrangements (NHDC)	On-site provision of open space including 1x LEAPs and Play on the Way to be managed and maintained by a resident's management company	Policy SP7 Developer Contributions SPD

	Contribution of £120,000 to be index linked toward the extension and refurbishment of the play equipment at Newmarket Road Recreation Ground	
Therfield Heath mitigation	Contribution of £113,000 to be index linked toward management measures at Therfield Heath. Provision of a permissive footpath around the field to the south	Policy SP7 Developer Contributions SPD Therfield Heath mitigation strategy
Viability Review Mechanism	The applicant and the Council have agreed that an early-stage viability review mechanism and late-stage viability review mechanism will be triggered if the reserved matters application is not submitted within the specified period, and if a specified number of units are not occupied within an agreed period. The review mechanisms will require the viability of the site to be re-assessed at agreed stages of development. At this time the costs will be known as well as any changes in market conditions.	Policy SP7 Policy HS2 Developer Contributions SPD
Habitat Management and Monitoring Plan	A Habitat Management and Monitoring Plan (HMMP) shall be prepared in accordance with the approved Biodiversity Gain Plan	Developer Contributions SPD
Monitoring Fee (NHDC)	One off monitoring fee of £25,000 (to be index linked) to cover the monitoring of all obligations (except for those relating to HCC)	As above

5.13.12 Back to the matter of a Viability Review Mechanism, Officers have consulted with NHDC Housing and HCC Growth and Infrastructure on this submission, as both organisations are signatories to the legal agreement, and due to the concessions made by HCC GIU on their requested policy compliant contributions they would normally require a Review Mechanism as standard.

5.13.13 The Developer Contributions SPD describes Review Mechanisms as being suitable on multi-phased or long-term schemes, or where there is consideration of '*large-scale, estimates or bespoke costs which may be subject to change or further surety upon investigations*' (para. 2.4.2). This site is the next largest site allocated for housing in the NHLP after the Strategic Housing Sites, and it has two phases and is therefore multi-phased. The site would deliver below policy compliant levels of affordable housing, planning contributions toward county infrastructure; and would also have been eligible for public management and maintenance of open space. Officers acknowledge the bespoke costs on the development due to the topography of the site and need for retaining walls and other engineering challenges as a result of steep slopes. These costs are factored into the appraisal.

5.13.14 At this stage the planning contribution figures have been agreed by all parties, including a commitment to c.£243k over the 'viable position' for 22% affordable housing, and a 'conditional viability review'. Discussions are ongoing regarding the wording of the s106 Agreement, such as trigger points. However, it is considered that the s106 Agreement is advanced enough to refer this matter to Planning Committee and that the outstanding issues are minor in nature and can be resolved prior to determination as set out in the resolution.

5.13.15 All the elements of these Obligations are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. In the light of the detailed evidence, all the elements of the Obligation meet the policy in paragraph 256 of the NPPF and the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). However, there is a shortfall of policy compliant contributions toward County infrastructure. There is also shortfall in policy compliant affordable housing delivery, as well as the transfer of open space to the council and their management and maintenance, both of which are discussed in previous sections of this report.

5.13.16 Because the applicant has proposed that there will be a 'conditional viability review', Officers have identified the applicant fails to do all they can to ensure the development addresses its full infrastructure requirement. Overall, the failure to fully address its impacts upon infrastructure is regrettable but local and national policies allow for reductions in contributions based upon viability. As the applicant has now agreed to viability review, albeit conditionally, this failure to deliver fully policy compliant obligations does not weigh against the proposal in the planning balance.

5.14 Impact on residential amenity

5.14.1 Concern has been raised from residents living nearby to the proposed development with regard to impact on their amenity as a result of the development as a whole.

5.14.2 NHLP Policy D3 states that '*planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions*'. Supporting text identifies harm in terms of traffic, parking, loss of daylight and sunlight noise, overlooking, pollution and dominance.

5.14.3 In the short term, it is noted that there would likely be at least some impacts to existing neighbouring properties during the construction phase due to construction noise and general traffic in the vicinity. Whilst various conditions would be imposed on the grant of planning permission, which seek to minimise this impact (for example, construction method statements and construction hours etc), there is likely to be at least some impact and disturbance, even if it is kept at a minimal level. All construction traffic will come from Newmarket Road, thereby limiting the impact of construction traffic on residents in the adjacent residential areas. This will also be managed through a Construction Traffic Management Plan. It is therefore considered that the construction phase of this proposal will have an overall small adverse impact on residential amenity as it is at least temporary.

5.14.4 In relation to the amenity of future residents of the application site, all proposed house types comply with the 'Technical housing standards – nationally described space

standards'. As previous stated, all properties will have private amenity space, with the smallest comprising 38sq.m. properties have been arranged to ensure a useable garden. The back-to-back distances are good and where properties are closer the elevations are considered in relation to back to side distances and windows in those elevations to ensure privacy and overlooking is respected. Officers consider that this will offer future residents a good standard of residential amenity in accordance with NHLP Policy D1 and D3. Officers conclude that the living conditions of existing residents would not be significantly affected as a result of the development as a whole as there is a substantial existing buffer of mature trees and vegetation between the application site and properties in adjacent residential streets (Goodwood Road, Aintree Road, Bury Plantation, Brampton Road, Foxglove Bank, Saffron Street). There would be a distance of about 50m from the closest properties to properties on the site. The main vehicular access would be from Newmarket Road as well so there will be limited interaction from that perspective. There may be glimpses of the development through from existing residential areas, but not to the extent that it would harm existing resident privacy or create any overlooking.

- 5.14.5 This has been examined in greater detail for the full part of this hybrid planning application, knowing the position of proposed dwellings in phase 1 of the development. Along the edge of this part of the site houses are positioned to front a street running alongside the plantation. There will be some houses that will be side on to this western boundary. With the houses that front the plantation there will be front gardens, the street, the complimentary habitat buffer before the plantation. This will form a pleasant and spacious environment and natural buffer to the woodland. The layout has demonstrated the distance between nearest properties will be respected: the closest gap is 47m to the closest properties in Goodwood Road, and the greatest distances will be alongside Foxglove Bank and Saffron Street of about 70m. It is not considered that there will be any privacy or overlooking issues arising from the proposed development in relation to phase 1. Overall, this matter weighs as neutral in the planning balance.

5.15 Planning Balance

- 5.15.1 The site at land south of Newmarket Road, known as land around Burloes Cottages, in Royston was allocated for housing development under Policy RY10 on adoption of the North Hertfordshire Local Plan in November 2022. The site is allocated to deliver about 300 homes, with this application propping up to 325 homes. Notwithstanding the site allocation, and as identified in the foregoing section of this report, the tilted balance applies due to the housing land supply position the council is in at this time.
- 5.15.2 The following table summarises the matters that weigh in favour and against the proposed development:

Issue	Effect	Weight
Delivery of 254 market homes	Benefit*	Significant
Provision of 71 affordable homes (22% affordable housing) of which 65% would be social tenure (46 units) and 35% would be intermediate tenure (25 units)	Benefit*	Very significant
Masterplanned and well designed	Benefit*	Significant
Sustainability credentials	Benefit*	Moderate
Ecology	Benefit*	Moderate

Landscape and visual impact	Harm*	Moderate
Compliance of phase 1 with the masterplan	Neutral*	None
Loss of agricultural land	Neutral	None
Trees	Neutral*	None
Heritage including archaeology	Neutral	None
Highways and traffic	Neutral*	None
Flood risk and drainage	Neutral*	None
Open space provision	Neutral*	None
Sport facility impact	Neutral*	None
Primary healthcare	Neutral*	None
Environmental health	Neutral*	None
Residential amenity	Neutral*	None

*Table 1: Planning Balance Summary (*conditions and obligations recommended)*

5.16 Overall Assessment

5.16.1 This is an allocated housing site in the adopted Local Plan. It will therefore make an important contribution to the housing land supply. As the Council is currently unable to demonstrate a 5-year housing land supply, the tilted balance of paragraph 11(d) of the NPPF 2024 is engaged. The several collective benefits of the development, including the provision of affordable housing which is very significant; provision of market housing and design are described as significant; and ecology and sustainability issues positively albeit less than significant. There are adverse effects identified regarding landscape impact to a limited degree. The agreed planning obligations do not fully address the impact of the proposed development. However, development plan and national policies make provision for reductions in obligations due to issues of viability, because the key aim is to boost the supply of housing. Therefore, the shortcomings of the proposal in this regard do not weigh against the proposal in the planning balance, subject to the conditional viability review mechanism proposed by the applicant. Without fully assessed viability issues and the provision of viability review, albeit conditional in this instance, the failure to address the infrastructure impacts of the development, would otherwise weigh against the proposal.

5.16.2 Overall, the moderate adverse impacts of granting planning permission for this proposed development would not significantly and demonstrably outweigh the more abundant benefits, when assessed against the policies in the NPPF 2024 taken as a whole. The proposed development therefore benefits from the presumption in favour of sustainable development which is a material consideration.

5.16.3 The proposal would accord with the development plan as a whole and other material consideration do no indicate otherwise. Accordingly, it is recommended that planning permission be granted for this hybrid application.

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

- A) The completion of a satisfactory legal agreement including a conditional viability review mechanism and for officers to negotiate appropriate viability review triggers to ensure that viability is revisited at appropriate junctures throughout the development
- B) The applicant agreeing to extend the statutory period in order to complete the agreement as required;
- C) Providing delegated powers to the Development and Conservation Manager to update conditions and informatives with minor amendments as required; and
- D) Conditions as set out below:

Definitions:

'Development Parcel' means a phase or part of the development excluding the full details as part of this hybrid application and Enabling and Associated Works. For instance, this would include another phase or part of the development.

'Enabling and Associated Works' means the preparation of a site in readiness for the first stage of development: this includes (i) surveying, (ii) environmental and hazardous substance testing and sampling (including the making of trial boreholes, sampling and test pits in connection with such testing) (iii) soil tests, (iv) pegging out, (v) tree protection, (vi) ecological survey and mitigation works, and (vii) archaeological investigation.

1. Time limit (Phase 1 – full application)

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. Approved plans (Phase 1 – full application)

The development hereby permitted for phase 1 shall be carried out strictly in accordance with the details specified in the application and supporting approved documents and plans listed:

- ROY01-MCB-ZZ-ZZ-DR-A-0210-D5-P2-Site Location Plan Phase 1
- ROY01-MCB-ZZ-ZZ-DR-A-0230-D5-P5-Site Layout Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0231-D5-P3-External Materials and Boundaries Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0232-D5-P3-Surfacing Material Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0233-D5-P6-Affordable Tenure Plan 22%
- ROY01-MCB-ZZ-ZZ-DR-A-0234-D5-P3-Refuse Strategy Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0235-D5-P3-Parking Strategy Plan
- 23324-MA-XX-XX-DR-C-0103 P05 General Arrangement proposed site access
- 23324-MA-XX-XX-DR-C-0130 P04 Visibility splays
- 23324-MA-XX-XX-DR-C-7003 P02 Swept Path Analysis – single decker bus
- 23324-MA-XX-XX-DR-C-7002 P02 Swept Path Analysis – refuse vehicle
- ROY01-LLA-P1-GF-DR-L-(0101) P04 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0102) P04 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0103) P04 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0104) P04 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0105) P04 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0106) P05 Detailed Hard Landscape Proposals
- ROY01-LLA-P1-GF-DR-L-(0201) P03 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-(0202) P03 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-(0203) P03 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-(0204) P03 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-(0205) P03 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-(0206) P04 Detailed Planting Proposals
- ROY01-LLA-P1-GF-DR-L-0301_P01 Landscape Specification and Details
- ROY01-LLA-P1-XX-RP-L-0601_P02 Landscape Management Plan
- ROY01-LLA-ZZ-ZZ-DR-L-0001_P04 Landscape Masterplan
- 2307-831-ST100D DRAINAGE STRATEGY PHASE 1
- 2307-831-ST101D EXCEEDANCE FLOW PHASE 1
- 2307-831-ST110D LEVEL STRATEGY Sheet 1
- 2307-831-ST111F LEVEL STRATEGY Sheet 2
- 2307-831-ST112D LEVEL STRATEGY Sheet 3
- 2307-831-ST130D ROAD SETTING OUT PHASE 1
- 2307-831-ST138D SECTION 38 LAYOUT PHASE 1
- 2307-831-ST139D SECTION 38 LINE MARKINGS PHASE 1
- 2307-831-ST200 RESTING PLACES RESTING PLACES
- 2307-831-ST100 SPINE ROAD RESTING PLACES
- ROY01-MCB-ZZ-ZZ-DR-A-0300-D5-P01-234_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0301-D5-P01-234 Side Patio_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0302-D5-P01-242_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0303-D5-P01-341_V1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0304-D5-P01-341_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0305-D5-P01-351_V1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0306-D5-P01-351_V2 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0307-D5-P01-351_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0308-D5-P01-354_V1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0309-D5-P01-354_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0310-D5-P01-461_K1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0311-D5-P01-461_V1 House type

- ROY01-MCB-ZZ-ZZ-DR-A-0312-D5-P01-461_V2 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0313-D5-P01-461_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0314-D5-P01-462_K2 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0315-D5-P01-462_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0316-D5-P01-466_K2 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0317-D5-P01-466_V1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0318-D5-P01-466_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0319-D5-P01-467_K1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0320-D5-P01-467_K2 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0321-D5-P01-467_V2 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0322-D5-P01-467_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0323-D5-P01-581_K1 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0324-D5-P01-581_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0325-D5-P01-AF1+AF2 Maisonettes_V3 House type
- ROY01-MCB-ZZ-ZZ-DR-A-0330-D5-P01-Garages
- ROY01-MCB-ZZ-ZZ-DR-A-0331-D5-P01-Sales garage
- ROY01-MCB-ZZ-ZZ-DR-A-0332-D5-P01-Hipped Garages

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

3. Materials (Phase 1 – full application)

Details and/or samples of materials to be used in phase 1 on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

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

4. Soft landscaping (Phase 1 – full application)

Notwithstanding the approved plans, prior to commencement above slab level, full details of soft and hard landscaping will be submitted to and approved in writing by the Local Planning Authority. Details will include:

Soft Landscape:

- a) Details of trees, hedgerows, habitats, ponds and other natural features it is proposed to retain or remove and details of how they will be protected during the construction phase. Such a scheme will comply with the provisions of BS5837 and BS3998. The approved scheme for the protection of the existing trees shall be implemented BEFORE DEVELOPMENT COMMENCES on the relevant development phase and be maintained in full until the development within that phase has been completed.
- b) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;
- c) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of each development phase;

- d) The landscape treatment of roads;
- e) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;
- f) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate;
- g) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;

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

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings in accordance with NHLP Policy NE4.

5. Hard landscaping (Phase 1 – full application)

Notwithstanding the approved plans, prior to commencement above slab level, full details of hard landscaping will be submitted to and approved in writing by the Local Planning Authority. Details will include:

Hard Landscape:

- a) Full details, including cross-sections, of all bridges and culverts;
- b) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;
- c) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways; and
- d) Details of all hard surfacing materials (size, type and colour).

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

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings in accordance with NHLP Policy NE4.

5. Substation (Phase 1 – full application)

Prior to the commencement of the development above slab level, notwithstanding the details approved via condition 2 in-so-far as it relates to phase 1, in relation to hard and soft landscaping, and, full details of a comprehensive hard and soft landscaping details (including planting details) and all boundary treatments pertaining to land surrounding the proposed sub-station shall be submitted to and approved in writing by the Local Planning Authority.

The soft landscaping / planting details approved pursuant to this condition shall be carried out before the end of the first planting season following either the occupation of the (first) dwelling 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 ensure the development is comprehensively landscaped in the interests of visual amenity. Local Plan Policies D1 and N2.

6. Retaining walls (Phase 1 – full application)

Prior to the commencement of the development hereby approved, notwithstanding the drawings approved via condition 2 in-so-far as it relates to phase 1, full details in regard locations, lengths, depths, and treatments of retaining walls throughout the phase of development will be submitted to and approved in writing by the local planning authority. The details approved via this condition shall then be implemented prior to the occupation of each dwelling affected.

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 protect the amenities of future residents, in accordance with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

7. Energy and Sustainability Statement (Phase 1 – full application)

Notwithstanding the submitted Energy and Sustainability Statement, prior to commencement above slab level an updated Energy and Sustainability Statement for phase 1 shall be submitted to the Local Planning Authority for approval in line with the nine themes of the Sustainability SPD. The approved measures must be implemented on site for each dwelling hereby approved prior to its first occupation and thereafter retained.

Reason To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with the Sustainability SPD 2024 and North Hertfordshire Local Plan Policies SP9 and D1.

8. Ecology – lighting (Phased)

Prior to the installation of any lighting, a lighting design strategy for biodiversity for the site, or each development parcel thereof, shall be submitted to and approved in writing by the local planning authority. The strategy shall;

a) identify those areas/features on site to which bats and other nocturnal species are particularly sensitive and that are likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to reach key areas of their territory, for example, for foraging, and:

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason:

9. Ecological Enhancement Plan (Phased)

No development above slab level shall take place until an Ecological Enhancement Plan (EEP) for the site, or each development parcel, for the creation of new wildlife features including

integrated bird/bat and bee boxes in buildings/structures, where heights allow swift bricks should be used, together with hedgehog holes in boundary features has been submitted to and approved in writing by the local planning authority.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the North Herts Local Plan policy NE4.

10. LLFA Condition 1 (Phase 1 – full application)

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

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

11. Highways Electric Vehicle (EV) Charging Point (Phase 1 – full application)

Prior to the first occupation of the development hereby permitted, details of the location of the EVCP for each residential dwelling shall be submitted and approved in writing by the local planning authority. The approved EVCP will be installed and active (ready to use) prior to the residential units first occupation and shall thereafter be permanently retained.

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

12. Highways Cycle Parking (Phase 1 – full application)

Prior to the occupation of any dwelling, a scheme for the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied and thereafter retained in perpetuity for this purpose.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018) NHLP Policy T1.

13. Time limit (Phase 2 – outline)

Application for approval of the reserved matters for phase 2 shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission, and the development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the first of the reserved matters to be approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

14. Approval Plans and Documents (Phase 2 – parameter plans)

The development hereby permitted shall be carried out strictly in accordance with the parameter plans listed below, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved:

- ROY01-MCB-ZZ-ZZ-DR-A-0205-D5-P2 Location Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0206-D5-P1 Site Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0150-D5-P3 Developable Area Parameter Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0151-D5-P4 Access Parameter Plan

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

15. Approval Plans and Documents (Phase 2 – framework plans)

The development hereby permitted shall be carried out broadly in accordance with the framework plans listed below, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved:

- ROY01-MCB-ZZ-ZZ-DR-A-0153-D5-P1 Green and Blue Framework Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0154-D5-P1 Play Framework Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0155-D5-P1 Built Form Framework Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0156-D5-P2 Movement Framework Plan
- ROY01-MCB-ZZ-ZZ-DR-A-0157-D5-P1 Phasing Framework Plan

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

16. Masterplan compliance checklist (Phase 2 – reserved matters)

Prior to or concurrent with the submission of the first Reserved Matters application, and any subsequent Reserved Matters applications, a Masterplan Compliance Statement shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan Compliance Statement shall provide detailed explanation of how the proposal accords with the Masterplan framework and parameter plans and document approved under application reference No. 24/01013/HYA. Where the proposal does not accord with a specific principle or parameter within the approved Masterplan, the Masterplan Compliance Statement must provide clear and robust justification for each departure.

Reason: To ensure that the development as envisaged by the outline application is satisfactorily implemented in accordance with Policy SP9 of the North Hertfordshire Local Plan.

17. Submission of Reserved Matters (Phase 2 – reserved matters)

No part of the built development of phase 2 or sub parcel identified on ROY01-MCB-ZZ-ZZ-DR-A-0157-D5-P1 Phasing Framework Plan hereby permitted shall be commenced within a particular development parcel or sub-phase until full details of the layout, scale, access (other than main vehicular access), appearance and landscaping within the parcel (hereinafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and the provisions of the Town and Country Development Management Procedure Order 2015 and to ensure high quality urban design and co-ordinated development.

18. Energy and Sustainability Statement (Phase 2 – outline application)

Notwithstanding the submitted Energy and Sustainability Statement, prior to or concurrently with the any application for reserved matters submission an Energy and Sustainability Statement shall

be submitted to the Local Planning Authority for approval in line with the nine themes of the Sustainability SPD. The approved measures must be implemented on site for each dwelling hereby approved prior to its first occupation and thereafter retained.

Reason To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with the Sustainability SPD 2024 and North Hertfordshire Local Plan Policies SP9 and D1.

19. CEMP Biodiversity (Site wide)

No development shall take place (including ground works or vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity), has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

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

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

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

20. LLFA (Site wide)

Prior to commencement on any phase, in accordance with the submitted FRA and Drainage Strategy (dated 21 July 2025, REF 2307-831 REV B), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

- I. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature/s. or
- II. If infiltration is proven to be unfavourable, then Greenfield runoff rates for the site shall be agreed with the Lead Local Flood Authority. The post development runoff rates will be attenuated to the equivalent Greenfield rate for all rainfall events up to and including the 1% Annual Exceedance Probability (AEP). The discharge location for surface water runoff will be confirmed to connect with the wider watercourse network.
- III. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change).
- IV. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the: a. 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to

- show no flooding outside the drainage features on any part of the site. b. 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.
- V. The design of the infiltration basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.
 - VI. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.
 - VII. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
 - VIII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 181,182 and 187 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

21. LLFA

Prior to commencement of development a detailed Site SuDS Phase plan which aligns with the site phasing plan shall be submitted to and approved in writing by the Local Planning Authority. This SuDS Phasing plan shall ensure that each phase does not exceed the agreed discharge rates for that phase and that source control measures are installed within each phase to adequately address the phases own surface water runoff. The plan shall ensure that each SuDS component is adequately protected throughout the development of the scheme. The plan shall show all exceedance routes throughout the site clearance and construction of the scheme ensuring flood risk is not increased elsewhere or to the site itself and that the site remains safe for all exceedance event flow routes for the lifetime of the development during rainfall (i.e. greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of North Herts Council.

22. LLFA

All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (dated 21 July 2025, REF 2307-831 REV B), this includes all new residential dwellings to have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of North Herts Council.

23. LLFA

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 [LPA to specify numbering]. 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.

24. Remediation method statement (Site wide)

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.

This site shall not be occupied, or brought into use, until: (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme. (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

Any contamination, other than that to be dealt with by virtue of condition (a), 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.

25. Fire hydrants (Phased)

Prior to the commencement of any roads (excluding the construction access), details of a scheme for the provision of fire hydrants to serve the relevant phases of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.

Reason: To ensure all proposed dwellings have adequate water supplies for in the event of an emergency in accordance with North Hertfordshire Local Plan Policies SP1 and SP7.

26. Highways (Phase 2 – reserved matters)

No development shall commence on phase 2 or subsequent development parcel until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- i) Roads, footways.
- ii) Cycleways.
- iii) Foul and surface water drainage.
- iv) Visibility splays
- v) Access arrangements
- vi) Parking provision in accordance with adopted standard.
- vii) Loading areas.
- viii) Turning areas.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

27. Highways accesses (Phase 1 – onsite works)

Prior to the first occupation of the development hereby permitted, the vehicular & Sustainable Transport Accesses as illustrated on drawing numbers (23324-MA-XX-XX-DR-C-0103 Rev P05 Sheets 1-4) shall be completed in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority and thereafter implemented and retained.

Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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

28. Highways (Site Wide – Surface Water)

Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

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

29. Construction Management Plan (Site wide)

No development shall commence until a Construction 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 include details 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;
- k. Phasing Plan.

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).

30. Highway Improvements (Site wide – off-site)

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 illustrated on drawing number (23324-MA-XX-XX-DR-C-0103 Rev P05 Sheets 1-4) 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 use 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).

31. Travel Plan (Site wide)

Notwithstanding the submitted Travel Plan, at least 3 months prior to the first occupation / use of the approved development a detailed Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

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

LLFA

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

Anglian Water

1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2.
2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
3. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2.
4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Crime prevention SBD Accreditation

Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. Reason: To ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' – Security of Building Regulations.

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) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

AN2) 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.

AN3) 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.

AN4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN5) 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.

AN6) 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.

AN7) Roads to remain private: The applicant is advised that all new roads* / the access routes marked on the submitted plans * / the access routes [describe*] [*delete as appropriate] associated with this development will remain unadopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate the road name plate should indicate that it is a private road and the developer should put in place permanent arrangements for long-term maintenance.

AN8) Estate road adoption (section 38): The applicant is advised that if it is the intention to request that Hertfordshire County Council as Highway Authority adopt any of the highways included as part of this application as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways, together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. The applicant is further advised that the County Council will only consider roads for adoption where a wider public benefit can be demonstrated. The extent of adoption as public highway must be clearly illustrated on a plan. Further information is available via the County Council's 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.

AN9) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN10) Street works licence (New Roads and Street Works Act - Section 50): The applicant is advised that they are not authorised to carry out any work within the Public Highway and that to do so they will need to enter into a legal agreement with the Highway Authority (NRSW agreement). This consent is separate and additional to any planning permission that may be given. Before proceeding with the proposed development, the applicant shall obtain the requirements and permission for the associated placement of apparatus within the adjacent highway as part of the proposal via the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/permit-scheme/east-of-england-permit-scheme.aspx> or by telephoning 0300 1234 40047. This should be carried out prior to any new apparatus is placed within the highway.

AN11) Abnormal loads and importation of construction equipment (i.e. large loads with: a width greater than 2.9m; rigid length of more than 18.65m or weight of 44,000kg - commonly applicable to cranes, piling machines etc.): The applicant is directed to ensure that operators conform to the provisions of The Road Vehicles (Authorisation of Special Types) (General) Order 2003 in ensuring that the Highway Authority is provided with notice of such movements, and that appropriate indemnity is offered to the Highway Authority. Further information is available via the Government website www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms or by telephoning 0300 1234047.

AN12) Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
OR by emailing travelplans@hertfordshire.gov.uk